HOUSE OF REPRESENTATIVES—*Wednesday, June 26, 1996*

The House met at 10 a.m., and was called to order by the Speaker pro tempore [Ms. GREENE of Utah].

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
June 26, 1996.

I hereby designate the Honorable ENID GREENE to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

PRAYER

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

We remember with gratitude and appreciation, O God, the members of our Armed Forces who serve in our land and in distant places. We recognize their commitment and faithfulness and they are with us in our prayers. On this day we specially remember those who faced violence and death in places of service so many miles from home. We reach out to their families and those they love asking that the power of Your promises and Your abiding strength will be with them in their need. May those whose joy has been turned to sorrow sense our prayers for them and may Your peace be with them, now and evermore. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Pennsylvania [Mr. KLINK] come forward and lead the House in the Pledge of Allegiance.

Mr. KLINK 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain fifteen 1-minute speeches on each side.

IN MEMORY OF D. PRESCOTT GRIFFITHS

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

Mr. BARR of Georgia. Madam Speaker, D. Prescott Griffiths, known to friends as "Don" or "Grif," was an outstanding example of the American Hero. He lived in Douglasville, in the Seventh District of Georgia, where he recently passed away. Born in New York City during the Great Depression, Don grew up in an atmosphere of family devotion, decency, and service.

Enlistment in the U.S. Army brought him to combat service in Korea, where after being shot down over enemy territory and wounded, it was discovered he had been underage at enlistment in order to serve his country. Later, he was recruited to hold an important post in counterintelligence with the Army C.I.D. in England, and he continued to give honorable service until his retirement. His absolute and complete memory recall made him one of the best counterintelligence agents of the cold war era.

His international and political contacts were legion, and he could always be counted on for encouragement and friendly advice.

Perhaps his memory can best be summed up in his own words. He said:

Life is a slice of time, brief and brutal. It is important to know love, to be loved, and to give love. And that's what it's all about.

To his country, which he deeply loved, D. Prescott Griffiths gave his all. He will be sorely missed and fondly remembered.

EXPRESSION OF SYMPATHY TO THE FAMILIES OF THE VICTIMS OF THE BOMB EXPLOSION IN DHAHRAN, SAUDI ARABIA

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

Mr. MONTGOMERY. Madam Speaker, on behalf of the minority leader, Mr. GEPHARDT, who cannot be here this morning, and myself, I wish to express sadness to the families who have lost their loved ones in the bomb explosion in Saudi Arabia. Not only Americans were killed, but others from France and from Great Britain probably were killed or hurt.

Now, Madam Speaker, this has to be a terrorist attack, in my opinion. Who did it, we do not know. But only 7 months ago, a car bomb explosion killed 5 Americans in Riyadh, Saudi Arabia. You know, we are really there in these countries for no other reason but to help these people and to bring peace in these areas. Why do these bad people hurt our innocent victims that are only doing their jobs? The President has sent FBI teams to help the Saudis to find out who did this heinous crime.

THE WORKING FAMILIES FLEXIBILITY ACT

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

Mr. BALLENGER. Madam Speaker, anyone watching the news this week would have been impressed with the President's sudden commitment to promoting workplace flexibility, but my question is this: Where was the President last year when I introduced the Working Families Flexibility Act; a bill that would allow an employee to choose between cash wages or paid time off for overtime work—a valuable opportunity to spend more time with family. Not only did the President oppose this bill—at the request of the Washington union bosses who are spending $35 million to run false and misleading campaign ads against Republicans—but his Chief of Staff, Leon Panetta, calls it a poison pill. Why the sudden change of heart?

Madam Speaker, my guess is the President's army of political hacks and spin gurus suddenly discovered in their polling that American women overwhelmingly support the Republican Working Families Flexibility Act, and they had better do some good ole stump proposals just to cover their electoral bases. While Washington pundits might praise the President's ability to hijack important issues for political gain, this kind of gamesmanship only hurts the American people and their ability to balance the conflicting pressures of work and family—especially working women. This is hardly a formula for election year success.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

EXPRESSING SYMPATHY TO THE FAMILIES OF VICTIMS OF BOMB EXPLOSION IN SAUDI ARABIA

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

Mr. VENTO. Madam Speaker, I rise today to recognize the loss of life that took place in Saudi Arabia, those United States troops and soldiers serving a peacekeeping mission, an important peacekeeping mission. Nearly 2,500 United States troops, mainly Air Force, are still stationed in Saudi Arabia today. I want to extend my sympathies and that of this House to those in uniform that are serving and the families that have experienced this loss of life, as well as the civilians and other loss of life that occurred. Nearly 150, perhaps more, were injured. We know at least 24 have lost their lives in this tragic accident.

The President rightly has put a top priority on this in terms of investigating and trying to deal with the forces within Saudi Arabia, even as we are doing peacekeeping, that are politically unstable and causing serious problems and outrageous actions and issues that we face. I think it is important to remember that any time anyone puts on a uniform, whether in war or in peacekeeping, obviously their lives are at risk. And it is enormously important as the U.S. Nation assign duties and responsibilities and assume the role that we do, that leadership consider the security, safety, and mission risks that our Armed Forces experience in the important and changing role that they fulfill.

ATTEMPTING TO REACH AN AGREEMENT WITH THE CLINTON ADMINISTRATION ON HEALTH CARE REFORM

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

Mr. GINGRICH. Madam Speaker, I just rise to report again to my colleagues that we are trying to reach an agreement with the Clinton administration on health reform so that every working family that has health insurance would be able to change jobs, would be able to continue their insurance without any worry about a precondition.

We think it is very, very important that every American know that once they are in the insurance system, they are there for the rest of their life. I have had personal experience in my family, I think every Member has either family or friends who have had the experience of not being able to buy health insurance because of a precondition.

We can reach an agreement this week before we go home. It is good for America. It is important for America. This House has voted to go to conference. We should pass health reform to guarantee that every family in America has access to health insurance without regard to preconditions, and we should do it before we go home this week. I hope the Clinton administration will reach an agreement with us today to have that kind of health reform for all Americans.

HORROR IN SAUDI ARABIA

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

Mr. HASTINGS of Florida. Madam Speaker, like my colleagues previously, I rise to offer my heartfelt condolences to the families of the victims and the injured survivors of the bombing in Dhahran, Saudi Arabia. Also, Madam Speaker, on behalf of the minority of this House, I would like to thank them for recognizing this as the priority issue of the day in allowing the first few of us to speak to this concern.

Terrorism and extremism know no territorial boundary. We must, here in this House, engage the international community in working vigilantly to identify and eradicate the perpetrators of terrorism at their cancerous roots. We in this body must give our law enforcers the tools they need to infiltrate terrorist organizations, deport terrorists and choke their funding mechanisms.

As President Clinton said yesterday, whoever harms an American anywhere in the world will pay. The difference, however, between us and the perpetrators of this kind of crime is that we resolve our disputes in a legal fashion using the rule of law and not of the jungle or desert.

LIBERALS WANT TO SCUTTLE HEALTH CARE REFORM

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

Mr. STEARNS. Madam Speaker, I wish to follow up on Speaker GINGRICH's comment on health care.

It is very simple to see what is going on here. Liberals lost the battle over nationalizing health care. Now they want to scuttle any health care plan that does not make the Government bigger. It is a shame. It is a shame because millions of American families would benefit from the health care reform bill being held up by the liberals in the Senate. Millions of people would be able to establish medical savings accounts. Many others would be forced to remain in job lock because they have a prior condition.

Madam Speaker, the health care reform bill now before Congress has bipartisan support. In fact, last week, 25 Democrats sent a letter to President Clinton urging him to support these commonsense reforms that the American people have been demanding for years. They do not want more government. They want portable, available, and affordable health care.

Madam Speaker, let us pass the health care bipartisan reform bill now.

WHITE HOUSE USE OF SECRET FBI AND IRS FILES

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

Mr. TRAFICANT. Madam Speaker, the White House use of secret FBI files was bad. The White House use of secret IRS files is even worse. After all this, FBI Director Freeh said it is an honest mistake and Secretary Rubin blamed it on a junior detailee. Beam me up.

Who in God's name gave the White House the power to snoop into our private lives? Who at the FBI has the right to violate the Privacy Act? Who at the Internal Revenue Service has the right to violate their oaths and betray American taxpayers? These are not honest mistakes. They are looking day in and day out. Looks like a crime to me.

When Congress allows the White House to act like the KGB, Congress allows the Government of Jefferson and Lincoln to stink just like the governments of Stalin and Franco. Think about that.

NO APPEASEMENT OR MFN FOR BEIJING

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

Mr. FUNDERBURK. Madam Speaker, appeasement of dictators is always bad policy. When Neville Chamberlain left Munich after meeting with Adolf Hitler, he said we have "peace in our time." Appeasement is a sign of weakness which only whets the appetite of dictators. Now we want to appease the Communist Chinese dictators once more, and we will lose because of it. I know, I saw first-hand the United States appease Ceausescu when I lived in Communist Romania for 6 years.

After last year's MFN, Beijing's human rights record is even worse. Persecution of Christians has increased. Nuclear weapons transfers are taking place, and slave labor continues.

Are we getting hurt in the trade relationship? We are really getting hurt. It mainly benefits Beijing. In 1995, the United States exported $11.7 billion of goods to China and we imported $45.6 billion in return, a colossal trade deficit of $33.9 billion.

In North Carolina, textile mills and other companies are closing down and

people are losing jobs because of slave labor produced goods being dumped on the U.S. market. It is time to look out for America's interest in jobs. No MFN for Communist China.

GRANTING TAX BREAKS TO CORPORATIONS

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

Mr. KLINK. Madam Speaker, we the people of the United States grant tax breaks to people in corporations who donate money to nonprofit organizations. Nonprofit status is granted so that services can be provided to the public. That means the public at large and where need occurs, with no regard to what political party you may or may not belong to.

Well, now this week there comes evidence in virtually every major newspaper in this country that the Speaker of the House of Representatives may have also manipulated a half dozen nonprofit organizations. They say it was in order to funnel $6 million toward helping the Republican Party gain control of our Government.

□ 1015

The question is, Is the Speaker guilty of criminal wrongdoing? We do not know, but we do know this. The Committee on Standards of Official Conduct had knowledge of this evidence, in this case, for many months, and they have not taken action.

Now, to our embarrassment, Congress, it is the news media that has taken action, where we in Congress have taken none. The time has come for Congress to clean its own House.

GOVERNMENT IS ALWAYS THERE WHEN IT NEEDS YOU

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

Mr. HEFLEY. Madam Speaker, today I call to your attention a study released yesterday by the U.S. Chamber of Commerce regarding the effects of Federal regulations on business.

The results are overwhelming.

One in six survey respondents reported having to lay off employees in order to offset the cost of Federal regulation compliance like the minimum wage, OSHA, and environmental laws.

Only 1 in 10 respondents said they had ever learned about a new Federal regulation from the agency that enacted it. In other words, "We'll come up with whatever we want, and it's your job to find out what that is."

Forty-four percent of the respondents who currently do not offer employee benefit plans said they would if Federal regulations were not so confusing.

Madam Speaker, I commend the U.S. Chamber of Commerce for conducting this study and I look forward to working with them and other Members of this body to get some commonsense reform to our heavy-handed regulatory process.

Some regulation is necessary but we have carried it to ridiculous levels. It is time for a change, Madam Speaker. It is time to unleash the potential of our economic system to create a better life for American workers.

CHARITABLE ACTIVITIES ARE COVER FOR LAUNDERING POLITICAL DONATIONS

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

Mr. BONIOR. Madam Speaker, yesterday, the L.A. Times reported that from 1984 to 1994, GOPAC ran a massive, $6 million tax fraud scheme that used six different nonprofit organizations as cover to defraud U.S. taxpayers and funnel money to its own political machine.

These are organizations that claimed to be involved in charitable activities—like helping inner-city youth and teaching kids to read through programs like Earning for Learning.

But in reality—the L.A. Times says—these were just a cover, part of a conspiracy to launder political donations and fuel a partisan, political agenda.

Madam Speaker, this cesspool has gone on long enough.

First, we had a $10 to $20 million GOPAC slush fund. Now, we have a $6 million tax fraud scheme.

We have got to get to the bottom of this. It's time that the individuals responsible for this fraud on American taxpayers are brought to justice and held accountable for their actions.

SUPPORT H.R. 3715, THE LAM DISEASE RESEARCH ACT OF 1996

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

Mr. CHABOT. Madam Speaker, I rise today to speak about a rare but deadly disease called lymphangiomyomatosis, or commonly referred to as LAM. The disease is so little known, it is commonly misdiagnosed and we, therefore, lose many opportunities to find a cure for this disease. Currently, it is always fatal.

LAM affects only women, primarily women of childbearing age. Abnormal cells are spread throughout the woman's lungs, making breathing more and more painful and eventually causing death. Most victims of LAM die within 10 years of the onset of the disease.

The Federal Government does all sorts of things it should not do and it wastes literally billions of dollars every year on things like paying big corporations to advertise overseas, paying farmers not to grow crops. There is no legitimate Federal role in things like that, but there is an important Federal role in conducting research on killer diseases such as LAM.

Tht is why 15 of us, both Democrats and Republicans, have proposed the LAM Disease Research Act of 1996, devoting $5 million to help fight this disease. We ask our colleagues to join us in supporting this bill.

GOPAC

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

Mr. VOLKMER. Madam Speaker, who ran GOPAC from 1984 to 1994? We all know that it was our autocratic Speaker, NEWT GINGRICH, while as a Member of this body ran this very political Republican organization. Where did he get his money? Well, he got a lot of it from tax-exempt organizations, six of them, which he set up, which he ran. They got donations from the public to go to help children, to help college courses, to help learning disabled, and what did he use it for? He used it to elect the Republicans. That is what the Speaker did. It is pure fraud. And what is being done about it? Nothing.

The Committee on Standards of Official Conduct has permitted the special counsel to look into two of those, but not the other four. Why not? It is a coverup, folks. They are taking care of the Speaker. They do not want the American public to know that the Speaker used tax-exempt organizations, defrauded the people who sent the money down there. They thought it was going for kids. What did it go to? It went to elect Republicans.

VOTE TODAY TO HELP THE DISABLED AND THE ELDERLY

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

Mr. LAZIO of New York. Madam Speaker, this morning we are going to have an opportunity to stand up for the most vulnerable members of society, the disabled and the elderly. There will be an amendment that was debated on the floor yesterday that will be up for a vote. We will have a chance to step forward and to do something important in terms of providing shelter and housing to give people the ability to have a meaningful life who have disabilities and who are elderly.

Now, when we talk about the word "disabled," it is almost a sanitized word, but let us think about it in terms of the veteran who has returned from the war and who is in a wheelchair and

lost his legs, or the 90-year-old grandmother who is in a wheelchair and wants her own home, not a nursing home, or the young girl who has lost her sight, and the young man who was born so mentally challenged that he needs the help that only a community house can provide to him.

In 1996, we were spending about $387 million out of a $30 billion budget for housing for the disabled. We are now talking about reducing funding down to $174 million. Please vote for the Lazio amendment that will restore about $40 million of that.

WEST GEORGIA STATE WILL INVESTIGATE CHARITABLE ACTIVITIES OF SPEAKER

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

Mr. BROWN of Ohio. Madam Speaker, get in line. Even West Georgia State in the Speaker's home State is investigating the charitable activities of Speaker GINGRICH. Newspaper after newspaper, conservative and liberal alike, have questioned the Speaker's activities and his fundraising apparatus.

West Georgia College Foundation oversees the Speaker's reading charity, something called Earning by Learning. That charity pays schoolchildren to read books, and Speaker GINGRICH has said the charity is all volunteer, with all proceeds going directly to children.

But let me quote from Speaker GINGRICH's hometown paper, a paper which has supported him regularly.

> The vast majority of the charity's money was paid not to children but to college instructor Mel Steely and several of his colleagues. Steely, who served as Gingrich's campaign manager in 1986 and a congressional aide in the 1990's, is the charity's coordinator. Some of the work done by Steely and paid for with charitable funds apparently focused on Gingrich's reelection chances and was written on the Marietta Congressman's campaign stationery.

Madam Speaker, that is simply wrong.

CALL FOR APOLOGY TO MEMBERS SERVING ON COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

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

Mr. ARMEY. Madam Speaker, 10 good men and women from this body, 5 from each side of the aisle, have responded to the request of their colleagues and their leadership to serve on the Committee on Standards of Official Conduct, known as the ethics committee. They have taken a responsibility on that most of us would shun, most of us would avoid, and they have done so with integrity, discipline, and the confidentiality required by the rules of the House.

These 10 good men and women deserve to be respected and appreciated. They do not deserve to have their work or their integrity called into question by people who are so full of zeal for vengeance on another of our Members they would ask this committee to violate its own standards.

I have seen a lot of speeches given from the well of the House, but never have I seen speeches that expressed so much disdain and lack of regard and appreciation for those 10 among us who would take on the toughest job we have to do. I would suggest apologies are in order.

MOVE TOTALITY OF COMPLAINTS AGAINST SPEAKER GINGRICH TO INDEPENDENT COUNSEL

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

Mr. STUPAK. Madam Speaker, the Los Angeles Times said Gingrich politics got boosts from nonprofits. GOPAC's use of six tax-exempt agencies raises questions by legal experts and special counsel. Questions by legal experts and special counsel.

With all due respect to the majority leader, this House is under a cloud of suspicion that does not seem to go away because of the actions of the Speaker and GOPAC. As a former police officer, I just cannot understand why the Committee on Standards of Official Conduct has failed to investigate and has failed to refer this matter to a special prosecutor.

Take the totality of the circumstance, the six investigations, and send it to the independent counsel. It is foolish for politicians to be investigating politicians. Let us get it to the independent counsel, let us get to the bottom of these questions by legal experts and other specialists in the field and get it off this floor. Get the cloud off our head. Move it to the independent counsel.

TIME TO REFORM THE ENDANGERED SPECIES ACT

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

Mr. BONILLA. Madam Speaker, it is time to reform the Endangered Species Act and our people have waited long enough. Private property owners are sick and tired of the Federal Government stepping in and taking their land because the ESA cares more about bugs than about people.

There has been a lot of talk in this Congress about reforming the ESA to make it work for people and species. I commend the gentleman from Alaska, Chairman YOUNG, and the gentleman from California, Mr. POMBO, for the tremendous efforts in developing legislation to reform ESA. But this bill deserves our immediate attention. This is why I have chosen to go the extra mile for hard-working farmers and ranchers who have suffered the consequences of a bad law.

Today I am beginning the process of submitting a discharge petition to get much-needed ESA reform to this floor as quickly as possible. The current ESA legislation has failed to recover species. The ESA has saddled property owners with outrageous fines because of Federal designation of critical habitat.

ESA reform establishes a cooperative framework for these landowners to work together with the Government to protect species. The people of Texas want to conserve species and to protect the environment. I ask everyone in this Congress to support me and sign the Bonilla discharge petition.

APPROVE THE PRIVILEGED RESOLUTION AND STOP THE COVERUP

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

Mr. DOGGETT. Madam Speaker, I would say to the gentleman from Texas [Mr. ARMEY], the only apology that is due in this House is one from him for obstructing the investigation which ought to be occurring; an apology that is due to the American people.

I think one of the world's most majestic monuments is that which sits in this city honoring Abraham Lincoln. But apparently not content with that, NEWT GINGRICH and his crowd decided they would erect a second monument to Lincoln. They called it the Abraham Lincoln Opportunity Foundation. It was supposedly created to help poor teenagers, but it was converted into a vehicle to recruit more Gingrichites for Congress.

Political donors to this partisan organization were advised they could take a tax deduction just as if they were giving to their church or soup kitchen, even though what they were doing was supporting GINGRICH'S GOPAC farm team.

In the name of Lincoln, our tax laws were perverted and our democracy was polluted. It is time for this to end. It is time to explore these misdeeds. Approve the privileged resolution today and get to the bottom of this and stop the coverup.

WOMEN OF AMERICA WANT THE SAME THINGS THE REPUBLICAN CONGRESS DOES

(Ms. DUNN of Washington asked and was given permission to address the

House for 1 minute and to revise and extend her remarks.)

Ms. DUNN of Washington. Madam Speaker, when women back home in my district talk to me about what Congress is doing these days, I tell them that Congress is dealing with the very problems that women are concerned about.

Well, what is it that we women care about? We want opportunity for ourselves and our families. We want some sense that there will be a retirement system we can count on. We want personal safety. We want health care security. We want a homemaker IRA because we know that the work that is done inside the home is every bit as important, if not more important, than that work done outside the home.

I have found that my friends at home care about the very same things that this Republican Congress does, helping families keep more of their paychecks so they can decide how to do more for their children in their communities; saving Medicare for our parents and encouraging local answers as we solve the major problems of crime and education and protecting the environment.

Madam Speaker, our solutions are not complicated and they do not require congressional studies. I have found if I listen to the American woman and respect her advice, the answers are all there.

□ 1030

CALL FOR AN INDEPENDENT COUNSEL

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

Mr. GENE GREEN of Texas. Madam Speaker, I do agree with my colleague from Texas, majority leader DICK ARMEY, in that the ethics committee members have a tough job, one that a lot of us do not want. But they also need to know when they need to refer it to a higher authority and in particularly a special counsel.

Let me quote today's Los Angeles Times when it says:

> In cases involving the Lincoln and West Georgia foundations, money that was intended to support troubled innercity teenagers and at-risk third graders was used instead to benefit GOPAC and to compensate a Gingrich confidant.

Six tax-exempt foundations were used to funnel money for political purposes. I know we have talked about tax cuts in this Congress, but that is the ultimate tax cut before we have even voted on it. We get a tax cut to contribute to political campaigns. Not even average folks can do that. That was taken away a good while back on tax reform.

But I think that is why we need to vote today for these special resolutions, the privileged resolutions by our colleague, the gentleman from Florida, HARRY JOHNSTON, to make sure that we have an independent counsel to investigate this use of the IRS tax deduction.

THE GRAY WHALE

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

Mr. METCALF. Madam Speaker, this week the International Whaling Commission is meeting in Scotland. One of the major issues it is considering is whether to allow the Makah Tribe of Washington State to hunt and kill gray whales, which were on the endangered species list just 2 years ago. Incredibly the U.S. delegation to the commission supports the plan, but seven elders of the Makah Tribe strongly oppose the plan. One has questioned the motives of tribal officials, fearing the hunt will become a commercial enterprise.

According to the Seattle Post Intelligencer, one gray whale could fetch as much as $1 million in Japan. Norwegian whaling interests have offered the tribe harpoons and a boat. Thirteen native groups in Canada have already indicated their intention to resume whaling if the Makah Tribe is given a green light by the IWC. The Makah tribal leaders say they want to take only five whales a year; but then how many more would be taken by the other native groups? Where would commercial whaling stop if it is started?

SERIOUS CHARGES AGAINST THE SPEAKER

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

Mr. MILLER of California. Madam Speaker, unfortunately this House has now been presented with prima facie evidence of the serious charges against Speaker GINGRICH and the manipulation of, violations of, some very sacred laws in this country: the laws of how we conduct our elections and elect our people to represent us, the tax laws that protect the taxpayers of this country and try to encourage people to give money to nonprofit foundations to do good works on behalf of our society and the ethics rules of this House.

Those are the basic laws that speak from us to the people of this country. Now we see that the Speaker has been engaged in a widespread conspiracy to intentionally violate those laws. Now we see that the ethics committee is engaged in a widespread coverup of the investigation. The ethics committee must understand what Speaker GINGRICH understood about the ethics committee many years ago. It does not have the ability and has an inherent conflict trying to investigate the most powerful Member of this House. This investigation should be turned over to the special prosecutor.

FBI FILES AND THE WHITE HOUSE

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

Mr. DICKEY. Madam Speaker, I come here in somewhat of a solemn fashion. I represent the Fourth District of Arkansas, the home district of the President of the United States. Because of that, I have studiously avoided publicly criticizing him in any way. Today I want to do that. I want to criticize him. I want to criticize the White House. The way that the FBI files have been handled is a disgrace. It is improper. It is causing unrest among the people of America, and something needs to be done about it.

The White House needs to make corrections in this area. We need to hear the full story and not have it dribbled out one press release and one rumor at a time. Mr. President, I ask you to stop this, to confess what has been done, send those people to the courts who have done these felonies and committed these crimes, and let us get on with the business of America.

THE SPEAKER'S ETHICS PROBLEMS

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

Mr. PALLONE. Madam Speaker, I have never addressed the issue of the Speaker's ethics problems, but I am very concerned about what I read in the Los Angeles Times today. I do believe there is a need for a wider probe of the Speaker's use of nonprofit foundations for political purposes and appointment of an independent counsel.

This information about the Earnings by Learning project which basically was trying to help third grade students read, and now we find out that the majority of the money was actually paid to individuals who were associated with the Gingrich campaign and with the Republican campaign. It is inappropriate to use tax-exempt foundations that are for nonprofit purposes to help children and then turn around and have the majority of that money used for political purposes.

Now we are finding out that this is not just true in one case; this is true for a number of these tax-exempt foundations that were set up by Speaker GINGRICH and that were associated with him. The time has come for an independent counsel to look into every one of these foundations. Anything less than that is really a betrayal of the American people.

USE OF SURPLUS FEDERAL PROPERTIES FOR PUBLIC SAFETY NEEDS

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

Mr. CALVERT. Madam Speaker, I want to offer my condolences to the families and loved one of those killed in Saudi Arabia yesterday, another act of terror. Madam Speaker, under current law, the Bureau of Justice may transfer any surplus property which they administer over to the State and local authorities provided that the property is used for the establishment of prisons. I am introducing a bill that would allow State and local authorities to use surplus Federal properties and other public safety needs such as police and firefighting training facilities. This will help prevent terror and lawlessness in our own country. Prisons may still be build under this measure.

This bill provides flexibility to make the best use of these facilities, based on local needs.

This is particularly helpful for communities attempting to reuse closed or realigned military bases. I work closely with the Bureau of Justice on this measure and it has bipartisan support. I intend to introduce this legislation tomorrow. Please join me and cosponsor this important measure.

ETHICS COMMITTEE MUST STOP STALLING

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

Ms. DELAURO. Madam Speaker, the Los Angeles Times details how House Speaker NEWT GINGRICH used six nonprofit foundations to funnel money for his own political profit. I quote:

> From 1984 to 1994, Gingrich and his cadre of key advisers used no fewer than six nonprofit groups to extend the reach of GOPAC, the partisan committee that fueled the successful 1994 Republican drive to gain control of the Congress. Together the foundations were part of a loose network of Gingrich-related enterprises dubbed Newt's world.

This is outrageous, it is unseemly and it is illegal. It violates Federal tax law that prohibits exempt organizations from any, any form of partisan politics. Those are the issues, serious issues. The serious questions are, why has not the Ethics Committee pursued the ethics compliant filed in January 1996 that alleges the misuse of the tax-free foundation called the Abraham Lincoln Opportunity Society? Why has not the committee forwarded these allegations to Special Investigator Cole? Can it be that in NEWT'S world the laws that the average person must abide by do not apply?

FUNDS FOR ELDERLY AND DISABLED HOUSING, SUPPORT FOR THE LAZIO AMENDMENT

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

Mrs. JOHNSON of Connecticut. Madam Speaker, I rise in strong support of the Lazio amendment to restore funding for housing for the elderly and disabled. The Lazio amendment would restore $140 million for section 202 elderly housing and section 811 housing for the disabled. This amendment is deficit neutral because it is offset from reductions in HUD's annual contributions fund, HUD's unallocated dollars.

By adding these funds over the life of these buildings, tens of thousands of our Nation's seniors and disabled persons will have housing opportunities they would otherwise not have. These funds not only provide affordable housing; they also provide those key supportive services that mean independence to seniors and our disabled citizens.

Madam Speaker, I strongly urge all Members on both sides of the aisle to support the Lazio amendment.

MORE ON THE ETHICS COMMITTEE

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Madam Speaker, it is a shame to have used children to raise funds for political campaigns. I believe an independent counsel is needed.

Madam Speaker, I yield to the majority whip, the gentleman from Michigan [Mr. BONIOR].

Mr. BONIOR. Madam Speaker, I want to respond to the majority leader who came to the floor this morning. We have had repeated stories now, in the Washington Post, the Washington Times, the Atlanta Constitution Journal, the Los Angeles Times, papers all across this country, revealing that, as my colleagues have stated on the floor, there were six separate tax-exempt foundations in which the Speaker's committee GOPAC funneled money to the tune of about at least $6 million through.

We have waited for 6 months for the Committee on Standards of Official Conduct to act on a complaint that I filed 6 months ago. No action has been taken, not even an action to do a preliminary inquiry to investigate. They have not referred it to the outside counsel.

It is incumbent upon them to act in one way or another or to dismiss this case. But to sit there, let the clock run out, idle away the time so they can escape without any consequences by the end of this session is irresponsible. It is disrespectful to this institution.

PARLIAMENTARY INQUIRIES

Mr. DOGGETT. Madam Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Ms. GREENE of Utah). The gentleman will state it.

Mr. DOGGETT. Madam Speaker, if no motion to table is filed to immediately cut off debate on the privileged motion this afternoon on this matter about the Speaker's ethics, then will the gentleman from Georgia [Mr. LINDER] and all of his side have an opportunity to speak and ask questions at that time?

The SPEAKER pro tempore. The Chair is not ruling on that at this point. It would be appropriate to bring up at a later time.

Mr. LINDER. Madam Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. LINDER. Madam Speaker, I have just heard several Members speak on the floor of the House with respect to matters that they claim the Ethics Committee is doing or not doing with regard to claims made against the Speaker. Is it appropriate, under the rules of the House, to refer to matters that are before the Ethics Committee when no one is supposed to know what they are discussing?

The SPEAKER pro tempore. The Chair will respond to the gentleman's parliamentary inquiry as follows:

It is an essential rule of decorum in debate that Members should refrain from references in debate to the conduct of other Members where such conduct is not the question actually pending before the House by way of a report from the Committee on Standards of Official conduct or by way of another question of the privileges of the House. This principle is documented on pages 168 and 526 of the House Rules and Manual and reflects the consistent rulings of the Chair in this and in prior Congresses and applies to 1-minute and special order speeches.

Neither the filing of a complaint before the Committee on Standards of Official Conduct, nor the publication in another forum of charges that are personally critical of another Member, justify the references to such charges on the floor of the House. This includes references to the motivations of Members who file complaints and to Members of the Committee on Standards of Official Conduct.

Clause 1 of rule 14 is a prohibition against engaging in personality in debate. It derives from article I, section 5 of the Constitution, which authorizes each House to make its own rules and to punish its Members for disorderly behavior, and has been part of the rules of the House in some relevant form since 1789. This rule supersedes any claim of a Member to be free from questioning in any other place.

On January 27, 1909, the House adopted a report that stated the following:

It is . . . the duty of the House to require its Members in speech or debate to preserve that proper restraint which will permit the House to conduct its business in an orderly manner and without unnecessarily and unduly exciting animosity among its Members—(Cannon's Precedents, volume 8, at section 2497).

This report was in response to improper references in debate to the President, but clearly reiterated a principle that all occupants of the Chair in this and in prior Congresses have held to be equally applicable to members's remarks in debate toward each other.

Mr. DOGGETT. Madam Speaker, I have a further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. DOGGETT. Madam Speaker, in view of the Chair's statement, what mechanism exists under the rules for a Member of the House to bring to the attention here on the floor of the House the failure of the Ethics Committee to explore fully and thoroughly ethical complaints that have been pending for over 6 months against Speaker GINGRICH?

The SPEAKER pro tempore. Proper questions of privilege may be brought before the House. This is not now a forum, however, to restate allegations where there is not pending a parliamentary privilege.

Mr. DOGGETT. Madam Speaker, is the privileged resolution that the gentleman from Florida, Mr. HARRY JOHNSTON, has filed for consideration later today regarding the failure of the committee to thoroughly investigate these charges and refer them to a special counsel the type of motion that would be proper for presentation of these matters?

The SPEAKER pro tempore. The Chair will rule on that at the time the resolution is brought to the floor. It is not properly before the House at this time.

POINT OF ORDER

Mr. LINDER. Madam Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. LINDER. Madam Speaker, the references by the gentleman from Texas as to whether or not he believes the Ethics Committee has faithfully carried out its duty refers specifically to matters he appears to know are before the Ethics Committee, and I think it is out of order.

□ 1045

The SPEAKER pro tempore (Ms. GREENE of Utah). The Chair again asks all Members to follow the admonition of the Chair to abide by the rules of this House that have been in place since 1789.

MOTION TO ADJOURN

Mr. VOLKMER. Madam Speaker, I have a privileged motion which I send to the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. VOLKMER moves that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri [Mr. VOLKMER].

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

Mr. VOLKMER. 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 55, nays 345, answered "present" 2, not voting 31, as follows:

[Roll No. 271]

YEAS—55

Barcia
Blumenauer
Bonior
Brown (OH)
Bryant (TX)
Clay
Clyburn
Collins (IL)
Collins (MI)
Conyers
Coyne
Dellums
Dicks
Dingell
Dixon
Doggett
Engel
Evans
Filner
Frank (MA)
Frost
Gejdenson
Gutierrez
Hastings (FL)
Hilliard
Hoyer
Jackson (IL)
Jefferson
Johnson, E. B.
Johnston
Kaptur
Kennedy (MA)
Klink
Levin
Lewis (GA)
Martinez
McNulty
Miller (CA)
Mink
Moran
Owens
Payne (NJ)
Pomeroy
Rangel
Rush
Slaughter
Stokes
Stupak
Thompson
Velazquez
Volkmer
Waters
Wise
Woolsey
Wynn

NAYS—345

Abercrombie
Ackerman
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Borski
Boucher
Brewster
Brown (CA)
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cardin
Castle
Chabot
Chambliss
Christensen
Chrysler
Clayton
Clement
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Costello
Cox
Cramer
Crane
Crapo
Cremeans
Cummings
Cunningham
Davis
Deal
DeFazio
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
English
Ensign
Eshoo
Everett
Ewing
Farr
Fawell
Fazio
Fields (LA)
Flake
Flanagan
Foglietta
Foley
Forbes
Fowler
Fox
Franks (CT)
Frelinghuysen
Frisa
Funderburk
Furse
Gallegly
Ganske
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Green (TX)
Greene (UT)
Greenwood
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee (TX)
Jacobs
Johnson (CT)
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martini
Mascara
Matsui
McCarthy
McCollum
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
Meehan
Meek
Menendez
Metcalf
Meyers
Mica
Millender-McDonald
Miller (FL)
Minge
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Morella
Murtha
Myers
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (VA)
Peterson (MN)
Petri
Pickett
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Reed
Regula
Richardson
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roukema
Royce
Sabo
Salmon
Sanders
Sanford
Saxton
Scarborough
Schaefer
Schiff
Schroeder
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Studds
Stump
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Towns
Traficant
Upton
Vento
Visclosky
Vucanovich
Walker
Walsh
Wamp
Ward
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wolf
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

ANSWERED "PRESENT"—2

Pelosi
Sawyer

NOT VOTING—31

Becerra
Browder
Brown (FL)
Chapman
Chenoweth
Coleman
Cubin
Danner
de la Garza
Fattah
Fields (TX)
Ford
Franks (NJ)
Graham
Hinchey
Johnson (SD)
Lincoln
McCrery
McDade
McDermott
Norwood

Peterson (FL)	Roybal-Allard	Torricelli
Pombo	Stockman	Wilson
Riggs	Talent	
Roth	Torres	

□ 1106

Messrs. LIVINGSTON, NUSSLE, RICHARDSON, ABERCROMBIE, FLANAGAN, FLAKE, and BISHOP changed their vote from "yea" to "nay."

Mrs. COLLINS of Illinois changed her vote from "nay" to "yea."

So the motion was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Speaker, I was unable to be present for rollcall vote numbers 272 and 273, taken earlier today. Had I been present, I would have voted "aye" on both rollcall 272 and rollcall 273.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2740

Mr. CRANE. Madam Speaker, my name was inadvertently added as a cosponsor of H.R. 2740. I ask unanimous consent that my name be removed as a cosponsor of H.R. 2740.

The SPEAKER pro tempore (Ms. GREENE of Utah). Is there objection to the request of the gentleman from Illinois?

There was no objection.

PERMISSION FOR SUNDRY COMMITTEES AND THEIR SUBCOMMITTEES TO SIT TODAY DURING 5-MINUTE RULE

Mr. LAZIO of New York. Madam 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: the Committee on Banking and Financial Services; the Committee on Economic and Educational Opportunities; the Committee on Government Reform and Oversight; the Committee on International Relations; the Committee on the Judiciary; the Committee on National Security; the Committee on Resources; the Committee on Science; the Committee on Small Business; the Committee on Transportation and Infrastructure; the Committee on Veterans' Affairs; and the Permanent Select Committee on Intelligence.

Madam Speaker, 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 gentleman from New York?

There was no objection.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1997

The SPEAKER pro tempore. Pursuant to House Resolution 456 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 3666).

□ 1109

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 3666) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1997, and for other purposes, with Mr. COMBEST in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Tuesday, June 25, 1996, the bill had been read through page 58, line 21.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 456, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: the amendment offered by the gentleman from New York [Mr. LAZIO]; amendment No. 46 offered by the gentleman from Connecticut [Mr. SHAYS]; amendment No. 41 offered by the gentleman from Vermont [Mr. SANDERS]; and amendment No. 15 offered by the gentleman from Colorado [Mr. HEFLEY].

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. LAZIO OF NEW YORK

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York [Mr. LAZIO] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. LAZIO of New York:

Page 19, line 9, after "$5,372,000,000" insert "(reduced by $140,000,000)".

Page 19, line 19, after "$800,000,000", insert "(reduced by $140,000,000)".

Page 20, line 18, after "$595,000,000" insert "(increased by $100,000,000)".

Page 20, line 24, after the dollar amount insert "(increased by $40,000,000)".

Mr. LEWIS of California. Mr. Chairman, with almost the entire House present, and with the number of votes that are coming forth, I ask unanimous consent to have 1 minute on my side and 1 minute for the gentleman from Ohio [Mr. STOKES] to briefly outline what these votes are.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. LAZIO of New York. Reserving the right to object, Mr. Chairman, we have had a debate on this yesterday. I was kind enough to allow the gentleman from Florida [Mr. CANADY] to go twice out of order. We had to roll the vote until today so that we had the opportunity to live within the context of the agreement with the other side.

If this is an opportunity to debate this issue one more time and spin it in a way against those offering amendments, I would have to press this objection.

Mr. LEWIS of California. Mr. Chairman, I withdraw my unanimous consent request.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 353, noes 61, not voting 19, as follows:

[Roll No. 272]

AYES—353

Ackerman	Clayton	Flake
Allard	Clement	Flanagan
Andrews	Clinger	Foley
Archer	Clyburn	Forbes
Armey	Coburn	Fowler
Bachus	Collins (GA)	Fox
Baesler	Collins (MI)	Franks (CT)
Baker (CA)	Combest	Franks (NJ)
Baker (LA)	Condit	Frelinghuysen
Baldacci	Costello	Frisa
Ballenger	Cox	Frost
Barcia	Cramer	Funderburk
Barrett (NE)	Crane	Gallegly
Barrett (WI)	Crapo	Ganske
Bartlett	Cremeans	Gejdenson
Bass	Cummings	Gekas
Bateman	Cunningham	Gephardt
Bentsen	Danner	Gibbons
Bereuter	Davis	Gilchrest
Bevill	DeFazio	Gillmor
Bilirakis	DeLauro	Gilman
Bishop	Deutsch	Gonzalez
Blumenauer	Diaz-Balart	Goodlatte
Blute	Dickey	Goodling
Boehlert	Dicks	Gordon
Boehner	Dingell	Goss
Bonior	Dixon	Graham
Bono	Doggett	Green (TX)
Borski	Dooley	Greene (UT)
Boucher	Doolittle	Greenwood
Brown (FL)	Dornan	Gunderson
Brown (OH)	Doyle	Gutierrez
Brownback	Dreier	Gutknecht
Bryant (TN)	Duncan	Hall (OH)
Bunn	Dunn	Hall (TX)
Burr	Durbin	Hamilton
Burton	Edwards	Hancock
Buyer	Ehlers	Harman
Calvert	Ehrlich	Hastert
Camp	Engel	Hastings (WA)
Campbell	English	Hayes
Canady	Ensign	Hayworth
Cardin	Eshoo	Hefley
Castle	Evans	Hefner
Chabot	Everett	Heineman
Chambliss	Ewing	Herger
Chapman	Farr	Hilleary
Chenoweth	Fawell	Hoekstra
Christensen	Fazio	Hoke
Chrysler	Fields (LA)	Holden
Clay	Filner	Horn

Hoyer
Hunter
Hutchinson
Hyde
Inglis
Jackson (IL)
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Klug
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (GA)
Lewis (KY)
Lightfoot
Linder
Lipinski
LoBiondo
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Mascara
Matsui
McCollum
McCrery
McDermott
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Menendez
Metcalf
Meyers
Mica
Miller (FL)
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)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Rangel
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Royce
Rush
Sabo
Salmon
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stockman
Stokes
Studds
Stupak
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Towns
Traficant
Upton
Velazquez
Vento
Visclosky
Volkmer
Walsh
Wamp
Ward
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wise
Wolf
Wynn
Young (FL)
Zeliff
Zimmer

NOES—61

Abercrombie
Barr
Barton
Beilenson
Berman
Bilbray
Bliley
Bonilla
Brewster
Brown (CA)
Bryant (TX)
Bunning
Callahan
Coble
Collins (IL)
Conyers
Cooley
Coyne
Deal
DeLay
Dellums
Foglietta
Frank (MA)
Furse
Geren
Hansen
Hastings (FL)
Hilliard
Hobson
Hostettler
Houghton
Istook
Jones
Kennedy (RI)
Knollenberg
Kolbe
Lewis (CA)
Livingston
Lofgren
McCarthy
Meek
Millender-McDonald
Miller (CA)
Minge
Mink
Pelosi
Peterson (MN)
Reed
Regula
Sanders
Sanford
Schroeder
Stark
Stenholm
Stump
Vucanovich
Walker
Waters
Woolsey
Yates
Young (AK)

NOT VOTING—19

Becerra
Browder
Coleman
Cubin
de la Garza
Fattah
Fields (TX)
Ford
Hinchey
Laughlin
Lincoln
McDade
Peterson (FL)
Roybal-Allard
Slaughter
Talent
Torres
Torricelli
Wilson

□ 1129

The Clerk announced the following pair:

On this vote:

Mr. Torres for, with Mrs. Cubin against.

Mr. DELLUMS, Mr. MINGE, Mrs. SCHROEDER, Ms. WOOLSEY, and Mrs. COLLINS of Illinois changed their vote from "aye" to "no."

Messrs. LIGHTFOOT, COMBEST, HALL of Texas, and LEWIS of Georgia, Ms. MCKINNEY, and Mr. FRELINGHUYSEN changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. BILBRAY. Mr. Chairman, while I intended to vote "no" on rollcall vote No. 272, when voting by electronic device, my vote was unfortunately recorded as "aye."

AMENDMENT NO. 46 OFFERED BY MR. SHAYS

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Connecticut [Mr. SHAYS] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 46 offered by Mr. SHAYS: In the item relating to "DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS", after the dollar amount, insert the following: "(increased by $15,000,000)".

In the item relating to "NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—MISSION SUPPORT", after the last dollar amount, insert the following: "(reduced by $15,000,000)".

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 177, noes 236, not voting 20, as follows:

[Roll No. 273]

AYES—177

Abercrombie
Ackerman
Andrews
Baldacci
Barcia
Barrett (WI)
Beilenson
Berman
Bilbray
Blumenauer
Blute
Boehlert
Bonior
Borski
Boucher
Brown (CA)
Brown (OH)
Burr
Camp
Campbell
Castle
Chrysler
Clay
Clayton
Collins (IL)
Collins (MI)
Conyers
Costello
Coyne
Cummings
Danner
Davis
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Doggett
Durbin
Engel
English
Ensign
Eshoo
Evans
Farr
Fazio
Fields (LA)
Filner
Flake
Flanagan
Foglietta
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Furse
Ganske
Gejdenson
Gephardt
Geren
Gilchrest
Gilman
Gonzalez
Greenwood
Gunderson
Gutierrez
Hamilton
Harman
Heineman
Hilliard
Horn
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jacobs
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
LaHood
Lantos
Lazio
Leach
Levin
Lewis (GA)
LoBiondo
Longley
Lowey
Luther
Maloney
Manton
Markey
Martini
McCarthy
McCrery
McDermott
McHale
McHugh
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Molinari
Moran
Morella
Myrick
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Pomeroy
Porter
Pryce
Rahall
Ramstad
Rangel
Reed
Riggs
Rivers
Roemer
Ros-Lehtinen
Roukema
Rush
Sabo
Sanders
Sawyer
Saxton
Schiff
Schroeder
Schumer
Scott
Serrano
Shays
Skaggs
Stark
Stokes
Studds
Stupak
Torkildsen
Towns
Upton
Velazquez
Vento
Visclosky
Ward
Waters
Watt (NC)
Waxman
Weller
Williams
Woolsey
Yates
Zimmer

NOES—236

Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Bevill
Bilirakis
Bishop
Bliley
Boehner
Bonilla
Bono
Brewster
Brown (FL)
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burton
Buyer
Callahan
Calvert
Canady
Cardin
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Clement
Clinger
Clyburn
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Cramer
Crane
Crapo
Cremeans
Cunningham
de la Garza
Deal
DeLay
Diaz-Balart
Dickey
Dixon
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Everett
Ewing
Fawell
Foley
Forbes
Fowler
Frisa
Frost
Funderburk
Gallegly
Gekas
Gibbons
Gillmor
Goodlatte
Goodling
Gordon
Goss
Graham
Green (TX)
Greene (UT)
Gutknecht
Hall (OH)
Hall (TX)
Hancock
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jefferson
Johnson, Sam
Johnston
Jones
Kanjorski
Kim
King
Kingston
Klug
Knollenberg
Kolbe
Largent
Latham
LaTourette
Laughlin
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
Lofgren
Lucas
Manzullo
Martinez
Mascara
McCollum
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Mollohan

Montgomery
Moorhead
Murtha
Myers
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Orton
Oxley
Packard
Parker
Paxon
Peterson (MN)
Petri
Pickett
Pombo
Portman
Poshard
Quillen
Quinn
Radanovich
Regula
Richardson
Roberts
Rogers
Rohrabacher
Rose
Roth
Royce
Salmon
Sanford
Scarborough
Schaefer
Seastrand
Sensenbrenner
Shadegg
Shaw
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stump
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Traficant
Volkmer
Vucanovich
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
White
Whitfield
Wicker
Wise
Wolf
Wynn
Young (AK)
Young (FL)
Zeliff

NOT VOTING—20

Ballenger
Becerra
Browder
Coleman
Cox
Cubin
Fattah
Fields (TX)
Ford
Hinchey
Lincoln
Matsui
McDade
Peterson (FL)
Roybal-Allard
Slaughter
Talent
Torres
Torricelli
Wilson

□ 1137

The Clerk announced the following pair:

On this vote:

Mr. Torres for, with Mrs. Cubin against.

Mr. MORAN and Ms. JACKSON-LEE of Texas changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. SLAUGHTER, Mr. Speaker, I was unable to be present for rollcall vote numbers 272 and 273, taken earlier today. Had I been present, I would have voted "aye" on both rollcall 272 and rollcall 273.

AMENDMENT NO. 41 OFFERED BY MR. SANDERS

The CHAIRMAN. The unfinished business is the demand for the amendment offered by the gentleman from Vermont [Mr. SANDERS] for a recorded vote on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 41 offered by Mr. SANDERS: Page 37, line 13, after the first dollar amount, insert the following: "(reduced by $1,411,000)".

Page 64, line 9, after the dollar amount, insert the following: "(increased by $1,411,000)".

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 358, noes 55,

[Roll No. 274]

AYES—358

Abercrombie
Ackerman
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Blumenauer
Blute
Boehner
Bonior
Bono
Borski
Boucher
Brewster
Brown (CA)
Brown (OH)
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cardin
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Clement
Clinger
Clyburn
Coble
Coburn
Collins (GA)
Collins (IL)
Collins (MI)
Condit
Conyers
Cooley
Costello
Cramer
Crane
Crapo
Cremeans
Cummings
Cunningham
Danner
Davis
Deal
DeFazio
DeLauro
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Ehrlich
Engel
English
Ensign
Eshoo
Evans
Everett
Ewing
Farr
Fawell
Fazio
Filner
Flake
Flanagan
Foglietta
Foley
Forbes
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Green (TX)
Greene (UT)
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Harman
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee (TX)
Jacobs
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
Klug
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (KY)
Lightfoot
Linder
Lipinski
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Menendez
Metcalf
Meyers
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (VA)
Pelosi
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Quinn
Rahall
Ramstad
Reed
Regula
Richardson
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Royce
Rush
Salmon
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schumer
Scott
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Stockman
Studds
Stump
Stupak
Tanner
Tate
Tauzin
Taylor (MS)
Tejeda
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Towns
Traficant
Upton
Vento
Visclosky
Volkmer
Walsh
Wamp
Ward
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Wicker
Williams
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)
Zimmer

NOES—55

Baker (LA)
Barton
Bateman
Bellenson
Bliley
Boehlert
Bonilla
Brown (FL)
Chrysler
Clay
Clayton
Combest
Coyne
DeLay
Ehlers
Fields (LA)
Gekas
Geren
Hansen
Hastings (FL)
Hilliard
Hobson
Jackson (IL)
Jefferson
Knollenberg
Lewis (CA)
Lewis (GA)
Livingston
McDermott
Meek
Moran
Morella
Myers
Payne (NJ)
Pryce
Quillen
Radanovich
Rangel
Riggs
Roth
Roukema
Sabo
Schroeder
Serrano
Skeen
Smith (MI)
Stokes
Taylor (NC)
Thomas
Velazquez
Vucanovich
Walker
Waters
Watt (NC)
Zeliff

NOT VOTING—20

Becerra
Browder
Coleman
Cox
Cubin
de la Garza
Fattah
Fields (TX)
Ford
Gephardt
Hinchey
Lincoln
McDade
Peterson (FL)
Roybal-Allard
Talent
Torres
Torricelli
Whitfield
Wilson

□ 1144

The Clerk announced the following pair:

On this vote:

Mr. Torres for, with Mrs. Cubin against.

Messrs. WELLER, SAWYER, and LAZIO of New York changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. HINCHEY. Mr. Chairman, due to a delay this morning I did not make it to the floor to vote on several rollcall votes. On rollcall No. 274, the Sanders amendment to increase funding for the Court of Veterans Appeals, I would have voted "yes." On rollcall No. 273, the Shays-Lowey amendment on increasing funds for the Housing Opportunities for Persons with AIDS amendment I would have voted "yes." The funding for this program has remained flat for the last 3 years while the number of AIDS cases has increased by an additional one-third in that time and the number of States and cities qualifying for grants has increased by 23 percent. We must do better—this Congress should not be abandoning people with AIDS and having them live on the street.

PERSONAL EXPLANATION

Mr. TALENT. Mr. Speaker, on June 26, I

1997 VA/HUD appropriations bill because I was unavoidably detained. Had I been present, I would have voted as follows:

On rollcall vote 272, I would have voted "yes";

On rollcall vote 273, I would have voted "no"; and

On rollcall vote 274, I would have voted "yes."

AMENDMENT OFFERED BY MR. HEFLEY

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado [Mr. HEFLEY] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HEFLEY: Page 37, after "$962,558,000" insert "(reduced by $42,000,000)".

Page 69, line 8, after "$46,500,000" insert "(increased by $20,000,000)".

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 260, noes, 157, not voting 16, as follows:

[Roll No. 275]

AYES—260

Allard
Andrews
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bentsen
Bereuter
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blumenauer
Blute
Boehlert
Boehner
Bono
Borski
Boucher
Brewster
Brown (CA)
Brownback
Bryant (TN)
Bunn
Burr
Burton
Buyer
Calvert
Camp
Campbell
Canady
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Conyers
Cooley
Cox
Cramer
Crane
Crapo
Cremeans
Cunningham
Danner
Davis
Deal
DeFazio
Dickey
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Ehrlich
English
Ensign
Eshoo
Evans
Ewing
Farr
Fawell
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Gordon
Goss
Graham
Greene (UT)
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hinchey
Hoekstra
Holden
Horn
Hostettler
Houghton
Hunter
Hutchinson
Inglis
Istook
Jacobs
Johnson (SD)
Johnson, Sam
Johnston
Jones
Kelly
Kennedy (RI)
Kim
King
Kingston
Klink
Klug
LaFalce
LaHood
Largent
Latham
LaTourette
Laughlin
Leach
Lewis (KY)
Lightfoot
Linder
Lipinski
LoBiondo
Lofgren
Longley
Lucas
Luther
Manzullo
Martinez
Martini
Mascara
McCarthy
McCollum
McCrery
McDermott
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
Metcalf
Meyers
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Montgomery
Moran
Murtha
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Orton
Oxley
Pallone
Paxon
Payne (VA)
Peterson (MN)
Petri
Pombo
Pomeroy
Porter
Portman
Poshard
Quinn
Ramstad
Reed
Richardson
Riggs
Rivers
Roberts
Roemer
Rohrabacher
Ros-Lehtinen
Rose
Roth
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shuster
Sisisky
Skeen
Smith (MI)
Smith (NJ)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stump
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thurman
Tiahrt
Torkildsen
Torricelli
Traficant
Upton
Visclosky
Walker
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Young (AK)
Young (FL)
Zimmer

NOES—157

Abercrombie
Ackerman
Baesler
Barrett (WI)
Bateman
Beilenson
Berman
Bonilla
Bonior
Brown (FL)
Brown (OH)
Bryant (TX)
Bunning
Callahan
Cardin
Castle
Chapman
Clay
Clayton
Clement
Clyburn
Collins (IL)
Collins (MI)
Coyne
Cummings
de la Garza
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Durbin
Edwards
Ehlers
Engel
Everett
Fazio
Fields (LA)
Filner
Flake
Foglietta
Frank (MA)
Frelinghuysen
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gonzalez
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hefner
Hilliard
Hobson
Hoke
Hoyer
Hyde
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Kanjorski
Kaptur
Kasich
Kennedy (MA)
Kennelly
Kildee
Kleczka
Knollenberg
Kolbe
Lantos
Lazio
Levin
Lewis (CA)
Lewis (GA)
Livingston
Lowey
Maloney
Manton
Markey
Matsui
McNulty
Meehan
Meek
Menendez
Minge
Mink
Moakley
Molinari
Mollohan
Moorhead
Morella
Myers
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Packard
Parker
Pastor
Payne (NJ)
Pelosi
Pryce
Quillen
Radanovich
Rahall
Rangel
Regula
Rogers
Roukema
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Shays
Skaggs
Skelton
Slaughter
Smith (TX)
Stark
Stokes
Studds
Stupak
Tejeda
Thompson
Thornton
Towns
Velazquez
Vento
Volkmer
Vucanovich
Walsh
Ward
Waters
Watt (NC)
Waxman
Williams
Wise
Wolf
Woolsey
Wynn
Yates
Zeliff

NOT VOTING—16

Becerra
Browder
Coleman
Costello
Cubin
Fattah
Fields (TX)
Ford
Hilleary
Lincoln
McDade
Peterson (FL)
Pickett
Roybal-Allard
Torres
Wilson

□ 1151

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Committee will rise informally.

The SPEAKER pro tempore (Mr. MCKEON) assumed the chair.

MESSAGE FROM THE PRESIDENT

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

The SPEAKER pro tempore. The Committee will resume its sitting.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1997

The Committee resumed its sitting.

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in order to lay the foundation very briefly for a unanimous consent to inform the Members that we have somewhere in the neighborhood of only 30 or 40 amendments left on this bill. There seems to be some agreement coming together, and some of those hopefully will fall off because of duplication and so forth.

But by way of expediting the time for the Members, I will be asking unanimous consent for a 10-minute time limitation on a series of amendments. So if the Members will bear with me, I ask unanimous consent for a 10-minute time limit on the following amendments: one amendment by the gentleman from Louisiana [Mr. FIELDS]; one amendment by the gentleman from Michigan [Mr. HOEKSTRA]; one amendment by the gentleman from Indiana [Mr. HOSTETTLER]; one amendment by the gentleman from Illinois [Mr. DURBIN]; one amendment by the gentleman from Massachusetts [Mr. KENNEDY]; similarly by the gentleman from New Jersey [Mr. PALLONE]; two by the gentleman from Indiana [Mr. ROEMER]; one by the gentleman from Pennsylvania [Mr. WALKER]; one by the gentleman from Connecticut [Mr. GEJDENSON]; all in title III.

It will be 10 minutes on a side.

The CHAIRMAN. The Chair would ask, the unanimous-consent agreement is for 10 minutes total or 10 minutes on each side?

Mr. LEWIS of California. Ten minutes on a side.

The CHAIRMAN. On each amendment and all amendments thereto?

Mr. LEWIS of California. On each of those amendments mentioned and amendments thereto, that is correct.

Mr. Chairman, this will not restrict other amendments being brought forth that have been filed. It is on those specific areas.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. STOKES. Reserving the right to object, Mr. Chairman, I do not intend to object, but I would just pose a further question to the gentleman from California. By 10 minutes per amendment, does the gentleman mean each side, a total of 20 minutes on those that we agree upon, is that correct?

Mr. LEWIS of California. Mr. Chairman, if the gentleman would yield, the gentleman is correct. I would almost desperately hope that neither of us would want to take all that time.

Mr. STOKES. Time will also be controlled by the offerer and the chairman, is that correct?

Mr. LEWIS of California. Mr. chairman, the gentleman is correct.

Mr. Chairman, my staff helps me a little. I failed to recognize that on this list as prepared that my own amendment is not on the list and that needs to be included, as well. I think probably my staff wanted to cut me off, but I know the gentleman would not want to do that.

Mr. STOKES. Mr. chairman, I certainly would not want to do that. I would want the gentleman's amendment to be included.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Ms. HARMAN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I do so on behalf of myself, my colleague from New York, Mr. BOEHLERT, in order to engage the gentleman from California, Mr. LEWIS, chairman of the VA–HUD Subcommittee, in a colloquy regarding NASA's Mission to Planet Earth.

Mr. LEWIS of California. Mr. Chairman, will the gentlewoman yield?

Ms. HARMAN. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, I would be happy to engage in a colloquy.

Ms. HARMAN. Mr. Chairman, as you know, Mission to Planet Earth is one of NASA's most important and relevant programs. It will benefit our environment by providing scientific information on global climate change. It will benefit our economy by providing farmers with a better understanding of how climatic conditions like El Nino can affect their crops. I understand the budget constraints under which the subcommittee must operate and commend the gentleman for the job he is doing within them, but I am very concerned by the proposed $220 million cut in this bill, especially in light of the National Research Council's recent review of the U.S. Global Climate Change Research Program and NASA's Mission to Planet Earth, which stated that further budgetary cuts would hurt Mission to Planet Earth.

Is the gentleman from California aware of this recommendation by the National Research Council and does he agree with it?

Mr. LEWIS of California. If the gentlewoman will yield, first I appreciate the gentlewoman raising this subject.

I am indeed aware of the National Research Council's recommendation which states that the program requires an adequate and stable level of funding. I would like to ensure the gentlewoman and the House that I agree with this recommendation and believe that Mission to Planet Earth must have sufficient fiscal year 1997 funds to succeed.

As the gentlewoman knows, there is strong bipartisan support for Mission to Planet Earth and its programs in the Senate. When we go to conference with the Senate on the VA–HUD bill, I expect to spend a lot of time dealing with this program.

Ms. HARMAN. Mr. Chairman, I appreciate those remarks, and as the chairman knows, I am particularly concerned about the near-term components of the Earth observing system, EOS, including the P.M.–1 and CHEM–1 missions.

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Does the chairman agree with the National Research Council that these near-term components should be implemented without delay?

Mr. LEWIS of California. Mr. Chairman, will the gentlewoman yield?

Ms. HARMAN. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, I agree with the NRC that the program's first group of components should not be delayed. Neither this bill nor its accompanying report instructs NASA to terminate or delay these very important missions.

Mr. BOEHLERT. Mr. Chairman, will the gentlewoman yield?

Ms. HARMAN. I yield to the gentleman from New York, and I commend him for his bipartisan leadership on issues such as this.

Mr. BOEHLERT. Mr. Chairman, like the gentlewoman from California, I strongly support NASA's Mission to Planet Earth. I view this program as a crucial piece of our Nation's commitment to environmental research and development. I would like to emphasize that Mission to Planet Earth is truly about science. As the chairman knows, the National Research Council stated that the science underlining the U.S. Global Climate Change Research Program and Mission to Planet Earth is fundamentally sound.

Does the chairman agree with this assessment?

Mr. LEWIS of California. Mr. Chairman, will the gentlewoman yield?

Ms. HARMAN. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, I agree with the National Research Council that the program is scientifically sound. I believe that we need Mission to Planet Earth to provide us with better scientific understanding of global climate change. I believe that this remote sensing data will help regulatory agencies make sound, scientifically based risk assessments.

As I stated earlier, I support Mission to Planet Earth, and I will keep this program in the forefront of my mind when we go to conference with the Senate. I commend the gentlewoman from California [Ms. HARMAN] and the gentleman from New York [Mr. BOEHLERT] and many others on both sides of the aisle for their work in support of Mission to Planet Earth.

Ms. HARMAN. Mr. Chairman, reclaiming my time, I thank my friends for their comments.

Mr. BARR of Georgia. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I thank the gentleman from California [Mr. LEWIS], the chairman of the Subcommittee on VA, HUD and Independent Agencies of the Committee on Appropriations, for agreeing to enter into this colloquy on a very important matter.

Mr. Chairman, I would like to seek clarification of the committee's intent with regard to the Clean Lakes Program. I note that the committee report designates $100 million for the Clean Lakes Program and specifically for section 319 projects under the Clean Water Act. I would like to know if it is the intent of the committee to allow section 314 projects to be funded from the $100 million designated for section 319?

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

Mr. BARR of Georgia. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, it is the committee's intent to allow for section 314 projects under the Clean Water Act to be funded with the $100 million designated for the Clean Lakes Program.

In fact, the State is authorized to use any portion of the $100 million under the State and tribal grants heading for section 314 projects. It is vital that we allow States to set their own priorities for specific lake water projects and, in fact, last year we granted States the flexibility to set their own priorities for pollution control projects most critical to that individual State.

Mr. BARR of Georgia. Mr. Chairman, reclaiming my time, would the chairman be willing to incorporate this clarification in report language as the bill emerges from conference?

Mr. LEWIS of California. Mr. Chairman, if the gentleman will continue to yield, I would be happy to work with

the gentleman to incorporate into the conference report a clarification of the committee's intent.

Mr. SERRANO. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to take this opportunity to engage in a colloquy with the gentleman from California, Chairman LEWIS, about the air quality crisis in the Hunts Point area of the South Bronx, NY, where there is a concentration of waste transfer and sewage treatment facilities.

Mr. Chairman, I have been working closely with the Environmental Protection Agency and the regional authorities about this air quality crisis at Hunts Point over the past year. Over 43 waste transfer facilities are located in the Hunts Point community area, and over 70 percent of New York City's sludge is processed in this area. Asthma and respiratory illness in Hunts Point are higher than the city average. Over 25 percent of the 1,100 students at Public School 48 have asthma and are frequently hospitalized. In one first grade class alone 47 percent of the students have asthma and 33 percent have been hospitalized.

Would the chairman agree that the Environmental Protection Agency should continue to commit resources and work closely with my congressional office and State and local officials to continue to identify and, if possible, mitigate any environmental causes of this problem?

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

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

Mr. LEWIS of California. Mr. Chairman, to my colleague from New York I say that these types of local problems must be addressed, and EPA can offer particular expertise and guidance in providing solutions. I strongly urge, EPA to continue to work closely with him, as well as with State and local officials, to resolve this problem as quickly as practicable.

Mr. SERRANO. Mr. Chairman, reclaiming my time, it would be helpful if the Environmental Protection Agency made an effort to evaluate and correlate the very specific air emissions that are present at the time that health problems affecting the children in my congressional district actually take place.

Would the chairman agree that the Environmental Protection Agency should conduct air quality testing in conjunction with the occurrence of specific health incidents during the next phase of testing?

Mr. LEWIS of California. Mr. Chairman, if the gentleman will yield further, the relationship between air quality problems and its impact upon people's health is fundamental to all of these efforts. The situation you describe certainly seems to fall within EPA's particular expertise, and again, I join the gentleman in encouraging EPA to review this matter and to bring to bear its own expertise and resources along with the expertise resources of the State and the local governments.

Mr. BASS. Mr. Chairman, I move to strike the last word to enter into a very brief colloquy with my distinguished colleague from California, the chairman of the subcommittee.

The gentleman and I have had numerous discussions about the plight of the Johns Manville site in Nashua, NH. This is an abandoned asbestos manufacturing plant that poses a serious threat to the health and public safety to the city of Nashua. The danger was evidenced when one of the buildings on the site experienced a partial collapse of its roof. Fortunately, the weight of the snow on top of the building prevented the release of asbestos. Nevertheless, a recently issued report indicates that any further collapse or fire at this site could necessitate a full-scale evacuation of the area's residents.

Unfortunately, the cleanup cost analysis included in the recent report was not available in time to seek funding for this project through the normal committee process. The new report indicates that the site should qualify for emergency funding and may require up to $5.3 million for the cleanup.

From previous conversations, I know the chairman understands the importance of the project to my district. Therefore, I would like to ask him if he and the committee can work with me to address this dire situation.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

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

Mr. LEWIS of California. Mr. Chairman, I must say to the gentleman that he certainly made me aware of this project and its problems and I commend him for his hard work on this issue.

The committee is very much concerned and aware of the situation that the gentleman from New Hampshire [Mr. BASS] has described and we are willing to pursue whatever avenue is available to address it.

Mr. BASS. Mr. Chairman, reclaiming my time, I thank the gentleman very much for his willingness to work on this matter.

Mr. TORKILDSEN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I seek recognition in order to engage the distinguished chairman of the appropriations subcommittee in a colloquy.

I want to inquire of the subcommittee chairman with regard to the bill before us, the VA–HUD and Independent Agencies Appropriations Act of 1997. Specifically, I am inquiring as to the committee's commitment to alleviate the disproportionate financial burden on families and businesses on the North Shore of Massachusetts due to the cost of complying with the federally mandated Clean Water Act.

My district includes communities within the South Essex Sewage District, known as SESD, which is in the midst of a funding crisis. Families will soon face water and sewage rates in excess of $2,000 a year to pay for federally imposed clean water mandates. The effects of these rates on families will be devastating, and the rate of increase may force some businesses to relocate elsewhere.

Also, the communities of Gloucester, Amesbury, Manchester By-the-Sea, Rockport, Essex, Ipswich, Salisbury and Lynn are facing similar funding crises.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

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

Mr. LEWIS of California. Mr. Chairman, the gentleman from Massachusetts has been diligent in making the subcommittee aware of the severity of the water and sewer rates on the North Shore of Massachusetts. To say the least, the gentleman does not exactly twist my arm, but I am very aware of these problems.

Complying with the Clean Water Act is a costly endeavor. I would assure the gentleman this committee is committed to alleviating the financial burdens associated with the Clean Water Act which are passed down from the Federal Government to families and businesses throughout the country, but particularly in his area the severity of this challenge is great.

Accordingly, we have placed $1.35 billion in the State revolving fund. Due to budget constraints, the subcommittee was challenged to provide minimum funding this year, let alone funding for new starts.

Mr. TORKILDSEN. Mr. Chairman, reclaiming my time, I wish to thank the chairman for his leadership on this issue. I am concerned, however, whether the subcommittee's policy precludes the chair from working with the other body in the conference committee to secure additional funds for some worthy new starts.

Mr. LEWIS of California. Mr. Chairman, if the gentleman will further yield, I would answer your question by saying it simply indicates how serious the gentleman is about pursuing this matter.

Clearly, the other body is entitled to raise whatever issues it chooses in our upcoming conference, and I expect the Clean Water Act mandate funding to be addressed. When the issue be raised, I can assure my colleague I will work with the gentleman to find a solution to the problems of water and sewer mandates on the North Shore of Massachusetts.

Furthermore, I will recommend to the conference committee that should

additional funds become available priority be given to water and sewer projects, including SESD and the others the gentleman has made reference to on the North Shore of Massachusetts.

I thank the gentleman from Massachusetts for bringing this issue to the committee's attention and in particular the personal time he has spent write me.

Mr. TORKILDSEN. Reclaiming my time, Mr. Chairman, I want to thank the distinguished chairman, and my friend and colleague for clarifying this most important point. I look forward to working with him in the upcoming conference.

Mr. DEAL of Georgia. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to engage the distinguished chairman of the Subcommittee on VA, HUD and Independent Agencies of the Committee on Appropriations in a colloquy regarding language to encourage the establishment of an outpatient VA clinic in Gainesville, GA.

This is an area located in rural Hall County, and there are close to 10,000 veterans who must travel over 200 miles to receive services at the VA hospital in Atlanta. This language was included under an amendment No. 4 to the statement of the managers in the conference report on VA–HUD appropriations in fiscal year 1996, that being H.R. 2099.

I would ask the distinguished chairman if the committee would continue to encourage the outpatient VA clinic be established in Gainesville, GA?

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

Mr. DEAL of Georgia. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, I am pleased to join with my colleague from Georgia in this colloquy, and I want to say to the gentleman that I am very sensitive about the problems in Gainesville as well as the problems of veterans who live in rural America.

The gentleman may know that my own district is very much a rural district. In fact, in the desert portion of my territory we can comfortably fit four Eastern States, so I am acutely aware of the distances veterans must travel for care.

Please be assured that the committee continues to want to help veterans in rural areas and will continue to encourage the VA to establish an outpatient clinic in Gainesville, GA.

Mr. BUNN of Oregon. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I wish to enter into a colloquy with the chairman of the subcommittee, the gentleman from California.

Mr. Chairman, I would first like to applaud the chairman of the subcommittee for the excellent work he has done in crafting a very balanced bill. However, I am concerned that this year's bill before the House does not include funding for the wastewater operator training grants under section 104(g) of the Clean Water Act.

As the chairman knows, this is a program that provides assistance to small communities to help them comply with the demands of the Clean Water Act. I have supported this program in the past and continue to be supportive. I ask the chairman, is it his intent that the administration should continue this program within the funds provided in this bill?

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

Mr. BUNN of Oregon. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, the answer is yes, it is my intent that the administration continue with this program.

Mr. BUNN of Oregon. Mr. Chairman, reclaiming my time, I thank the gentleman for that clarification.

If the other body specifically includes funding for the program, would the distinguished chairman consider accepting the other body's recommendation?

Mr. LEWIS of California. Mr. Chairman, if the gentleman will continue to yield, I very much appreciate the gentleman bringing forward this colloquy, and I want to assure the gentleman that I will not oppose funding for the program if the other body provides it. We are working very closely with the committee in the other body on this matter and matters that are similar.

Mr. BUNN of Oregon. Mr. Chairman, reclaiming my time, I thank the chairman for his assistance on this issue. It is greatly appreciated.

□ 1215

Mr. RIGGS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, first of all I want to thank the distinguished subcommittee chairman and my good friend, the gentleman from California [Mr. LEWIS], and the other members of the subcommittee for their hard work and tireless dedication to producing a bill that is fiscally responsible and good for America's veterans.

This 1997 VA, HUD appropriation bill fulfills a bipartisan commitment, a long-standing bipartisan commitment to the northern California veterans who served our country in the armed services. Specifically, the bill provides for phased construction of a replacement VA medical center at Travis Air Force Base located in Fairfield, CA, in my congressional district. As the gentleman, Mr. LEWIS, knows, there is a great need for an additional acute care medical facility in northern California as a result of the closure of the veterans medical center facility in Martinez, CA, after the 1989 earthquake. Northern California veterans should be able to obtain the necessary medical care within their designated catchment area, and that northern California catchment area includes 400,000-plus military veterans.

Currently the same veterans have to drive up to 8 hours to the nearest medical facility. Last year in the face of severe budgetary pressures and in view of our commitment as the new congressional majority to balancing the Federal budget in 7 years or less, the Congress appropriated $25 million for a state-of-the-art outpatient clinic at Travis Air Force Base to be located adjacent to the David Grant Medical Center Air Force Hospital.

I viewed these funds as a place holder, an adequate first step that would provide a foundation for additional funding for phased construction of the replacement hospital. The VA will build the replacement hospital adjacent to the existing military hospital at Travis Air Force Base and it will be a coventure between the VA and the Department of Defense. The plan is innovative and an ideal choice since much of the infrastructure is already in place and these two facilities will be able to share medical technology and other high-cost services.

As a veteran myself, I wholly understand the sacrifices made by veterans and their families while serving our country. The replacement VA medical center at Travis represents the fulfillment of a 6-year-old commitment spanning the last two Presidential administrations. The effort to replace the Martinez facility has enjoyed broad bipartisan support in the Congress.

At this time I would like to confirm my understanding with the distinguished subcommittee chairman that funding for phased construction of the replacement VA medical center at Travis Air Force Base in the fiscal year 1997 VA, HUD appropriations bill is at $57.1 million and that would be the $25 million from fiscal year 1996, reprogrammed for the replacement hospital, plus an additional $32.1 million in this bill.

I also wish to confirm that this will provide the Veterans' Administration with full first-year funding to begin phased construction of the hospital.

Mr. Chairman, I yield to the gentleman from California [Mr. LEWIS].

Mr. LEWIS of California. Mr. Chairman, I must say to the gentleman, I very much appreciate the opportunity to enter into this colloquy with him regarding this very important matter.

The gentleman may be aware of the fact that over 20 years ago, as a result of another earthquake, a major VA hospital that collapsed in southern California. The replacement hospital is located in an area that serves both my district and the district of Congressman GEORGE BROWN and others in southern California. This facility is

very important to veterans who live in rural communities, similar to the long distances that Mr. DEAL was talking about earlier.

It is important for the gentleman to know that, the House as well, to know that there is indeed $57.1 million between the fiscal year 1997 and 1996 VA, HUD appropriations bills to begin phased construction of the replacement hospital at Travis Air Force Base. This subcommittee remains and will continued to be committed to fully funding and completing construction of the replacement Travis Hospital.

I also want to emphasize to my colleague that funding for this hospital at Travis is included in this bill because, to say the least, Mr. RIGGS has been waging a highly intensive campaign on its behalf. Furthermore, that full-phased construction of the Travis Hospital would not be possible, if a place holder for funding had not been adopted by way of a clinic, as we did our work in 1996.

This is a very, very difficult time in terms of funding availability. Earthquake replacement hospitals seem logical but, nonetheless, my colleague has had to struggle because of very scarce dollars. Yet those people who we are committed to serve, especially in rural areas, to deserve this kind of response. I salute the gentleman for his tenacity and dedication as a tireless advocate for his district and northern California veterans.

Mr. RIGGS. I thank the gentleman, Mr. Chairman.

I include for the RECORD a newspaper letter to the editor entitled Saluting the Real Heroes in the Drive for a VA Hospital.

[From the Vacaville Reporter, June 22, 1996]

SALUTING THE REAL HEROES IN THE DRIVE FOR A VA HOSPITAL

REPORTER EDITOR: This is in response to a letter to the editor (The Reporter, June 1) in which the writer states he is not one of Kelli Eberle's veterans and that Congressman Frank Riggs was not effective in obtaining funding for the Department of Veterans Affairs Hospital at Travis Air Force Base.

Few have worked longer or harder at securing funding for the VA hospital than Frank Riggs and his efforts at securing funding within his own party have finally been successful.

I would like to ask the writer the following questions:

When is the last time you wrote a letter or called your representative in support of the VA hospital?

When was the last time you attended an Operation VA meeting?

In addition to his efforts in Congress, Frank Riggs has also been in constant contact with Solano County veterans.

The real heroes are: Art Jarrett and Robert Fletcher of the American Legion, who have written thousands of letters and made hundreds of phone calls to veterans organizations and representatives, lobbying for the VA hospital; the city of Fairfield, for having the courage to spend money in support of this project; and the people of Operation VA, who have spent the last four years working and lobbying for the VA hospital.

For the record, one of the most active advocates of the VA hospital is Kelli Eberle. I, and the 30-plus signers of this letter, am proud to have Kelli refer to me as one of "her veterans."

JEFFREY L. JEWELL,
President, United Veterans Memorial Association, plus 30-plus signers.

Mr. LEWIS of California. Mr. Chairman, I ask unanimous consent that the gentleman from Indiana [Mr. HOSTETTLER] be permitted to offer amendment number 54 on page 64, line 4, a portion of the bill not yet read.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

AMENDMENT OFFERED BY MR. HOSTETTLER

Mr. HOSTETTLER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HOSTETTLER: Page 64, after line 4, insert the following new item:

ELIMINATION OF FUNDING FOR CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Each amount appropriated or otherwise made available by this title for "Corporation for National and Community Service" is hereby reduced to $0.

The CHAIRMAN. Pursuant to the order of the committee of today, the gentleman from Indiana [Mr. HOSTETTLER] will be recognized for 10 minutes, and a Member opposed will be recognized for 10 minutes.

The Chair recognizes the gentleman from Indiana [Mr. HOSTETTLER].

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

Mr. HOSTETTLER. Mr. Chairman, first of all, I want to thank the distinguished chairman of the Subcommittee on VA, HUD, and Independent Agencies and the distinguished ranking member for allowing me to proceed out of order.

Mr. Chairman, I rise today on behalf of taxpayers and concerned citizens in my district and across the country, to appeal to my colleagues to help me defend a wasteful bureaucracy. In addition, there is an even more basic principle at issue here that I will touch on in a moment.

Mr. Chairman, I am offering an amendment to eliminate funding for AmeriCorps and its office of inspector general.

Now before I go any further in explaining my amendment, I want to remind everyone in this Chamber of a very important fact. When the VA/HUD appropriations bill came to the floor last year—it came without any funding for the AmeriCorps Program.

In fact, the VA/HUD appropriations bill also passed the Senate—without any funding for the AmeriCorps Program. It was only in the final omnibus appropriations bill, which was passed and signed into law, that we funded AmeriCorps.

Let's not allow our appropriations bills to be held captive again in order to fund a program that goes against the best interests of this country's fiscal health and our children's future.

I would also like to remind the Members in this Chamber and the American people, that when President Clinton signed into law the National and Community Service Trust Act of 1993, he created one of the largest so-called volunteer service bureaucracies in history—that is, AmeriCorps.

Not only does this program compete with depression-era programs in size, it also competes with the Pentagon in examples of outrageous spending, such as $900 hammers, and the NEA in ludicrous granting of funds.

AmeriCorps was founded upon President Clinton's idea of a new kind of public-private partnership—whereby the Government splits community service costs with the private sector. However, a 1995 GAO audit found that the agency received little support from the private sector, and instead relied heavily upon public support.

Less than 12 percent of the program's per-participant costs were leveraged from the private sector.

The remaining 88 percent, $309 million in 1994, was funded by the taxpayers.

The same GAO report shows annual costs can range from about $22,200 to as high as $66,715 per participant.

It isn't surprising then that the GAO audit finds volunteers working for Federal agencies cost the public an average of $31,000 each.

I find it quite a paradox that we are paying individuals to volunteer for the Federal Government.

I would also like to share with the rest of America what they don't always get to hear: That is, AmeriCorps promotes a politically correct agenda, earning it the name "P.C. Corps" by the Washington Monthly.

Taxpayers may be shocked to know that AmeriCorps recruits volunteers such as former gang members and ex-convicts to engage in activities such as teaching sex education to children, providing HIV courses to sixth-graders, and using methods such as a soft-core porn novel to teach character development.

Moreover, after my colleague, Mr. HOEKSTRA, discovered in congressional hearings that much of AmeriCorps' books were unauditable, the House Opportunities Committee began to investigate.

Oddly enough, the committee found a number of questionable grants, including a $400,000 grant to the AFL–CIO to provide financial management training to AmeriCorps grantees.

And although the act which established the program clearly states that

no funding or participant shall be used to directly benefit any partisan political organization, AmeriCorps has predictably funded liberal advocacy groups.

I wonder if the people know that part of a $1.2 million grant to a local coalition in Denver was used to require AmeriCorps members to distribute campaign-related leaflets opposing a city councilman's re-election bid? Fortunately for the taxpayers, this grant was withdrawn after reports surfaced.

Such flagrant use of taxpayers' dollars does not even take into account that AmeriCorps volunteers often can be seen at administration photo-ops and media events, bearing their now familiar grey AmeriCorps T-shirts and cheering for President Clinton and Vice President GORE. It's no wonder that the President supports this program, Mr. Chairman.

But there is a larger issue at work here, too. How long do we allow the Federal Government to wrestle away the power of the people to join together out of civic virtue in order to meet our communities' needs?

At what costs to society and liberty do we allow the Federal Government to demean the entire ideal of citizenship by paying workers to volunteer?

My friend, Balint Vazsonyi says, "The spirit of voluntarism is being choked by coercion." Mr. Chairman, I couldn't agree more. Our Government wants to replace active civic compassion with coercive community service programs.

We need to support the kind of civic virtue that promotes private voluntarism—not the kind that is bought with Federal tax dollars by a government that crushes the spirit of citizenship and undermines the value of personal and civic responsibility.

Finally, with soaring budget deficits and a more than $5 trillion national debt, I am standing up for the taxpayers who cannot support such a proposition any longer.

I believe it was Representative HOEKSTRA who wrote in regard to AmeriCorps: "Like many Washington programs, good intentions and bad philosophy equal wasted money and disappointing results." Mr. Chairman, AmeriCorps boils down to nothing more than a Federal jobs program. It must be eliminated on the basis of economics and principle.

That is why I am asking all of my colleagues to support this amendment to eliminate AmeriCorps funding.

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

The CHAIRMAN. Is there a Member who seeks recognition in opposition to the amendment?

The gentleman from Ohio [Mr. STOKES] is recognized for 10 minutes.

Mr. STOKES. Mr. Chairman, I ask unanimous consent to yield half of my time to the chairman of the subcommittee, the gentleman from California [Mr. LEWIS].

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

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

Mr. Chairman, I rise in opposition to the gentleman's amendment to take all of the money out of the AmeriCorps program. I think we made substantial progress this year by putting this money in and avoiding the veto that we received last year of this legislation. This is a program that the President has initiated. It is a program that he feels is a national program to help the young people of this Nation be active in terms of the kind of jobs that they perform on behalf of the Nation, and they proceed to acquire their educations.

I think it is important for us to look at the fact that this is a bipartisan program. I think AmeriCorps takes a great deal of pride in the fact that it is bipartisan. Two-thirds of the AmeriCorps programs are chosen by governor-appointed State commissions, three-fifths of which are headed by Republicans to address local needs.

It is a program that works. An evaluation of the AmeriCorps programs found that just one-tenth of AmeriCorps members taught 23,641 students, tutored 24,867 individuals, mentored 14,878 youth, helped 2,551 homeless people find shelter, planted more than 210,000 trees, collected, organized, and distributed 974,103 pounds of food and 5,000 pounds of clothes, developed and distributed 38,546 sets of information about drug abuse, street safety, health care, and other issues.

□ 1230

They also ran violence prevention, after-school programs for 49,632 youth, performed energy audits for more than 18 million square feet of buildings, levied 69,369 hours of service by unstipended volunteers.

In additional to it, I think one of the factors that is very important is that a recent 1995 GAO report concluded that AmeriCorps almost tripled the amount it was required to raise from noncorporation sources in its first year. Congress directed AmeriCorps programs to raise $31 million. They raised $91 million. Of this amount, $41 million, a figure more than the amount required from all sources, came from the private sector alone. We think this financial support proves that leaders at the local level across the country feel that AmeriCorps is an effective way to meet the needs of their communities.

Mr. Chairman, I do not know of any greater investment that we can have than the amount of money we are putting into investing in the young people of this country. They are the future of this country. As we move into the year 2000, the 21st century, it seems to me that we ought to be doing more to equip our young people for the future leadership that we are going to give them for this country.

I would urge the Members to reject the gentleman's amendment and vote "no" on the gentleman's amendment.

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

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

My colleagues, I must say that this is the first occasion, at least in my recollection, that I have seen the gentleman from Indiana [Mr. HOSTETTLER] present an amendment on the floor, at least on one of my bills. I must say, as I was watching him make that presentation, he reminded me of one of my brothers, and I wondered what he was doing here, a younger brother, I might mention, Mr. HOSTETTLER. Unfortunately, for that and other reasons, I rise reluctantly to oppose the amendment by my colleague.

I do realize that not all the Members of the House support the AmeriCorps program. There are a couple of other potential amendments that would impact funding of the corporation as well. I know that Members may differ as to why they do not support the AmeriCorps program.

I personally have felt from our first involvement in this program that we needed to carefully evaluate its effectiveness. We are in the midst of trying to continue to move forward on that evaluation at this very moment. I believe the program has merit and deserves a chance to prove itself. I am also very sensitive to some of the questions that have been raised by my colleague. He particularly mentioned one that involved campaign activity, which I must say, if it did actually take place, would be against the law. I am sure the corporation is not advocating that sort of activity. However, some young person could have found themselves in excess, and we want to review that sort of activity with great care.

As stated in a committee report, there is need for a further independent evaluation of this program. But lack of further evaluation does not warrant eliminating the program, at least at this point.

I also believe that Senator Wofford, who is making beneficial modifications to the program, has provided a good deal of energy and time, not just working on the program, but communicating to us about his efforts. Zeroing out the funding for the Corporation for National and Community Service simply ignores the experience of this past year. There is no way that I can see where this bill can be signed into law without funding for the corporation. I mean it made the bill veto bait doing the fiscal year 1996 debate.

So let me suggest to my colleagues that there are two points here. First,

the House has been very responsive to the work of the committee dealing with a very, very difficult series of Federal responsibilities, balancing one program or agency against another. At this point in time, I don't believe that we should inject an item that would very likely lead to a veto of all this work. It does not matter to me specifically in terms of the level of funding, but indeed to zero out the program would help none of us in the final analysis.

We have been down this road before; I do not wish and do not believe the leadership wants to have last year's fight all over again. Mr. Stokes and I both want this bill to be signed. I think it is a bill the President will be able to sign when we get through the conference, and so I urge the Members on that basis and others to vote "no" on this amendment.

Mr. HOSTETTLER. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Kansas [Mr. TIAHRT].

Mr. TIAHRT. Mr. Chairman, this is a program that, I think, is a little misguided. It is a failed Government program. It does follow the liberal mantra of the need for perceived voluntarism in America. Whenever there is a problem, let us come up with a program, and once again we have done that with our Federal Government. But it sends such a confusing message.

The American College Dictionary says a volunteer is someone, and I quote, someone who does charitable work or helpful work without pay, end of quote. Well, AmeriCorps pays people even while there are 89.2 million Americans, according to the independent survey conducted in 1994, 89.2 million Americans 18 and over volunteer about 4.2 hours per week, and yet we have a program here that pays volunteers $31,000 per year. That is $15.65 per hour. It includes health insurance; it includes a stipend to go to college. It is not the type of voluntarism that is the American tradition.

It also takes money away from programs that could be very valuable like Pell grants or like money for volunteers. People have actually risked their lives for this country, and yet they get better benefits by being a paid volunteer. And where do these people work? Well, 1,200 of these AmeriCorps volunteers are at the Department of Ag, 525 are at the Interior Department, 210 at the Justice Department, 135 at the EPA, 60 at the National Endowment for the Arts.

Another example is the political activity during the Summer of Safety, quote unquote, program in San Francisco. They were out there campaigning against the three strikes and you're out provision in the crime bill.

This is what President Clinton called citizenship at its best. I think most taxpayers disagree.

Although I respect the goals of the young men and women who are involved in the AmeriCorps, I admire the other 89.2 million Americans who truly volunteer without pay. They volunteer their time, they volunteer their energy and their spirit. Let us not fool ourselves and the American people into believing that AmeriCorps has anything to do with true voluntarism or true citizenship.

Mr. Chairman, this amendment is a commitment to both true spirit of voluntarism and to reducing the Federal deficit. I support its adoption.

Mr. STOKES. Mr. Chairman, how much time do we have remaining?

The CHAIRMAN. The gentleman from Ohio [Mr. STOKES] has 1½ minutes remaining, the gentleman from California [Mr. LEWIS] has 1½ minutes remaining, and the gentleman from Indiana [Mr. HOSTETTLER] has 2½ minutes remaining.

Mr. STOKES. Mr. Chairman, I ask unanimous consent that we be given 10 additional minutes to be equally divided.

The CHAIRMAN. Five minutes on each side?

Mr. STOKES. That is correct, Mr. Chairman.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. STOKES. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Michigan [Mr. DINGELL], ranking member of the Committee on Commerce.

Mr. DINGELL. Mr. Chairman, the idea of terminating AmeriCorps is perhaps appealing if one does not know the issues, but it is very dangerous and unwise if the facts are analyzed which are involved here.

Thousands of young Americans have been educated and benefited by this; enormous public good has been achieved by the program. The program is cost effective. It pays back better than $1.54 to $3.90 for every dollar that is invested. It has generated thousands of volunteer hours by nonparticipants. It has come in well below the costs per participants, better than a thousand dollars less per participant. It raised $41 million in the private sector during the first year alone.

This is something which appeals to Republican Governors. Governor Engler, Governor Weld, Governor Wilson, Governor Merrill all support AmeriCorps. Religious groups, the Catholic Network of Volunteer Service, the Episcopal Church, Aguda Israel of America and more support AmeriCorps. Corporations like General Motors, IBM, Microsoft, American Express, Nike, Tenneco, Bell South, U.S. Health Care, Home Depot support AmeriCorps. Even the wives of our Presidential candidates, Hillary Clinton and, to my Republican colleagues I would observe, Elizabeth Dole, support this program.

In Michigan alone it has stimulated the creation of some 13 major programs. Better than 400 participants a year are involved in this, and the work on behalf of the State of Michigan has been productive indeed.

Why then would we want to terminate a program which is showing such tremendous success on behalf of the people? Why would we want to terminate a program which has such widespread beneficial consequences and such enthusiastic support of prominent and responsible Americans? I cannot conceive of a reason. Perhaps someone can better that.

I urge rejection of the amendment.

Mr. HOSTETTLER. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Nebraska [Mr. CHRISTENSEN].

Mr. CHRISTENSEN. Mr. Chairman, I rise in support of the amendment because I strongly support balancing the Federal budget by ending wasteful Government spending.

Mr. Chairman, the AmeriCorps Program is just that, a wasteful Government program. The Hostettler amendment will end the boondoggle that the AmeriCorps Program has stood for, and I believe it will end it once and for all.

We have worked very hard to balance the budget these last 2 years, and I do not believe that we have a dime to spare for the feel good programs that do not really have any purpose. Ending AmeriCorps is the right thing to do.

Let us look at the facts. AmeriCorps costs the U.S. taxpayer a breathtaking $600 million a year. That is over $21,000 a year per volunteer, with more than half the money drained away by the bloated administrative costs.

What do grantees get out of this? Well, besides a very heartwarming experience they could do for free, they get $5,000 toward their college education. Well, I am all in favor of encouraging college education, which is why my Republican colleagues and I voted to increase the student loan program, but AmeriCorps manages to spend $21,000 to give young people a $5,000 grant for college. Well, would it not make more sense just to hand over the $5,000 without spending the other $16,000? Instead, President Clinton, instead of cutting this program, he wants to expand it. Yes, he would like to spend $6 billion over the next 5 years expanding this program.

Well, Mr. Chairman, the Corporation for the National Service, which oversees the AmeriCorps Program, spends millions of dollars for contracts to provide, quote, training to its grantees. Who does that training? Well, a $400,000 contract to the AFL–CIO, the big Washington labor bosses who provide the financial management training. Well, how interesting. From this program alone our Nation is handing out $400,000 to the labor bosses who are trying to buy Congress for themselves and the liberals that they favor. No wonder the President and his liberal followers

enjoy the AmeriCorps Program so much. It doles out money to liberal groups that lobby for his reelection and for his liberal policies.

An editorial entitled "AmeriCorps Programs Should End," in my local paper, the Omaha World-Herald, put it best. It says the program will teach a new contingent of young Americans the glories of landing on the public payroll, thereby carrying on a Democratic tradition of more Government, more benefits, and more make-work jobs. That is the editorial out of the Omaha World Herald, July 18, 1995.

The article is as follows:

[From the Omaha World Herald, July 18, 1995]

AMERICORPS PROGRAM SHOULD END

Sen. Charles Grassley of Iowa has looked again at the numbers behind President Clinton's AmeriCorps program and come to an inescapable conclusion: The program should be ended.

It is a costly boondoggle. It costs an average of $27,000 for each volunteer, Grassley said, using figures from the General Accounting Office. More than half the spending is on administration.

The five-year program consumers $600 million a year, Grassley said, and involves 20,000 "volunteers," who are paid a salary and provided medical benefits, child care and tuition waivers. They are assigned to government agencies or nonprofit organizations. Clinton has said he wants the program to expand every year until 100,000 people are enrolled. He has estimated the cost at $6 billion over five years.

All that to deliver a college-tuition certificate worth less than $5,000 to each participant. If the goal were merely to hand out tuition money, it could obviously be achieved more efficiently by putting the money in an envelope and mailing it to anyone who managed to be accepted by a college or university.

As government programs go, this one is spectacularly inefficient and breathtakingly expensive.

Defenders contend that the program has much more to it than merely the distribution of tuition assistance. It is intended to "re-knit community," they contend, although exactly how the program will re-knit anything has yet to be explained. More probably, the program will teach a new contingent of young Americans the glories of landing on the public payroll, thereby carrying on the Democratic tradition of more government, more benefits and more make-work jobs.

But taxpayers seem to be getting tired of all that. Witness what happened Nov. 8 to the make-up of both the House and the Senate. So Congress may have a better idea about whether re-knitting communities with a national service corps should be among the highest priorities.

Facts such as those highlighted by Grassley provide effective ammunition against the program. It only remains for Congress to consider again the message that voters conveyed so emphatically last November—and then act on it.

Mr. Chairman, I support this amendment because it makes the right choice in ending a wasteful Government program. That is the necessary step in our fight for a balanced budget.

As my colleagues know, it would be nice to turn volunteers back into what they originally were meant to be, and that is a volunteer, and as the gentleman from Wichita, KS [Mr. TIAHRT] said, a volunteer is someone who works without pay.

□ 1245

Mr. STOKES. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas [Mr. GENE GREEN].

Mr. GENE GREEN of Texas. Mr. Chairman, I rise in opposition to the Hostettler amendment.

Mr. Chairman, my colleague's amendment is misguided and shortsighted. We should be engaged in expanding AmeriCorps, not in its elimination.

Almost 3 years ago, when Congress created the AmeriCorps Program, we expected great things from national service. The Congress expected AmeriCorps to help communities meet their public service needs with real results.

We expected AmeriCorps to unite individuals from different backgrounds in the common effort to improve our communities.

We expected AmeriCorps to encourage its members to explore and exercise their responsibilities to their communities, their families, and themselves.

Today, almost 2 years after the first 20,000 AmeriCorps members hit the field in over 1,000 communities across the country, the Corporation for National Service and its AmeriCorps Program has met every one of these expectations. And in many cases, it's exceeded them.

The essence of the Republican opposition lies in the fact that they don't want to support something so closely identified with President Clinton, especially something that's been proven as successful as AmeriCorps. Mr. HOSTETTLER, and the rest of my Republican colleagues know that the President will veto this bill if this amendment passes.

I believe that the attacks on AmeriCorps are not based on merit. In 1995, the General Accounting Office reported on the status the National Service programs.

In the GAO's year-long review of AmeriCorps the GAO confirmed the corporation's statements about its funding for each AmeriCorps member.

The GAO said that the corporation's resources total about $17,600 per member. In testimony before the Congress earlier this year, the corporation projected its costs at approximately $18,800 per member. This is precisely in line with what the Congress directed the program to spend. The GAO also saw accomplishments that are consistent with the purpose of the national service legislation, concluding that AmeriCorps is fulfilling the mission we gave it in all of its detail and complexity.

Finally, the GAO's figures show that the AmeriCorps programs have far exceeded anyone's expectations regarding their ability to raise nontaxpayers' dollars to support their programs. Congress told AmeriCorps that it had to meet our commitment to national service with $31 million in locally based matching funds this year. From the private sector alone, the AmeriCorps programs raised $41 million. Every cent of this money came from private donations—not taxpayer dollars—from individuals and over 600 companies and foundations. The decision on whether or not to continue national service will tell us a lot about ourselves. We should put partisan politics aside. Let's work together to continue to provide young people an opportunity to help themselves, as they help our communities and learn service as a way of life. AmeriCorps has kept its promise to the American people. The Congress should, too.

Mr. STOKES. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Illinois [Mr. DURBIN], a member of the Committee on Appropriations.

Mr. DURBIN. Mr. Chairman, I rise in opposition to this amendment. I think it is noteworthy that this is being sponsored and spoken for primarily by the freshman Republicans in this House of Representatives. Those who have followed their agenda over the last year and a half will not be surprised that they would come out for an amendment to end AmeriCorps.

This amendment is mean-spirited. This amendment is cynical. This amendment says to young men and women who are willing to give a year or two of their lives in public service for the lowest wages, with the chance at the end of it that they will get a $5,000 scholarship, they are saying that this is wasteful. Wasteful. Wasteful, that these young men and women would take the personal responsibility for their own lives and futures, and be willing to give back to this country?

Mr. Chairman, this is the same spirit that motivated the Peace Corps under President Kennedy, to say to young men and women, step forward, serve your country, do something, and we will be proud of you, and you will be proud of your experience. But these freshman Republicans will hear none of that. For them, it is a liberal boondoggle. They have forgotten, many of them, how many times they have had to turn to the Government for college student loans.

We should vote against this amendment and stand up for the idealism that this program represents.

Mr. HOSTETTLER. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan [Mr. HOEKSTRA].

Mr. HOEKSTRA. Mr. Chairman, the gentleman from Michigan, asked us to give one reason why AmeriCorps should be eliminated. I can think of many. Perhaps let us go back to what the President said he was going to give us when he promised us AmeriCorps: a well-run, businesslike program; a national service corporation which will run like a big venture capital outfit, not like a bureaucracy.

This year we had oversight hearings. We had oversight hearings because we asked Arthur Andersen, the auditors who took a look at AmeriCorps, to tell us what they found. Over $300 million

of taxpayer funding per year. The auditors came back and said this corporation that was going to be the benchmark for the private sector, the corporation lacks strong management controls, the corporation lacks data integrity, the corporation lacks data security, the corporation has failed to segregate accounting duties, the corporation lacks budgetary controls, the corporation could not prepare reliable financial statements. The bottom line: The benchmark of Government service is a program whose books are not auditable.

Mr. Chairman, stopping a program like that is not mean-spirited; it is realistic, and it is being good stewards of the taxpayers' dollars. The problem with AmeriCorps is, yes, those radical Republican freshmen, they have a vision for service. They know what makes America great. The authentic American spirit is, in 1993, 89.2 million American adults volunteered in this country. They gave on an average of 4.2 hours per week, or 19 billion hours of total service, with an estimated value of $182 billion.

Americans also contributed $126 billion in charitable causes. This is in addition to the $324 billion the American people spent on assistance to the poor in Federal, State, and local taxes. We have a great volunteer spirit.

The problem in Washington, Mr. Chairman, is that we think Washington defines voluntarism. We believe that the bureaucracies on Independence Avenue, which is more like Dependence Avenue, that they are better equipped to define volunteers; that this faceless bureaucrat in Washington can better define what needs to happen at the local level in voluntarism; that we ask American taxpayers not to send money to charities directly, because they cannot make that decision, send it to Washington so we can make that decision for them, so we can be the bureaucrat that says, "This charity in your community deserves support. This one does not."

End this program. Move decisionmaking back to where it should be, back to the local citizens, back to the taxpayers. Let them decide which charities to support, not the Federal Government, which cannot even keep its own books.

Mr. STOKES. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Ohio [Mr. SAWYER].

Mr. SAWYER. Mr. Chairman, I rise in order to offer a different perspective on the same set of hearings we just heard commented about. The amendment, which would eliminate funding for AmeriCorps, ignores the steps that have been taken to answer the concerns that have been raised and that were investigated at that series of hearings. We heard about the progress to correct the shortcomings. While I initially shared many of the concerns we have heard discussed here about cost overruns or potential political abuses, we have found that even the strongest critics from the other body have worked out a 10-point program which the director presented at these hearings to deal with the AmeriCorps Program and to strengthen its administration, based on its start-up experience.

We had hearings on the financial standards, and in fact the director came in and made a commitment to working with the inspector general, with the auditors, Arthur Andersen and Williams, Adley, to correct its financial weakness. In fact, one of the opponents to this, one of the critics of the program from the Financial Executives Institute at this hearing gave away his time and decided not to use his prepared statement after hearing the director's testimony. Instead, he offered his assistance to the Corporation for National Service, based on the trust that he had seen pledged there.

"I think there is a sincere desire to do this now," he said, to work this out, "and I will pledge whatever resources my committee and FEI has to help the organization achieve what is within reach," and that is a clean audit. But do not leave it to me to suggest this.

Let me just close by suggesting what the Governor of Massachusetts, Republican Bill Weld, said of AmeriCorps: "It is a fine deal all the way around, and possibly one of the most intelligence uses of taxpayer dollars ever."

In the words of Republican Governor John Engler of Michigan, he said, "AmeriCorps captures the promise found in all citizens, young and old, who see the problem in their communities and work together to solve those problems." This is community-driven, community decisionmaking, and community problem-solving from the grass-roots up. We should do no less with AmeriCorps itself. I urge that we reject the amendment.

The CHAIRMAN. For clarification purposes, the Chair would like to indicate, for the dividing of time, since the unanimous-consent request for the additional 5 minutes on both sides was made by the gentleman from Ohio [Mr. STOKES], the Chair granted the additional 5 minutes to the gentleman from Ohio and to the gentleman from Indiana [Mr. HOSTETTLER].

That being the case, the gentleman from Ohio [Mr. STOKES] has 1½ minutes remaining, the gentleman from California [Mr. LEWIS] has 1½ minutes remaining and the gentleman from Indiana [Mr. HOSTETTLER] has 1 minute remaining. The gentleman from Ohio [Mr. STOKES] has the right to close.

Mr. HOSTETTLER. Mr. Chairman, I yield 1 minute to my distinguished colleague, the gentleman from Michigan [Mr. UPTON].

Mr. UPTON. Mr. Chairman, a few minutes ago I met with a number of high school students out on the House steps. They had a lot of questions, particularly as it pertained to the deficit. I reminded them about my record and I told them about my priority: Education. I was a cosponsor of this bill when it first came up several years ago. It sounded like a wonderful idea.

But we have spent more than $1 billion so far and it just has not worked. In fact, the statistics have come out and said that it is an average of about $26,000 a student. That is not worth it. As we look at education, the needs for parents today to send their kids, sons and daughters, on to higher education, it is important that those doors are open, but not at $26,000 a student. We can find a lot of Pentagon coffee pots to buy before we buy a pig in a poke like this program here. I would just urge my colleagues to support this amendment. We have tried it for a couple of years. It has not worked.

As I have talked to my students and families in higher education institutions, there is not a lot of love for this program. It does not work. We need to be surgeons here, particularly with the deficit we have today. We need to weed out programs that do not work. I urge my colleagues to vote "yes".

Mr. STOKES. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. OLVER].

Mr. OLVER. Mr. Chairman, I rise in opposition to the Hostettler amendment. In just 2 years, AmeriCorps has made it possible for thousands of young people to realize the dream of an affordable college education. AmeriCorps participants earn part of their tuition by working in their communities.

In my district, AmeriCorps members are protecting the environment in the Berkshires, under the direction of those Berkshire County communities. They are tutoring low-income students in Gardner, and they are working with the police department on community policing and elder abuse protection, the Triad Program, in Holyoke. At a time when college costs are skyrocketing, AmeriCorps presents a good way for students to earn money to pay their tuition while working in their communities.

To quote again from the Republican Governor of my State, and I quote, "The Federal Government shouldn't pass up the opportunity national service represents to help people help themselves." I urge a no vote on the amendment.

Mr. LEWIS of California. Mr. Chairman, I yield 1 minute to my colleague, the gentleman from Indiana [Mr. HOSTETTLER] to close.

Mr. HOSTETTLER. Mr. Chairman, I just want to close by pointing out a few things. A vote for this amendment is not a vote against volunteerism. Let me highlight what the American Heritage College Dictionary says that a volunteer is. A volunteer is a person who

performs or offers to perform a service of his or her own free will, or to do charitable or helpful work without pay.

It was alleged earlier that weaknesses have been taken care of as a result of some work done inside the corporation, but I need to point out that since that hearing, that there has only been action to take care of 9 of 33 material weaknesses in the corporation. Usually with one of those situations, any other corporation would be out of business.

It was also alleged earlier that for some reason freshmen of the House, of the Republican side of this House, have offered this initiative. The fact is that we are freshmen, and by the very nature of that term, we have been out in the real world before we came to Congress, before we came to this Capitol Hill address. We have seen real volunteerism at work. We have seen, and we know the statistics are true, that 90 million Americans every year volunteer. This is a vote for fiscal soundness and not against volunteerism.

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

Mr. Chairman, I urge all Members of the House to defeat this amendment. Some in the well a few moments ago said we need more surgeons here. I disagree with the gentleman. We need to train more of our young people in America today to be surgeons. We need to make a greater investment in the young people in this country.

I would hope that today the Members of this House will show that they have great faith in our young people in this country, and want to give them the chance and the opportunity by defeating this amendment. I urge a "no" vote.

Mr. LEWIS of California. Mr. Chairman, I simply ask the Members for a "no" vote, and I yield back the balance of my time.

Ms. PELOSI. Mr. Chairman, I rise in opposition to the amendment to decrease AmeriCorps funding.

The AmeriCorps National Service Program gives Americans of all backgrounds the opportunity to serve our country and defray the cost of a college education. It is not a wasteful program, as some critics contend, unless you truly believe that public service and increased educational opportunity are wasteful.

In response to Mr. HOSTETTLER's contention that the AmeriCorps Program represents coercive volunteerism, I remind him that members of the U.S. armed services are also compensated financially and are praised, as they should be, for their volunteer efforts to protect and defend our country.

AmeriCorps members increase volunteerism. Harris Wofford and the Corporation for National Service are committed to maintaining a cost-effective, productive program through public-private partnership.

This innovative program has produced impressive results in increased volunteerism and access to higher education. More than 20,000 AmeriCorps participants each year have met needs in communities while realizing the dream of a college education. This program represents a solid investment in our young people, who represent the future of America.

In a Congress determined to slash education funding, we must recognize the AmeriCorps Program as a student financial aid program that reaps significant rewards for local communities.

Ms. DELAURO. Mr. Chairman, here they go again. As NEWT GINGRICH and his Republican leadership team slash Federal funding in such critical areas as education, the environment, and housing, they often refer to the growing need for nonprofit charitable and religious organizations to take on more responsibility in meeting critical needs in these areas. At the same time they are calling for these institutions to shoulder a greater burden, however, they are intent on destroying one of the newest and most innovative resources such groups have to increase their capacity to handle these additional responsibilities.

The AmeriCorps Program strengthens traditional volunteering. From the Boys and Girls Clubs to the YMCA, America's largest and most respected volunteer organizations all utilize and vigorously support AmeriCorps. Habitat for Humanity, one of Speaker GINGRICH's favorite nonprofits, has become an enthusiastic partner of AmeriCorps. They've experienced first hand how the full-time sustained presence of AmeriCorps members helps them accomplish more, while at the same time teaching them to use occasional volunteers more effectively.

In my congressional district, this partnership was used to create LEAP—Leadership, Education, and Athletics in Partnership [LEAP]. LEAP was designated an AmeriCorps Program by the Corporation for National and Community Service in August. LEAP helps about 1,000 inner-city children build their learning skills through mentoring and community support.

LEAP is best known for its summer program. During the summer, college and high school students serve as counselors in public housing developments where the kids whom they counsel live. The program has both academic and social components. The kids spend 3 days a week in a classroom environment. They learn things such as swimming, photography, and the like.

Participating college students are from New Haven area colleges. The high school students are all from New Haven public schools and, in most cases, serve their own, or nearby, neighborhoods.

With a grant from AmeriCorps, contributions from individuals, private and corporate foundation and other grants, LEAP's budget has doubled. And for every 900 hours of service to AmeriCorps, students receive $2,300 toward their student loans or college tuition payments.

AmeriCorps enhances the work of traditional volunteer organizations, while allowing them to significantly expand their reach and enhance their accomplishments. Charities and religious institutions—the backbone of the voluntary sector in America—view AmeriCorps as a tool to increase their capacity to deal with social problems.

I urge my colleagues to vote against the tide of funding cuts to programs that help our Nation's kids. Vote against the Hostettler amendment.

Mr. DINGELL. Mr. Chairman, I am certain most of our colleagues remember the bruising fight waged last year in an attempt to end funding for the AmeriCorps Program.

I am equally certain that most of our colleagues remember the loud public outcry and the Presidential veto which occurred once that misguided priority was passed by the Congress.

And lastly, I am perfectly certain that most of our colleagues remember the large bipartisan majority who eventually voted to increase AmeriCorps funding. While some of my colleagues may have voted "yes" in an effort to keep the Government open, I voted "yes" because I believe AmeriCorps is a vital example of the good work Government can do.

The gentleman from Indiana has offered an amendment to reverse this bipartisan agreement to preserve AmeriCorps. It also would reverse the efforts of the VA–HUD Appropriations Subcommittee and the full Appropriations Committee to provide the funding needed to sustain this program. Both of these committees have voted in support of funding the well-run, highly popular AmeriCorps Program.

I plan on following the recommendations of the Appropriations Committee. I will vote to continue funding for AmeriCorps, with my only regret being that difficult budget circumstances make it unlikely that Congress can provide the full amount this program deserves.

I hope that, at minimum, the 399 Members who voted in favor of increasing AmeriCorp funding in last year's Omnibus Appropriations bill join me once again in support of this worthwhile program.

The question raised by the gentleman from Indiana remains: Can our country afford to reward voluntarism in this period of fiscal austerity? My answer, and the answer of the appropriators is "yes," which is why we have before us a program that will return as much as almost $4 to the taxpayers for every dollar spent.

Investing in AmeriCorps volunteers, produces homes in poor neighborhoods, feeds the hungry, shelters the homeless, cleans the cities and towns, teaches the uneducated.

Investing in AmeriCorp volunteers, produces a core of educated youth who have learned a strong dedication to their fellow Americans with sweat and toil.

Mr. Chairman, with that education, and that volunteer ethic, AmeriCorp participants are going on to make our country a more prosperous, and more compassionate, place to live.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. HOSTETTLER].

The question was taken; and the chairman announced that the nose appeared to have it.

Mr. HOSTETTLER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 456, further proceedings on the amendment offered by the gentleman from Indiana [Mr. HOSTETTLER] will be postponed.

AMENDMENT OFFERED BY MR. DURBIN

Mr. DURBIN. Mr. Chairman, I ask unanimous consent to offer an amendment to a portion of the bill not yet read.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 offered by Mr. DURBIN: Page 65, line 16, after the second dollar amount, insert the following: "(reduced by $1,500,000)".

Page 66, line 8, after the dollar amount, insert the following: "(increased by $1,500,000)".

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

Mr. HOEKSTRA. Reserving the right to object, Mr. Chairman, may I just have an explanation? I believe my amendment was up next.

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

Mr. HOEKSTRA. I yield to the gentleman from Illinois.

Mr. DURBIN. Certainly, Mr. Chairman, I thought I had spoken to the chairman of the committee.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

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

Mr. LEWIS of California. Mr. Chairman, I would tell the gentleman, it is a matter of other business taking place around the Capitol that is very important now. If we have a series of votes now, that will not help that process, so we are going to delay the vote on this and the gentleman's amendment will follow.

Mr. HOEKSTRA. The agreement is my amendment will come up after the vote on the amendment offered by the gentleman from Indiana [Mr. HOSTETTLER]?

Mr. LEWIS of California. The logic is that if that should pass, there is not a need for a lot of other amendments.

Mr. HOEKSTRA. I withdraw my reservation of objection, Mr. Chairman.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

□ 1300

The CHAIRMAN. Pursuant to the order of the Committee of today, the gentleman from Illinois [Mr. DURBIN] will be recognized for 10 minutes, and a Member in opposition will be recognized for 10 minutes.

The Chair recognizes the gentleman from Illinois [Mr. DURBIN].

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

This amendment which I offer restores $1.5 million for the Environmental Protection Agency for a program known as the Toxic Release Inventory. To put this in layman's terms, we are talking about chemicals. We all understand from our human experience that chemicals are very important. They are important of course in medicine, they are important of course in our commerce, and they are important in our daily lives. But we also realize that chemicals can be dangerous, and toxic chemicals by definition are dangerous in nature.

So in 1988, we said to the Environmental Protection Agency under this Toxic Release Inventory Program that they should monitor the toxic chemicals across the United States to determine whether or not they are being discharged in a way that might cause a serious public health problem.

This was a program which over the years was applauded, not only by those in government, environmental groups, and consumer groups, but even by responsible business groups who realized that they had to be good corporate citizens. They did not want to misuse toxic chemicals and cause cancer, learning disabilities, any type of deformities that might result from their misuse.

It was interesting when we passed this toxic release, community right-to-know law that many of the major chemical companies in the United States announced that they accepted the challenge from the Federal Government: They would announce the release of their toxic chemicals into the environment, and they went a step further, large companies did, and said, we are going to set out to dramatically diminish the release of toxic chemicals.

So, since this program was put in effect in 1988, it has been estimated that the release of toxic chemicals in communities and cities and locals across the United States has been reduced over 40 percent. Why? Quite simply, because many of these businesses faced with disclosure, faced with the requirement to report to the Environmental Protection Agency were much more careful.

This is a good program. It is one which major companies subscribe to and understand to be part of their responsibility as American citizens. Yet, the Republicans again this year, as last year, come forward in an effort to stop this program, to cut the funds from the Toxic Release Inventory, the community right-to-know program.

I say to my colleagues, this is a mistake; $1.5 million in a bill of this magnitude is a very small amount. This is an effort by a special interest group, and I would say a very selfish special interest group, which does not want to report to the American people what is happening to toxic chemicals in the workplace.

Now, that is not fair. It is not fair to the families which count on this reporting so that they know whether the drinking water which they are using in a community is safe, whether the emissions out of a smokestack near the community are safe; it is not fair to the workers at the place of employment who basically should know whether or not they are being exposed to toxic chemicals every day; and it is not fair to the local units of government who should be advised as to whether or not there are toxic chemicals on the premises. If there is a fire, a hurricane, a tornado, an earthquake, the local mayor, the police department, the fire department have a right to know whether toxic chemicals are being used.

This effort by the Republicans to cut money for this program is very shortsighted. The people across America understand that the era of big government is over, but families across America count on our government to protect them from invisible dangers and threats. Each time we drink a glass of water in our home communities, we expected it to be pure and safe. We hope that some governmental unit is protecting our family to make sure there is not an unseen danger in that drinking water.

This effort, this Republican effort to stop the community right-to-know legislation, to stop the Toxic Release Inventory strikes a dagger at the heart of the relationship between families and their government. We have got to make sure that families have that confidence. I urge my colleagues to support this amendment which restores the money to the Environmental Protection Agency.

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

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. Is the gentleman in opposition to the amendment?

Mr. LEWIS of California. Mr. Chairman, I have not made up my mind.

The CHAIRMAN. Under the unanimous-consent agreement, there is 10 minutes reserved on each side, 10 minutes for and 10 minutes against.

Mr. LEWIS of California. Mr. Chairman, I ask unanimous consent to take 5 minutes of the time.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

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

Mr. Chairman, I would ask my colleagues to focus just for a moment, for I do not rise in opposition to this amendment. In fact, I intend to suggest to my colleagues that we accept this amendment.

However, before doing that, I would like the gentleman from Illinois [Mr. DURBIN] to note that I had the privilege in my past life to serve in the California State legislature as chairman of an air quality subcommittee. There I led the fight of a very, very important and early environmental battle. It led to the creation of the toughest air quality

management district in the entire country, one that has served as a model for the country.

I know from that experience and others that work on behalf of the environment has absolutely nothing to do with partisan politics. I have heard the gentleman today on the floor consistently inject Republican versus Democrat on issues that are critical to the American people and have nothing to do with politics, especially partisan politics.

So, I am very disconcerted by that pattern of the gentleman to try to partisanize almost every issue that comes to the floor.

Having said that, we need effective and adequate reporting. There has been dramatic decreases in the problem we are dealing with here, and it is time to consider readjusting. Timing is the question. I would urge the gentleman to restrain himself in terms of creating polarization around here when the environment is best served by our working together and recognizing that we are all concerned about our environment.

So, I would suggest to the gentleman from Ohio [Mr. STOKES] that I am willing to accept this amendment, if he feels the same.

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

Mr. LEWIS of California. I yield to the gentleman from Ohio.

Mr. STOKES. Mr. Chairman, I thank my distinguished chairman for yielding to me.

First, I want to express to him my acknowledgment of the fact that even prior to coming to this body, he had an outstanding record in terms of environmental laws which he enacted during the time he served in the California legislature.

Mr. LEWIS of California. I thank the gentleman.

Mr. STOKES. I am quite aware of, and I am sure that other Members of this body are quite aware of, your concerns and your distinguished record in that area.

Mr. LEWIS of California. I thank the gentleman.

Mr. STOKES. I also want to say that in terms of the Durbin amendment, on its merits, I support fully the amendment, and I am pleased to join with the chairman in the acceptance of this amendment.

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

I would like to say to my friend from California, I did not suggest that your record on the environment is at issue here. I do suggest that this provision of the bill of which you are the chairman is at issue here, and I think it is a very important one. And though the gentleman may have an exemplary record, I do not question that you do, I do believe that this amendment is shortsighted, and I believe what it attempts to do really is not in the best interests of protecting our environment.

I hope the gentleman does not take that personally. It is a political difference between us, and the gentleman from California suggested at the outset that he may support my amendment, and I thank him for that. I welcome him aboard.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

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

Mr. LEWIS of California. Mr. Chairman, I am tempted to say that filling out a form does not do an awful lot necessarily for the environment, but that really is not the point. Indeed, it is my judgment that in this country and often in this body, our very positive work on behalf of the environment has become swept up in the polarization of the entire place. We work best in this subject area when the House comes together and recognizes that all of us care about the air, all of us care about clean water. Hand in hand, working together, we can take this issue out of the hands of the shrill voices, the extremes on the one hand who want to do absolutely nothing, and the extremes on the other hand that would like to use this for some population or no-growth policy of their own.

The environment is most critical to all of our existence, and working together, separate from partisanship, is the most helpful step that I could imagine we could take. I encourage the gentleman to help us participate in that direction.

Mr. DURBIN. Mr. Chairman, reclaiming my time, I thank the gentleman from California [Mr. LEWIS], and I would say that if I misinterpreted the gentleman's position, it may have been because of the vote in the committee. When my amendment came up before the committee, there was not a single Republican supporting the amendment which I have brought to the floor today. It was not a totally partisan rollcall, because some Democrats opposed my position, but not a single Republican supported my position in committee.

Mr. LEWIS of California. Mr. Chairman, if the gentleman would continue to yield, I would suggest to the gentleman that even in committee, if we reserve partisan rhetoric, we get different kinds of results.

Mr. DURBIN. Mr. Chairman, reclaiming my time, I would say to the gentleman that I will reserve all the rhetoric necessary in order to achieve the results that we are talking about today.

I would just like to say in closing, and I think the gentleman has indicated that he is going to be supportive of this amendment, that we have several things that should be taken into consideration.

There are responsible businesses in this country which support community right-to-know. There are responsible businesses in this country which support the Toxic Release Inventory. When one can have the head of Dow Chemical Co. say of this law that mandatory disclosure has done more than all other legislation put together in getting companies to voluntarily reduce emissions of toxic chemicals, we know this program works. This program should be funded.

We also have comments from Monsanto, and this is an interesting comment: The law is having an incredible effect on industries to reduce emissions. There is not a chief executive officer around who wants to be the biggest polluter in his State. We know that if disclosure is out there, it works.

I hope that my colleague from California and my colleague from Ohio will not only agree to this amendment, but also do their best to preserve this when it comes to conference. This is an important program, important not only for the EPA, but more important for families and for the workers and for the communities who rely upon it.

Mr. Chairman, I yield 45 seconds to the gentleman from Massachusetts [Mr. OLVER].

Mr. OLVER. Mr. Chairman, I thank the gentleman for yielding me this time. I want to speak in favor of the amendment offered to restore the funding for the Toxic Release Inventory.

I really believe our constituents and our families and our workers have a right to know what toxic releases are being released into the environment. Some 10 years ago, in reflecting upon what the gentleman from California said, we in Massachusetts adopted a program of right-to-know that passed and has been implemented, and since that time there has been a reduction of millions of tons of toxic chemicals which previously had been emitted into the atmosphere and into the streams. In many instances, the companies have been able to find ways that are cheaper and better, both for the environment and for their company operations to function.

So I certainly support this amendment, and I am glad that the gentleman from California is going to accept it.

Mr. Chairman, I rise in strong support of the Durbin amendment. This amendment is about individual rights and Government of the People. This amendment may provide funding for the EPA, but its really about funding the greatest source of environmental protection we have—an informed citizenry.

The right to know provision was passed in my State of Massachusetts by referendum. The people decided they wanted it—and they got it. But today this Congress is saying that we know better. That it might be bad for business. That its better to keep people in the dark. Well, what justice Brandeis said back in 1913 is just as true today: sunlight is the best disinfectant.

Right to know simply says that the factory down the street ought to be neighborly. Just

like a good neighbor puts up a beware of the dog sign, a good neighboring factory ought to inform its neighbors just what's coming out of the smokestack.

Imagine—just yesterday we all agreed that people ought to have the right to know what's in their drinking water, but today this House says they do not have the right to know which chemicals their kids are breathing in their own backyards.

The freedom of speech requires the freedom of information. Rather than causing unnecessary alarm about the unknown—let's allow people to make informed assessments.

Is it too much to ask for industry to be a good corporate citizen? This bill eliminates industry's personal responsibility.

This public disclosure calls for corporations to have some public accountability. This amendment says that corporations have a duty not only to respond to their shareholders—but also to their workers and neighbors.

Furthermore, many companys would be the first to admit that such accounting often leads to their discovering trouble spots and focusing their attention on that which might be otherwise ignored. I believe that most corporations want to be able to address community concerns.

These funds are for Outreach, Data Quality, and Training in the Community Right to Know Program. Companys want this so that the citizenry can make informed statements without relying on the unknown which can often lead to unwarranted mass hysteria.

Often the Right To Know Program has led to corporations voluntarily reducing emissions, often saving money, and exceeding Federal standards.

I urge my colleagues to support the public's right to know.

Mr. DURBIN. Could I ask the Chair if there is any time remaining that has not been yielded back beyond the 45 seconds of my time?

The CHAIRMAN. The gentleman from California has 2 minutes remaining of the 5 minutes. There are still 5 minutes unallocated.

Mr. LEWIS of California. Mr. Chairman, I intend to use my time.

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

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

I had not intended that we have this discussion since we were going to accept the amendment. We obviously are going forward with discussion. So I think it is important to say in response to my colleague that EPA is now moving into phase 3 of their implementation of TRI. Part of this phase is the expansion of the TRI to several more industries and hundreds of additional substances.

□ 1315

The reporting requirements and cost to business for this will be enormous. However, the committee's action to reduce TRI by $1.5 million was not intended to affect this issue.

The reduction was taken to prohibit EPA from moving into the collection of toxic use data which is also part of their phase 3 plans. As we stated in this year's report, in last year's report, and in the 1996 conference report, collection of toxic use data is not authorized by law. The authorizing committees of the House and the Senate agree on this position.

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

Mr. DURBIN. Mr. Chairman, I yield 45 seconds to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Chairman, since the chairman, the ranking member and others have all accepted this, I just want to thank them for that. I do believe this is a very important amendment.

I just want to give an example from my State to show that this is not only important to the community at large but also for businesses, because in New Jersey the information from the toxic release inventory has actually been used in order for companies to streamline their permitting process. In cases where we have had, say, 30 permits that had to be granted to a company, sometimes now there is only one because of the information that has been provided. So it is not only good government, if you will, from the point of view of the right to know and the community's right to know, but also for business's right to know because oftentimes they can use that information also to their advantage in terms of streamlining the permitting process.

I just wanted to again thank the gentleman from Illinois for introducing this. I think that every effort that we make to increase right to know is important to this Congress and to the public in general.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. DURBIN].

The amendment was agreed to.

The CHAIRMAN. Are there other amendments at this point?

AMENDMENT OFFERED BY MR. ROEMER

Mr. ROEMER. Mr. Chairman, I ask unanimous consent to offer my amendment 39 to a portion of the bill not yet read. I have talked to both the chairman and the ranking member to accommodate their schedules.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 39 offered by Mr. ROEMER: In the item relating to "NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—HUMAN SPACE FLIGHT", after the dollar amount, insert the following: "(reduced by $75,000,000)".

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The CHAIRMAN. Pursuant to the order of the committee of today, the gentleman from Indiana [Mr. ROEMER] and a Member in opposition will each control 10 minutes.

The Chair recognizes the gentleman from Indiana [Mr. ROEMER].

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

Mr. Chairman, I have two amendments. One amendment would be to totally eliminate the funding, which is about $2 billion annually for the space station. I have not called that amendment up.

This amendment that I have called up would simply let us save about $75 million out of the $2 billion annually appropriated to the space station in order to have the space station pay some of its fair share of deficit reduction.

Around this place in the U.S. Congress, everybody has some very neat and flowery speeches about how we are going to get to a zero budget, how we are going to balance the budget for the American people, which would give them the single best tax cut possible. That helps them with their mortgage rates, that helps them with their interest payments on their car, that helps them have more confidence that in a bipartisan way we can accomplish some things around the U.S. Congress. Balancing the budget is certainly one of my highest priorities.

However, the space station has been absolutely insulated from any of the pain and sacrifice. The NASA budget continues to go down and will go down from about $18 or $19 billion several years ago to, sometime after the turn of the century, go down to about $11 or $12 billion.

Many good things that NASA accomplishes, the personnel at NASA are doing some wonderful work on Galileo and Clementine and the Hubble, these projects are getting squeezed, they are getting rescheduled, they are getting eliminated, they are being delayed. A host of different good programs that we might be doing in NASA are being put on the back burner or canceled because Space Station is continually protected and insulated from any kind of cut, from any kind of pain, from any kind of sacrifice.

Why is that? One might even say the Space Station is doing a great job, they should not get any kind of cut. Well, the space station was first designed in 1984 to cost $8 billion. My colleagues might ask me, how much is that space station today? GAO estimates about $90 billion—$8 billion to $90 billion, and we are trying to balance the budget in the next 6 years.

Maybe one might say we are getting great science out of the space station. No, the scientific objectives on the space station have gone from about $8 billion in 1984, including platforms to study the environmental problems on the Earth, platforms to study space, and a docking station to repair broken satellites. It cannot do any of that anymore. Now all it can do is help us study the gravitational effects on men and

women in space. For $90 billion? And all it can do is help us study the gravitational effects on men and women in space. For $90 billion? And Congress does not want to cut 3 percent of that $2 billion annual appropriation?

Come on, Mr. Chairman. If we are going to get to a balanced budget, if we are going to do it in a bipartisan and in a fair manner, space station should be on the table for a $75 million, 3 percent cut out of its budget.

One might ask, too, NASA in doing many good things is also cooperating with the Russians on this program. Are the Russians paying their fair share on the Space Station? No. We send our tax dollars to Russia to help them do their work on the Space Station. We will send them $100 million out of the NASA budget this year, $100 million of hardworking taxpayer money next year.

This all goes straight from the United States taxpayer over to Russia for them to do what they should be doing for their participation in what is so-called international space station. It seems to me it is a U.S. space station when we are sending our money around the world to buy and coerce international cooperation.

The Russians in the last few months have indicated that they might want to renegotiate the contract. That could cost the U.S. taxpayers even more money in terms of scheduling delays and whether or not this hardware that they make and produce and manufacture is going to fit together with our hardware.

Mr. Chairman, for many reasons, for good science, for sound and fair deficit reduction, all I am asking my colleagues to do is to vote for a 3 percent reduction in the space station budget.

Finally, we hear from some that the space station is economic and world leadership for us, that it is the crowning jewel of economic and world leadership for the United States of America.

I think what we should be looking at to determine if the United States is actually the leader in the world, actually the best country in the world, which we are, it is not whether we can build a $90 billion space station which is $82 billion over budget. It is how we get to a balanced budget in a fair manner, and can we do that in a bipartisan way. It is how we treat our children, where 20 to 25 percent of our children are being born into poverty in the United States of America. It is how we educate our children, and whether our children have access to student loans. That is going to determine world leadership, not a space station that has moved from $8 billion in cost to $90 billion, and then nobody wants to cut even 3 percent from that $90 billion budget.

So I would encourage my colleagues, I would encourage the distinguished chairman from California, I would hope he would accept this amendment of a 3-percent cut in a $2 billion annual appropriation. I am not offering the elimination of the space station amendment, Mr. Chairman, because we have had this vote. We had this vote on elimination a few weeks ago. The House has spoken on that particular matter.

We actually offered this amendment as well, too, and we were defeated on this particular matter. But that does not mean, Mr. Chairman, that I do not think that this is the right thing to do in order to get to a balanced budget, and in order to get shared sacrifice, and in order to get good science and to protect NASA from itself. I think that we should see some pain and sacrifice, and not see the rest of the NASA budget squeezed and eliminate good programs that are working very, very successfully and being implemented by the hardworking men and women at NASA.

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

The CHAIRMAN. Does the gentleman from California [Mr. LEWIS] rise in opposition to the amendment?

Mr. LEWIS of California. I do, Mr. Chairman.

The CHAIRMAN. The gentleman from California is recognized for 10 minutes.

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

Mr. Chairman, I rise in very strong opposition to the gentleman's amendment. My colleague from Indiana [Mr. ROEMER] suggests that he does not have this amendment to kill the space station or to even do serious damage to manned space flight or serious damage to NASA's mission. Nonetheless, with great consistency my colleague has demonstrated opposition to the fundamental work that NASA is doing and especially man's venture in space.

In the past, we have had these discussions within our subcommittee. We have talked a lot on the floor about the difficulty of these competing accounts, having housing competing with money against veterans' medical care and against EPA and, indeed, competing with NASA. When dollars get tighter and tighter, it is extremely tough competition. In the past the committee even made the decision to eliminate a station, for example.

What my colleague fails to recognize is the general public knows often a little better than we know, either in committee or on the floor. For when that occurred in the past, literally Members, many of whom were not very active in terms of the committee work here, came to the floor in support of man's mission in space. They provided an amendment on the floor to return money in funding for the space station in the face of committee opposition. The public's will was heard by sizable margins, and moneys were put back into this very bill in order to make sure that we continue with what is a part of the American pioneer spirit.

There is no question that the public supports our work of man's presence in space. The gentleman's relatively small amendment would not have very much effect but it would significantly impact the upgrades and maintenance of space shuttle. It would significantly affect the flights of space shuttle. We need to have funds available to make sure as we go forward with this work, we do it with all of the equipment that is necessary.

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

Mr. LEWIS of California. I yield to the gentleman from Indiana.

Mr. ROEMER. I would say to the gentleman, being on the Science Committee, the Science Committee that authorizes many of these same programs that the distinguished gentleman from California works on, what we are worried about, quite frankly, is precisely that fact, that when we continue to insulate and protect the space station from any kind of cut, we have seen devastating cuts in the space shuttle program and we are very concerned.

Mr. LEWIS of California. Reclaiming my time, Mr. Chairman.

Mr. ROEMER. Would the gentleman engage in dialogue here. We are very worried about the safety of the shuttle.

The CHAIRMAN. The gentleman from California controls the time.

Mr. LEWIS of California. This amendment addresses $75 million and does not eliminate all the funding for space station. But clearly the House has spoken in that connection and it almost is in a separate category. We have on a bipartisan basis struck an agreement that provides very significantly broad-based support for an annual amount for space station. We are going forward with that. We have international agreements that take us forward with that. But this amendment addresses the shuttle specifically and in my judgment could in a very significant was impair the process and the work that we are doing there.

□ 1330

Mr. Chairman, I urge the Members to recognize what this amendment is in terms of its real purpose; that is, to undermine the mission of NASA, to undermine man's presence in space and, indeed, it would undermine what has been the past will of the House as it reflects the will of the American people for us to continue on this pioneering effort in space.

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

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

Mr. Chairman, I would just say in response to the gentleman, I would be happy to yield some of my time to the gentleman to engage him in a debate about the space shuttle safety. That is

precisely one of the reasons why we are interested in seeing that the space station have some of the cut put to their program, rather than continue to decimate the shuttle safety program, science programs in the NASA account, see cancellation of other programs take place within the NASA budget. We are seeing the NASA budget go down from 15 and 15 and 17 billion to about 11 or 12 billion in the next century. And the space station is a 16-ounce Texas steak that is being jammed into a sardine can of a shrinking and squeezed NASA budget.

Now, I am very worried about what that does to space shuttle safety. The shuttle, we are very concerned about it. We have had a couple NASA former employees say they are very concerned about it. We had a resignation at NASA, saying one of the reasons, he said that one of the things he was very concerned about was shuttle safety. I am very concerned about shuttle safety.

I would also say to the gentleman, this amendment is not anti-NASA. It is anti-space-station. I do not like the space station. But I think NASA does some wonderful things in other areas. Marie Antoinette once said let them eat cake. I think what we say in protecting the space station from any kind of cut is let NASA eat crumbs. They do not get anything else, and the space station gets everything.

Mr. Chairman, this amendment is to protect NASA. This is not to let the space station cannibalize the rest of the NASA budget.

With that, Mr. Chairman, I think I have said my piece on this particular amendment. I feel very strongly about it. I sincerely respect the gentleman from California. He and I agree on a host of different issues. But I think that this will really endanger the safety of the shuttle if the space station continues to cannibalize other programs. I think that the space station should have its fair share of deficit reduction and this is 3 percent in terms of a cut. I also think that if this is really international leadership, we should not be paying the Russians $100 million a year for their participation. Let them pay rubles and let them do their fair share, not have hard-working taxpayers in Indiana send $100 million a year over to Russia.

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

Mr. LEWIS of California. Mr. chairman, far be it from me to stand and defend the Russians' role in this international partnership. We asked them to participate with us and we sought the partnership as much as anybody. We have allies in Europe who are very much involved and committed to this partnership. Canada, the same. The Russians, for example, do contribute some 250,000 pounds of hardware to this project. That is a lot of rubles.

In the meantime, there is not any doubt in my mind that the vision of America of man in space very much is intrigued with man's presence in space by way of a space station. Much of the public support for the work of NASA would indeed be on a very thinly based glacier of ice if it were not for that vision of man in space.

Space station is a very important part of our international partnership that affects peace, but it also is fundamental to America's support for this kind of scientific as well as space activity. I urge a very strong no vote to the gentleman's amendment.

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

Ms. PELOSI. Mr. Chairman, I rise today in support of the Roemer amendment to cut $75 million from the Space Station Program. I support the concept of space exploration, and in better fiscal times would support the space station, but the time is now, Mr. Chairman, and the space station raises a question of priorities.

We are all in agreement that Federal dollars need to be stretched farther and work harder. The only question is which programs we choose to fund and which we choose to cut or eliminate. The United States can no longer afford to fund a budget-busting project which has run out of control.

Mr. Chairman, the VA–HUD appropriations bill before us provides $2.1 billion for the Alpha Space Station for fiscal year 1997. This money is in addition to the $16.5 billion taxpayers have already spent since 1984. The General Accounting Office [GAO] indicates that the final bill for the space station will be in excess of $94 billion, a 1,075 percent increase from the original $8 billion price tag.

How are we to pay for the space station? The Republican majority has passed a budget bill which freezes NIH funding until 2002 at $11.9 billion per year. The total NASA budget for fiscal year 1997 is nearly $20 billion. What does it say about our national values that we prioritize space exploration over medical research? Mr. Chairman, the question is simple: Can we afford a $94 billion project at this time?

We still have too many people without adequate housing, food, and medical care to be funding soda fountains for astronauts. This Congress cannot pay for space exploration when so many more pressing needs remain unmet here at home.

I urge my colleagues to support the Roemer amendment to reduce funding for space station alpha. I hope that the day will come when we will be able to fund a space station, but not at the expense of our poor, our sick, our elderly, and our children. It is clear, Mr. Chairman, that if we choose to look at the stars, we must first make sure we have our feet firmly on the ground.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. ROEMER].

The amendment was rejected.

Mr. HOKE. Mr. Chairman, I move to strike the last word in order to engage in a colloquy with the chairman.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

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

Mr. LEWIS of California. Mr. Chairman, I am happy to join in a colloquy with my colleague from Ohio.

Mr. HOKE. Mr. Chairman, as you know, for the past several years, NASA has been proposing a number of various plans to consolidate research support aircraft from various NASA centers around the country to the Dryden Flight Research Center in California. Since 1993, the agency has conducted 12 different financial and management analyses of these consolidation proposals and still has not been able to show convincingly that the consolidation is going to save NASA money or that it is programmatically wise.

In fact, NASA's own inspector general, the agency's last line of defense against questionable policies, has repeatedly warned that the proposed consolidation is "neither cost effective nor programmatically sound."

Just 3 weeks ago, on June 4, the IG recommended in a widely circulated draft report that, "NASA should reevaluate its decision to implement the current aircraft consolidation plan because it is not cost effective."

Mr. Chairman, in the June 4 draft report, the IG has estimated that it will take 72 years to break even on the aircraft consolidation plan, even though the agency believes that it can save money on the plan. That, of course, does not even take into account the catastrophic impact on the agency's research or the scientific community that it helps support.

Mr. Chairman, I yield such time as he may consume to the distinguished chairman, the gentleman from California [Mr. LEWIS], for his thoughts.

Mr. LEWIS of California. Mr. Chairman, I very much appreciate my colleague yielding and involving me in this colloquy. I hope my colleagues, know just how intensely the gentleman from Ohio has worked on this matter. Indeed, he has insisted that it be at the top of the subcommittee's priority list. Although there is not a lot of money involved, Mr. HOKE is doing a very effective job of making sure that we focus upon this important question to him and to his district.

The committee has been pushing NASA, to take a number of steps to help consolidate programs, to reduce personnel, to emphasize on efficiency in every possible way. the debate last year flowed around the potential of closing entire centers. This was really an effort to get everybody to pay attention to the need for efficiency in NASA and other Federal agencies.

In connection with that, NASA is responding to suggest that the aircraft consolidation proposal was a high priority for the agency in its zero-based review plan released in 1995. It is my intent that NASA and the NASA inspector general reach a meeting of the

minds so they both would make the same recommendation with respect to these aircraft, regardless of the final finding.

The gentleman reports correctly on the preliminary work of the IG. The agency would then review the preliminary report and respond to it. Then the IG will come forth with a final report. I am willing to take a hard look at whatever the recommendation is and hope that we get a unanimous recommendation coming from all the sources involved.

Mr. HOKE. Mr. Chairman, I really appreciate the comments from the chairman, and I think, as you know, I certainly want consolidation plans to go forward that make sense, that make sense programmatically, that make sense financially. We all want our Government to work as efficiently as it possibly can. But we have to also take into account reports that show something very much to the contrary, and that is why I am delighted that the chairman is concerned to make sure that these things be harmonized.

Mr. Chairman, I yield to the gentleman from Virginia [Mr. BATEMAN].

Mr. BATEMAN. Mr. Chairman, I thank the gentleman for yielding, and I would like to join him in expressing concern that the consolidation plan be a sound one which is truly cost effective and certainly that it be programmatically sound.

I have looked at this issue over many months and have been very concerned that programmatically it does not seem to pass the commonsense test. I am not an accountant. I am not a cost accountant, but I know that the comptroller of NASA has questioned the original premise that said consolidate all these aircraft at any particular single center. I also know of the IG's report, on an earlier occasion, who was asked then to go back and reexamine it. They reexamined it and again found that it is not cost effective from their analysis.

Like the chairman and everyone else, I look forward to seeing what NASA headquarters' reaction to the IG report is. But certainly I would hope that when all the evidence is in that we in the Congress will do that which is necessary, if it becomes necessary, to see that a sound judgment is ultimately made with this issue.

Mr. HOKE. Reclaiming my time, I appreciate the gentleman's comments. I would just say one thing with respect to the commonsense test as to the programmatic issue. I happen to have the privilege of living in what is known as the frost belt where one of these research planes does deicing research in northeastern Ohio. Somehow, somebody missed the point about sending deicing research aircraft to the middle of the California desert where it is going to be a very difficult challenge to find some ice to do the research on.

Mr. Chairman, I yield to the gentleman from California [Mr. LEWIS].

Mr. LEWIS of California. Mr. Chairman, I am tempted to lightly say we are just looking for some rain.

AMENDMENT OFFERED BY MR. LEWIS OF CALIFORNIA

Mr. LEWIS of California. Mr. Chairman, I ask unanimous consent to offer an amendment on page 67, a portion of the bill not yet read.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. LEWIS of California: On page 67, line 17, strike the number "$2,200,000,000" and insert in lieu thereof the number "$2,201,200,000";

On page 67, line 18, strike the number "$1,950,000,000" and insert in lieu thereof the number "$1,951,200,000"; and

On page 68, line 24, before the period add the following new proviso:

": *Provided further*, That $1,200,000 of the funds appropriated under this heading shall be used by the Agency for Toxic Substances and Disease Registry to conduct a health effects study of the Toms River Cancer cluster in the Toms River area in the State of New Jersey".

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. The Chair would question, is this the amendment of the gentleman from California in which there was a time agreement reached?

Mr. LEWIS of California. Yes, Mr. Chairman.

The CHAIRMAN. Pursuant to the order of the Committee of today, the gentleman from California [Mr. LEWIS] will be recognized for 10 minutes, and a Member in opposition will be recognized for 10 minutes.

The Chair recognizes the gentleman from California [Mr. LEWIS].

Mr. STOKES. Mr. Chairman, I reserve a point of order against the amendment.

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

Mr. Chairman, the amendment I am offering on behalf of myself and the gentleman from New Jersey [Mr. ZIMMER] is a relatively straightforward amendment and I believe is necessary to address a serious health problem in the Toms River area in the State of New Jersey.

This issue was brought to my attention by my very good friend from new Jersey [Mr. ZIMMER] and his three distinguished colleagues, the gentleman from New Jersey [Mr. FRELINGHUYSEN], the gentleman from New Jersey [Mr. SAXTON], and the gentleman from New Jersey [Mr. SMITH]. It is my understanding that the entire New Jersey delegation representing both sides of the aisle is supporting the intent of this amendment.

The amendment will simply add $1,200,000 of excess budget authority available under the committee's 602(b) allocation to the Hazardous Substance Superfund and then stipulate that these funds are to be used by the agency for toxic substance and disease registry to conduct a health effects study of the Toms River cancer cluster.

Mr. Chairman, I would note that in the committee report, we stipulate that certain studies be conducted by ATSDR using funds available to them. If we had all the necessary details relative to this matter prior to markup, I am confident that we would have included this provision in the report in a similar manner. It has not been our practice to stipulate these health studies in bill language, nevertheless, I am convinced that the health concerns in the Toms River area are so critical that it is absolutely necessary that we take this unusual action of including specific funds for this health study.

I want to mention, Mr. Chairman, that my colleague, the gentleman from New Jersey [Mr. ZIMMER], has been very effective in articulating the priority of this manner, and for that reason, not only do I bring it to the House's attention and ask for its support, I know of no opposition to the amendment and know of no other Members who are eager to speak on my side of the question.

Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey [Mr. ZIMMER].

□ 1345

Mr. ZIMMER. Mr. Chairman, I thank the gentleman for yielding me this time and I commend him for bringing this amendment before the House.

In the context of an $84 billion appropriations bill, $1.2 million may seem insignificant, but this additional amount will make a big difference because it will provide critically needed funds to study a cancer cluster that has been discovered in the Toms River area of my State of New Jersey.

I requested this funding, together with the Congressmen from Toms River, the gentleman from New Jersey, JIM SAXTON, and the gentleman from New Jersey, CHRIS SMITH, and the gentleman from New Jersey, ROD FRELINGHUYSEN, who is New Jersey's Representative on the Committee on Appropriations.

Last year a study by the New Jersey department of health found that Ocean County, in which Toms River is located, had 54 cases of childhood brain and central nervous system cancers between 1979 and 1991. This represents 15 more cases of childhood brain and CNS cancers than were statistically expected. In Toms River alone, the rate was 49 percent higher than expected.

The Toms River area includes two Superfund sites which the Agency for Toxic Substances and Disease Registry, known as ATSDR, has previously studied in conjunction with the New Jersey

department of environmental protection and the Federal Environmental Protection Agency.

ATSDR has already tapped its fiscal year 1996 discretionary funds to respond directly to the increased incidence of childhood cancer, but it says it cannot complete a thorough, comprehensive study without the $1.2 million provided by this amendment; and without a comprehensive study, we have no real hope of sorting out the factors that may be contributing to this tragic situation.

Mr. Chairman, this study must be done, not only for the sake of the children who are now afflicted but for the many who are not. We need to know, if it is at all possible, within the limits of our current scientific capabilities, what is causing the cancers in the Toms River area. If we can shed light on this mystery, it will have benefits nationwide because this kind of knowledge can help protect children elsewhere who may face similar risks.

The Lewis amendment will finance an action plan that has been developed by the State and the Federal governments and that will be participated in by a volunteer committee headed by Mrs. Linda Gillick, whose own child, Michael, is a cancer victim. This additional funding will help ensure that every tool available to science is brought to bear to identify the cause of these cancers.

Mr. Chairman, no amount of money in the world can guarantee that we will find all the answers, but we must try. We cannot protect our children from a danger we do not understand.

I would like to salute the gentlemen from New Jersey, Congressman SAXTON, Congressman FRELINGHUYSEN, and Congressman SMITH, for their efforts, and I would again like to thank the gentleman from California, Chairman LEWIS, for offering this amendment on our behalf. I urge all Members to support this critical amendment.

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

The CHAIRMAN. Does the gentleman from Ohio [Mr. STOKES] insist on his point of order?

Mr. STOKES. Mr. Chairman, technically, the amendment is a violation of clause 2 of rule XXI because it seeks to earmark funding for an unauthorized program.

With the understanding of the gentleman from California [Mr. LEWIS] that the bill language will be deleted in conference and the issue addressed only in the statement of the managers, I will be pleased to withdraw my point of order.

Mr. LEWIS of California. Mr. Chairman, if the gentleman would yield, I would simply say his understanding is correct.

Mr. STOKES. Mr. Chairman, based upon the representation of the chairman, I withdraw my point of order.

The CHAIRMAN. The point of order is withdrawn.

Does any Member seek time in opposition to the amendment?

Mr. PALLONE. Mr. Chairman, I would like to speak in favor of the amendment.

The CHAIRMAN. The gentleman from California [Mr. LEWIS] controls the time in support of the amendment.

Mr. PALLONE. Mr. Chairman, I ask unanimous consent to speak for 1 minute in favor of the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PALLONE. Mr. Chairman, I wanted to say that I believe this is a very important provision on a bipartisan basis for the State of New Jersey. I used to represent Toms River, which was actually part of Dover township before the redistricting. Of course, now it is represented by the gentleman from New Jersey [Mr. SAXTON].

I know the concerns of the people in the area with regard to this cancer cluster or the possibilities that exist in terms of the source of it. So I do believe that the funding to be made available for this health analysis is really crucial not only to Toms River, but something that we need as a delegation in our State to see effected.

So I would like to join with my colleagues, the gentlemen from New Jersey, Mr. SAXTON, Mr. ZIMMER, and others, in support of the amendment and ask that I be considered a cosponsor of the amendment or however they are proceeding.

Mr. LEWIS of California. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey [Mr. SAXTON].

Mr. SAXTON. Mr. Chairman, I thank the gentleman for yielding me this time, and I would like to express my personal appreciation to the chairman of the subcommittee and to the gentlemen from New Jersey, Mr. ZIMMER and Mr. FRELINGHUYSEN, on behalf of myself, but more on behalf of the constituents that I represent in the Toms River area.

If we can imagine for a minute being in a situation where an inordinate percentage or number of young people have developed brain cancer in a relatively small area among a population of people, it is a heart-wrenching experience for those families and, to a large extent, for me and my staff who have worked with these families and with the Whitman administration and commissioner of health, Lynn Fishman, from New Jersey.

Just briefly, Mr. Chairman, on behalf of the people that I represent, I thank the gentleman very, very much for what he has done here to help us get a handle on this most important problem.

Mr. LEWIS of California. Mr. Chairman, I yield the balance of my time to the gentleman from New Jersey [Mr. FRELINGHUYSEN], my colleague from the committee.

Mr. FRELINGHUYSEN. Mr. Chairman, I thank the gentleman for yielding me this time, and I rise in support of the Lewis amendment and to thank the gentleman from California, Chairman LEWIS, for offering this amendment and for his leadership and cooperation in working with the Members of Congress from New Jersey, Governor Christine Todd Whitman, and Commissioner of Health Lynn Fishman from New Jersey.

I would also like to thank my colleagues from New Jersey, Congressmen DICK ZIMMER, CHRIS SMITH, and JIM SAXTON, for working on this important issue and for bringing it to my and our committee's attention.

This amendment will for the first time provide the needed funding for the Toms River cancer cluster study. The funding will allow the Agency for Toxic Substances and Disease Registry to begin to look at possible causes for the increased cancer rate around Toms River. We have a responsibility to the people of this area to find out what is causing these cases and this funding will help us find this out.

Mr. Chairman, again, I would like to thank Chairman LEWIS of this subcommittee, most particularly for his leadership and his cooperation, and urge adoption of this amendment on behalf of all the citizens of New Jersey.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. LEWIS].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. LEWIS OF CALIFORNIA

Mr. LEWIS of California. Mr. Chairman, I ask unanimous consent to offer the amendment at the desk dealing with page 77, a portion of the bill not yet read.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. LEWIS of California: On page 77, beginning on line 1, strike the words "established for such rates as of June 1, 1996", and insert in lieu thereof the words, "authorized by the National Flood Insurance Reform Act of 1994".

Mr. LEWIS of California. Mr. Chairman, this is noncontroversial and essentially corrects the earlier action of the committee with respect to flood insurance rates. We had inadvertently included language which would freeze the flood rates in place on June 1, 1996, and did not realize this would greatly reduce the flexibility FEMA has to adjust rates up or down in accordance

with the provisions of the Flood Insurance Reform Act of 1994.

This amendment merely restores the necessary flexibility needed by FEMA to operate this program successfully. I know of no opposition to this amendment and urge its adoption.

Mr. STOKES. Mr. Chairman, I rise in support of the amendment. This amendment has been cleared with us, and we have no objection to it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. LEWIS].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. KENNEDY OF MASSACHUSETTS

Mr. KENNEDY of Massachusetts. Mr. Chairman, I ask unanimous consent to offer an amendment to a portion of the bill not yet read.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. KENNEDY of Massachusetts: Page 66, line 8, after the dollar amount, insert the following: "increased by $2,000,000)".

Page 82, line 7, after the dollar amount, insert the following: "(reduced by $2,000,000)".

The CHAIRMAN. Pursuant to the order of the Committee of today, the gentleman from Massachusetts [Mr. KENNEDY] will be recognized for 10 minutes and a Member in opposition will be recognized for 10 minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY of Massachusetts. Mr. Chairman, first of all, let me thank the chairman of the committee and his staff for clarifying some of the issues pertaining to this amendment over the course of the last half hour or so. I appreciate the forbearance and the loud talking that occurred from time to time.

Mr. Chairman, the purpose of this amendment was to deal with the issue of indoor air. Americans spend 90 percent of their time indoors and yet indoor air is a thousand times more polluted than outdoor air. Despite that fact and despite the fact that going back as far as the administrator of the Environmental Protection Agency, Mr. Reilly, who was appointed, I believe by President Reagan, although it might have been President Bush, indicated during his time at the EPA that the No. 1 health problem that we face as a people in this country is the issue of indoor air pollution.

We spend literally billions and billions of dollars that is appropriated in this House to clean up outdoor air and yet we have not a single solitary regulation pertaining to the quality of the air we breathe indoors.

Indoor air causes a myriad of problems. We have seen vast increases in the outbreak of asthma, we see a continuing problem with regard to issues such as the quality of our air in schools. A number of Members of Congress on both sides of the aisle are very familiar with sick-building syndrome.

Even the EPA building here in Washington, DC, has had to be cleared out on a number of different occasions because of the quality of the air indoors. All of us are familiar with the problems of secondary tobacco smoke as well as radon, that is now, I believe, the second leading cause of cancer deaths in this country, second only to cigarette smoke.

The truth is that if we look at how much money we are spending on indoor air, it is a piddling amount in comparison to the size of the problem.

Now, it had come to my attention from the EPA itself that there was overall a reduction in spending this year as compared to years past on indoor air. So I understand, and I would appreciate it if the chairman might work with me on these numbers. As I understand, last year there was about $17 million spent on indoor air pollution. This year, as I understand, there will be about $18 million spent. There is an additional $2 million that will go to the Office of Enforcement and Compliance Assurance, completing a total of about $20 million.

That $17 million that I quoted from last year's spending did not include the Office of Enforcement and Compliance Assurance or it would have brought that up to $19 million plus.

□ 1400

The point here is that the overall amount of funds that has been allocated for this account has some language that is included in the committee print, which suggests that, if there is a funding shortfall, the radon protection programs will be fully protected and that all other programs will have to deal with the funding shortfall that exists.

I think that is a serious potential problem. I hope to work with the chairman of the committee over the course of the next week or two to try and determine what the potential problem is.

My understanding is the chairman does in fact fully support full funding for the indoor air account that was contained in last year's budget and was requested in this year's budget.

Would the chairman engage in a colloquy so that I might understand his intention?

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

Mr. KENNEDY of Massachusetts. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, I am very happy to engage in a colloquy with the gentleman from Massachusetts. I must say that he and I share interest and concern about the impact and especially the potential health effects of indoor air quality problems.

The data that was just outlined. The dollar amounts appear to be essentially correct. We came close to spending $18 million last year, and this year the proposal is in excess of $20 million. It is a problem that is very real. We tried to confirm these dollar amounts with the budget officer as late as this morning. In the meantime we both know that an individual constituency, like the office that handles indoor air quality, may be more enthusiastic than another office at EPA regarding this.

At this point we do not really see an intense need for additional money other than that program within EPA's proposal and that which we have outlined in the bill. It is an important problem. I would suggest that the gentleman and I continue to communicate with one another. I am sure that we can make progress in that connection.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I thank the gentleman for his comments.

Let me just make clear that, as I understand the real problem here is that, yes, the funding has increased to the $20 million that the gentleman suggests. What I am being told by the EPA in the last few minutes is that the reason why there is a difference in the numbers pertains to the inclusion of this Office of Enforcement and Compliance in this year's $20 million versus last year's $18 million and that that might offer some of the confusion.

The difficulty of course is that, if in fact there is a cut that is included in these numbers, that there is a bent in the language of the report that stipulates that the radon portion of the funding will be fully protected. And yet all of these other accounts, including sick-building syndrome, including the issues pertaining to a range of other health problems, would have to have the lion's share of the cut.

I would appreciate if the chairman would be willing to work with us, if in fact the numbers do not add up, to work with us to make certain that we are allowing this flexibility to make sure that the funding goes to the programs that are in most need.

Mr. LEWIS of California. Mr. Chairman, if the gentleman will continue to yield, I am very concerned that we make certain that we are not adversely affecting one program over another as we proceed in this process. But is has been my understanding that funding as proposed is adequate for indoor air quality.

It seems to be pretty clear that there is not a need for an 11-percent increase over the 1996 level. If, in the meantime, we want to make sure that we are providing adequate funding, if we can work together between now and conference, I am sure that we can be assured together that the numbers are correct and get this job done.

Mr. KENNEDY of Massachusetts. I appreciate the chairman's willingness to work. I take that as a demonstration of his good faith to try to work out the difficulties.

The one issue that I would take issue with is the idea that this is an adequately funded program under any of these scenarios. I am sure the chairman would agree, given the pressures that he is under in order to deal with these four agencies and their needs, this is a very difficult choice for the gentleman to make. But the truth of the matter is that, when we look at the problem of indoor air pollution, $20 million a year spent by the entire Federal Government to investigate it to try to come up with any rules and regulations, to try to come up with ways of mitigating the problem is not near enough.

This is a very serious health issue. It is one that I think in the overall context, even this new report that suggests that was done largely by Members of the gentleman's side of the aisle to determine where excess Government regulation and spending occur, indicates that the one area that we are not spending enough, and there are not significant enough regulations is in fact on indoor air. So I would look forward to working with the chairman over the course of the next few weeks.

Let me finish by thanking my good friend, the ranking member of the Committee on Science, the gentleman from California [Mr. BROWN] who came to the floor to speak in favor of the amendment. Given the shellacking he gave me last night, it does my heart good to know that he was here with me this afternoon.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts.

There was no objection.

AMENDMENT OFFERED BY MR. PALLONE

Mr. PALLONE. Mr. Chairman, I ask unanimous consent to offer an amendment to a portion of the bill not yet read.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. PALLONE: Strike the last proviso under the heading HAZARDOUS SUBSTANCE SUPERFUND.

Mr. OXLEY. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Ohio reserves a point of order.

Pursuant to the order of the committee of today, the gentleman from New Jersey [Mr. PALLONE] will be recognized for 10 minutes, and a Member in opposition will be recognized for 10 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. PALLONE].

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

Last Thursday a group of senior Republicans on the Committee on Commerce and the Committee on Transportation and Infrastructure proclaimed that House Republicans are willing to put "our money where our mouths are" on the issue of Superfund reform. These same Republicans also said that they were putting more money into the program than the Democrats ever did.

Well, I do not think that is the case, Mr. Chairman. While Republicans say they are appropriating $2.2 billion for Superfund in this bill, I think my colleagues should take a good, hard look at a provision on page 68 of this bill that sets aside $861 million of that appropriation to pay for the Superfund reform. You see, the $861 million is available only if Congress enacts future legislation to appropriate it. So in essence this is future spending that may or may not ever occur.

The amendment that myself and the gentleman from Pennsylvania [Mr. BORSKI] and the gentleman from Massachusetts [Mr. MARKEY] have simply strikes that contingency and would truly fund the Superfund Program at $2.2 billion this year. Our amendment gives the Republicans the chance to make good on their promise. If extra Superfund money really does exist, it should be available immediately and for the purpose it was intended.

Mr. Chairman, if the money is really in the bill, then why should it be subject to a point of order. All we are saying is that if it is there, it should be used now for cleanups and not later. My fear also is that this money will only be available if Congress enacts a Superfund reform bill that allows the money to be given back as rebates to polluters, which is one of the provisions in the Republican Superfund bill that has come before the Committee on Commerce. Mr. MARKEY is going to address this issue later so I will not discuss it now, but the bottom line is if this money is not available this year, then basically we are appropriating about $55 million less than the President requested for the Superfund Program.

I would like to see the money spent this year. The EPA has already told me that they would use the additional money to begin 70 to 90 additional cleanups in communities across the country. They would expand the brownfields program, promote more voluntary cleanups and further fund Superfund administrative reforms. There are 107 sites still left on the national priority list, including 7 in my district. I should say, 9 in my district. And I know that Superfund is serious business, not only in New Jersey but also across the country.

I just want to believe my friends on the other side of the aisle when they say they are committed to funding this program at $2.2 billion. If that is the case, here is your chance to prove it. Vote for our amendment. If you bring this point of order and you have it sustained, then you are admitting that the $2.2 billion figure is not real, that it is a sham. And if this point of order is sustained and the money is not real, then I think you can figure out what that means for Republican Superfund reform proposals. We will not get the money. We will not have additional cleanups or the money is going to be available later as rebates to polluters which certainly is not something that is going to help either the taxpayers or the cause of Superfund reform.

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

The CHAIRMAN. Does the gentleman from Ohio continue to reserve his point of order?

Mr. OXLEY. Mr. Chairman, I continue my reservation of a point of order.

The CHAIRMAN. Does the gentleman from California [Mr. LEWIS] rise in opposition to the amendment?

Mr. LEWIS of California. Mr. Chairman, I do.

The CHAIRMAN. The gentleman from California [Mr. LEWIS] is recognized for 10 minutes.

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

Mr. Chairman, as you know from previous discussions, as modified by the rule of H.R. 3666, this last proviso is, technically speaking, meaningless. The intent of preappropriating the $861 million contingency on further legislation obviously left open the possibility of the authorizing committee's legislation triggering our preappropriation.

Unfortunately, the reinterpretation of what this language should look like to avoid a BA problem has resulted in this required change rendering the whole proviso essentially without any meaning.

Neverthless, the proviso still represents a commitment on the part of the committee and the majority to take the necessary appropriation step of providing this $861 million as soon as the program is reformed and reauthorized by the authorizing committees. The money actually awaits in a special seaside in the budget resolution pending this reauthorization. The matter is not all illusory, as opponents would have us believe.

The Chairman, the committee stands ready, willing and able to proceed in an appropriations sense. We have been long waiting the reauthorization that would fix this broken program. We have begun a dialog with the administration regarding their suggested intent that they want to fix the program. If we find ourselves at a place where

reasonable reauthorization takes place, we intend to fund this effort.

Mr. BORSKI. Mr. Chairman, I join with the gentleman from New Jersey [Mr. PALLONE] and the gentleman from Massachusetts [Mr. MARKEY] in sponsoring this amendment to bring truth to the superfund section of the bill.

The Pallone-Borski-Markey amendment will get this bill to do what all the Republican press release machinery has said it does—provide an increase in funding for the Superfund Toxic Waste Cleanup Program.

While the Republican press releases say there is an increase in Superfund money, the bill doesn't say that.

For fiscal year 1997, the bill actually cuts funding below the 1996 level and 3.5 percent below the level requested by President Clinton.

Less money than last year—that's a cut.

The majority has talked about an additional $861 million in the bill for Superfund. But the bill requires an additional appropriations act for the money to be spent.

The $861 million in this bill is totally meaningless and misleading. This bill has $1.3 billion for Superfund in 1997—and no more.

The Pallone-Borski-Markey amendment would remove the restrictions preventing the $861 million from being used for toxic waste cleanup.

Adopt our amendment and there will be a real increase in money available for cleaning up toxic waste.

If the amendment is rejected and the bill is left as reported, there will be a cut in toxic waste cleanup money.

With the additional $861 million, EPA projects that an additional 90 sites could be cleaned up in 1997.

The $861 million that would be freed by our amendment would allow communities across the Nation to move forward with the cleanup of toxic wastesites.

Under the committee bill, the $861 million would be kept in the Superfund trust fund to be used for cleanup only when a future appropriations bill allows it.

What are we waiting for? Why don't we use the money now to clean up toxic waste?

We may be waiting for one of the Republican Superfund proposals to come out of committee so the money can be used to pay polluters to clean up the messes they created.

That's all we've seen in the authorizing committees—one proposal after another to let polluters off the hook and reduce cleanup standards.

These proposals to pay polluters and reduce standards are opposed by the States, they're opposed by the communities who desperately want the cleanup and they are opposed by the administration.

If we're waiting for a chance to pay polluters, then we will never see the $861 million.

Mr. Chairman, the Superfund Program needs reforms but not the kind that will reduce cleanup standards and allow polluters off the hook.

We can do a real reform bill that will eliminate the unfairness in the current Superfund Program with a fair share allocation system as we have proposed.

We can exempt the small businesses that only contributed small amounts of waste from Superfund liability.

We can exempt municipalities that transported household trash and limit the liability of those who operated landfills that accepted household trash.

We can get the smaller parties out of the system as quickly as possible.

We can place more emphasis on future land use when deciding on remedies and we can limit the preference to permanent treatment to hot spots only.

We can provide help to cities attempting to clean up their brownfield sites to attract economic development.

We can provide protection for innocent prospective purchasers and lenders so that development projects can proceed.

The adoption of all of these proposals to reform Superfund—which we have made—would produce a program with more fairness, less litigation, lower transaction costs, and faster cleanups.

Mr. Chairman, nobody wants real Superfund reform more than EPA Administrator Carol Browner.

These proposals for real superfund reform have been rejected, however, because of the unrestrained desire of the Republican majority to pay polluters and reduce cleanup standards.

Hard as it is to believe, the Republican proposals would actually create more litigation by allowing the reopening of every decision made since 1980. It would be a lawyer's dream.

Adoption of these proposals would mean the money in this bill would not be used for cleanup but would be used for payments to polluters and for even more transaction costs and litigation.

Nobody wants real Superfund reform more than EPA Administrator Carol Browner.

In 1994, she devoted many long, hard hours to forging a compromise reform package that was supported by industry, States, local governments, and the environmental community.

Charges that she is not serious about wanting reform are simply baseless and unfair.

Under this administration, the Superfund Program has worked better than it ever did in the past. More sites have been cleaned up in the past 3 years than were cleaned up in the 12 years of the previous administrations.

EPA is ready to move forward with cleanups—up to 90 cleanups can be funded if we give them the $861 million.

Instead of talking about the $861 million, let's put our money where our mouth is and use the money for toxic waste cleanup. Then let's do real reform.

I urge support of the Pallone-Borski-Markey amendment to free the $861 million. Instead of a preview of coming attractions that will only happen if another bill is passed, let's make it real money that can be used now.

POINT OF ORDER

Mr. OXLEY. Mr. Chairman, I insist on my point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. OXLEY. Mr. Chairman, I make a point of order against the amendment because it is in violation of section 302(f) of the Congressional Budget Act as amended. The Committee on Appropriations filed a subcommittee allocation for fiscal year 1997 on June 17, 1996 (H. Rept. 104–624). This amendment would provide a new budget authority in excess of the subcommittee allocation and is not permitted under section 302(f) of the act.

Mr. Chairman, I ask that the amendment be ruled out of order.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

The Chair recognizes the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Chairman, again, as I said before, if the money is really in this bill, then why should it be subject to a point of order. All we are saying is that if it is really there, if the money is really there, it should be used now for cleanups and not later for some polluter slush fund which basically gives money back in rebates to polluters. As I said on page 60 of the committee report, it says that the committee is appropriating $2.2 billion for Superfund in fiscal year 1997.

In addition, it claims that they are appropriating almost 861 million more than the President included in his budget. Our amendment simply strikes that contingency and would truly fund the Superfund Program at the 2.2 billion and have the money spent this year.

If the amendment is subject to a point of order, then the money really is not there after all and the Republicans are appropriating about 55 million less than the President requested. So I just wanted to make it clear that by bringing this point of order and having it sustained, they are admitting that the $2.2 billion figure is basically a sham. They are admitting that they funded the program at $55 million less than the President requested and that they have turned this appropriation process into something that we may never see.

The gentleman from Ohio [Mr. OXLEY] and some of the others said last week that Republicans are willing to put their money where their mouths are on Superfund reform. If this point of order is sustained and the money is not real, then I think the bottom line means that the Republicans really do not intend to provide additional money for the Superfund Program and what they are really up to is trying to provide this fund, this slush fund that ultimately will be used for rebates to polluters when the Superfund reform that they advocate is passed into law or comes up on the floor.

The CHAIRMAN. Does the gentleman from New York, [Mr. BOEHLERT] wish to be heard on the point of order?

Mr. BOEHLERT. Yes, Mr. Chairman, I wish to speak in support of the point of order.

The usually mild-mannered gentleman from New York is incensed by what my mild-mannered friend from New Jersey is saying. He is just at odds with the facts.

The budget resolution creates a Superfund reserve fund. This reserve

fund allows the chairman of the Committee on the Budget to increase the committee allocations when the Superfund taxes are extended and the program is reformed. That is what we are all about. We want to reform a program that everyone agrees is broken.

It is deficit neutral, this fund, because it will come from the reauthorized Supefund business taxes. This bill sets the marker for the funding level that will be provided when these conditions are met. We are saying that we are committed, let me repeat that, we are saying that we are committed to fund a reformed Superfund at $2.2 billion and will use the extension of the Superfund taxes for that purpose.

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What we have said repeatedly from the beginning of this historic 104th Congress is that we want to reform Superfund. We have a plan; it is falling on deaf ears.

Mr. Chairman, I support the point of order.

The CHAIRMAN. Does the gentleman from Pennsylvania [Mr. BORSKI] seek to be heard on the point of order?

Mr. BORSKI. I do, Mr. Chairman.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania.

Mr. BORSKI. Mr. Chairman, I urge that the point of order raised against this amendment be overruled. The Pallone-Borski-Markey amendment does not change any of the monetary figures in the bill. It simply strikes the very unusual language limiting the use of $861 million, language that makes the $861 million totally meaningless. If the $861 million is real and will impact the budget, then our amendment will have no impact whatsoever on the budget. If this point of order is sustained, the ruling will support the contention that the $861 million is meaningless. The $861 million figure in this bill is the most meaningless thing I have seen on this House floor in 14 years.

Mr. Chairman, this bill is like a house of mirrors at an amusement park. First we pass a Budget Act, then we waive the Budget Act. Next we put $861 million in the bill for Superfund, then we include language to make sure that it will not be spent. Then we invoke the Budget Act to keep it from being spent.

Mr. Chairman, I urge my colleagues to reject the point of order so that we can move forward with this amendment to fund the toxic waste cleanup program.

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

Mr. BORSKI. I yield to the gentleman from New Jersey.

Mr. PALLONE. Again on the point of order, what I do not understand, listening to my friend from New York again, is that if in fact we need to have an authorization for the Superfund program and we need to have a——

The CHAIRMAN. The Chair will hear each Member on his own time. Members may not yield on a point of order.

Mr. PALLONE. Mr. Chairman, could I be recognized on the point of order?

The CHAIRMAN. The Chair will again hear the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Just very quickly, Mr. Chairman, again responding to the gentleman from New York. If we need a budget waiver, if we need the authorization for the Superfund Program or the reauthorization, and we need another appropriation, we have to go through that anyway in future Congresses. So there is nothing here. This is a totally unreal situation where they are suggesting that we will do this in the future if we can get it authorized, if we can get an appropriation and if we can get a budget waiver. It seems to me that in the next Congress, or whenever this comes up again, we would have to do all those things anyway to proceed.

So, there is nothing here. As my friend from Pennsylvania said, this is nothing really but a publicity effort or advertising effort to make it look like the Republican leadership is actually doing something. The reality is they are doing nothing on the Superfund Program, and, if anything, it may cause mischief and suggest that somehow, if this money does become available in the future, it might be used for some kind of rebate program, and that is my concern.

But I do not see that we are really doing anything here at all. This is just advertising promotion to make the Republicans feel that they, as my colleagues know, look good or appear that they are trying to do something when they are not.

The CHAIRMAN. The Chair is prepared to rule.

The amendment offered by the gentleman from New Jersey proposes to strike from the bill the last proviso under the heading "Hazardous Substance Superfund." That proviso states that a specified increment of the amount ostensibly provided in that paragraph of the bill "shall become available for obligation only upon the enactment of future appropriations legislation that specifically makes these funds available for obligation."

The Chair is advised that the Committee on the Budget has analyzed this proviso under scorekeeping rule 9 from the joint explanatory statement of managers on the Budget Enforcement Act of 1990, entitled "Delay of obligations." That rule reads in part as follows:

> If the authority to obligate is contingent upon the enactment of a subsequent appropriation, new budget authority and outlays will be scored with the subsequent appropriation.

Thus, pursuant to section 302(g) of the Budget Act, the Committee on the Budget estimates that the incremental amount of funding affected by this proviso is presently attributable to the "future appropriations legislation" and not to the pending appropriation bill. Consequently, to strike the proviso would cause the incremental amount of budget authority affected by the proviso to be attributed to the pending bill.

The Chair is further advised that the Committee on the Budget estimates that the bill, as perfected to this point, provides new discretionary budget authority in the approximate amount of $64,327,000,000, and that the pertinent allocation of such budget authority for this bill under sections 302 and 602 of the Budget Act is $64,354,000,000. Thus, an amendment providing new discretionary budget authority in an amount greater than $27 million would breach the pertinent allocation, in violation of section 302(f) of the Budget Act.

Beause the amendment offered by the gentleman from New Jersey would cause the pending bill to provide an additional $861 million in new discretionary budget authority, it violates section 302(f) of the Budget Act.

The point of order is sustained.

Mr. LEWIS of California. Mr. Chairman, I ask unanimous consent that the gentleman from California [Mr. BROWN] be permitted to offer amendment number 10 to a portion of the bill not yet read and that the time be limited to 5 minutes on each side.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

AMENDMENT OFFERED BY MR. BROWN OF CALIFORNIA

Mr. BROWN of California. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

> Amendment offered by Mr. BROWN of California: At the end of the bill, insert after the last section (preceding the short title) the following new section:
>
> SEC. . None of the funds made available in this Act for the National Aeronautics and Space Administration may be used for the National Center for Science Literacy, Education and Technology at the American Museum of National History.

The CHAIRMAN. Pursuant to the unanimous-consent agreement, the gentleman from California [Mr. BROWN] will be recognized for 5 minutes and a Member in opposition will be recognized for 5 minutes.

The Chair recognizes the gentleman from California [Mr. BROWN].

Mr. BROWN of California. I thank my good friend, the gentleman from California [Mr. LEWIS], for allowing us this opportunity to take up the amendment which I have offered.

Mr. Chairman, before I unleash a flood of oratory with regard to my

amendment, I want to say that I understand that my good friend, the gentleman from California [Mr. LEWIS], the distinguished chair of the subcommittee, and my friend, the gentleman from Ohio [Mr. STOKES], have indicated the possibility that they might consider accepting this amendment, and in light of this fact I will merely state that this amendment was aimed at eliminating an earmark contained in the language of the report having to do with an extremely meritorious museum project in the city of New York.

I have no objections whatsoever to the museum project. However, I spent the better part of the decade of the 1980's lecturing my Democratic friends on the Committee on Appropriations as to the value of authorizing programs of this sort in the appropriate legislation. I do not wish to spend the decade of the 1990's, assuming I live that long, lecturing my Republican friends with regard to the value of authorization. I would merely point out that the chairman of the authorizing committee, in this case the Committee on Science, the gentleman from Pennsylvania [Mr. WALKER], and I have historically agreed on the importance of authorization, that we have passed a NASA authorization bill which is in the Senate and is pending action in the Senate and that I am more than willing to work with the distinguished chairman and ranking member on this side and their corresponding Members on the Senate side to include in the authorizing bill in the Senate and within a few days of action, as I understand it, to include the appropriate language that would authorize a museum program.

I would say that I have separately introduced, and I hope I can get a few cosponsors, to make this a permanent authority for NASA to fund on a limited basis science museums which are appropriate to its role, and I will seek to move this bill forward if it is the will of the House to do so. In the meantime, I will do whatever I can, as I say, in cooperation with the gentleman to use an existing vehicle to authorize this program, and if it is so authorized, I will be an enthusiastic supporter of this particular program.

I would like to point out that this will be of no handicap to the New York museum. They have a $300 million reserve fund which could easily finance the whole of what they propose. The interest on that trust fund alone could support the amount of the Federal contribution that they are asking for, and I, therefore, feel that this would not do any substantial damage to the progress of their project, which, as I have said, I am an enthusiastic supporter of, and I appreciate the willingness of my good friends on the House Committee on Appropriations to consider the importance of due process with regard to authorization and the other matters that I have mentioned in connection with this program.

Mr. Chairman, I rise to offer an amendment cosponsored by Mr. ROYCE of California, Mr. MINGE of Minnesota, and Mr. NEUMANN of Wisconsin, to bar funding for one of a rather substantial number of earmarks contained in the report accompanying this appropriations bill. My amendment is a simple one: It is a limitation on NASA funding that would prohibit the expenditure of Federal funds for the American Museum of Natural History's National Center for Science Literacy, Education, and Technology. I would like to explain why I am offering this amendment.

The VA-HUD-Independent Agencies appropriations bill is an important piece of legislation, and crafting a bill that can properly balance all the competing needs represented within it has always been a difficult task. Mr. LEWIS, the subcommittee chair, is to be commended on his efforts to strike a reasonable balance among the various priorities.

As you know, the VA-HUD-Independent Agencies bill contains funding for the bulk of the Nation's civilian scientific research budget, including such agencies such as NASA and the National Science Foundation. When the bill was marked up at subcommittee, I felt that the bill represented a serious attempt to balance competing scientific initiatives, although I also believed that overall funding—as well as funding for some specific research accounts—fell significantly below what was needed.

However, something happened at the full committee markup that compromised the good efforts that had been made in the bill. Specifically, an amendment was adopted to the report language that directed NASA to make a noncompetitive award of $13 million out of existing funds to the American Museum of Natural History in New York to establish a "National Center for Science Literacy, Education, and Technology."

Is this a good idea? I really can't criticize the merits of the proposed project, nor can I praise them. The simple fact is that there is no basis for Congress to properly evaluate the project, because it was never requested by NASA, it was never brought before the authorizing committee for review, it has never been peer reviewed, and it was never offered for authorization when the Omnibus Civilian Science Authorization Act of 1996 was considered by the House only a few weeks ago.

However, I would note parenthetically that the American Museum of Natural History's $300 million endowment could finance the museum's entire $130 million renovation program 2½ times over. In fact, the annual interest alone on that endowment could more than pay for the proposed Federal grant of $13 million.

Mr. Chairman, I am certainly not opposed to the promotion of science education and literacy. Indeed, museums and educational centers all over the country are beginning to focus on this very issue and are struggling to find innovative ways to fund these efforts. Thus, the American Museum of Natural History is not alone in their desire to obtain Federal funds. In past Congresses I have sponsored legislation to establish a competitively based grants program for museums and educational institutions. I reintroduced this legislation yesterday. The problem I was trying to correct with that legislation was the rise in noncompetitive congressional science-related earmarks that was eroding the buying power of our science agencies as well as degrading the integrity of the peer review process.

Unfortunately, the funding that my amendment would remove represents a resurgence of the pernicious practice that members of authorizing committees have protested against in past years. I find it particularly ironic that we are seeing the resurgence of such earmarking in the midst of all the reform rhetoric emanating from the 104th Congress.

I would also note that concern over earmarks such as the one my amendment would remove is not partisan based. H.R. 3322, the Omnibus Civilian Science Authorization Act of 1996, recently passed by the House, contains an antiearmarking provision, and at a 1994 Science Committee hearing on science earmarks, then ranking member and now Chairman WALKER stated: "The bottom line is that most earmarked projects are funded that way because they wouldn't be able to withstand the close scrutiny of peer review or even of authorization, and so therefore they do not represent the best that this nation knows how to do, and we ought not to be funding anything which is not our best effort with the limited resources that we have." [Hearing on Academic Earmarks, Vol. I, June 16, 1994, page 2]

I heartily concur with the assessment of the chairman of the Science Committee.

Finally, like so many other science-related earmarks, the one that my amendment seeks to eliminate is an earmark that would further erode the ability of the affected science agency—in this case NASA—to carry out its authorized science programs. Specifically, this earmark would take $13 million from NASA's Mission to Planet Earth—a research program whose funding already has been cut by more than $220 million in this appropriations bill—and would use it for a completely different activity. That is both bad budgeting and bad policy.

In sum, the earmark that my amendment seeks to remove is noncompetitive, unauthorized, lacking peer review, lacking Authorizing Committee review, and an additional lien on already seriously diminished NASA research funding.

Most of these problems could be easily and quickly removed by an amendment to either the fiscal year 1996 NASA authorization bill, still languishing in the Senate; the fiscal year 1997 NASA authorization bill recently marked up by the Senate Authorizing Committee, or the fiscal year 1997 omnibus civilian science authorization bill, likewise languishing in the Senate. I would hope that such an amendment would address the generic need identified in the legislation I reintroduced yesterday rather than simply aiding a single institution. I would be pleased to assist in such an effort.

I urge my colleagues to support my amendment to remove this earmark.

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

Mr. LEWIS of California. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from California [Mr. LEWIS] is recognized for 5 minutes in opposition.

Mr. LEWIS of California. Mr. Chairman, I yield 2 minutes to my colleague, the gentleman from New York [Mr. NADLER].

Mr. NADLER. Mr. Chairman, the project that this amendment seeks to remove from this bill is an extremely important project. The American Museum of Natural History is raising a total of private funding and local public funding for $135 million investment in a national center for science literacy. What they are going to do is to rebuild the Hayden planetarium and create a brand-new planetarium with the most up-to-date resources, and not only is this going to be the best planetarium probably in the world, and that is all being done with local funds, but the national center for science literacy, which lists $13 million for that fund, will make the resources, the scientific and educational resources of the museum, available to every classroom in the country, to every library in the country, to anyone who could hook into the Internet, to anyone with a computer and access.

So this $13 million is not a local pork project for New York, it is to take a major investment being made by the New York City government and the New York State government and private philanthropy in New York, and this $13 million will make the fruits of this investment available to everyone in the country. Not a dime of the Federal appropriation would go toward construction of anything in New York. All the Federal funds would go toward the development of the exhibits and the computer capability to make those exhibits available to every classroom, to every library in the country, and it is one of the most important investments we can make in scientific literacy in this country, and if we value our productivity and our competitiveness, we had better value scientific literacy.

So, Mr. Chairman, I hope we do not do anything that will jeopardize this project today.

Mr. Chairman, I rise in strong opposition to this amendment. The sponsors of the amendment are seeking to weed out unnecessary projects that have no value to the American people. I support their goal, but differ with them as to the value to the American people of this important program the sponsors wish to eliminate under this amendment. As I said, I share the goal of the sponsors of this amendment of cutting wasteful spending. That is why I have stood on this floor again and again in support of amendments to accomplish this important goal—that is why I have introduced amendments to eliminate funding for wasteful projects within my own Congressional district. But before supporting amendments that claim to cut funding for projects with no merit, we have a responsibility to study carefully the question of whether such programs may indeed have real value to the American people. I believe the education program this amendment seeks to eliminate truly does have value to millions of Americans nationwide, and we would be acting irresponsibly by eliminating these funds. The project is an extremely important project.

The American Museum of Natural History is raising private and public local funds for a $135 million investment in a National Center for Science Literacy that will link one of the nation's most well-respected and virtually unparalleled exhibitions and resources with schools, families, science and technology centers throughout the Nation, including NASA's science education campaign. This project has the potential to make some of our Nation's most important achievements in science and research more accessible to schools and families, allowing taxpayers to utilize directly the fruits of their investment.

The funds in this bill for the literacy center is less than 10 percent of the total cost. Over half of the funds come from private donors and foundations with the balance being paid by New York City and New York State. This project strikes a balance between private and Federal money to benefit the greater good, the education of our Nation.

Not one dime of the Federal appropriation would go toward construction of any new buildings for the center. All of the Federal funds would go to develop exhibits and educational technology initiatives that will bring science to people across the Nation. This program is entirely consistent with the congressionally authorized Mission to Planet Earth, through which it is funded. NASA's Mission to Planet Earth states specifically that its mission is "to help translate knowledge about our own planet to the broader community, to schoolchildren and families, to the general public, to share NASA's knowledge and investments with more scientists, science and technology centers throughout the nation."

This science literary center is an effort to make available the resources, science, research, educational, and exhibition resources to the American Museum, as it is known the world over, to as many parts of this country as possible. Already, the museum hosts over 3 million visitors from every State in this country and provides services to more than 500,000 schoolchildren annually—again, from all regions of this Nation. The national center's mission is to take science education further: to make the resources available at the museum to more Americans, and translate our Nation's Federal science investments for every American and for the current and future generations of our youth.

I want to read from a New York Times editorial in which they say of the proposed project, "it will also turn the already remarkable Museum of Natural History into one of the world's greatest scientific resources." Additionally, I want to read from a statement by Dr. E.O. Wilson, a Harvard professor, winner of two Pulitzer Prizes and named by Time magazine last week as one of the 20 most influential people in America. "An institution with such great strengths * * * from its world class collections and library to its outstanding staff, is automatically in a position of leadership. It also has a responsibility to lead because of its * * * historical importance of its collections."

I urge my colleagues to vote against this amendment.

Mr. LEWIS of California. Mr. Chairman, I yield myself the balance of my time or a small piece thereof.

First, I very much appreciate my colleague from California having this discussion with us. There is little question of the tremendous contribution that has been made by the American Museum of Natural History in New York and particularly, in this case, its literacy center. As the chairman and our colleagues know, we are committed to making certain that the public have access to that which we develop and learn about as we proceed with our presence in space. The gentleman from California [Mr. BROWN] has suggested that we should not designate this program at this time. He has, in conversation with me, indicated that there is an authorization process potential in the other body. He knows full well that I intend to proceed as best I can as we go to discuss these things with the other body. In the meantime, I have indicated to the gentleman from California [Mr. BROWN] that we are willing at this point to accept his amendment.

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

Mr. Chairman, I can only express again my admiration for my distinguished colleague from California for his reasonableness and his statesmanship in this regard, and, as he indicated, I pledge my full support to get the funding for the museum through authorized channels, and I think that no hardship will be worked if we do that.

Mr. MANTON. Mr. Chairman, I rise today in opposition to the Brown amendment that would eliminate funding for this most important and worthwhile project. While I understand that my colleague from California offers this amendment with good intentions, I believe this project is a much needed investment in science education for this, and future generations.

Should the Hayden Planetarium renovation be completed, it will be one of the greatest planetariums in the world. The American Museum of Natural History opens its doors to over 3 million people a year from all over this Nation and abroad. Such a facility provides an opportunity for students and families not only from New York, but all over the country to participate and share in the knowledge and information gained by NASA research and technology.

Mr. Chairman, it is also important for my colleagues to know that 90 percent of the funding necessary to complete this project has been raised through a unique public/private partnership between the city of New York and a variety of public and private resources. The $13 million provided in this legislation for the Hayden Planetarium only constitutes 10 percent of the total cost of this project.

I ask my colleagues to vote against this amendment, as it would jeopardize this valuable project and deprive us all of the education and understanding such a learning center would provide.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. BROWN].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GEJDENSON

Mr. GEJDENSON. Mr. Chairman, I offer amendment No. 62.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 62 offered by Mr. GEJDENSON: Page 87, after line 17, insert the following:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

OFFICE OF CONSUMER AFFAIRS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Consumer Affairs, including services authorized by 5 U.S.C. 3109, $1,811,000, to be derived from amounts provided in this Act for "National Aeronautics and Space Administration—Human space flight": *Provided*, That notwithstanding any other provision of law, that Office may accept and deposit to this account, during fiscal year 1997, gifts for the purpose of defraying its costs of printing, publishing, and distributing consumer information and educational materials; may expend up to $1,110,000 of those gifts for those purposes, in addition to amounts otherwise appropriated; and the balance shall remain available for expenditure for such purposes to the extent authorized in subsequent appropriations Acts: *Provided further*, That none of the funds provided under this heading may be made available for any other activities within the Department of Health and Human Services.

The CHAIRMAN. Pursuant to the order of the committee of today, the gentleman from Connecticut [Mr. GEJDENSON] will be recognized for 10 minutes and a Member opposed will be recognized for 10 minutes.

The Chair recognizes the gentleman from Connecticut [Mr. GEJDENSON].

Mr. LEWIS of California. Mr. Chairman, I reserve a point of order on the amendment.

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

Mr. Chairman, I want to express my appreciation to the chairman who, in cooperation, raised this issue. It is clear under the present rules that we are unable to offer this amendment. I will withdraw it shortly.

I wanted to make sure that my colleagues understood that this bill eliminates the Office of Consumer Affairs. It is the only consumer advocate at the Federal level. It was started by President Kennedy. President Nixon appointed Elizabeth Dole as the deputy director during the Nixon years. It receives 10,000 calls per month and provides a valuable service to Americans who have consumer problems.

When we look at its review, it is supported by both consumer groups and by corporations, because it often works to work these things out without litigation. It operates with a staff of 13 people, and Money magazine investigated and showed that most States are actually cutting back on programs that assist consumers. They found that nearly 50 percent of the attorney general offices and State, county, and city consumer affairs offices experienced dramatic cuts in recent years. We can be sure that with a crisis at both the State and local level, this will not be picked up at the State and local level.

We have here a critical aid to citizens, to average citizens. The program, again, is supported by MCI, Ford, MasterCard, the Direct Marketing Association, and consumer organizations across America. It seems to me for 2 cents a household, consumers ought to have that additional voice in the executive branch.

I want to say that it is something we need to do. I would hope that we can reinstate the funding, or through the Senate, and again I thank the chairman for his cooperation.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

The CHAIRMAN. The amendment of the gentleman from Connecticut is withdrawn.

Mrs. LOWEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I wanted to be sure that I expressed my strong opposition to the amendment offered by the gentleman from California to remove funding for the National Center for Science Literacy, Education, and Technology at the American Museum of Natural History. I do so not merely as a New Yorker, but as someone who recognizes the need to enhance our knowledge—especially our young people's knowledge—of science and technology.

For more than a century, the American Museum of Natural History has been one of the world's preeminent institutions of scientific research and education. More than 3 million people from across our Nation and from around the world visit the museum every year. And the museum's research stations span the globe—from Long Island to China, from Arizona to Madagascar, from Georgia to Mongolia.

Why should the Federal Government spend $13 million out of NASA's $13.6 billion budget for this project? Well, the American Museum of Natural History is really the institution best suited to further the purposes of NASA's "Mission to Planet Earth" by telling the story of our planet—from the big bang, to the age of the dinosaurs, to global warming.

The resources and capabilities of the American Museum of Natural History are virtually unparalleled anywhere. The museum offers the largest natural history library in the Western Hemisphere, more than 30 million cultural artifacts, the world-renowned Hayden Planetarium, 200 research scientists in nine departments, and the experience that comes from having over 3 million visitors every year—including over 500,000 school children.

The funding contained in NASA's budget for this important scientific and educational project is only 10 percent of its total cost. In fact, over half of the $130 million needed to establish the national center have already been raised through a unique public/private partnership between the city of New York and numerous private foundations, individuals, and corporations.

Mr. Speaker, the national center will allow the American Museum of Natural History to translate ground-breaking science into exciting, real-life programs for millions of Americans—precisely one of the purposes of the Mission to Plant Earth.

This is far from a waste of Federal tax dollars. It is about providing a nominal amount of support for a program of the highest quality that will benefit millions of school children and enhance our competitiveness in the global economy.

I urge defeat of the Brown amendment.

Mr. LEWIS of California. Mr. Chairman, will the gentlewoman yield?

Mrs. LOWEY. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, even though we have accepted this amendment, let me say to the gentlewoman that my colleagues from New York especially have brought this museum to my attention. Between the gentlewoman from New York [Mrs. LOWEY] and the gentleman from New York [Mr. NADLER], in whose district this museum is located, they have educated me in a short time. It is a magnificent effort of private funding and the expanding of a very, very important commitment on the part of the people of New York. I am sure we can work with each other and attempt to continue to make progress in the weeks as well as the months ahead.

Mrs. LOWEY. Mr. Chairman, I want to thank the chairman of the committee for his support, and I look forward to working with him and my colleagues to ensure that this invaluable resource, not only to New York but to the country, can be supported by the Federal Government. I thank the gentleman.

Mr. BROWN of California. Mr. Chairman, will the gentlewoman yield?

Mrs. LOWEY. I yield to the gentleman from California.

Mr. BROWN of California. Mr. Chairman, I want to do something to encourage the gentlewoman to thank me, also, because I am an enthusiastic supporter of museums. I have introduced legislation to include museums in the

role of NASA and other scientific agencies. That legislation is currently pending. I hope some of the language in my bill can be included in the final conference on the NASA authorization bill for this year, so it will be clear that we intend to support museums, and to do so on a basis which is open, aboveboard, open to all good museums, and which can do as the gentlewoman says, can help to enlighten the public of the United States on the importance of scientific achievement. I pledge her my fullest cooperation in achieving that goal within the earliest possible timeframe.

Mrs. LOWEY. I want to thank the chairman, and I look forward to working with him. I appreciate his support for this extraordinary institution. I know together we can be successful in providing Federal support.

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word in order to enter into a colloquy with my colleague, the gentlewoman from New York.

Mrs. LOWEY. Mr. Chairman, will the gentleman yield?

Mr. LEWIS of California. I yield to the gentlewoman from New York.

Mrs. LOWEY. Mr. Chairman, I would like to discuss with the chairman of the committee the need for a training program for chief fire officers at the U.S. Fire Academy. This training program will assure that chief officers are fully prepared before being thrust into disaster situations.

Currently there is no national training program available to chief fire officers. These officers are usually the first to arrive at a fire or a disaster, and their leadership is crucial to saving lives and property. Yet these officers receive little or no formal training. I have been working with the gentleman from New York [Mr. BOEHLERT], chairman of the Congressional Fire Services Institute, to put this training program in place.

It is estimated that this program would only cost $400,000, and it seems to me that $400,000 is a small price to pay in order to assure that chief fire officers receive the training that they need to protect the lives and property of American citizens.

There is a national consensus that this training is needed. In fact, petitions containing over 5,000 signatures supporting this program have been collected from all over the country. This training program is supported by leading firefighting publications, including Fire Engineering, Fire Chief, Firehouse, and the American Fire Journal.

Mr. Chairman, I would ask the chairman if he would work with me to add report language at conference to direct the U.S. Fire Academy to develop this program and to offer the course as soon as possible. There are many lives at stake.

Mr. LEWIS of California. Mr. Chairman, I would say to the gentlewoman from New York [Mrs. LOWEY] that I appreciate her bringing this very important matter to our attention. I agree that it is also very important that chief officers, firefighters who take immediate charge of fires and disasters, receive the training they need to protect both the firefighters under their command and the lives and property of our citizens. I certainly agree that the U.S. Fire Academy should begin to develop a curriculum for this kind of training. Four hundred thousand dollars, it seems to me, even in these difficult times, is a modest price to pay to assure that chief officers are fully prepared when they arrive at the site of disasters, where property damage alone can cost much more than the figure under discussion.

I would say to the gentlewoman that I would be glad to work with her to ensure that the conference report directs FEMA to review this matter and to report their findings to the Congress no later than the first of next year. If appropriate, I will strongly urge the U.S. Fire Academy to develop a curriculum for this training and to begin to offer this training program as soon as possible.

Our chief fire officers should not be forced to learn the skills needed to take charge of a fire or disaster site on the job. We should assure that they are fully prepared well before they are faced with these circumstances, and I must say I appreciate deeply the gentlewoman bringing this to my attention.

Mrs. LOWEY. Mr. Chairman, it is an honor for me to serve with the chairman of the Committee on Appropriations. I appreciate the gentleman's leadership and I thank him for his support. I look forward to working with him on this language. I do believe this training will save many lives. I thank the chairman very much.

Mr. Chairman, I rise in reluctant opposition to the amendment offered by my friend, Mr. BROWN of California.

The U.S. Government spends billions of dollars a year on science and technology, particularly for defense programs and NASA space exploration. Surely we can spend $13 million to bring some of that technology home to the American people.

Especially for a project where 90 percent of the $130 million required is coming from private and non-Federal sources. Let's not send the message to all these private contributors that the Federal Government is not willing to participate in the project that will make our Federal science and technology initiatives accessible to the citizens.

The American Museum of Natural History is the one institution that can attract this support because it is truly national in its scope, mission, and resources.

For more than 125 years, the American Museum of Natural History has been nourishing young minds with scientific enlightenment in a readily understandable form.

Three million people from all 50 States flock to the museum every year to learn about the cutting edge scientific research interpreted, explained, and performed by the museum's 200 scientists and leaders in their fields.

The landmark project—whose Federal funding this amendment would prevent—would greatly expand the range and the capabilities of the world-renowned Hayden Planetarium, and would bring more of its treasures home to all Americans.

The project calls for a new Sky Theater, a Hall of the Universe, a Hall of the Planet Earth, and a Hall of Life's Diversity.

And it will allow the museum's exhibitions to be visited not just by Americans who can afford a trip to New York, but by anyone with access to the World Wide Web at work, at home, at school.

Just imagine: real-time images from the Hubble Telescope will no longer just be available to Government bureaucrats and scientists at NASA headquarters in Houston. They'll be available in a user-friendly format to students, as well as other scientists and educators.

Mr. Chairman, for all that the American museum has done for scientific understanding in our country, the museum has never once come to the Federal Government for a major funding initiative.

Granting this modest request is the least we can do. Denying it would be a tragic setback and loss to scientific literacy in this Nation. I reluctantly urge my colleagues to oppose the amendment offered by my friend, Mr. BROWN.

Mrs. MALONEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, if I had been here, I would have risen reluctantly in opposition to the amendment offered by my friend, the gentleman from California [Mr. BROWN], and in support of a 10-percent, $13 million Federal funding for the National Center for Science, Literacy, Education, and Technology at the Museum of Natural History. It was a mere 10-percent funding of a $130 million project that would have expanded science and new technologies into the homes of millions of Americans through all types of fora, not only at the museum but through computers and through the Web. I regret that I was not here to speak in opposition to his amendment, and I am sorry that this has been struck from the budget.

Mr. BOEHLERT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise for the purpose of engaging the chairman of the committee in a colloquy. It is my understanding that the gentlewoman from New York [Mrs. LOWEY] also would like to enter into part of this discussion.

Mr. Chairman, I want to thank the chairman of the committee again for the excellent environmental section of this bill. This is something I know the chairman has worked on very hard, and I appreciate that, following through on what he did in his days as a California legislator.

As we know, the House passed another excellent environmental bill yesterday, the Safe Drinking Water Act. That bill was passed by a voice vote

and it authorized $16 billion for the New York City watershed, which is the water supply for nearly 10 million Americans. The Senate version of the bill, which passed unanimously, includes $15 million for the watershed. That money would implement a model agreement in which the watershed will be protected without imposing burdensome limits on development in my area, and without forcing the expenditure of $8 billion on the part of the city of New York on a new filtration plant.

The program is a model because it relies on voluntary changes in land use policy to protect drinking water for the Nation's largest city. It is my understanding that the chairman is supportive of this agreement, and that funding the watershed agreement will be a priority in conference.

Is my understanding correct, Mr. Chairman?

□ 1445

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

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

Mr. LEWIS of California. Mr. Chairman, I would say to the gentleman from New York [Mr. BOEHLERT] that I am very aware of this commitment to this project, as well as his concern about environmental matters that affect the country, and especially New York. The gentleman has discussed many such items, including this watershed problem with me in some detail. I very much appreciate the gentleman bringing it to our attention.

There is little question that I informed the gentleman that dollars are mighty thin, and we are having great difficulty providing specific funding for individual projects. But between now and the time conference, I think we will better know about the availability of funds.

The watershed agreement is, as the gentleman suggested, a model that is widely supported in both Houses of the Congress. The committee and I will do everything possible to seek funding for the project in conference.

Mr. BOEHLERT. Reclaiming my time, I thank the chairman very much for those comforting words, because we are talking about something that has broad implications affecting the water supply for 10 million people.

Mr. Chairman, I yield to my distinguished colleague, the gentlewoman from New York [Mrs. LOWEY], who has worked with me on this very important matter.

Mrs. LOWEY. Mr. Chairman, I thank the gentleman, [Mr. BOEHLERT], my outstanding colleague from New York who has truly been a leader on this issue. It has been an honor for me to work with the gentleman and to see this project actually become a reality.

I also want to thank the gentleman, because we know that for more than 150 years, Mr. Chairman, the residents of the New York metropolitan area have received their drinking water from reservoirs in upstate New York. This 2,000-square-mile watershed has the distinction of being the largest unfiltered surface drinking water supply in the entire Nation.

As my colleagues from New York State know, protecting the New York City watershed is absolutely critical, and it is simply a matter of dollars and cents. Why? Reserving the purity of the city's water system at its source in the upstate reservoirs will avoid the need to construct a filtration plant that would cost more than $6 billion, I repeat, $6 billion.

For too long, there was antagonism and mistrust between residents of the metropolitan area, who want to ensure the water's purity, and upstate residents, who rely on the land for their economic livelihood. It used to be that the interests of upstate residents were diametrically opposed to the interests of my constituents in Queens and Westchester County, but not anymore.

Late last year, the city and State of New York, the Environmental Protection Agency, and farmers and local officials from the watershed agreed to a landmark watershed protection program that will avoid the need for costly filtration while still safeguarding public health and allowing those who make a living off the land to continue to do so. If successful, this program promises to become a national model for locally driven, economically friendly environmental protection.

New York City alone has pledged to invest over $1.2 billion over the next 15 years to implement the program, but a modest investment by the Federal Government is also needed.

Regrettably, the first installment of these funds has not been included in the EPA's budget for 1997. But I will withdraw my amendment. I will not offer my amendment, which would provide the $15 million that is needed. I appreciate the leadership again of the gentleman from New York [Mr. BOEHLERT] and the willingness of our chairman, the gentleman from California [Mr. LEWIS], to work with us to ensure that these vital funds will be provided.

So thank you again, thanks to our chairman, thank you to the gentleman from New York [Mr. BOEHLERT]. And I look forward to working with my colleagues on this vital issue for the entire region.

Mr. BOEHLERT. Mr. Chairman, reclaiming my time, my colleague was a little bit conservative when she suggested that the filtration plant would cost $6 billion. As a matter of fact, we have had cost estimates as high as $8 billion. In addition to that, it would cost $350 million a year just for operation and maintenance.

We are getting smarter around this institution. What we are proposing is a modest expenditure to save billions of dollars. I am comforted by the chairman's good words, and I appreciate the gentlewoman's support.

Mrs. CHENOWETH. Mr. Chairman, I rise to strike the requisite number of words.

Mr. Chairman, as we are aware, the community of Cataldo on the Coeur d'Alene River, which is in the northern part of my Idaho district, is facing an impending disaster. Dangerous flooding this spring has already resulted in the area being listed as a Federal disaster area. But this Federal disaster designation, while helpful, has not ended the danger, nor has it ended the fear my constituents do face.

We are dealing with an old, but newly exacerbated problem. The steady build-up of rock and other deposits which has been worsening in recent years has been greatly accelerated as a result of the floods. This has caused unusually high water levels to rise even higher. This flooding, coupled with a leaking dike that the Army Corps of Engineers has determined is 2 feet too short is threatening the community of Cataldo. If next spring's floods are anything like this year's, and there are indications that they may be even worse, this small community will be destroyed, and a major freeway, Interstate 90, will be cut off.

If I–90 is lost, Mr. Chairman, literally 10,000 vehicles it carries every day will have a roughly 200-mile detour around the closure. The economic impact on those highway users and on residents in surrounding areas will be devastating. But even worse, the loss of I–90 will make emergency evacuation extremely difficult and rescue efforts nearly impossible.

Mr. Chairman, my constituents are can-do, roll-up-your-sleeves kind of people, and they would like nothing better than to get in and fix that dike, raise it by 2 feet and fix it and make it right. But restrictive Federal regulations prohibit them from solving this problem on their own. In order to raise and reinforce its dike to Federal standards, Cataldo needs $300,000. Tragically, there has been little success in finding the necessary funds, and we fear that fiscal year 1997 will simply be too late.

Mr. Chairman, the citizens of Cataldo are afraid for their property, their homes, and most importantly, their lives. May I reassure them that the Federal Emergency Management Agency will allocate needed funds from their fiscal year 1996 budget?

Mr. LEWIS of California. Mr. Chairman, will the gentlewoman yield?

Mrs. CHENOWETH. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, let me say to my colleague, the gentlewoman from Idaho [Mrs. CHENOWETH] that the citizens of Cataldo sound very much like the citizens of beautiful San Bernardino County. It is a great pleasure for me to

enter into this discussion with the gentlewoman. I very much appreciate her bringing to my attention and to the committee's attention this very important issue. As in this case, human lives, property, and an important interstate highway could be protected with a relatively small expenditure. It certainly bears further review.

While I am not sure if allocating these funds is within FEMA's authority, some people are trying to limit the authority of my subcommittee. In the meantime, it very much involves serious potential property damage and threat to human life. I will examine the possibility and try to help exercise every option we have available.

Mrs. CHENOWETH. Mr. Chairman, I very much appreciate that consideration and so do the people of Cataldo.

AMENDMENT OFFERED BY MR. HOSTETTLER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Indiana [Mr. HOSTETTLER] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 183, noes 240, not voting 10, as follows:

[Roll No. 276]

AYES—183

Allard
Archer
Armey
Bachus
Baker (CA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bilirakis
Bliley
Boehlert
Boehner
Bonilla
Bono
Brownback
Bryant (TN)
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Deal
DeLay
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehrlich
English
Ensign
Everett
Ewing
Fawell
Flanagan
Foley
Fowler
Franks (CT)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gillmor
Goodlatte
Goodling
Graham
Greene (UT)
Gutknecht
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hoekstra
Hoke
Hostettler
Hunter
Hutchinson
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kim
King
Kingston
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lewis (KY)
Lightfoot
Linder
LoBiondo
Longley
Lucas
Manzullo
McCollum
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Moorhead
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Parker
Paxon
Petri
Pombo
Porter
Portman
Radanovich
Ramstad
Roberts
Rogers
Rohrabacher
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Seastrand
Sensenbrenner
Shadegg
Shaw
Shuster
Smith (MI)
Smith (NJ)
Smith (TX)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Taylor (NC)
Thornberry
Tiahrt
Upton
Vucanovich
Walker
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—240

Abercrombie
Ackerman
Andrews
Baesler
Baker (LA)
Baldacci
Barcia
Barrett (WI)
Bellenson
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bishop
Blumenauer
Blute
Bonior
Borski
Boucher
Brewster
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Bunn
Cardin
Castle
Chapman
Chrysler
Clay
Clayton
Clement
Clinger
Clyburn
Collins (IL)
Collins (MI)
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Edwards
Ehlers
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Forbes
Fox
Frank (MA)
Franks (NJ)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gilman
Gonzalez
Gordon
Goss
Green (TX)
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hayes
Hefner
Hilliard
Hinchey
Hobson
Holden
Horn
Houghton
Hoyer
Hyde
Jackson (IL)
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
Klug
Knollenberg
LaFalce
Lantos
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Livingston
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCrery
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Montgomery
Moran
Morella
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Packard
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (MN)
Pickett
Pomeroy
Poshard
Pryce
Quillen
Quinn
Rahall
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roemer
Ros-Lehtinen
Rush
Sabo
Sanders
Sawyer
Schiff
Schroeder
Schumer
Scott
Serrano
Shays
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (WA)
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tanner
Tauzin
Taylor (MS)
Tejeda
Thomas
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Velazquez
Vento
Visclosky
Volkmer
Walsh
Ward
Waters
Watt (NC)
Waxman
Williams
Wilson
Wise
Wolf
Woolsey
Wynn
Yates

NOT VOTING—10

Becerra
Browder
Coleman
Fields (TX)
Ford
Lincoln
McDade
Peterson (FL)
Rose
Roybal-Allard

□ 1512

Mr. MOLLOHAN changed his vote from "aye" to "no."

Mr. PARKER changed his vote from "no" to "aye".

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mrs. CHENOWETH. Mr. Chairman, I move to strike the last word.

Mr. Chairman, today we will conclude consideration of H.R. 3666, a bill to appropriate fiscal year 1997 funds to the Veterans' Administration, the Department of Housing and Urban Development, and other independent agencies.

□ 1515

Mr. Chairman, it is with these other independent agencies that I would like to address this issue today.

At the close of consideration of H.R. 3666, we, as Members of the House of Representatives, will be asked to cast one single vote on this entire package of funding for agencies that are wholly unrelated. This is absolutely unfair.

H.R. 3666 includes not only funds for VA and HUD, but funding for AmeriCorps and the Selective Service System, the EPA and OSTP, and CEQ, and FEMA, and GSA, and NASA, and NSF, and CDFI, and other minor agencies that sound like alphabet soup.

I want to be very clear here, Mr. Chairman, I support veterans' programs. We owe our vets a debt of gratitude that more money can never repay, and I have supported some of the other programs, too.

But it is precisely because I believe we need to keep our promises to our veterans who served so valiantly that I am supporting this bill today.

But, Mr. Chairman, I think it is a fraud on the American people to force their Representatives in Congress, Representatives who are supposed to be watching their tax dollars, to cast one single vote on all these various agencies. How can we justify including the veterans of our Armed Forces in the same measure as AmeriCorps, EPA and the like? It is fundamentally unfair to pit our veterans, whom I support, against EPA and AmeriCorps programs, of which I have serious reservations.

I want my constituents to know that when I cast my vote today in favor of H.R. 3666, it is for my veterans, not a vote for AmeriCorps and EPA.

I would suggest, Mr. Chairman, that we reexamine our appropriations process to inject more germaneness and fairness into our ability to represent our constituents.

AMENDMENT OFFERED BY MR. FIELDS OF LOUISIANA

Mr. FIELDS of Louisiana. Mr. Chairman, I ask unanimous consent to offer an amendment to a portion of the bill not yet read.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. FIELDS of Louisiana:

Page 61, line 14, afte each of the two dollar amounts, insert the following: ("increased by $3,500,000)".

Page 61, line 17, after the dollar amount, insert the following: "(increased by $178,500,000)".

page 61, line 22, after the dollar amount, insert the following: "(increased by $89,000,000)".

Page 62, line 1, after the dollar amount, insert the following: "(increased by $60,000,000)".

Page 62, line 7, after the dollar amount, insert the following: "(increased by $1,000,000)".

Page 62, line 19, after the dollar amount, insert the following: "(increased by $4,500,000)".

Page 62, line 24, after the dollar amount, insert the following: "(increased by $11,500,000)".

Page 63, line 2, after the dollar amount, insert the following: "(increased by $7,000,000)".

Page 63, line 6, after the dollar amount, insert the following: "(increased by $2,000,000)".

Page 74, line 5, after the dollar amount, insert the following: "(increased by $178,500,000)".

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The CHAIRMAN. Pursuant to the order of the Committee of today, the gentleman from Louisiana [Mr. FIELDS] and a member opposed will each control 10 minutes.

The Chair recognizes the gentleman from Louisiana [Mr. FIELDS].

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

Mr. Chairman, this amendment increased funding of the National and Community Service Programs by $178.5 million above its level in the bill. It raises it to $543.5 million for fiscal year 1997. It provides $28.5 million for administrative services, $129 million for national service trust account for educational awards, $261 million for grants under the national service trust program. It also provides $6 million for Points of Light Foundation, $22 million for the Civilian Community Corps. It provides $53 million for school- and community-based service learning programs across the country. It provides $37 million for quality and innovative activities. Lastly, Mr. Chairman, it provides $7 million for audits and other evaluations of the program itself.

Each of these programs provides our Nation with one thing that we lack most, and that is community involvement. This program is a network of community-based programs which provides Americans with results-driven programs. In exchange for a year or 2 years of hard work, AmeriCorps members earn education awards to finance their way through college, graduate school, vocational training or to help pay back student loans.

Mr. Chairman and members of the committee, during a time that many young people are defaulting on their student loans, there could not be a better program than the National Service Program to give individuals an opportunity to earn their way through college and not only earn their way through college and graduate school but give them an opportunity once they finish college and graduate school. They can in fact be a part of one of these national service programs and pay for their educational enhancement.

More of our youth should be able to earn a college education by helping in the community, so we receive a twofold effort. One, we give an opportunity to a young person to earn their way through college, and we also help many facets of our community at the same time. In my State of Louisiana, there are over a million people who participate in this program. The exact number, Mr. Chairman, is 1.2 million persons involved in the National Service Program. That only costs the Federal Government about $6.20. We have allocated to the State of Louisiana about $7.8 million. Some of the programs that the individuals participate in: the Delta Service Program, with 50 participants who help find affordable housing for low-income residents, facilitate independent living for home-bound individuals, and tutor children on literacy skills. Those are great programs that have taken place in my State, and those programs are taking place all across the country.

I tender this amendment to the Members of this House as a friendly amendment to simply bring national service funding up to the level that it was so that more young people can participate in a very worthwhile program.

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

Mr. LEWIS of California. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from California [Mr. LEWIS] is recognized for 10 minutes.

Mr. LEWIS of California. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Louisiana [Mr. FIELDS]. The amendment, as he has said, would add $178.5 million to the Corporation for National and Community Service, with an offset in the FEMA disaster relief account. The difficulty with this is obvious to those members who have been following the appropriations process. There is a lot of controversy that swirls around this program. There is a need for careful reconsideration as well as evaluation. There are a number of amendments before us that would reduce the spending for AmeriCorps.

Recognizing that we will have a number of votes in connection with Americorps funding, the passage of this amendment would be in and of itself a budget-buster. It does not match the outlay requirements and is potentially subject to a point of order.

Unfortunately, the offset that is proposed by my colleague, Mr. FIELDS is FEMA. That is, he suggests we could take this money from the Federal Emergency Management Agency, an account that seems to be everybody's favorite account. FEMA is everybody's favorite account when they have a disaster in their district and their State and they need some help. FEMA is also everybody's favorite account when they see some money sitting there that is not spent yet and they want to tap it for one of their favorite programs that may affect their district or their State.

Indeed, when we had our major budget conference in which we put five Appropriations Committee bills together and sent them to the President, there was a need for a big offset, roughly $1 billion. The administration and Congress went to FEMA, took away its money and used it as an offset to fund other spending priorities. Eventually we have got to pay the piper for past and future disasters.

FEMA needs these funds. There are disasters and obligations outstanding out there, and indeed America should keep its commitment to those people who faced those disaster circumstances. So because of that, Mr. Chairman, I oppose the amendment.

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

Mr. Chairman, I appreciate the comments of the gentleman from California, the distinguished chairman, and I want the gentleman to know that I get no great pride out of taking money out of FEMA. I simply had to take it somewhere because the bill has to be budget neutral, as the gentleman knows.

But I do think, when it comes to our kids, when it comes to giving kids an opportunity to earn their way through college, that is something very positive that we should do everything we can to do that. This is only $170 some million and I do appreciate the gentleman's comments.

Mr. Chairman, I yield 2 minutes to the gentlewoman from Texas [Ms. JACKSON-LEE].

Ms. JACKSON-LEE of Texas. Mr. Chairman, I, like the gentleman from Louisiana, certainly appreciate the remarks of the chairman, but what I might add is that this National Service Corps allows for us to serve the disasters of broken life. So this is quite, I think, appropriate that we invest in AmeriCorps and invest in the National Service Corps to remedy the ravages of life in our urban communities, in our rural communities, and that is what this organization does.

There is not a place that I have gone that I have not seen the works of the National Service Corps. They get things done. In Houston, TX, they get things done. They work with Habitat for Humanity. They build homes for people who do not have homes. They work with youth that do not have the kinds of role models that they need to have, and at the same time, as we are here on the floor of the U.S. Congress, acknowledging the importance of responsibility, that is teaching our young people responsibility, as well.

This National Service Corps goes into communities; it does not take over communities. It embraces communities. It builds them up. It picks them up. It gives them new hope that things can be done. What are we doing in the 21st century if we are not reinvesting in our youth?

Mr. Chairman, there was a report that just was reported that said we are backhanded in our solutions. We build prisons, but we do not provide for at-risk youth. The National Service Corps brings talented youth together who themselves may have been at risk but yet they are now at the stage of going to college, and they can go into these communities that are hopeless, that are broken, that do not see a way out and they can build them up and make them whole again.

This is a good program. This takes care of lives, the disasters of life, which I think is so very important.

I would ask my colleagues to join the gentleman from Louisiana [Mr. FIELDS] in supporting AmeriCorps with this additional funding which only brings it equal to last year's funding. So I do not want anyone to think that we are going beyond. Fiscal responsibility is important, but investment in our youth, in our future in this country is equally important.

Mr. Chairman, I ask that we support this amendment and remember it is important to fix broken lives as well as broken communities.

Mr. LEWIS of California. Mr. Chairman, I yield myself such time as I may consume in order to have a little discussion with the gentleman from Louisiana [Mr. FIELDS] for just a moment.

□ 1530

Mr. Chairman, I appreciate very much where my colleague is coming from, and I just want to make a couple of points here.

First, let me point to the State of Texas, the State of the gentlewoman who just spoke. I want to mention that since 1988 there have been a number of disasters for which we have appropriated and obligated funds. In the State of Texas since that time, there have been 15 major disasters. The total projections of costs are $305,366,000. Of that, $298 million has already been obligated to address very serious problems in which FEMA was asked to respond.

In Louisiana there have been eight major disasters, $77,891,000; $62 million of that has been obligated and the balance is in the offing. Very serious needs. Louisiana has not had a major disaster of late, but who knows what happens around the corner.

So FEMA becomes the quick whipping boy or the quick source when we have difficult problems in one sense, but then we look to it as a source for our favorite programs as well.

Let me suggest to the gentleman that we have just recently had a vote in which we were successful relative to the program for which she seeks to increase funding. We have a number of amendments before us that would reduce that spending. If we go forward with this amendment and have a vote that ends up being in the negative, it could provide considerable incentive in terms of those other amendments that remain before us.

So, Mr. Chairman, I would ask the gentleman to consider that as he decides whether to take this amendment to a vote or not.

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

Mr. LEWIS of California. I yield to the gentleman from Ohio.

Mr. STOKES. Mr. Chairman, I just want to echo the same comment the gentleman has just made. I think the author of the amendment should realize that we have just been able to defeat an amendment which would have taken all of the money out of AmeriCorps. We won, but we did not win by such a margin that four or five other people who have amendments to reduce funding in AmeriCorps have not been dissuaded from offering their amendments.

I would think in light of that, the gentleman from Louisiana having made his point here, that he would consider what the chairman has said in terms of realizing that this is not the type of amendment to take all the way to a vote. I think the gentleman has made his point, it is a good point. This is certainly an excellent program, but we have to consider all the circumstances here and we have to remember that last year when this bill came in, it was zeroed out. There was no funding.

Of course after a veto of the bill, we did put $400 million in for AmeriCorps, and in this bill there is $365 million. So I think the chairman has gone a long way in trying to work out funding for this program in a House where there are some people who do not want this program.

Mr. FIELDS of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. LEWIS of California. I yield to the gentleman from Louisiana.

Mr. FIELDS of Louisiana. Mr. Chairman, I want to thank the ranking member of this committee, and as I said to the ranking member, and let me just say to Members of the House, I do not have any plans to take a vote on this amendment.

I want to thank the gentleman, the chairman, in all honesty, for his hard work in this effort. I really thank the gentleman for his efforts.

I come from the school of thought that we have to do all that we can do to improve opportunities for higher education in this country, and I know both gentlemen, particularly this gentleman and the chairman, have worked hard to provide that opportunity for young people.

We have too many young people who graduate from college in this country who will leave a college or a medical school or some graduate school with over $100,000 worth of debt. If they have that opportunity to work their way through college, work their way through graduate school, or even have the opportunity to work in community programs to pay back their loans, that is the point that this gentleman and the gentlewoman from Texas had made and is making.

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

Mr. LEWIS of California. I yield to the gentleman from Ohio.

Mr. STOKES. Mr. Chairman, I wanted to take a minute and commend the gentleman from Louisiana for the kind of leadership he has offered in this House in terms of education and scholarship, particularly of young people; and in terms of the TRIO program, which he has been a real leader on here in the House. He is to be commended for the amendment which he has offered here today and the principle which lies behind it. I appreciate it.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Mr. LEWIS of California. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I appreciate the chairman's comments with respect to FEMA and certainly with respect to the great State of Texas. My comments are not in any way to suggest that FEMA is not both worthy and well needed in times of need, and I acknowledge that we have been forced in this time of fiscal responsibility to look in places where we would not want to look.

So to my FEMA employees and those that may need FEMA ultimately, let me say this is not directed and intended to undermine, but it is a choice.

I do thank both the gentleman, who is chairman, and the ranking member for their leadership, and I thank my colleague from Louisiana.

Understand that I leave Members with the thought that there are disasters of life that I believe, if we look at the record of the National Service Corps, that they have been able to amend and fix. I recognize that we are certainly at a better place than we were before, but this is to offer opportunities for us to fix broken lives, that these young people participate in doing, and helping them reinvest in their lives as well.

Mr. LEWIS of California. Mr. Chairman, reclaiming my time, I must say to the gentlewoman that I am sure many of her constituents would remember in just as crystal clear a fashion the needs that they had when the disasters faced them personally that involved FEMA's work.

And they have been very responsive to Texas. To presume that time and time again we can tap their account without having to pay the price eventually and have dollars not available when another kind of disaster affects either her State or Louisiana or my State of California could be a very big mistake.

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

Mr. FIELDS of Louisiana. Mr. Chairman, I yield myself the balance of my time, and in closing I want to lastly thank the chairman and thank the ranking member for their work in this effort.

I can only say that I know how to count and I know where the votes are, but I would like to say to the Members of this House that even in disasters, and I understand FEMA's budget, but whenever there is a national disaster and the moneys are not there in the FEMA's budget, the chairman knows as well as the ranking member knows and every Member of this House knows that this Congress has the right and the obligation to go back to the Federal war chest and appropriate additional funds.

So while I understand and respect the gentleman's argument about FEMA, I wish not to take the money from FEMA, but the amendment has to be budget neutral.

I think I have made the point, Mr. Chairman, that there are a lot of young people across this country who should have the opportunity to go to college. They are caught in the middle. Their parents make a little too much money to qualify for a student loan or a grant but they do not make enough money to send them to college. National service is a program for the future, and this Congress should be totally committed to it.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I do so to announce for my colleagues our plan as to how we are going to proceed. It is my intention to proceed out of order with the Solomon amendment No. 49, then proceed with the regular order of reading. I believe there are only two amendments left in title III. We will then be on title IV, the last title of the bill, and will try to move as quickly as possible on this title.

We do have a number of amendments left. if Members would restrain themselves, not just in terms of time but maybe consider eliminating amendments where there is duplication, it would expedite the work of the House. I am sure all our colleagues would appreciate that effort.

AMENDMENT OFFERED BY MR. SOLOMON

Mr. SOLOMON. Mr. Chairman, I ask unanimous consent to offer an amendment to a portion of the bill not yet read.

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

There was no objection.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SOLOMON: Page 95, after line 21, insert the following new sections:

SEC. 422. (a) DENIAL OF FUNDS FOR PREVENTING ROTC ACCESS TO CAMPUS.—None of the funds made available in this Act may be provided by contract or by grant (including a grant of funds to be available for student aid) to an institution of higher education when it is made known to the Federal official having authority to obligate or expend such funds that the institution (or any subelement thereof) has a policy or practice (regardless of when implemented) that prohibits, or in effect prevents—

(1) the maintaining, establishing, or operation of a unit of the Senior Reserve Officer Training Corps (in accordance with section 654 of title 10, United States Code, and other applicable Federal laws) at the institution (or subelement); or

(2) a student at the institution (or subelement) from enrolling in a unit of the Senior Reserve Officer Training Corps at another institution of higher education.

(b) EXCEPTION.—The limitation established in subsection (a) shall not apply to an institution of higher education when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) the institution (or subelement) has ceased the policy or practice described in such subsection; or

(2) the institution has a longstanding policy of pacifism based on historical religious affiliation.

SEC. 423. (a) DENIAL OF FUNDS FOR PREVENTING FEDERAL MILITARY RECRUITING ON CAMPUS.—None of the funds made available in this Act may be provided by contract or grant (including a grant of funds to be available for student aid) to any institution of higher education when it is made known to the Federal official having authority to obligate or expend such funds that the institution (or any subelement thereof) has a policy or practice (regardless of when implemented) that prohibits, or in effect prevents—

(1) entry to campuses, or access to students (who are 17 years of age or older) on campuses, for purposes of Federal military recruiting; or

(2) access to the following information pertaining to students (who are 17 years of age or older) for purposes of Federal military recruiting, student names, addresses, telephone listings, dates and places of birth, levels of education, degrees received, prior military experience, and the most recent previous educational institutions enrolled in by the students.

(b) EXCEPTION.—The limitation established in subsection (a) shall not apply to an institution of higher education when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) the institution (or subelement) has ceased the policy or practice described in such subsection; or

(2) the institution has a longstanding policy of pacifism based on historical religious affiliation.

SEC. 424. None of the funds made available in this Act may be obligated or expended to enter into or renew a contract with an entity when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) such entity is otherwise a contractor with the United States and is subject to the requirement in section 4212(d) of title 38, United States Code, regarding submission of an annual report to the Secretary of Labor concerning employment of certain veterans; and

(2) such entity has not submitted a report as required by that section for the most recent year for which such requirement was applicable to such entity.

Mr. SOLOMON. Mr. Chairman, a few minutes ago we were talking about national service. Let me tell Members what real national service is. That is what my amendment deals with. It talks to volunteer national service in the most honorable career in this country today, and that is service in the Armed Forces of the United States of America.

The provisions in the amendment that I am offering before us now with the gentleman from California [Mr. POMBO] has passed this House several times and should be familiar to Members, so I will be very brief.

Mr. Chairman, in many places across the country military recruiters are being denied access to educational facilities, preventing recruiters from explaining the honorable benefits of an honorable career in our Armed Forces of the United States to our young people. Likewise, ROTC units have been kicked off of several campuses around the country.

This amendment today would simply prevent any funds appropriated in this act from going into institutions of higher learning which prevent military recruiting on their campuses or have an anti-ROTC policy.

Mr. Chairman, these institutions that are receiving Federal taxpayer money just cannot be able to then turn their back on the young people who defend this country. It is simple common

sense and fairness, and that is why this language has already become the law of the land for Defense Department funds and passed the House by voice vote last month in the science authorization bill.

Mr. Chairman, recruiting is the key to our all-voluntary force, which has been such a spectacular success. Recruiters have been able to enlist such promising volunteers for our Armed Forces by going into high schools and to colleges, by informing young people of the increased opportunities that an honorable military career can provide, such as the Sonny Montgomery peacetime GI bill, which can let them earn up to $25,000, even $30,000 towards that education. That is why we need this amendment.

Last, a third of part of the amendment would also deny contracts or grants to institutions that are not in compliance with the law; that they submit an annual report on veterans hiring practices to the Department of Labor. In the same vein, this is simple common sense and fairness to the people who defend our country.

Mr. Chairman, all we are doing here is asking for compliance with existing law. This particular language was also passed by voice vote on the Defense appropriations bill just 2 weeks ago.

Having said all that, I urge Members to vote for my amendment that the gentleman from California [Mr. POMBO] and I are offering right now.

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

Mr. SOLOMON. I yield to the gentleman from California, the cosponsor of this amendment.

Mr. POMBO. Mr. Chairman, I thank the gentleman for yielding, and I too will be brief.

This amendment has passed the House on several previous occasions. As little as a few weeks ago this amendment passed the House. This is an issue of fairness. In our universities and colleges across the country, if Federal tax dollars are good enough to put into those universities, then they should not deny ROTC on their campuses or recruiters entrance onto those campuses.

I think in this new age of political correctness at times we have overstepped our bounds, and this is one instance where many of our universities and colleges have truly overstepped their bounds. They have forced ROTC students off campus, they are forcing recruiters off campus, and at the same time they have their hand out for Federal grants and Federal research dollars, and I believe that that is unfair.

I believe that this amendment is one way of curing that problem and it is something that is much needed in our country today, and I thank the gentleman for yielding me this time and for bringing up this amendment.

Mr. SOLOMON. Mr. Chairman, reclaiming my time, I thank the gentleman, and I urge support of the amendment.

The CHAIRMAN. Are there other Members wishing to be heard on the amendment?

If not, the question is on the amendment offered by the gentleman from New York [Mr. SOLOMON].

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one for replacement only) and hire of passenger motor vehicles; and insurance of official motor vehicles in foreign countries, when required by law of such countries; $22,265,000, to remain available until expended: *Provided*, That where station allowance has been authorized by the Department of the Army for officers of the Army serving the Army at certain foreign stations, the same allowance shall be authorized for officers of the Armed Forces assigned to the Commission while serving at the same foreign stations, and this appropriation is hereby made available for the payment of such allowance: *Provided further*, That when traveling on business of the Commission, officers of the Armed Forces serving as members or as Secretary of the Commission may be reimbursed for expenses as provided for civilian members of the Commission: *Provided further*, That the Commission shall reimburse other Government agencies, including the Armed Forces, for salary, pay, and allowances of personnel assigned to it.

DEPARTMENT OF THE TREASURY

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND PROGRAM ACCOUNT

For grants, loans, and technical assistance to qualifying community development lenders, and administrative expenses of the Fund, $45,000,000, to remain available until September 30, 1998, of which $8,000,000 may be used for the cost of direct loans, and up to $800,000 may be used for administrative expenses to carry out the direct loan program: *Provided*, That the cost of direct loans, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That not more than $19,400,000 of the funds made available under this heading may be used for programs and activities authorized in section 114 of the Community Development Banking and Financial Institutions Act of 1994.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS–18, purchase of nominal awards to recognize non-Federal officials' contributions to Commission activities, and not to exceed $500 for official reception and representation expenses, $42,500,000.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

NATIONAL AND COMMUNITY SERVICE PROGRAMS OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the Corporation for National and Community Service (referred to in the matter under this heading as the "Corporation") in carrying out programs, activities, and initiatives under the National and Community Service Act of 1990 (referred to in the matter under this heading as the "Act") (42 U.S.C. 12501 et seq.), $365,000,000, of which $265,000,000 shall be available for obligation from September 1, 1997, through September 30, 1998: *Provided*, That not more than $25,000,000 shall be available for administrative expenses authorized under section 501(a)(4) of the Act (42 U.S.C. 12671(a)(4)): *Provided further*, That not more than $2,500 shall be for official reception and representation expenses: *Provided further*, That not more than $40,000,000, to remain available without fiscal year limitation, shall be transferred to the National Service Trust account for educational awards authorized under subtitle D of title I of the Act (42 U.S.C. 12601 et seq.): *Provided further*, That not more than $201,000,000 of the amount provided under this heading shall be available for grants under the National Service Trust program authorized under subtitle C of title I of the Act (42 U.S.C. 12571 et seq.) (relating to activities including the Americorps program): *Provided further*, That not more than $5,000,000 of the funds made available under this heading shall be made available for the Points of Light Foundation for activities authorized under title III of the Act (42 U.S.C. 12661 et seq.): *Provided further*, That no funds shall be available for national service programs run by Federal agencies authorized under section 121(b) of such Act (42 U.S.C. 12571(b)): *Provided further*, That to the maximum extent feasible, funds appropriated in the preceding proviso shall be provided in a manner that is consistent with the recommendations of peer review panels in order to ensure that priority is given to programs that demonstrate quality, innovation, replicability, and sustainability: *Provided further*, That not more than $17,500,000 of the funds made available under this heading shall be available for the Civilian Community Corps authorized under subtitle E of title I of the Act (42 U.S.C. 12611 et seq.): *Provided further*, That not more than $41,500,000 shall be available for school-based and community-based service-learning programs authorized under subtitle B of title I of the Act (42 U.S.C. 12521 et seq.): *Provided further*, That not more than $30,000,000 shall be available for quality and innovation activities authorized under subtitle H of title I of the Act (42 U.S.C. 12853 et seq.): *Provided further*, That not more than $5,000,000 shall be available for audits and other evaluations authorized under section 179 of the Act (42 U.S.C. 12639): *Provided further*, That no funds from any other appropriation, or from funds otherwise made available to the Corporation, shall be used to pay for personnel compensation and benefits, travel, or any other administrative expense for the Board of Directors, the Office of the Chief Executive Officer, the Office of the Managing Director, the Office of the Chief Financial Officer, the Office of National and Community Service Programs, the Civilian Community Corps, or any field office or staff of the Corporation working on the National and Community Service or Civilian Community Corps programs: *Provided further*, That to the maximum extent practicable, the Corporation

shall increase significantly the level of matching funds and in-kind contributions provided by the private sector, shall expand significantly the number of educational awards provided under subtitle D of title I, and shall reduce the total Federal costs per participant in all programs.

AMENDMENT OFFERED BY MR. HOEKSTRA

Mr. HOEKSTRA. Mr. Chairman, I offer amendment No. 18.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HOEKSTRA: In the item relating to "CORPORATION FOR NATIONAL AND COMMUNITY SERVICE—NATIONAL AND COMMUNITY SERVICE PROGRAMS OPERATING EXPENSES"—

(1) after the sixth dollar amount, insert the following: "(increased by $30,000,000)"; and

(2) strike the tenth proviso.

The CHAIRMAN. Pursuant to the order of the Committee of today, the gentleman from Michigan [Mr. HOEKSTRA] will be recognized for 10 minutes, and a Member in opposition will be recognized for 10 minutes.

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

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

Mr. Chairman, last week I informed the House of two very disturbing examples of waste in the AmeriCoprs Program. The first was the $13 million spent on training and technical assistance contracts with such organizations as the AFL–CIO and the new Multicultural Institute.

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Both of those were funded for $400,000 each. The other was the opening of the new AmeriCorps Leadership Training Center overlooking the San Francisco Bay and the Golden Gate Bridge. This amendment seeks to strike the line-item appropriation which funds what I consider wasteful spending and put the money in the pockets of local and national charities around the country.

This amendment moves $30 million back into the direction and the priorities for this program, a program that I voted for 3 years ago. This amendment moves money away from Washington bureaucracy, Washington bureaucrats, and moves it directly back to local charities, individuals, and young people in our communities.

Let us talk about these two examples. The Presidio. What is the Presidio Leadership Center? It is nothing more than magical bureaucrats telling local charities, charities like Big Brothers, Big Sisters, you need the Federal Government in order to find a shared purpose or to develop new leaders.

This is a myth. Private charities have operated for years without training provided by the magical bureaucrats. I am sure they will continue to do so long after AmeriCorps and its magical bureaucrats are gone. Remember, AmeriCorps is the organization that cannot even balance its books.

The real danger here is that the training at the Presidio contributes to the deterioration of the identity of local and national charities and replaces it with a Federal cookie-cutter look and a Federal way of operating. This is destructive to the goodwill of many, if not of all, of these charities. It is destructive of the goodwill these charities have earned in the communities in which they serve.

Furthermore, the costs of housing magical bureaucrats at the Presidio are very high. Staff on site of the Presidio have noted that they expected to train only 300 people in 1996. For that they need a budget of $1.1 million. this equals a cost of approximately $3,300 per trainee, not including the cost of transportation or lodging. The Washington office of AmeriCorps disputes this figure and expects costs to average almost $900 per member, again excluding the cost of transportation.

Either way, in my opinion, this is an awfully expensive means of training volunteers and their leaders. There is a better way to spend this money. There is a better way that we should do it. This is by moving it to local volunteers.

Why are the costs so high? Well, according to the GSA, San Francisco is not the bargain basement place to rent facilities. Rentable space in San Francisco is almost twice as expensive as Midwestern cities.

In fact, the rate paid by AmeriCorps for this space, while lower than the allowable amount, is still substantial. Additionally, since grantees are responsible to pay for the cost of getting to the Presidio, its coastal location makes for an expensive trip for the vast majority of AmeriCorps members. It would appear that this site was chosen by magical bureaucrats for its beautiful location and not for its cost or proximity to local charities.

This is a fact even AmeriCorps is beginning to see. According to Harris Wofford, the corporation is considering closing the Presidio Leadership Center in line with its reinvention program. A document provided to me last week by Mr. Wofford stated:

Given the current investment in reinventing government, the Corporation for National Service is exploring the possibility of whether the services provided by the Presidio Leadership Center could be done more cost-effectively by an outside provider by privatizing the current operations.

In short, the Presidio Leadership Center could not pass the reinventing-Government test, and even the corporation is beginning to see that it should be closed. When AmeriCorps started, it was intended to be a catalyst for volunteers at the local level. It was not intended to try to become an national training center. It does not have the capabilities. It does not have the skills to fulfill that mission. Restore AmeriCorps back to the intent and the direction that we put in place.

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

The CHAIRMAN. Who wishes to control the time in opposition to the amendment?

Mr. STOKES. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Ohio [Mr. STOKES] is recognized for 10 minutes.

Mr. STOKES. Mr. Chairman, I ask unanimous consent to yield one-half of that time to the gentleman from California [Mr. LEWIS], chairman of the subcommittee, and that he be permitted to control that time.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN. The gentleman from California [Mr. LEWIS] will be recognized for 5 minutes.

The Chair recognizes the gentleman from Ohio [Mr. STOKES].

Mr. STOKES. Mr. Chairman, I yield 2 minutes and 30 seconds to the gentlewoman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Chairman, I thank the ranking member for yielding me the time.

I rise in opposition to the amendment eliminating funding for AmeriCorps Presidio Leadership Center.

The AmeriCorps Program reaps many benefits for local communities. The leadership center ensures that national service leaders administering national service programs receive quality training, leadership development, and environmental technical assistance to train corps members to provide services in communities such as tutoring and conflict resolution, environmental cleanup, and improving community service and other community services.

The Presidio Leadership Center exclusively trains only individuals and program staff associated with the Corporation for National Service, program directors of Learn and Serve America, the National Senior Service Corps, and the AmeriCorps Program. While it may use training techniques developed by corporate trainers, the learning center does not conduct training for any corporate clients.

In the interest of time, Mr. Chairman, I may have to put some of my statement in the RECORD. I did want to say the cost for rental at the Presidio is 26 percent less than the current GSA approved rate for San Francisco.

I would like to address the gentleman from Michigan [Mr. HOEKSTRA], the author of the amendment, to say that so much confidence do people have in the Presidio Leadership Center that I would be willing to put on the record language that would say, provided further that the corporation shall submit

to the subcommittee on VA, HUD and Independent Agencies of the House Committee on Appropriations no later than 6 months from the date of enactment of this act a plan to ensure that the corporation will not directly operate the Presidio Leadership Center, that there would be an effort to privatize the funding of the Presidio Leadership Center and the corporation would no longer be operating it.

Would the gentleman be receptive to that idea?

Mr. HOEKSTRA. Mr. Chairman, will the gentlewoman yield?

Ms. PELOSI. I yield to the gentleman from Michigan.

Mr. HOEKSTRA. Mr. Chairman, later on this afternoon I will have an amendment specifically dealing with the Presidio. At that point in time, I would be very willing to incorporate that language into the amendment. Perhaps we could have a dialog between now and then, if necessary, to put that language into the amendment at that time.

Ms. PELOSI. Mr. Chairman, is this not the gentleman's amendment on the Presidio Leadership Center?

Mr. HOEKSTRA. Mr. Chairman, if the gentlewoman will continue to yield, this amendment includes the Presidio Training Center but also includes significant other funds used by the corporation in training, including contracts with the AFL-CIO and a number of other agencies.

Ms. PELOSI. Mr. Chairman, I hope that the gentleman would consider first of all supporting the National Service and AmeriCorps but specifically in terms of Presidio Leadership Center, when we get to that particular amendment, the language that I have just stated.

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

I rise in opposition to the amendment offered by my colleague, the gentleman from Michigan [Mr. HOEKSTRA]. The amendment would transfer the $30 million earmarked for quality and innovative activities to the $201 million earmarked for AmeriCorps grants. If this amendment is adopted, there would be no need for the series of amendments involving number 16, 17, 19, and 20, because this amendment would terminate all quality and innovative activities.

It reduces those accounts further than any of the other amendments. Innovative and demonstration grants help to build the ethic of service among AmeriCorps programs, and persons of every age who participate in the program. Disability grants, these grants assist programs to enroll participants with disabilities and to accommodate their participation.

Mr. Chairman, there are people who have questions about AmeriCorps; however, AmeriCorps has not had adequate time to be evaluated. There are some very positive results as well as questions developing on the horizon.

I want a bill. Yet, I really believe I will not get a bill signed into law if this amendment and others like it were to be passed. I must say that if we have a bill that does not include quality and innovative grants, I personally would be very disconcerted by this level of funding. Clearly, at a level of $365 million in this total program, there is no reason to add funds for AmeriCorps grants. The various programs are well balanced. So, I would oppose my colleague's amendment.

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

Mr. STOKES. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. FARR].

Mr. FARR of California. Mr. Chairman, I rise in opposition to these amendments to cut back on AmeriCorps. Let me just tell my colleagues a personal story.

In 1960, when President Kennedy got elected, I was a young college student. He introduced the concept that young Americans could serve this country by serving in the Peace Corps. I and 60 other Members of Congress now serving joined the Peace Corps all at different times and had this incredible experience. That cost this country probably about $18,000 for 2 years experience. I think everybody will recognize that on the 35th anniversary of the Peace Corps that this country has gotten out a lot more than it has put in.

I think AmeriCorps serves the same purpose in this country and certainly it has gotten even stronger support by the private sector than Peace Corps ever had. AmeriCorps is getting private funding from General Electric Corp., from Tenneco Gas, from Nike Shoes, from Fannie Mae, and others because this program is out reaching the needs of this country and in places where all of the good programs that we in the Federal Government try to trickle down to the people, they still do not reach certain hard niche areas. AmeriCorps is doing that.

Part of AmeriCorps is certainly bringing together the attention of the private nonprofits in this country that we need to collaborate. I find that the AmeriCorps volunteers in our district are doing an incredible job and get complimented all the time. In fact, what they want is more and more.

It gets to the issue here then, as you get more sophisticated in your dealing with the management of AmeriCorps and the management of felt needs in the local communities, you are going to need these leadership training programs sufficient as offered at the Presidio in San Francisco. I think it would be a great damage to this country to even cut back on AmeriCorps, to cut back on the programs that are supporting AmeriCorps and, in fact, if anything this Congress ought to be increasing it, not making a political football out of it.

I ask that Members reject these amendments.

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

Mr. Chairman, my amendment does not cut AmeriCorps. My amendment moves spending from training 300 people at a cost of $1.1 million at the Presidio or going through expensive training programs by different agencies, my amendment actually moves that into block grants or moves it into the grant dollars, meaning that we will have 1,500 more young people earning dollars for college and higher education. That is where we are moving the dollars. We are moving it to the communities. We are moving it to the young kids. We are taking it away from the bureaucrats.

And to think that AmeriCorps is the place for innovation. Eighty-nine million Americans today volunteer on a regular basis. To believe that AmeriCorps, remember, this is the organization that does not even keep auditable books. This is the place that the rest of the charitable world is going to look to in terms of innovation and how to run quality programs. Give me a break. AmeriCorps should be looking to places like Habitat for Humanity, looking at places like the Salvation Army and saying, how do you get 89 million Americans to volunteer in your organizations?

Come on, we have been having charitable organizations in America long before AmeriCorps existed. AmeriCorps was intended to be a catalyst to facilitate these organizations, not to tell them how to do it.

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

Mr. STOKES. Mr. Chairman, am I correct that I have the right to close?

The CHAIRMAN. The gentleman from Ohio is correct.

The gentleman from Michigan [Mr. HOEKSTRA] has 4 minutes remaining, the gentleman from California [Mr. LEWIS] has 3¼ minutes remaining, and the gentleman from Ohio [Mr. STOKES] has one-half minute remaining.

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

Mr. HOEKSTRA. Mr. Chairman, I yield 1½ minutes to the gentleman from Indiana [Mr. ROEMER], my colleague, that I see wanted to speak.

Mr. ROEMER. Mr. Chairman, I thank the gentleman from Michigan [Mr. HOEKSTRA] for that very gracious and bipartisan gesture.

First of all, I hate to do this to the gentleman, but I will take his time and rise in opposition to his amendment.

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

Mr. ROEMER. Mr. Chairman, I yield but say to the gentleman, do not take up all my time.

Mr. HOEKSTRA. That is not a surprise, Mr. Chairman.

Mr. ROEMER. Mr. Chairman, the gentleman is a gentleman with that gesture.

I rise in opposition to the amendment for a couple reasons. First of all, it does not save a dime, it just simply moves $30 million from one account to another account. Second, it micromanages the AmeriCorps Program, and it says:

We in Congress know exactly the way that you should be spending your money, we are going to tell you exactly what to do with an innovative education training program that the Governors are running pretty darn well.

Governor Engler is doing welfare reform out of this program. Governor Romer is doing quality child-care providing out of this program. Governor Wilson is improving education mentoring through this program.

So innovative things are going on at the State level, and Thomas Jefferson said many, many years ago that we should allow our States to serve as laboratories for democracy and see what works best at the local level. That is precisely what is happening with this program now, from Republican and Democratic Governors, from mentoring children to reforming welfare.

I urge, even though the gentleman has granted me all this time, my colleagues to vote against this amendment.

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

Mr. Chairman, I agree with my colleague that this may be perceived as micromanaging. It is micromanaging to the tune of $30 million, it is micromanaging back to the direction of a program that I voted for 3 years ago that said we are going to focus these dollars at local programs, we are going to focus it on the young people, and we are going to try to make an impact at the grass-roots level, and we are also going to be a world-class organization. In too many places with this program we have consistently been disappointed. It is not a world-class organization. We are moving money into bureaucracies and buildings and bureaucrats in Washington. We want, I want, to have the impact at the local level.

I have got serious questions about this program after 3 years. But it is kind of like if we are going to do the program, let us move the money to the kids in the local agencies, and that is what it does. Let us not put it in the Presidio, let us not give it to the AFL-CIO. These people that are running these agencies at the local level are some of our most talented people, the people that are involved in the charitable organization are some of the most talented people at the local level. They work for Fortune 500 companies, they are successful entrepreneurs, they know how to manage, they have access to these training capabilities at the local level.

We do not need a redundant organization here in Washington or in San Francisco. When organizations at this level, when these people at the local level, are looking to enhance their capabilities and their skills, they are not going to come to the Corporation for National Service to see how they can improve their programs. They have got those skills at the local level.

Let us save this $30 million, let us move it to where it can have a positive impact, and I think that that is the right place to go. This is what is characterized earlier today—this is not a mean-spirited amendment. I believe that this is a constructive amendment to move dollars back to the direction where we wanted this program to be when we passed it in 1993.

Mr. STOKES. Mr. Chairman, I yield the balance of my time to the gentleman from California [Mr. FARR].

The CHAIRMAN. The gentleman from California [Mr. FARR] is recognized for 30 seconds.

Mr. FARR of California. Mr. Chairman, I obviously will be very brief.

As my colleagues can tell, I am a great supporter of AmeriCorps. I think it is one of the greatest programs that we have done here in Congress, and I hope that we will give it strong support, increasing support.

The issue here is not AmeriCorps. It is about cost. And remember that it is not just a debate about cost, but it is a debate about value.

Defeat these amendments. It is not just the price of everything, but it is also the value of something. The AmeriCorps is a great value to this country.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Michigan [Mr. HOEKSTRA].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. HOEKSTRA. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 456, further proceedings on the amendment offered by the gentleman from Michigan [Mr. HOEKSTRA] will be postponed.

The Clerk will read.

The Clerk read as follows:

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $2,000,000.

COURT OF VETERANS APPEALS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Veterans Appeals as authorized by 38 U.S.C. sections 7251–7292, $9,229,000, of which $634,000, to remain available until September 30, 1998, shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102–227.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase of one passenger motor vehicle for replacement only, and not to exceed $1,000 for official reception and representation expenses, $11,600,000, to remain available until expended.

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

For science and technology, including research and development activities, which shall include research and development activities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended; necessary expenses for personnel and related costs and travel expenses, including uniforms, or allowances therefore, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS–18; procurement of laboratory equipment and supplies; other operating expenses in support of research and development; construction, alteration, repair, rehabilitation and renovation of facilities, not to exceed $75,000 per project, $540,000,000, which shall remain available until September 30, 1998.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related costs and travel expenses, including uniforms, or allowances therefore, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS–18; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project; and not to exceed $6,000 for official reception and representation expenses, $1,703,000,000, which shall remain available until September 30, 1998.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project, $28,500,000.

BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or for use by, the Environmental Protection Agency, $107,220,000, to remain available until expended: *Provided*, That EPA is authorized to establish and construct a consolidated research facility at Research Triangle Park, North Carolina, at a maximum total construction cost of $232,000,000, and to obligate such monies as are made available by this

Act for this purpose: *Provided further*, That EPA is authorized to construct such facility through multi-year contracts incrementally funded through appropriations hereafter made available for this project: *Provided further*, That, notwithstanding the previous provisos, for monies obligated pursuant to this authority, EPA may not obligate monies in excess of those provided in advance in annual appropriations, and such contracts shall clearly provide for this limitation.

HAZARDOUS SUBSTANCE SUPERFUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, including sections 111 (c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project; not to exceed $2,200,000,000, to remain available until expended, consisting of $1,950,000,000 as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA), as amended by Public Law 101-508, and $250,000,000 as a payment from general revenues to the Hazardous Substance Superfund as authorized by section 517(b) of SARA, as amended by Public Law 101-508: *Provided*, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: *Provided further*, That $11,000,000 of the funds appropriated under this heading shall be transferred to the "Office of Inspector General" appropriation to remain available until September 30, 1997: *Provided further*, That notwithstanding section 111(m) of CERCLA or any other provision of law, not to exceed $59,000,000 of the funds appropriated under this heading shall be available to the Agency for Toxic Substances and Disease Registry to carry out activities described in sections 104(i), 111(c)(4), and 111(c)(14) of CERCLA and section 118(f) of the Superfund Amendments and Reauthorization Act of 1986: *Provided further*, That $35,000,000 of the funds appropriated under this heading shall be transferred to the "Science and technology" appropriation to remain available until September 30, 1998: *Provided further*, That none of the funds appropriated under this heading shall be available for the Agency for Toxic Substances and Disease Registry to issue in excess of 40 toxicological profiles pursuant to section 104(i) of CERCLA during fiscal year 1997: *Provided further*, That $861,000,000 of the funds appropriated under this heading shall become available for obligation only upon the enactment of future appropriations legislation that specifically makes these funds available for obligation.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by section 205 of the Superfund Amendments and Reauthorization Act of 1986, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project, $46,500,000, to remain available until expended: *Provided*, That no more than $7,000,000 shall be available for administrative expenses: *Provided further*, That $577,000 shall be transferred to the "Office of Inspector General" appropriation to remain available until September 30, 1997.

OIL SPILL RESPONSE

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary to carry out the Environmental Protection Agency's responsibilities under the Oil Pollution Act of 1990, $15,000,000, to be derived from the Oil Spill Liability trust fund, and to remain available until expended: *Provided*, That not more than $8,000,000 of these funds shall be available for administrative expenses.

STATE AND TRIBAL ASSISTANCE GRANTS

For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, $2,768,207,000, to remain available until expended, of which $1,800,000,000 shall be for making capitalization grants for State revolving funds to support water infrastructure financing; $100,000,000 for architectural, engineering, planning, design, construction and related activities in connection with the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, after consultation with the appropriate border commission; $50,000,000 for grants to the State of Texas, which shall be matched by an equal amount of State funds from State resources, for the purpose of improving wastewater treatment for colonias; $15,000,000 for grants to the State of Alaska subject to an appropriate cost share as determined by the Administrator, to address wastewater infrastructure needs of rural and Alaska Native Villages; $129,000,000 for making grants for the construction of wastewater treatment facilities and the development of groundwater in accordance with the terms and conditions specified for such grants in the Report accompanying this Act; and $674,207,000 for grants to States and federally recognized tribes for multi-media or single media pollution prevention, control and abatement and related activities pursuant to the provisions set forth under this heading in Public Law 104-134: *Provided*, That, from funds appropriated under this heading, the Administrator may make grants to federally recognized Indian governments for the development of multi-media environmental programs: *Provided further*, That of the $1,800,000,000 for capitalization grants for State revolving funds to support water infrastructure financing, $450,000,000 shall be for drinking water State revolving funds, but if no drinking water State revolving fund legislation is enacted by June 1, 1997, these funds shall immediately be available for making capitalization grants under title VI of the Federal Water Pollution Control Act, as amended.

WORKING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

There is hereby established in the Treasury a franchise fund pilot to be known as the "Working capital fund", as authorized by section 403 of Public Law 103-356, to be available as provided in such section for expenses and equipment necessary for the maintenance and operation of such administrative services as the Administrator determines may be performed more advantageously as central services: *Provided*, That any inventories, equipment, and other assets pertaining to the services to be provided by such fund, either on hand or on order, less the related liabilities or unpaid obligations, and any appropriations made hereafter for the purpose of providing capital, shall be used to capitalize such fund: *Provided further*, That such fund shall be paid in advance from funds available to the Agency and other Federal agencies for which such centralized services are performed, at rates which will return in full all expenses of operation, including accrued leave, depreciation of fund plant and equipment, amortization of automated data processing (ADP) software and systems (either acquired or donated), and an amount necessary to maintain a reasonable operating reserve, as determined by the Administrator: *Provided further*, That such fund shall provide services on a competitive basis: *Provided further*, That an amount not to exceed four percent of the total annual income to such fund may be retained in the fund for fiscal year 1997 and each fiscal year thereafter, to remain available until expended, to be used for the acquisition of capital equipment and for the improvement and implementation of Agency financial management, ADP, and other support systems: *Provided further*, That no later than thirty days after the end of each fiscal year amounts in excess of this reserve limitation shall be transferred to the Treasury: *Provided further*, That such franchise fund pilot shall terminate pursuant to section 403(f) of Public Law 103-356.

ADMINISTRATIVE PROVISION

SEC. 301. Notwithstanding any other provision of law, funds made available in this Act to the Environmental Protection Agency for any account, program or project may be transferred to Science and Technology for necessary research activities, subject to the terms and conditions set forth in the Report accompanying this Act.

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 and 6671), hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, not to exceed $2,500 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, $4,932,000.

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

For necessary expenses to continue functions assigned to the Council on Environmental Quality and Office of Environmental Quality pursuant to the National Environmental Policy Act of 1969, the Environmental Quality Improvement Act of 1970, and Reorganization Plan No. 1 of 1977, $2,250,000.

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF

For necessary expenses in carrying out the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), $1,320,000,000, and, notwithstanding 42 U.S.C. 5203, to become available for obligation on September 30, 1997, and remain available until expended.

DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

For the cost of direct loans, $1,385,000, as authorized by section 319 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $25,000,000.

In addition, for administrative expenses to carry out the direct loan program, $548,000.

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, including hire and purchase of motor vehicles (31 U.S.C. 1343); uniforms, or allowances therefor, as authorized by 5

U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS–18; expenses of attendance of cooperating officials and individuals at meetings concerned with the work of emergency preparedness; transportation in connection with the continuity of Government programs to the same extent and in the same manner as permitted the Secretary of a Military Department under 10 U.S.C. 2632; and not to exceed $2,500 for official reception and representation expenses, $168,000,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $4,533,000.

EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE

For necessary expenses, not otherwise provided for, to carry out activities under the National Flood Insurance Act of 1968, as amended, and the Flood Disaster Protection Act of 1973, as amended (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduction Act of 1977, as amended (42 U.S.C. 7701 et seq.), the Federal Fire Prevention and Control Act of 1974, as amended (15 U.S.C. 2201 et seq.), the Defense Production Act of 1950, as amended (50 U.S.C. App. 2061 et seq.), sections 107 and 303 of the National Security Act of 1947, as amended (50 U.S.C. 404–405), and Reorganization Plan No. 3 of 1978, $209,101,000.

EMERGENCY FOOD AND SHELTER PROGRAM

To carry out an emergency food and shelter program pursuant to title III of Public Law 100–77, as amended, $100,000,000: *Provided*, That total administrative costs shall not exceed three and one-half percent of the total appropriation.

NATIONAL FLOOD INSURANCE FUND

For activities under the National Flood Insurance Act of 1968, the Flood Disaster Protection Act of 1973, and the National Flood Insurance Reform Act of 1994, not to exceed $20,981,000 for salaries and expenses associated with flood mitigation and flood insurance operations, and not to exceed $78,464,000 for flood mitigation, including up to $20,000,000 for expenses under section 1366 of the National Flood Insurance Act, which amount shall be available until September 30, 1998. In fiscal year 1997, no funds in excess of (1) $47,000,000 for operating expenses, (2) $335,680,000 for agents' commissions and taxes, and (3) $35,000,000 for interest on Treasury borrowings shall be available from the National Flood Insurance Fund without prior notice to the Committees on Appropriations. For fiscal year 1997, flood insurance rates shall not exceed the level established for such rates as of June 1, 1996.

WORKING CAPITAL FUND

For the establishment of a working capital fund for the Federal Emergency Management Agency, to be available without fiscal year limitation, for expenses and equipment necessary for maintenance and operations of such administrative services as the Director determines may be performed more advantageously as central services: *Provided*, That any inventories, equipment, and other assets pertaining to the services to be provided by such fund, either on hand or on order, less the related liabilities or unpaid obligations, and any appropriations made hereafter for the purpose of providing capital, shall be used to capitalize such fund: *Provided further*, That such fund shall be reimbursed or credited with advance payments from applicable appropriations and funds of the Federal Emergency Management Agency, other Federal agencies, and other sources authorized by law for which such centralized services are performed, including supplies, materials, and services, at rates that will return in full all expenses of operation, including accrued leave, depreciation of fund plant and equipment, amortization of automated data processing (ADP) software and systems (either acquired or donated), and an amount necessary to maintain a reasonable operating reserve as determined by the Director: *Provided further*, That income of such fund may be retained, to remain available until expended, for purposes of the fund: *Provided further*, That fees for services shall be established by the Director at a level to cover the total estimated costs of providing such services, such fees to be deposited in the fund shall remain available until expended for purposes of the fund: *Provided further*, That such fund shall terminate in a manner consistent with section 403(f) of Public Law 103–356.

ADMINISTRATIVE PROVISION

The Director of the Federal Emergency Management Agency shall promulgate through rulemaking a methodology for assessment and collection of fees to be assessed and collected beginning in fiscal year 1997 applicable to persons subject to the Federal Emergency Management Agency's radiological emergency preparedness regulations. The aggregate charges assessed pursuant to this section during fiscal year 1997 shall approximate, but not be less than, 100 per centum of the amounts anticipated by the Federal Emergency Management Agency to be obligated for its radiological emergency preparedness program for such fiscal year. The methodology for assessment and collection of fees shall be fair and equitable, and shall reflect the full amount of costs of providing radiological emergency planning, preparedness, response and associated services. Such fees shall be assessed in a manner that reflects the use of agency resources for classes of regulated persons and the administrative costs of collecting such fees. Fees received pursuant to this section shall be deposited in the general fund of the Treasury as offsetting receipts. Assessment and collection of such fees are only authorized during fiscal year 1997.

GENERAL SERVICES ADMINISTRATION

CONSUMER INFORMATION CENTER FUND

For necessary expenses of the Consumer Information Center, including services authorized by 5 U.S.C. 3109, $2,260,000, to be deposited into the Consumer Information Center Fund: *Provided*, That the appropriations, revenues and collections deposited into the fund shall be available for necessary expenses of Consumer Information Center activities in the aggregate amount of $7,500,000. Administrative expenses of the Consumer Information Center in fiscal year 1997 shall not exceed $2,602,000. Appropriations, revenues, and collections accruing to this fund during fiscal year 1997 in excess of $7,500,000 shall remain in the fund and shall not be available for expenditure except as authorized in appropriations Acts: *Provided further*, That notwithstanding any other provision of law, the Consumer Information Center may accept and deposit to this account, during fiscal year 1997, gifts for the purpose of defraying its costs of printing, publishing, and distributing consumer information and educational material; may expend up to $1,100,000 of those gifts for those purposes, in addition to amounts otherwise appropriated; and the balance shall remain available for expenditure for such purpose to the extent authorized in subsequent appropriations Acts.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

HUMAN SPACE FLIGHT

For necessary expenses, not otherwise provided for, in the conduct and support of human space flight research and development activities, including research, development, operations, and services; maintenance; construction of facilities including repair, rehabilitation, and modification of real and personal property, and acquisition or condemnation of real property, as authorized by law; space flight, spacecraft control and communications activities including operations, production, and services; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, $5,362,900,000, to remain available until September 30, 1998.

SCIENCE, AERONAUTICS AND TECHNOLOGY

For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics and technology research and development activities, including research, development, operations, and services; maintenance; construction of facilities including repair, rehabilitation, and modification of real and personal property, and acquisition or condemnation of real property, as authorized by law; space flight, spacecraft control and communications activities including operations, production, and services; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, $5,662,100,000, to remain available until September 30, 1998. Chapter VII of Public Law 104–6 is amended under the heading, "National Aeronautics and Space Administration" by replacing "September 30, 1997" with "September 30, 1998" and "1996" with "1997".

MISSION SUPPORT

For necessary expenses, not otherwise provided for, in carrying out mission support for human space flight programs and science, aeronautical, and technology programs, including research operations and support; space communications activities including operations, production and services; maintenance; construction of facilities including repair, rehabilitation, and modification of facilities, minor construction of new facilities and additions to existing facilities, facility planning and design, environmental compliance and restoration, and acquisition or condemnation of real property, as authorized by law; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; travel expenses; purchase, lease charter, maintenance, and operation of mission and administrative aircraft; not to exceed $35,000 for official reception and representation expenses; and purchase (not to exceed 33 for replacement only) and hire of passenger motor vehicles; $2,562,200,000, to remain available until September 30, 1998.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $17,000,000.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

Notwithstanding the limitation on the availability of funds appropriated for

"Human space flight", "Science, aeronautics and technology", or "Mission support" by this appropriations Act, when (1) any activity has been initiated by the incurrence of obligations for construction of facilities as authorized by law, or (2) amounts are provided for full-funding for the Tracking and Data Relay Satellite (TDRS) replenishment program, such amount available for such activity shall remain available until expended. This provision does not apply to the amounts appropriated in "Mission support" pursuant to the authorization for repair, rehabilitation and modification of facilities, minor construction of new facilities and additions to existing facilities, and facility planning and design.

Notwithstanding the limitation on the availability of funds appropriated for "Human space flight", "Science, aeronautics and technology", or "Mission support" by this appropriations Act, the amounts appropriated for construction of facilities shall remain available until September 30, 1999.

Notwithstanding the limitation on the availability of funds appropriated for "Mission support" and "Office of Inspector General", amounts made available by this Act for personnel and related costs and travel expenses of the National Aeronautics and Space Administration shall remain available until September 30, 1997 and may be used to enter into contracts for training, investigations, cost associated with personnel relocation, and for other services, to be provided during the next fiscal year.

NATIONAL CREDIT UNION ADMINISTRATION

CENTRAL LIQUIDITY FACILITY

During fiscal year 1997, gross obligations of the Central Liquidity Facility for the principal amount of new direct loans to member credit unions, as authorized by the National Credit Union Central Liquidity Facility Act (12 U.S.C. 1795), shall not exceed $600,000,000: *Provided*, That administrative expenses of the Central Liquidity Facility in fiscal year 1997 shall not exceed $560,000: *Provided further*, That $1,000,000, together with amounts of principal and interest on loans repaid, to be available until expended, is available for loans to community development credit unions.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), and the Act to establish a National Medal of Science (42 U.S.C. 1880–1881); services as authorized by 5 U.S.C. 3109; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft; $2,422,000,000, of which not to exceed $226,000,000 shall remain available until expended for Polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program; the balance to remain available until September 30, 1998: *Provided*, That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported research facilities may be credited to this appropriation: *Provided further*, That to the extent that the amount appropriated is less than the total amount authorized to be appropriated for included program activities, all amounts, including floors and ceilings, specified in the authorizing Act for those program activities or their subactivities shall be reduced proportionally.

AMENDMENT OFFERED BY MR. WALKER

Mr. WALKER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. WALKER: In the item relating to "NATIONAL SCIENCE FOUNDATION—RESEARCH AND RELATED ACTIVITIES", after the first dollar amount, insert the following: "(increased by $9,110,000)".

In the item relating to "NATIONAL SCIENCE FOUNDATION—SALARIES AND EXPENSES", after the second dollar amount, insert the following: "(reduced by $9,110,000)".

The CHAIRMAN. Pursuant to the order of the Committee of today, the gentleman from Pennsylvania [Mr. WALKER] will be recognized for 10 minutes, and a Member in opposition will be recognized for 10 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, just 3 weeks ago the House voted by a 70-vote margin not to increase the salaries and expense account of the National Science Foundation by $9.1 million to a total of $134.3 million. Unfortunately, the VA–HUD bill that we have before us now defies that specific House vote and puts the money into the salary and expense account despite the House determination.

What this amendment does is merely conforms the NSF salaries and expense account to the House-passed authorization level and moves the freed-up money, the $9.1 million into the NSF research account where it is authorized. In other words, it takes the money out of bureaucracy where the money is not authorized and puts it into university research where it has been authorized.

The reason for doing this is because the administration has been playing election-year politics with this account. If my colleagues can look on this chart, the administration actually takes salaries and expenses up in 1997 and then drops them off a cliff out to the year 2000, and the fact is it will cost, under the administration's plan, several hundred jobs at NSF, according to a letter that I have recently received from the NSF director.

The President proposes to increase the National Science Foundation S&E account in fiscal 1997, then cut it by $11 million in fiscal 1998 down to $118 million and then another $11 million in fiscal 1999 to $107 million, and then another $6 million in the year 2000 to a level of $101 million.

In the meantime, what we intend to do in our proposal is to reduce the S&E account from $127 million in fiscal 1996 to $120 million in fiscal year 1997.

Furthermore, our plan then calls for level funding until the year 2000, and our plan allows NSF to make the proper gradual steps to maintain efficiency. Our plan would not have the drastic cuts represented in the administration plans between the years 1998 and the year 2000. Over the same time frame our plan provides $34 million more for salaries and expenses than does the President's plan. The additional $34 million in our overall budget plan buys a lot more morale.

Our science authorization bill adopted the S&E account numbers used in the budget resolution for $120 million. Ironically, the administration was quick to point to our authorization bill and the impact that it would have on NSF. However, when we asked for the same analysis applied to the President's numbers, suddenly that was not available.

I would like to include a record at this point of our exchange of letters on that matter.

□ 1615

By confirming the NSF S&E account to the House-passed authorization level, we can increase the NSF account by $9 million. The research account supports all aspects of science to promote discovery, integration, dissemination, and employment of new knowledge to society. The research account funds a broad range of fundamental research activities, including awards for individuals and small groups of investigators, research centers, national user facilities such as the supercomputing centers, the national astronomy centers, and the academic research fleet. Also, the research account supports activities such as the international scientific partnerships and the research and logistics in the Arctic and Antarctic regions.

Mr. Chairman, I urge my colleagues to support this amendment. It increases science funding and reduces bureaucracy. It makes the VA–HUD bill consistent with the House-passed authorization. It adds no budget authority and reduces budget outlays.

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

The CHAIRMAN. Does the gentleman from Ohio [Mr. STOKES] seek time in opposition to the amendment?

Mr. STOKES. Yes, I do, Mr. Chairman.

The CHAIRMAN. The gentleman from Ohio [Mr. STOKES] is recognized for 10 minutes.

Mr. STOKES. Mr. Chairman, I ask unanimous consent to yield half of my time to the gentleman from California [Mr. LEWIS], chairman of the Subcommittee on VA, HUD and Independent Agencies of the Committee on Appropriations, and that he be permitted to control that time.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN. The gentleman from California [Mr. LEWIS] will be recognized for 5 minutes.

Mr. STOKES. Mr. Chairman, I am pleased to yield 2 minutes to the distinguished gentleman from California [Mr. BROWN], the ranking member of the Committee on Science.

Mr. BROWN of California. Mr. Chairman, I express my appreciation to the distinguished ranking member for yielding me this time.

Mr. Chairman, I rise in opposition to this amendment. The amendment will harm what is widely recognized as an efficient and well run Federal agency that has the vital role of supporting basic research and education.

With NSF, we have the unusual situation of a Federal agency that is the inverse of a bloated bureaucracy. For the past 10 years, as its workload has doubled, the agency had held its staffing level constant, while learning to work smarter.

NSF has moved aggressively to streamline the proposal review process, for example, by moving toward electronic proposal submission and review. Paper has been reduced and the interactions between external reviewers and NSF staff has been made more effective.

Despite the record of holding down administrative costs and the evident progress NSF has made to improve the efficiency of its internal operations, the amendment seeks to punish the agency by cutting its budget for salaries and administrative expenses by nearly 6 percent relative to the fiscal year 1996 appropriations level. But the actual impact of the amendment on personnel is worse—closer to a 9 percent cut—because fixed expenses, such as building rent and utility costs, cannot be reduced.

This proposal has not been advanced on the basis of any evidence whatsoever that suggests that NSF is squandering resources or has an excess of staff. The cut is proposed in the absence of any supporting facts, without any convincing rationale, and in fact, contrary to available evidence on the efficiency and effectiveness of NSF in administering its programs.

What other Federal agency operates on 4 percent of its total budget and has a better record for administrative efficiency? Because NSF is a lean organization with little management flab, the cut that would be imposed by the amendment will translate into slashing staff positions by as much as 10 percent and in turn reduce the ability of the agency to carry out its responsibilities.

The amendment cuts the internal operating budget for NSF and shifts the funds to the account for research grant support. That is, it increases the research budget for NSF while simultaneously degrading the ability of the agency to administer the extra funds. The losers will be the researchers at universities and colleges throughout the Nation who rely on NSF for support. If this amendment succeeds, they can expect delays in proposal reviews and awards.

The bill as reported by the Appropriations Committee provides the appropriate and necessary funding for NSF's internal operations. It will provide only a 1.5 percent increase above the fiscal year 1996 appropriations level for salaries and administrative expenses—hardly a lavish increase.

But by providing this funding, the bill as reported will help ensure that NSF continues to effectively manage its research programs and will avoid significant demoralization of one of the Federal Government's most effective and dedicated cadre of employees.

I urge my colleagues to oppose this ill-considered and harmful amendment.

Mr. LEWIS of California. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, following the comments of my colleague, the gentleman from California, GEORGE BROWN, I would like to repeat one of the points that he made. The National Science Foundation's operating expenses are approximately 4 percent of the agency's budget. That is a figure that compares quite favorably with the 10 percent in overhead costs, which is the norm for nonprofit research foundations. Beyond that, it probably competes very well with a broad cross-section of other Federal Government programs as well as agencies.

The argument that taking this action merely reflects the actions planned for fiscal year 1998 by the administration is sending the wrong message is it relates to these percentages. Congress has already supported the Foundation and its efforts to promote sound science research. We should take this opportunity to show that we continue to support the Foundation and will not let the administration compromise the operations of the agency by reducing its capacity to conduct merit-based reviews of proposals prior to awarding grants.

Fundamental to the merit-based review process is an adequate staff to prepare documents and abstracts for use by peer panels. Reducing the staff by up to 10 percent, as is likely under this proposal, would hinder the operations of the organization and place the peer review process in jeopardy.

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

Mr. WALKER. Mr. Chairmam, I yield 2½ minutes to the gentleman from New Mexico [Mr. SCHIFF].

Mr. SCHIFF. Mr. Chairman, I thank the chairman of the committee for yielding time to me.

Mr. Chairman, I rise in support of the Walker amendment. I want to say first, as chairman of the Subcommittee on Basic Research of the Committee on Science, with direct authorization and jurisdiction over the National Science Foundation, that I believe it is a well-run agency. They have their problems internally, like every other agency does, including the Congress, of course, but their overall reputation under director Neal Lane is very good.

Nevertheless, I want to point out two things about the Walker amendment. First, I understand, of course, that the National Science Foundation would rather have the administration's recommendations for the salaries and expense account than it would like to have the authorizing committee, the Committee on Science's recommendations. This is because for the first year, the year we are debating right now, the administration recommends an increase in funding on that account, while the Committee on Science recommends a decrease.

Mr. Chairman, I certainly cannot blame anybody for preferring an increase over a decrease. But the point is it does not stop there. The point is that after the first year, after the fiscal year we are debating now, fiscal year 1997, look what happens to the salaries and expense account of the National Science Foundation under the administration's proposal. It drops precipitously, until after the first year the proposal from the administration for this very account falls below the Committee on Science recommendation. The Committee on Science recommendation does indeed go down, but then it is level to the year 2000. The administration's proposal goes down and keeps going down, year after year.

Mr. Chairman, it seems to me that even if this reduction takes place, the National Science Foundation ought to be able to find ways, other than laying off personnel, to cut its overhead. But I would point out that if we are creating really such a disaster for the National Science Foundation, then it is off the Richter scale what the administration will do to the National Science Foundation if their complete budget recommendations are followed.

So I believe that in the long run, the National Science Foundation is better off in this account under the chairman's amendment than under the administration's.

Mr. Chairman, I just want to point out one other thing. That is that certainly every agency is facing tight budgets here. Every agency would like to have greater funds, but every agency must tighten its belt as we seek to balance the budget. it seems to me that $9 million is better put into the account that does actual research funding, which is the purpose of the National Science Foundation, and they find other ways to cut their overhead.

Mr. STOKES. Mr. Chairman, I yield myself a minute.

Mr. Chairman, a reduction of $9 million from the level in this bill could require a reduction of up to 120 FTE's, and would hinder the management and operation of NSF's programs and its merit review decisionmaking process,

the distinguishing characteristic of NSF's mission.

Staff cuts and other reductions would significantly impede the quality, timeliness, and effectiveness of important research and education programs, and would have a negative effect on the agency's ability to serve the science community and the public. This is contrary to everything we are trying to do to make Government work better and to serve the public more effectively.

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

Mr. WALKER. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. EHLERS].

Mr. EHLERS. Mr. Chairman, I thank the chairman of the committee for yielding time to me.

Mr. Chairman, I rise to speak in support of this amendment. I recognize the point that has been made by others, that the National Science Foundation employees are loyal, they are hardworking, and it would be improper and not good practice to pass the amendment and reduce the amount available for salaries and expenses. That is true of many areas of Government.

I am very familiar with the National Science Foundation. Indeed, I can verify that these are very good employees. They are loyal employees and they work very, very hard. But we are in a time where we are facing a $5 trillion national debt. We are facing interest payments of $300 billion per year. We have to tighten the belt. The question is, where is the belt going to be tightened?

When it comes to the National Science Foundation, are we going to tighten the belt in grants or are we going to tighten it in administration? Those are issues we struggled with in the Committee on Science. We reached the conclusion that we should tighten the belt in a number of areas, but certainly also in the administrative expenses, salaries. It is a difficult decision, but it was one that was made in the committee and that was adopted by the House as a whole.

The question before us now is whether we are going to stick with that decision, whether we are going to follow the authorization that was made by the Committee on Science and the House, or whether we are going to change gears here and shift to another approach based on the Committee on Appropriations' recommendation. I believe it is very important for us to stick with the authorization that was passed out of the Committee on Science and through the full House, and not switch at this point. We want to stay with the previous decision, and pass an appropriation that matches the authorization.

At issue here is more than just where the money is going. At issue is the role of the authorization committees. I believe we have to be consistent and stay with the recommendation we decided on earlier.

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

The CHAIRMAN. The gentleman from Pennsylvania [Mr. WALKER] is recognized for 1¾ minutes.

Mr. WALKER. Mr. Chairman, the argument made against this amendment coming from those who have spoken suggests that the NSF is a well-run agency. Indeed, the NSF has been a well-run agency, but the problem is that NSF is going to have to face the need for budget reductions. The question is, does it come out of the hide of research or does it come out of the hide of administration?

We have suggested that we can in fact eliminate one directorate at NSF and save the kinds of money we are talking about saving, and put NSF on the track toward the kinds of personnel that can be sustained over a long period of time while we balance the budget.

The pattern that is suggested by the approach of the Committee on Appropriations is what Neal Lane has told me in a letter will result in a reduction from 1,200 full-time equivalent employees at the present time to 800 people in the year 2000. That is what will destroy the NSF. So we suggested it is time now to begin the process of changing NSF to a better administrative structure. That is what we do. That is what the House has endorsed.

At the same time, we put more money into the universities and into the localities across the country; take the power out of Washington and put the power back out in the country; make certain that the money is spent for research, nor for bureaucracy. That is what we will do in this amendment. This amendment will permit us to begin the reform of NSF, to get a better administrative structure there, to have less expense for administration and more money for basic research. I think that is the right route to go.

Mr. Chairman, I ask the Members to support the amendment, and I yield back the balance of my time.

□ 1630

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

Mr. STOKES. Mr. Chairman, I yield the balance of my time to the gentleman from California [Mr. BROWN].

The CHAIRMAN. The gentleman from California [Mr. BROWN] is recognized for 2¼ minutes.

Mr. BROWN of California. Mr. Chairman, I thank the gentleman for yielding me time. I appreciate the opportunity to say a few more good words about the National Science Foundation.

Basically, the message I want to communicate to Members here is that the Committee on Appropriations has done a better job of facing up to the needs of our science establishment in this country than, in my opinion, the authorizing committee has done. I do not often say this, because I, as the gentleman from Pennsylvania [Mr. WALKER] does, have a very high opinion for the work of the authorizing committee. So when I say it in this connection, I hope it will carry a little bit of extra weight.

The fact of the matter is that since the early 1980's the NSF budget has tripled, the workload doubled, and its staffing levels have actually declined and they will continue to decline. The charts that the gentleman from Pennsylvania [Mr. WALKER] has shown show two different rates of decline, and the gentleman thinks that that portion of the chart which reflects his views as to the rate of decline is the best.

I happen to disagree with that. I think in this situation the rate of decline which is mandated by almost any effort to balance the budget is best reflected by the President's own budget over this period of time, which in my opinion will provide additional funding.

Now, it would be a normal situation that we would not propose a drastic cut in an agency's staffing level when that agency is known to be extremely efficient and have probably the best record of overhead costs or operating costs of any agency in the Government. One would expect that there would be something egregious about the way the agency is being conducted to warrant that kind of a drastic cut. But this is not the case with the National Science Foundation. I know of nothing said here that speaks to the issue of their efficiency in an adverse fashion.

So I ask my colleagues to vote to support the Committee Appropriations in this case and reject the amendment offered by the gentleman from Pennsylvania.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Pennsylvania [Mr. WALKER].

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. STOKES. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 456, further proceedings on the amendment offered by the gentleman from Pennsylvania [Mr. WALKER] will be postponed.

The Clerk will read.

The Clerk read as follows:

MAJOR RESEARCH EQUIPMENT

For necessary expenses of major construction projects pursuant to the National Science Foundation Act of 1950, as amended, $80,000,000, to remain available until expended.

EDUCATION AND HUMAN RESOURCES

For necessary expenses in carrying out science and engineering education and

human resources programs and activities pursuant to the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), including services as authorized by 5 U.S.C. 3109 and rental of conference rooms in the District of Columbia, $612,000,000, to remain available until September 30, 1998: *Provided*, That to the extent that the amount of this appropriation is less than the total amount authorized to be appropriated for included program activities, all amounts, including floors and ceilings, specified in the authorizing Act for those program activities or their subactivities shall be reduced proportionally.

SALARIES AND EXPENSES

For necessary salaries and expenses of the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875); services authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; not to exceed $9,000 for official reception and representation expenses; uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; rental of conference rooms in the District of Columbia; reimbursement of the General Services Administration for security guard services and headquarters relocation; $134,310,000: *Provided*, That contracts may be entered into under salaries and expenses in fiscal year 1997 for maintenance and operation of facilities, and for other services, to be provided during the next fiscal year.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General as authorized by the Inspector General Act of 1978, as amended, $4,690,000, to remain available until September 30, 1998.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101–8107), $50,000,000.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

For necessary expenses of the Selective Service System, including expenses of attendance at meetings and of training for uniformed personnel assigned to the Selective Service System, as authorized by 5 U.S.C. 4101–4118 for civilian employees; and not to exceed $1,000 for official reception and representation expenses; $22,930,000: *Provided*, That during the current fiscal year, the President may exempt this appropriation from the provisions of 31 U.S.C. 1341, whenever he deems such action to be necessary in the interest of national defense: *Provided further*, That none of the funds appropriated by this Act may be expended for or in connection with the induction of any person into the Armed Forces of the United States.

TITLE IV—GENERAL PROVISIONS

SEC. 401. Where appropriations in titles I, II, and III of this Act are expendable for travel expenses and no specific limitation has been placed thereon, the expenditures for such travel expenses may not exceed the amounts set forth therefore in the budget estimates submitted for the appropriations: *Provided*, That this section shall not apply to travel performed by uncompensated officials of local boards and appeal boards of the Selective Service System; to travel performed directly in connection with care and treatment of medical beneficiaries of the Department of Veterans Affairs; to travel performed in connection with major disasters or emergencies declared or determined by the President under the provisions of the Robert T. Stafford Disaster Relief and Emergency Assistance Act; to travel performed by the Offices of Inspector General in connection with audits and investigations; or to payments to interagency motor pools where separately set forth in the budget schedules: *Provided further*, That if appropriations in titles I, II, and III exceed the amounts set forth in budget estimates initially submitted for such appropriations, the expenditures for travel may correspondingly exceed the amounts therefore set forth in the estimates in the same proportion.

SEC. 402. Appropriations and funds available for the administrative expenses of the Department of Housing and Urban Development and the Selective Service System shall be available in the current fiscal year for purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109.

SEC. 403. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811–1831).

SEC. 404. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 405. No funds appropriated by this Act may be expended—

(1) pursuant to a certification of an officer or employee of the United States unless—

(A) such certification is accompanied by, or is part of, a voucher or abstract which describes the payee or payees and the items or services for which such expenditure is being made, or

(B) the expenditure of funds pursuant to such certification, and without such a voucher or abstract, is specifically authorized by law; and

(2) unless such expenditure is subject to audit by the General Accounting Office or is specifically exempt by law from such audit.

SEC. 406. None of the funds provided in this Act to any department or agency may be expended for the transportation of any officer or employee of such department or agency between his domicile and his place of employment, with the exception of any officer or employee authorized such transportation under 31 U.S.C. 1344 or 5 U.S.C. 7905.

SEC. 407. None of the funds provided in this Act may be used for payment, through grants or contracts, to recipients that do not share in the cost of conducting research resulting from proposals not specifically solicited by the Government: *Provided*, That the extent of cost sharing by the recipient shall reflect the mutuality of interest of the grantee or contractor and the Government in the research.

SEC. 408. None of the funds in this Act may be used, directly or through grants, to pay or to provide reimbursement for payment of the salary of a consultant (whether retained by the Federal Government or a grantee) at more than the daily equivalent of the rate paid for Level IV of the Executive Schedule, unless specifically authorized by law.

SEC. 409. None of the funds provided in this Act shall be used to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings. Nothing herein affects the authority of the Consumer Product Safety Commission pursuant to section 7 of the Consumer Product Safety Act (15 U.S.C. 2056 et seq.).

SEC. 410. Except as otherwise provided under existing law or under an existing Executive order issued pursuant to an existing law, the obligation or expenditure of any appropriation under this Act for contracts for any consulting service shall be limited to contracts which are (1) a matter of public record and available for public inspection, and (2) thereafter included in a publicly available list of all contracts entered into within twenty-four months prior to the date on which the list is made available to the public and of all contracts on which performance has not been completed by such date. The list required by the preceding sentence shall be updated quarterly and shall include a narrative description of the work to be performed under each such contract.

SEC. 411. Except as otherwise provided by law, no part of any appropriation contained in this Act shall be obligated or expended by any executive agency, as referred to in the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.), for a contract for services unless such executive agency (1) has awarded and entered into such contract in full compliance with such Act and the regulations promulgated thereunder, and (2) requires any report prepared pursuant to such contract, including plans, evaluations, studies, analyses and manuals, and any report prepared by the agency which is substantially derived from or substantially includes any report prepared pursuant to such contract, to contain information concerning (A) the contract pursuant to which the report was prepared, and (B) the contractor who prepared the report pursuant to such contract.

SEC. 412. Except as otherwise provided in section 406, none of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency.

SEC. 413. None of the funds provided in this Act to any department or agency shall be obligated or expended to procure passenger automobiles as defined in 15 U.S.C. 2001 with an EPA estimated miles per gallon average of less than 22 miles per gallon.

SEC. 414. None of the funds appropriated in title I of this Act shall be used to enter into any new lease of real property if the estimated annual rental is more than $300,000 unless the Secretary submits, in writing, a report to the Committees on Appropriations of the Congress and a period of 30 days has expired following the date on which the report is received by the Committees on Appropriations.

SEC. 415. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice

describing the statement made in subsection (a) by the Congress.

SEC. 416. None of the funds appropriated in this Act may be used to implement any cap on reimbursements to grantees for indirect costs, except as published in Office of Management and Budget Circular A-21.

SEC. 417. Such sums as may be necessary for fiscal year 1997 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 418. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 419. Such funds as may be necessary to carry out the orderly termination of the Office of Consumer Affairs shall be made available from funds appropriated to the Department of Health and Human Services for fiscal year 1997.

SEC. 420. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act, as amended, are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Act as may be necessary in carrying out the programs set forth in the budget for 1997 for such corporation or agency except as hereinafter provided: *Provided*, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 421. None of the funds appropriated or otherwise made available by this Act may be used to pay the salaries of personnel who approve a contract for the purchase, lease, or acquisition in any manner of supercomputing equipment or services after a preliminary determination, as defined in 19 U.S.C. 1673b, or final determination, as defined in 19 U.S.C. 1673d, by the Department of Commerce that an organization providing such supercomputing equipment or services has offered such product at other than fair value.

Mr. LEWIS of California (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of title IV through page 95, line 21, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

AMENDMENT OFFERED BY MR. STUMP

Mr. STUMP. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. STUMP: Page 95, after line 21, insert the following new section:

SEC. . The amount provided in title I for "Veterans Health Administration—Medical care" is hereby increased by, the amount provided in title I for "Departmental Administration—General operating expenses" is hereby increased by, and the total of the amounts of budget authority provided in this Act for payments not required by law for the fiscal year ending September 30, 1997 (other than any amount of budget authority provided in title I and any such amount provided in title III for the American Battle Monuments Commission, the Court of Veterans Appeals, or Cemeterial Expenses, Army), is hereby reduced by, $40,000,000, $17,000,000, and 0.40 percent, respectively.

Mr. STUMP. Mr. Chairman, the amendment I am offering today is coauthored with my good friend and ranking member of the Committee on Veterans' Affairs, the gentleman from Mississippi [Mr. MONTGOMERY], and also by the chairman of the Committee on Rules, the gentleman from New York [Mr. SOLOMON].

Mr. Chairman, we offer this amendment with great regard for the difficulty of assembling the annual appropriation bill for departments and agencies as diverse as those in H.R. 3666.

The amendment is very straightforward and addresses two areas of funding in the bill we are concerned about—VA medical care and the general operating expenses for the Veterans Benefits Administration.

The effect of this amendment would be to increase VA medical care funding by $40 million and increase the general operating expenses for the Veterans Benefits Administration by $17 million over the amounts currently provided in the bill.

The increase in VA medical care would be consistent with the House Budget Resolution.

It would also provide the VA with the potential for increasing the number of outpatient visits at hospitals experiencing substantial workload increase due to seasonal, as well as permanent migration of veterans;

Beginning to address the nearly $1 billion backlog in medical equipment purchases through expanded sharing with the private sector on capital costs and operation of expensive high-tech medical equipment; and

Establishing a limited number of community based clinics in areas with increased veteran population.

The increase in the amendment for the Veterans Benefits Administration will help prevent funding from falling to levels which would negatively impact the current backlog in claims processing.

The President's budget request already cuts 624 positions out of the benefit claims processing staff. Currently, 373,505 claims are backlogged at VA regional offices around the country. Original compensation claims decisions are taking 151 days, while original pension claims are taking 88 days.

Appealing a claim through the Board of Veterans Appeals currently averages 641 days and the appeals backlog now stands at nearly 60,000 cases. The VA has indicated that the additional $20 million reduction in this bill would add 50,000 cases to the current claims backlog.

This amendment is supported by the following veterans service organizations: the American Legion, Veterans of Foreign Wars, Disabled American Veterans, AMVETS (American Veterans of WWII, Korea and Vietnam), Vietnam Veterans of America, Paralyzed Veterans of America, and the Non-Commissioned Officers Association.

Mr. Chairman, I strongly urge Members to support the Stump-Montgomery-Solomon amendment.

Mr. MONTGOMERY. Mr. Chairman, I rise in support of the Stump-Montgomery-Solomon amendment.

Mr. Chairman, the increased funding for veterans health care contained in this bill really is not enough. For years funding for the medical care account could not keep pace with the increase in medical inflation. To be fair to the committees, we have been getting about a 5- to 6-percent increase for medical care. In our hospitals it takes 10 percent to really cover these hospitals and take care of the inflation.

Even though this bill is at the level requested by the administration, it would lead to a reduction, Mr. Chairman, of over 5,000 employees in the VA health care system in 1997. These 5,000 employees are presently working, providing health care and helping the veterans and their families.

Mr. Chairman, adding $40 million to the VA medical care account will not restore all of the employees who are being cut, but it will help some of them.

We also ought to provide at least the amount requested for the Veterans Benefits Administration. We had a hearing last week at our committee at which we discussed the delays in processing claims for benefits, and a number of my colleagues on the floor today have mentioned that veterans' claims do not get processed quickly.

It now takes 154 days to process a claim for compensation, and veterans would like to see this cut in half. Even with the additional $17 million which the gentleman from Arizona [Mr. STUMP] is recommending, the Veterans Benefits Administration projects a loss of 600 employees, nearly 5 percent of the work force. if we cannot at least meet the administration's request, current delays in deciding claims will probably get worse.

I appreciate the support of our colleagues on this amendment, and the gentleman from Arizona [Mr. STUMP] and the gentleman from New York [Mr. SOLOMON] have worked with the chairman and the ranking minority, and I

certainly hope they will accept this amendment.

Mr. SOLOMON. Mr. Chairman, I rise to strike the last word.

Mr. Chairman, just a few words on behalf of the amendment. The first thing I want to do is just to commend the gentleman from California [Mr. LEWIS] and certainly the ranking member for the great job that they have done on this particular bill.

This bill takes in not only the Department of Veterans Affairs, but the housing and all of the other independent agencies, and I do not think I would want their job, because when they are given the overall caps and the allocations to mete out these moneys, they just do not go that far. So again, I want to commend them for the great job they have done.

We have a problem, though. One problem is that President Clinton has said that he will veto this bill for, among other things, the fact that it does not have quite enough funding for the Veterans' Administration. Specifically he mentioned the hospital health care, medical care delivery system.

This amendment does provide $40 million for that, and another $17 million, as the gentleman from Mississippi [Mr. MONTGOMERY] has outlined, and I will not get into that. But the truth of the matter is that we have two reasons why we need to support this amendment.

One is that we depend on an all-voluntary military in our country today, and the people that are attracted to the military have to know that that medical care delivery system is going to be there. That is an earned benefit; it is a part of the contract that we make in enticing them to join the military today. They have to know it is going to be there tomorrow, 20 years from now, 40 years from now.

The other reason is because we have such an aging veterans population. I had a meeting in Saratoga Springs just last Monday with all of the veterans. We were talking about the funding that we have in this bill for the Saratoga National Veterans Cematere. It is the only one within hundreds of miles for any these veterans around the Albany capital district area. All of these veterans that were there, almost every one of them, some of them were from the Korean war, but most from World War II, ages between 72 and 77 years of age, and those people need help.

This small amendment here will go a long way toward not only sending a message and letting the President know that he no longer can veto this bill because of a lack of funding for the Veterans' Administration, but it will go a long way toward satisfying the concerns that our veteran population have.

So I want to commend the gentleman from Arizona [Mr. STUMP], the gentleman from Mississippi [Mr. MONTGOMERY], the gentleman from California [Mr. LEWIS], and our ranking member over here for the outstanding job that they have done.

I hope my colleagues will accept the amendment. I know they have had a terrible job in trying to work this out. But the gentleman from California [Mr. LEWIS] will find a way; he is the kind of guy that can do it. So I wish him luck.

Mr. LEWIS of California. Mr. Chairman, I rise to strike the requisite number of words.

Mr. Chairman, we have learned over time that when we present an amendment or a bill on the floor that involves funding for veterans medical care, the House is going to pass that amendment regardless of what the amendment does. As we have gone through this process over the last year-and-a-half, every one of the accounts in this bill have been asked to reduce their rates of growth. But every time we have had a discussion relative to restraining areas of growth in the veterans accounts, to say the least, the House has indicated that, these programs are a sacred cow to Members on both sides of the aisle

This Member has spent a great deal of time since assuming this chairmanship attempting to evaluate the past history of veterans programs, what the veterans authorizing committee has done for veterans, and the responses of the Committee on Appropriations.

The one thing that I would like to suggest to the membership as well as to others who are listening, it is most disconcerting to me that we seem to be very proud of the funding levels provided to veteran programs. We pound our chests and tell our constituents how great we are, and yet seemingly, many of us have failed to try to measure effectively how these funds are being used out there in the hospitals where the veterans are supposedly being served.

I must tell you, we treat veterans like sacred cows on the House floor and sometimes they are treated like cattle out there where the service is delivered, and it is time that we changed that, and the authorizing committees as well as the appropriations committees should take a serious look at the way these services are being delivered. Oh, we are so proud, but I must say, I know of a veteran who slept in the hall of a hospital for 2 weeks in Los Angeles recently because he was just being ignored, despite the money that was provided. These stories drive this Member nuts. In the meantime, I must suggest that we do none of these things without pain.

This account has been treated differently than any other within our entire bill. And with this amendment, we go beyond the President's request which is already an increase of $444 million, and add another $40 million. But we take it from other accounts. Each of you have an interest in these accounts, so you should know exactly what this amendment does. It reduces $79 million from HUD housing; that is, aged housing, disabled people, and the poorest of the poor. It reduces $26 million from EPA, $54 million from NASA. It is a 0.4 percent across-the-board cut. Well, frankly, that is easy to do. You say it is a small amount, but every account should give, except very select accounts.

I would suggest to the Members that this across-the-board cut jeopardizes the amendment in the long term, for I believe the other body will look somewhat askance at this action. Indeed, the question of this general funding will be seriously attended to in the conference committee.

So while I have suggested to the authorizing committee I had other sources in mind to increase this account, they chose an across-the-board cut. I think the general membership should know that the authorizing committee chose this action rather than other specific tradeoffs that were feasible offsets.

□ 1645

Mr. HEFNER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of this amendment. I want to congratulate my good friend BOB STUMP whom I served with many years ago on the Veterans' Affairs Committee, SONNY MONTGOMERY who has been a real stalwart on behalf of veterans, and Mr. SOLOMON for so many years who has always taken the case of our veterans. For years before I came to this body, I had a commitment to the veterans hospitals and the veterans delivery system in this country. I think this is an excellent amendment. I understand the frustrations of Mr. LEWIS. I share those same frustrations because as the former chairman of military construction, I have fought the battle about quality of life and helping our veterans. There is never enough money and never enough of a high priority for our veterans.

I want to congratulate everybody that has worked so hard on this amendment and I hope that it will pass overwhelmingly because it is a debt that we owe to our veterans and it is something that we do not do enough of. I congratulate everyone who had a part in this amendment. I thank the Members for bringing it to our attention.

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

Mr. HEFNER. I yield to the gentleman from Mississippi.

Mr. MONTGOMERY. The gentleman from California [Mr. LEWIS] was concerned, and I understand what he said about some of the treatment at these VA hospitals.

We have the largest hospital system in the world, 171 hospitals, 234 outpatient clinics, and a number of nursing homes. The system cannot be run perfectly. At the Mayo Hospital and Johns Hopkins, they have a lot of problems also, the service is very complicated and problems develop.

But if they will come to the committee when they have these problems, to the gentleman, as I told Mr. LEWIS, we will try to help him or her. We will get that man out of the hall. We will get him a bed. We are doing the best we can, we are making some improvements, and I appreciate the gentleman yielding.

Mr. HEFNER. I thank the gentleman. Certainly they are not without their faults and without their problems. Even our private hospitals sometimes have instances where they operate on the wrong foot or what have you. These things happen, but they are not unique. Our veterans hospitals, the people that work in those VA hospitals are so committed, they work long hours, they work for less pay in most cases, the doctors are committed.

I just commend the people that work in these health delivery systems, the hospitals. Again I want to thank the people that put together this amendment, and I hope that the committee will accept it. If they do not accept it, I hope it is passed overwhelmingly.

Mr. STOKES. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to associate myself with the remarks of my chairman of the VA–HUD Subcommittee on Appropriations. He brings to this floor a tough bill. It is a bill that has many other sections in it where we have had, because of the fiscal constraints, to cut very important programs affecting people. Housing is one specific example where earlier today we had an amendment, where people who are poor, who are disadvantaged, who are dependent upon public funds have had to suffer from these cuts.

In the area of the veterans, VA medical care was funded at the budget request, receiving an increase of $444 million above 1996. Veterans were not shortchanged here at all. I do not think anyone ought to think that the amendment that is before us today was based upon or predicated upon the fact that veterans in this bill were in any way shortchanged.

At some point in time, we have to understand that we cannot just continue to increase the veterans budget at the expense of all the other Americans who are dependent upon other sections in this bill. I understand the predicament the chairman is in, and I understand what will happen in terms of this amendment. But I think that at some point in time we have to understand, and this comes from one who happens to be a veteran, that there are other Americans whom we have to treat in the same manner that we treat veterans.

Mr. HUTCHINSON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the Stump-Solomon-Montgomery amendment to the fiscal year 1997 VA–HUD appropriations bill. The amendment, as we know, would add 40 million much needed dollars to the VA's medical care account. We all know that $40 million will not solve the funding problems being experienced by the VA. However, it will permit the VA to add to its flexibility in providing services such as community nursing home care and adult day care to our Nation's veterans, and it will allow the VA to continue to establish more access points in its further effort to bring VA care to the communities across the Nation right where the veteran is.

As chairman of the Hospitals and Health Care Subcommittee, I have seen over and over again how often our veterans have in fact been shortchanged. Our veterans are aging. As they get older, there are greater needs that they have. They experience more acute care needs. The cost of providing that health care is increasing every year. Yet we have seen over and over in the discretionary spending, the veterans taking a disproportionate amount of the cuts. And so earlier this year the Committee on Veterans' Affairs, the full committee in which SONNY MONTGOMERY for years was chairman, on which BOB STUMP is doing such a wonderful job, in its views and estimates to the Committee on the Budget, recommended a $505 million increase in VA medical care. This increase of $40 million will not get us there, but it will at least move us in that direction. It will get us closer to what the full committee recommended.

Mr. Chairman, I believe that this is a responsible amendment, and that it will move this spending bill in the direction of helping our veterans and meeting our commitment to our veterans. I strongly urge my colleagues to endorse the Stump-Solomon-Montgomery amendment to the VA–HUD and that we work toward this. Our veterans have always enjoyed strong bipartisan support. I am hopeful that that tradition will continue today.

Mr. LEWIS of California. Mr. Chairman, if the gentleman will yield, I just want to say that from the perspective of the majority, and I believe the minority, it is our intention to accept this amendment and clearly it would receive a positive vote. I would just as soon not take too much time of the House as we go through these votes.

Mrs. KELLY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to express my enthusiastic support for the Stump-Montgomery-Solomon amendment.

Mr. Chairman, this amendment will increase the VA's medical care account by $40 million. I would like to commend the bipartisan sponsors of this amendment for their recognition of the pressing need to maintain an adequately funded VA medical care account.

The bill that we are currently considering already provides a substantial increase in the medical care account over last year's funding level. It includes the budget request of the President of more than $17 billion. This is $444.5 million dollars more than the fiscal 1996 level. By passing this amendment, we are further strengthening our commitment to providing quality medical care for our Nation's veterans.

The need for adequate resources for veterans health care is nowhere more evident than in the congressional district that I represent. Located within New York's 19th District are two VA hospitals: the Castle Point Medical Center and the Franklin D. Roosevelt Medical Center. Both of these facilities are working to improve efficiency and extend the limited Federal resources they have, without compromising the quality of the health care provided to the veterans. Many of these reforms and changes are going to be difficult to adjust to, but many of them are also necessary to eliminate waste and maintain a viable and healthy VA health care system. Other reforms are still necessary to ensure the long-range stability of the system.

However, as this reform process moves forward, we must never lose sight of the fact that the freedom that our veterans have provided us and secured for our country did not come without a price. Accordingly, we must remember that providing health care for our veterans when they are in need, as they provided service when the Nation was in need, does not come without a price, either. It is a fundamental responsibility of our Government to see the adequate medical care is always provided to our veterans. This bill, improved by this amendment, will help to ensure that this responsibility is met.

Mr. Chairman, this amendment will help the veterans in my district, my State, and the country as a whole. I strongly urge all Members to join with me and support its passage.

Mr. EVERETT. Mr. Chairman, I rise today to indicate my strong support for the amendment to H.R. 3666 offered by VA Committee Chairman STUMP and our ranking member, SONNY MONTGOMERY.

Mr. Chairman, these days it is very difficult to put together an appropriation bill that will meet with agreement on both sides of the aisle, let alone with the other body and the White House. I congratulate Chairman LEWIS on a fine job overall, and hope he will be able to agree to Chairman STUMP's amendment.

As I understand, the amendment will add $40 million to VA healthcare and $17 to VA's benefit administration general operating expenses. This additional funding will go a long way to improve healthcare for our veterans. But, as chairman of the Veterans Compensation and Pension Subcommittee, I would be especially gratified to see improvements to processing times for VA claims as a result of the $17 million increase.

Nobody has been a bigger watchdog of VA claims processing than I have been over the

past couple of sessions. I am a firm supporter of making sure VA moves down the path of strategic planning and business process reengineering. Veterans who depend on their benefits, whether its for education or compensation, should receive those benefits in a timely fashion. I encourage the VA to carefully prioritize these extra funds for the purpose of serving veterans through improved claims processing.

We owe a debt to our veterans. We can continue our commitment to honor them by actively working to reform and improve VA healthcare, compensation and benefits processes, among other programs. This additional funding will go a long way toward reinforcing our support for veterans and their families. And, I urge my colleagues to vote in favor of the Stump-Montgomery amendment and H.R. 3666.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona [Mr. STUMP].

The amendment was agreed to.

AMENDMENT OFFERED BY MRS. THURMAN

Mrs. THURMAN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 69 offered by Mrs. THURMAN: Page 95, after line 21, insert the following new section:

SEC. (a) PLAN FOR ALLOCATION OF HEALTH CARE RESOURCES BY THE DEPARTMENT OF VETERANS AFFAIRS.—(1) The Secretary of Veterans Affairs shall develop a plan for the allocation of health care resources (including personnel and funds) of the Department of Veterans Affairs among the health care facilities of the Department so as to ensure that veterans having similar economic status, similar eligibility priority, or similar medical conditions and who are eligible for medical care in those facilities have similar access to care in those facilities, regardless of the region of the United States in which they reside.

(2) The plan shall reflect, to the maximum extent possible, the Veterans Integrated Service Network, as well as the Resource Planning and Management System developed by the Secretary of Veterans Affairs to account for forecasts in expected workload and to ensure fairness to facilities that provide cost-efficient health care. The plan shall include procedures to identify reasons for variations in operating costs among similar facilities and ways to improve the allocation of resources among facilities so as to promote efficient use of resources and provision of quality health care.

(3) The Secretary shall prepare the plan in consultation with the Under Secretary for Health of the Department of Veterans Affairs.

(b) PLAN ELEMENTS.—The plan under subsection (a) shall set forth—

(1) milestones for achieving the goal referred to in the subsection; and

(2) a means of evaluating the success of the Secretary in meeting that goal through the plan.

(c) SUBMITTAL TO CONGRESS.—The Secretary shall submit the plan developed under subsection (a) to Congress not later than 180 days after the date of the enactment of this Act.

(d) PLAN IMPLEMENTATION.—the Secretary shall implement the plan developed under subsection (a) within 60 days of submitting it to Congress under subsection (b), unless within such period the Secretary notifies the appropriate committees of Congress that the plan will not be implemented, along with an explanation of why the plan will not be implemented.

Mrs. THURMAN. Mr. Chairman, I listened with interest in this last debate, and I think there are very few people on this floor that do not support the amendment that our colleagues from Arizona and Mississippi have introduced, and has been accepted, giving an additional $40 million to the VA system. However, and I am sure that the gentleman from Arizona [Mr. STUMP] knows this better than anybody, in Arizona he needs additional money because between the years of 1980 and 1990 more than 24 veterans came to Arizona per day.

But what I cannot understand in all of this conversation is why Congress, when appropriating all of these extra resources, and maybe even somewhat based on the comments of Mr. LEWIS about the gentleman from Los Angeles, why are we not making sure that those resources are going to those States that need these dollars, rather than under the same funding formula that we have seen over the last 50 years to, in fact, some hospitals that have empty beds.

Mr. Chairman, my amendment today has four qualities that I think should compel this Congress to rise in unanimous support of it: It costs nothing. It eliminates wasteful spending. It is bipartisan in nature. And, most importantly, it is about equity for our Nation's veterans.

This amendment is identical to a bill that I introduced on April 25, H.R. 3346. This measure would require the VA to link the allocation of its resources to facility workloads, and is based on the resource planning and management system in which the VA has already invested a great deal of time and money. Moreover, this measure would require the VA to implement the plan within 60 days of submitting it to Congress.

Unfortunately, under the VA-HUD appropriations we are not going to be able to offer this amendment. I ask the chairman, and I beg the question, if not now, when?

I brought up this very same issue on the floor last year during the fiscal year 1996 VA-HUD appropriations. Similar language was stripped from the Senate fiscal year 1996 bill in conference, and now it appears that we may go another year without implementing the basic, budget-neutral, cost-cutting measure that would benefit all veterans.

The VA recently released census data which shows that Florida's Fifth District has the highest veterans' population in the country. In fact, of the 10 highest-ranked congressional districts in veterans' populations, 7 are in Florida.

The migration of veterans continues a pattern that we have been seeing for years. For example, in my home State of Florida, between 1980 and 1990, more than 96 veterans came to Florida per day. This should come as no shock to States such as Georgia, Nevada, North Carolina, Alaska, Hawaii, and Virginia, because they also have seen similar growth.

Make no mistake about it, Mr. Chairman, I welcome them to Florida, these brave men and women who have courageously sacrificed so much for our country. However, I have been urging the VA for years to reallocate its resources based on the shift in veterans' population.

On June 6, Congress took a step in that direction and passed H.R. 3376, which requires the VA to develop a 5-year strategic plan for its health care system. While I supported this measure, it was a modest attempt to address the problem of the reallocation of health care resources.

Quite simply, H.R. 3376 does not go far enough because it does not compel the VA to enact it. If Congress does not compel the VA to enact such plans, they simply become more ineffectual studies.

I challenge each Member to go home to their districts and ask the veterans that they represent if the VA needs another study. For years the VA has studied the problem of resource allocation and, accordingly, developed the RPM system. While the aim of the 1994 measure was on target, the results continue to be unsatisfactory.

According to the GAO, and I quote:

> Although the RPM lets the VA identify inequities in resource distribution, VA has, so far, chosen not to use the system to help ensure that resources are distributed more equitably.

Let me emphasize that Congress needs to do more than request additional resource allocation plans, and instead compel the VA to implement those in which they have already invested.

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word.

Mrs. THURMAN. Mr. Chairman, will the gentleman yield?

Mr. LEWIS of California. I yield to the gentlewoman from Florida.

Mrs. THURMAN. Mr. Chairman, under a previous agreement, I will ask unanimous consent to withdraw my amendment. But I would hope that in this debate, and as we have heard in the conversations that have taken place on this floor in previous amendments, I still hope that we do not lose sight. We can all talk about veterans' health care, but if the dollars are not going where the veterans are, we can all say we have done a great job, but if they are not following where those veterans are, then we have all done a disservice to those veterans.

Mr. LEWIS of California. Reclaiming my time, Mr. Chairman, let me say

that I was very hesitant to even reserve the point of order relative to the gentlewoman's proposed amendment, largely because I believe her amendment and this discussion is very important.

There is not any question that if we do not use the moneys we deliver with priority and properly to serve our Nation's veterans. I think she makes a very, very important point.

Since I have had this job, the Department has indicated that they are going to be responsive to our requests for similar prioritization.

□ 1700

I would urge the gentlewoman to keep her eye on this target, for it is an important one. I think it is very significant that Members who are not necessarily on this subcommittee put the needle in our side, as well as the Department's side, to make sure that we follow through in this process.

So while the gentlewoman suggests she is going to withdraw the amendment, nonetheless she has provided a great service by providing this very important point to us.

Mr. ENSIGN. Mr. Chairman, I want to voice in my strongest support for linking future VA medical funding with the demographic shift in veterans' populations, as the Thurman amendment would do today. I would urge the chairman to work to include some version of the amendment in future VA authorizing and funding bills.

VA medical expenditures are determined largely by past expenditures, not by veterans populations. Veterans populations, like that in my home State of Nevada, are rapidly growing without any comparable increase in funding resources.

For example, Nevada has experienced the fastest growth of veterans in the Nation—with no other State in the country even close. Between 1980 and 1990, Nevada's veterans population grew an amazing 37 percent—or at an average rate of 13 veterans a day; while others like the District of Columbia have seen their veterans population drop by as much as 20 percent over the same period. Yet, the money does not follow the veterans.

This is not an equitable allocation of scarce resources.

Total VA expenditures in Nevada in fiscal year 1995 amounted to $1,258 per veteran. This puts Nevada at the bottom of the scale. Many States that have been losing veterans get twice the funding per veteran, and some even more than that. This is patently unfair and I will continue to push for Congress to develop an equitable funding equation.

Thank you, Mr. Chairman, for responding to our push last year to increase VA medical care funding to the President's request. Until Congress can allow veterans more choice in how they receive care, and until we can take care of the bloated bureaucracy, full-funding is a minimum level we must maintain to ensure our former warriors receive promised health care coverage.

Also, Mr. Chairman, thank you for recognizing the continued need to fully fund the State veterans home grant account. This year's level of $47 million is $7 million over the President's request. It is my hope that some of this grant can be used in southern Nevada to help build a critically needed home for our veteran population.

Representing a State with the fastest veteran population growth, the largest amount of veterans as a percentage of population, and one of only a handful of States without a veterans home, I can tell you that this will mean a great deal to Nevada veterans.

Mrs. THURMAN. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. It there objection to the request of the gentlewoman from Florida?

There was no objection.

AMENDMENT OFFERED BY MR. TIAHRT

Mr. TIAHRT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. TIAHRT: Page 95, after line 21, insert the following new section:

SEC. 422. The amounts otherwise provided by this Act are revised by increasing the amount made available for "Veterans Health Administration—Medical Care", increasing the amount made available for "Veterans Health Administration—Medical and Prosthetic Research", reducing the amount made available for "Corporation for National and Community Service—National and Community Service Programs Operating Expenses", and reducing the amount made available for "Corporation for National and Community Service—Office of Inspector General", by $20,000,000, $20,000,000, $365,000,000, and $2,000,000, respectively.

Mr. TIAHRT. Mr. Chairman, this amendment is very simple, very straightforward. It asks for a very clear choice. We can either fund this so-called paid volunteer program called AmeriCorps or we can fund the veterans. It would transfer approximately $20 million to the Veterans Health Administration medical care and $20 million to VA medical and prosthetic research. The remaining would go toward deficit reduction.

Let us remember for just a moment the gulf war crisis. We had a crisis; our young men and women rose to the occasion. They answered the call. They volunteered their time, even their lives in some instances. We succeeded with victory. They came home. We declared them heroes. We had parades. But yet for many of them, for many of them, the war is not over. They still face gulf war syndrome. Instead of spending money on this higher priority, we are spending it on paid volunteers.

What is a volunteer, Mr. Chairman? Earlier today we heard that the American Heritage College Dictionary defines a volunteer as someone who does charitable or helpful work without pay. The stated purpose of the creation of the AmeriCorps in 1993, was to promote voluntarism in this country, particularly among young people. The problem with AmeriCorps is quite clear. It pays people to do something that millions of Americans already do without financial reward. An independent survey showed that in 1994, 89.2 million Americans, 18 and over, volunteered in some capacity for an average of 4.2 hours per week. They were not moved by the lure of a lucrative Government job, but instead by the true spirit of voluntarism and genuine service.

True volunteers are people, both young and old, who donate their time and energy and spirit to help others. AmeriCorps is not true voluntarism. According to a 1995 GAO audit, it was reported that it cost taxpayers about $27,000 per year per recipient in AmeriCorps. Mr. Chairman, true volunteers do not expect to be paid $15.65 an hour or receive health insurance or a stipend to go to college, as the average AmeriCorps volunteer does.

During 1993 and 1994, it was reported that 1,200 paid AmeriCorps volunteers worked at the Department of Agriculture, 525 work at the Interior Department, 210 at the Justice Department, 135 at EPA, and 60 at the National Endowment for the Arts. If that is not bad enough, Mr. Chairman, almost half of the money spent on AmeriCorps ends up funding the Federal bureaucracy or paperwork, rather than in community service.

Mr. Chairman, while I respect the goals of these young men and women who are involved in AmeriCorps, I greatly admire the 89.2 million Americans who volunteer their time, energy, and their spirit without being paid. AmeriCorps may do worthy work, but can we really afford to pay volunteers to do volunteer work? Can we afford to teach our youth that voluntarism means getting paid over $15 per hour? Do we really believe that the best way to help cultivate a new generation of true volunteers is by paying college students to do volunteer-type work? And do we really believe that this money cannot be better spent on the veterans?

Last week the Pentagon confirmed, Mr. Chairman, what many of us had believed, that some of our gulf war vets may have been exposed to nerve gas after the Army blew up an Iraqi ammunition depot that contained rockets armed with chemical agents.

The intent of my amendment would be to transfer $40 million from AmeriCorps to the VA health care and research. I believe these accounts are underfunded in the committee's mark, especially in light of last week's revelation by the Pentagon. What Member does not believe we should not have a moral obligation of this Congress to do whatever we can to find out what is causing the ailments that have plagued nearly 10,000 of our courageous gulf war vets? If American soldiers were exposed

to chemical agents, it is incumbent upon this Congress to allocate American tax dollars in a judicious and prudent manner.

We still have veterans who suffer from agent orange and even some that go back to problems that come out of the Korean conflict and World War II. So, Mr. Chairman, my amendment offers a simple choice for this House. Will we continue to fund the President's liberal experiment on how to kill the flame of real voluntarism in America, or will this House vote to allocate those precious dollars to the courageous men and women who are willing to volunteer their lives to protect our freedom?

My amendment would require that each Member of this House decide for themselves who will they support, this Nation's veterans or President Clinton's paid volunteers. Mr. Chairman, this amendment is a commitment to both the true spirit of voluntarism and to our Nation's vets. I urge its adoption and I yield back the balance of my time.

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I suggest to the House that we have had a number of amendments on the floor today that relate to the veterans. Right now as I understand it, the discussion between my colleagues on the other side of the aisle, we have kind of all concluded that veterans' amendments have kind of the same fate in this place, so I am going to propose that we accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas [Mr. TIAHRT].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BENTSEN

Mr. BENTSEN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BENTSEN:

Page 95, after line 21 insert the following new section:

Sec. 422. None of the funds made available in this Act may be used by the Environmental Protection Agency to issue, reissue, or renew any approval or authorization for any facility to store or dispose of polychlorinated biphenyls when it is made known to the Federal official having authority to obligate or expend such funds that there is in effect at the time of the issuance, reissuance, or renewal a rule authorizing any person to import into the customs territory of the United States for treatment or disposal any polychlorinated biphenyls, or polychlorinated biphenyl items, at concentrations of more than 50 part per million.

Mr. BENTSEN. Mr. Chairman, I rise today to offer my amendment to prohibit the Environmental Protection Agency from using any fund to allow the importation of PCB waste to be incinerated in the United States.

Mr. Chairman, it is a simple proposition that we should not be in the business of importing more hazardous waste into the United States. It is particularly disturbing that the Federal Government would agree to import PCB's when such a decision flies in the face of scientific evidence, our international trade agreements, and most importantly, our constituents' health and safety.

On March 18, 1996, the EPA issued a final rule allowing the importation of large quantities of polychlorinated biphenyls, reversing a ban that had been in place since 1980. PCB's are a dangerous class of chemicals used in electrical insulation and other products that cause adverse health effects, including cancer, reproductive damage, and birth defects. The March 18 rule gives a blanket authority to domestic waste incinerators to import PCB's with no new regulation or oversight by EPA. It is a bad idea and it is a fatally flawed rule.

We know from scientific research that PCB's accumulate in the environment and move toward the top of the food chain, contaminating fish, birds, and ultimately, humans. When incinerated, PCB's release dioxin, one of the most toxic chemicals known to man. As a result, PCB's are the only chemical that Congress identified for phase-out under the Toxic Substances Control Act of 1976. Since 1976, PCB's have not been manufactured in the United States.

With this ban in place, the amount of PCB's in the United States has steadily decreased, but the range of health and environmental effect has not. Incinerators in Kansas, Utah, Pennsylvania and two sites in southeast Texas burn more than 800,000 tons of domestic PCB waste each year.

Let me be perfectly clear. My amendment does not intend to address the incineration of domestic PCB's; rather, I seek to halt the importation of PCB's for incineration. The EPA has failed to offer scientific data or analysis to justify a reversal of this ban. Their longstanding position has always been that PCB imports pose an unreasonable risk to health and safety.

On December 6, 1994, EPA emphasized that, and I quote: "The import of PCB's into the United States and the distribution of commerce of PCB's present an unreasonable risk of injury to human health and the environment."

Now, a year and a half later, the EPA has reversed itself with no new studies, no new research, and no new reports that PCB's are anything less than a substantial risk to human health and the environment. It is difficult to understand why the EPA would change its position without any new scientific evidence.

This rule might be necessary if Canada and Mexico, the two countries expected to send us most of the PCB's, did not have facilities located within their borders to dispose of PCB waste. Both countries have facilities designed to handle PCB waste, and Mexico even exports some PCB waste to Europe for disposal.

I would also like to add that the Canadian disposal industry proposed EPA's rule and presented compelling evidence that Canada is fully capable of handling their own PCB waste, and Mexico even exports some PCB waste to Europe for disposal. EPA agreed with that view as late as December 1994 when they said and I quote: "EPA does not want to encourage the expansion of PCB's when there are feasible alternatives already in place."

In addition, EPA's new rule to allow the importation of PCB's also contradicts our international trade agreements. I believe in free trade but this issue is not about trade. It is about human health and the environment. We are not trying to erect a barrier to trade in order to protect the domestic PCB market. Congress long ago established that PCB's should not be considered for international trade on the ground of public health and safety. The GATT and the World Trade Organization expressly permit a ban on the importation of PCB's. Although the general objectives in NAFTA encourage open borders, the agreement clearly dictates that domestic laws and procedures should be given priority with regards to hazardous waste.

The United States should not unilaterally make this decision to allow the import of PCB waste, especially if international discussions are ongoing on how to address this problem. EPA is currently involved in negotiations between the United States and our NAFTA partners, and the United Nations is preparing recommendations on the disposal and transport of hazardous waste including PCB's. We should continue these negotiations instead of moving unilaterally forward to set their course.

Ultimately, the United States has the potential to import over 230,000 more tons of PCB waste from Canada and Mexico and many more tons from other nations as far away as Japan and Europe. These countries do not accept our PCB waste, so I find it difficult to understand why we should accept theirs. The United States should not become the world's wastebasket, but this misguided EPA rule does just that.

As I mentioned before, PCB's are a known carcinogen that have been linked to cancer, birth defects, and other health problems in numerous studies. A report released by the Center for the Biology of Natural Systems concludes that emissions from incinerators are migrating long distances and contaminating the Great Lakes.

Mr. Chairman, I would ask that the Members support the Bentsen amendment to ban the importation of PCB's.

This does not address the domestic incineration, but it is something we should not be in the business of importing hazardous waste.

Mr. GENE GREEN of Texas. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the Bentsen amendment, and I commend my colleague from Houston for his leadership on this important issue.

On March 15, the EPA issued a final rule to amend the Federal PCB regulations and allow the import of PCB waste for disposal in permitted facilities in the United States.

This rule allows the importation of foreign PCB waste for disposal in the United States.

The EPA has estimated that the United States disposal industry would receive $50 to $100 million annually if PCB's are imported into the United States from Canada and Mexico.

And where would PCB's be disposed? In Kansas, Utah, Pennsylvania, Port Arthur, TX, and Deer Park, TX.

Mr. BENTSEN's amendment would prohibit the EPA from using any funds to implement its final rule.

PCB's when incinerated release dioxin—one of the most toxic chemicals known.

Dioxin, as we all know, causes a wide range of adverse health effects and it accumulates in the environment.

The incineration of PCB's is recognized as a health hazard.

That's why the Congress designed a phaseout of domestic PCB manufacture in the Toxic Substance Control Act of 1976.

It is irresponsible to reverse ourselves now and I urge my colleagues to support this important amendment.

Ms. RIVERS. Mr. Chairman, I move to strike the requisite number of words.

□ 1715

Mr. Chairman, I rise in support of the amendment of the gentleman from Texas, Representative BENTSEN, a proposal to put a moratorium on the importation of PCB's.

I speak particularly because a community in my district is struggling with this very issue. Not only is there a proposed dump site for PCB's, it is situated about 500 yards from a lake, which is, of course, connected, as all water is in Michigan, to the Great Lakes system.

For those not familiar with PCB's, these are not just garden variety carcinogens. In fact, PCB's are the only substance ever specifically banned by an act of the U.S. Congress. This happened under the Toxic Substance Control Act, section 6(e), enacted in 1976. And now we are on the verge of importing PCB's from other countries.

PCB's are a menace in many ways. They are a group of extremely toxic and long-lived chemicals formerly used as insulating materials in electrical transformers. They are known carcinogens. They disrupt the hormone system and cause reproductive and developmental damage. There have been estimates that a lot of the fertility costs in this country for people dealing with sterility comes from exposure to PCB's. Tumors, deformities, reproductive abnormalities and reduced survivorship are widespread in exposed fish, birds and mammal populations.

This is a terrible problem here in this country and, yes, we are working hard to find ways to deal with the materials that we have generated here within our own borders, but why would we want to open our borders to this kind of poison from all over the world, not just from Canada and Mexico? If we look at the rule, it is not limited to those two countries.

My understanding is that the only reason for doing this is to make the existing dump sites profitable, and, of course, this should not be the goal of the U.S. Government. The goal of the U.S. Government should be to keep its citizens safe. And to keep our citizens safe we should stand very clearly with the gentleman from Texas [Mr. BENTSEN] in support of no longer importing PCB's.

Mr. SAWYER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in extraordinary sympathy with the goals that have been expressed by my colleagues from Texas and the previous speaker from Michigan. There is no question but that PCB's represent an enormous danger to the health and well-being of people in the United States and, yes, in Canada and in Mexico and other places in the world. But I rise in opposition to this amendment.

I understand the intent of the gentleman from Texas [Mr. BENTSEN] to protect the environment and public health, and I share that goal; however, I believe that this amendment would actually harm efforts to deal in an intelligent and economical and in an environmentally sound and friendly way with the problem posed by large quantities of PCB's in storage in North America.

Now, just as my friends from Texas have facilities in their districts which deal, I believe inappropriately, with PCB's, so in my district is there a company which recycles PCB-contaminated electrical equipment. This company can in most instances recycle 75 percent or more of the equipment material. This process saves an enormous amount of landfill space by allowing the reuse of the large carcasses of transformers and other electrical equipment. The recycling method also reduces by a significant amount the volume of materials that need to be incinerated.

With 24,000 metric tons of PCB-contaminated equipment in storage in Canada and the Great Lakes Basin area, a complete prohibition on importing will have a potential health risk for the United States citizens. Canada has only one permanent disposal facility and incinerator in the Province of Alberta, more than 2,000 miles away from the closest storage site. This means that those 24,000 metric tons of PCB-contaminated equipment will not be disposed of any time soon.

Canadian industries and United States companies operating there benefit from an additional disposal option: Recycling. Beyond this, the Great Lakes region benefits from the disposal rather than the continued storage of this material, and we all benefit in encouraging recycling rather than incineration of PCB's.

This company is currently working to develop a process that would completely neutralize PCB's, eliminating the need for incineration altogether. I will absolutely concede that that need still remains. But without the ability to access recyclable material from Canada and Mexico, this company, S.D. Myers, will be unable to continue that environmentally beneficial work and will be forced to lay off dozens of employees.

I raise this simply because of the importance that the U.S. EPA places on this particular technology. They point out that the concept that legitimate recycling of these materials is an option that should be available. Both costs and long-term liability can be significant issues, but they should not preclude someone from choosing proper recycling as the best value option for disposal. EPA promotes green technology, including recycling; however, in this instance the terms of the enforcement agreement were negotiated on the contracts that they had in place at the time. EPA generally does not require another Federal agency to dispose of PCB's using specific EPA-approved disposal technology.

And I emphasize this point in particular. On the issue of environmental advantage of recycling PCB-contaminated material, recycling is preferred to landfilling or incineration. On this matter, we agree entirely.

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

Mr. SAWYER. I yield to the gentleman from Texas.

Mr. BENTSEN. Mr. Chairman, I would just say that the gentleman and I have tried to work out our differences on this amendment. I think we are trying to head in the right direction. Unfortunately, we are at cross-purposes because of the PCB by-product. What they are doing with the transformers I think makes sense, except it still results in the importation of PCB's whether they are landfilled or incinerated, and the transport of that, which is the problem.

And it still comes back to our feeling that we should just not be importing that. We disagree with EPA on their analysis.

Mr. SAWYER. Mr. Chairman, reclaiming my time, I appreciate the gentleman's desire to protect the health of citizens he represents. If his amendments passes, however, there would be some reduction in the activity of the facility in his district. However, the incineration of domestic PCB's, and perhaps those from our military posts overseas would continue. If the goal of his amendment is to stop the incineration of PCB's, then I firmly believe the fastest way to accomplish that is to allow companies like S.D. Myers to continue to develop the technologies that will make incineration obsolete.

I appreciate his willingness to discuss this technical issue with my office prior to the offering of this amendment on the floor, but in offering it in this way, it precludes the kind of option that requires careful consideration through the legislative process, and I therefore oppose his amendment.

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to have a discussion with the gentleman in the well.

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

Mr. LEWIS of California. I yield to the gentleman from Ohio.

Mr. SAWYER. Mr. Chairman, I appreciate the opportunity that the gentleman offers me. I had just really gotten to the end of the presentation I wanted to offer. I believe, however, to expand on the last point, that we have the opportunity to reach a congenial agreement on this matter, something that I have been working with EPA for the last 3 years to reach a responsible, environmentally sound accommodation on and one that I believe can be made to meet the needs of his district and many others across the United States if we have the time.

Mr. LEWIS of California. Mr. Chairman, reclaiming my time, let me suggest to the gentleman, as well as the gentleman who is offering the amendment, that this discussion and this issue reminds me very much of the low-level radioactive waste issue that is facing many of our States currently.

Years ago we in the Congress recognized the problem of accumulations of low-level radioactive waste in location after location around the country. So we sort of regionalized it and said that areas or States would create compacts where this could be accumulated. Then when we got to the point where there was such a site located, the local people became involved and nobody wanted something like this in their own backyard.

We have a PCB problem that is very real. We have to deal with it. Candidly, we are not going to particularly be successful opposing this amendment at this point, but it certainly is not helping us really get a handle on this important problem. In the final analysis, we have a responsibility to do that.

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

Mr. LEWIS of California. I yield to the gentleman from Texas.

Mr. BENTSEN. Mr. Chairman, I appreciate what the gentleman is saying about not in our backyard or whatever. The gentleman from Texas, Mr. GENE GREEN, and I and others represent probably the largest petrochemical complex or one of the largest petrochemical complexes in the United States, and we appreciate the need for taking care of our own and we appreciate the need to take care of what is produced domestically in the United States. But what the issue here is, and it contradicts everything EPA has said up through 1994, they have consistently said we should not be importing PCB's.

All we are saying is let us not get into the business of importing hazardous waste. Let us deal with what is our own right now before we get into turning this into some bulge bracket market.

Mr. LEWIS of California. Mr. Chairman, reclaiming my time, I appreciate both the gentlemen, particularly the gentleman from Ohio's comments recognizing this difficulty, and it is a policy problem that needs to be approved. I must say that at this point I do not see us dealing with it in a serious way, and I would hope as we go forward here that we do come together and find real solutions.

Ms. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. LEWIS of California. I yield to the gentlewoman from Michigan.

Ms. RIVERS. Mr. Chairman, I wanted to raise a question with both of the gentlemen, but particularly with the gentleman from Ohio, Representative SAWYER.

I had an opportunity to speak with people from the Canadian government a couple of weeks ago on this issue and I was surprised to find, A, that the Canadian landfills are not at this point overutilized, and they have no problem with accommodating their PCBs generated in that country. Second, they have not determined as a matter of public policy that they want to see their PCB waste leave.

So, in fact, are we not talking about allowing PCBs to come into the country as a way to accommodate those landfills already here in the country as opposed to necessarily trying to help out Canada or Mexico?

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

Mr. LEWIS of California. I yield to the gentleman from Ohio.

Mr. SAWYER. Mr. Chairman, I thank my friend from California. Our goal is not to accommodate any particular landfill, but rather to reduce in the Great Lakes region the enormous concentration of stored PCB's. Landfilling by most environmental accounts, including the EPA, is a decidedly inferior technology to the kinds that are involved in recycling. We are trying to improve the volume of those PCB's that can be recycled along with PCB-contaminated equipment rather than simply storing them there or landfilling them there or anywhere else.

Ms. RIVERS. Mr. Chairman, if the gentleman will continue to yield, in my district the dump is not yet created. The dump is not yet created, and the incoming waste is what will allow that to become profitable.

Mr. LEWIS of California. Mr. Chairman, reclaiming my time, at this point let me say that we do have a serious problem with PCB's, but also with a number of amendments remaining on this bill.

Let me say to the author of the amendment it is my intention to accept the amendment, and we will have some discussion, hopefully between now and the time we go to conference. There are some very serious difficulties remaining for the country, as well as, indeed, the world, but I would suggest that we accept the amendment and see if we can move forward.

Mr. BENTSEN. Mr. Chairman, if the gentleman will yield further, I appreciate that and I would be more than happy to work with the chairman.

Mr. SAWYER. Mr. Chairman, if the gentleman will yield further, I just wanted to express my thanks to the gentleman for his concern and interest in this matter and that of the ranking member, the gentleman from Ohio, Congressman STOKES, and for the willingness of my friend from Texas to accommodate a variety of conflicting needs.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. BENTSEN].

The amendment was agreed to.

Mr. LEWIS of California. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. BOEHNER) having assumed the chair, Mr. COMBEST, 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. 3666), making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1997, and for other purposes, had come to no resolution thereon.

REQUEST TO LIMIT FURTHER CONSIDERATION OF H.R. 3666, DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1997

Mr. LEWIS of California. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 3666 in the Committee of the Whole pursuant to House Resolution 456, the bill be considered as read; and no amendment be in order except for the following amendments, which shall be considered as read, shall not be subject to amendment or to a demand for a division of the question in the House or in the Committee of the Whole, and shall be debatable for the time specified, equally divided and controlled by the proponent and a Member opposed:

An amendment offered by Mr. KOBLE for 60 minutes;

An amendment offered by Mr. GUTKNECHT for 20 minutes;

An amendment offered by Ms. JACKSON-LEE of Texas for 10 minutes;

An amendment offered by Mr. KINGSTON for 10 minutes;

An amendment offered by Mr. MARKEY for 40 minutes;

An amendment offered by Mr. ROEMER for 20 minutes;

An amendment offered by Mr. WELLER for 10 minutes; and

An amendment offered by Mr. ORTON for 10 minutes.

The CHAIRMAN. Is there objections to the request of the gentleman from California?

□ 1730

Mr. BOEHLERT. Reserving the right to object, Mr. Speaker, how do we address the Boehlert amendment, which will serve as a substitute for the Markey amendment?

Mr. LEWIS of California. Mr. Speaker, will the gentleman yield?

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

Mr. LEWIS of California. Mr. Speaker, it would not be in order.

If I could verbalize a minor little amendment to this list, at the point of the Markey amendment, with the exception of one amendment to the Markey amendment, within the time limit of 40 minutes by Mr. BOEHLERT.

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

Mr. MARKEY. Mr. Speaker, reserving the right to object, I yield to the gentleman from California [Mr. LEWIS].

Mr. LEWIS of California. Mr. Speaker, I will give the gentleman the time, if he would like. What the gentleman wants to do is eliminate all these limitations on time in order not to have this amendment come forward. If we eliminate all the limitations on time, surely we will get there eventually and the amendment will come forward anyway.

Mr. MARKEY. Mr. Speaker, it is difficult to agree to a unanimous-consent request which makes an amendment to the Markey amendment, being MARKEY, when the amendment has not even been shared with MARKEY as a way of ensuring that the unanimous-consent request could be done in an amicable way and in a bipartisan fashion seeking to resolve the issue. So I would ask if the gentleman could withhold briefly and the gentleman from New York perhaps could share the amendment since the Markey amendment is already well known.

Mr. LEWIS of California. Mr. Speaker, if the gentleman will continue to yield, I would say the gentleman, I think, makes a very important point. And I frankly would love to see the amendment to the Markey amendment myself. Therefore, we are going to withhold on this list until that kind of courtesy is shown and we will return to this request for unanimous consent at another time.

Mr. BOEHLERT. Mr. Speaker, if the gentleman will yield under his reservation of objection, if we have the current iteration of the Markey amendment, it is a movable target. There have been so many adjustments in the past 24 hours, I am not sure what we are talking about in terms of the Markey amendment. I would be glad to share my amendment.

Mr. LEWIS of California. Mr. Speaker, I would suggest we come back to this.

The SPEAKER pro tempore. The gentleman from California withdraws his unanimous-consent request.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1997

The SPEAKER pro tempore. Pursuant to House Resolution 456 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 3666.

□ 1733

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 3666) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1997, and for other purposes, with Mr. COMBEST in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, amendment No. 7 offered by the gentleman from Texas [Mr. BENTSEN] had been disposed of.

AMENDMENT OFFERED BY MR. KOLBE

Mr. KOLBE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. KOLBE: Strike Section 421 of the bill.

Mr. KOLBE. Mr. Chairman, before I proceed, I ask unanimous consent that, while they are trying to work out the issue on the other amendments, that, the gentleman from Wisconsin, [Mr. OBEY] is in agreement, that all debate on this amendment and all amendments thereto be limited to 60 minutes, with the time equally divided between myself and the gentleman from Minnesota. That is pursuant, I might add, to the agreement that we had agreed to earlier in the larger unanimous consent.

The Chairman. Is there objection to the request of the gentleman from Arizona?

Mr. OBEY. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. KOLBE. Mr. Chairman, let me begin by laying out the background of this case. A few months ago, the University Corporation for Atmospheric Research, which is a part of the National Science Foundation, began to consider bids for a new supercomputer. They had been using a Cray computer, and they went through the normal procurement process, the conclusion of which was a bid an unusual bid in the amount of money that was set—$35 million—won by NEC. There is no dispute over the amount of dollars of this procurement. It is $35 million. But to continue, in the RFP that was proposed, the question was posed—what could you do for $35 million? Clearly the bid proposal from NEC, the Japanese company that makes supercomputers, was the best offer.

Following that decision or that initial bid proposal, this information was conveyed to the White House. It was also conveyed to the Department of Commerce.

The Department of Commerce then subsequently wrote a letter to the National Science Foundation in which they said they had investigated the matter and made a preliminary decision that there was clear dumping here. That is, NEC was selling this computer or the software for this computer, at well below cost.

As a result of that letter, even though it was simply a letter and nothing more, remember no formal investigation has ever been conducted into allegations of dumping, language was added in the subcommittee and retained by the full committee, which would put in place a limitation on funds for any employee of the National

Science Foundation that proceeds to sign a contract for the purchase of an NEC computer, if, there has been a preliminary or final finding of dumping on the part of the Department of Commerce.

My amendment would seek to strike that language. Why do I seek to do this? Am I against Cray computers, American-made computers as opposed to Japanese computers? Of course not.

The fact of the matter is, Mr. Chairman, we have a process, a process that is established in law. That process is that an antidumping procedure may be initiated if dumping is believed to have occurred. Almost always it is initiated by the industry. But it can be self-initiated by the Department of Commerce. That is rarely done and has not been done in this case. In fact, there has been no initiation of an antidumping case on the part of the Department of Commerce regarding this procurement.

The Department of Commerce simply on their own wrote a letter which bypassed this internationally recognized procedure and simply said, we think there is dumping going on here.

The law is very clear. If Commerce decides to initiate a dumping procedure, they then send that inquiry to the International Trade Commission. The International Trade Commission then decides on an initial basis, if injury has been done. They then send it back to the Department of Commerce to determine the amount of the damages and injury that has been done, or whether injury has occurred. The International Trade Commission then makes a decision as to the extent of the damages, and the final result is that a sanction may be applied.

The only sanction under the law, and I would hope that this body cares a little bit about following the law, the only sanction under the law is that a tariff may be applied against the company that is dumping, the industry which is dumping, in this case against NEC. It is very clear, and in fact our trade laws make it very precise, that we do not link procurement with dumping laws because that violates the international agreements that we have, World Trade Organization agreements.

We do not link the procurement process with dumping. So it is against the law for us to unilaterally impose punitive measures and say, you cannot go ahead and buy this computer. If indeed the NSF proceeded to buy this computer and it was found that there was dumping, a tariff may be applied in the future, against any other computers that are bought. That is the background of this case.

In essence, the action of the subcommittee of adding this language violates our procurement laws. It violates our antidumping law and it violates WTO agreements. We have made a big thing in this country, and I hope in this body, about the rule of law. We have tried to get other countries to follow the law. We have tried to get those countries to follow the law so that they would abide by the rule of law.

We have made a big case about getting Japan to open its market to computers, and we have had some success.

The CHAIRMAN. The time of the gentleman from Arizona [Mr. KOLBE] has expired.

(By unanimous consent, Mr. KOLBE was allowed to proceed for 2 additional minutes.)

Mr. KOLBE. Mr. Chairman, we have had some considerable success in this regard. In fact, Cray has sold and installed in Japan 170 supercomputers. NEC has installed in Japan, their own country, 80 computers.

In the United States, Cray has installed 320 supercomputers versus 2 for NEC and none to a Government corporation, a Government agency.

Mr. Chairman, are we to suggest here tonight that we are going to deny the right of the NSF, which has looked at the bids and has decided that this is clearly the superior computer, that we are going to say, you cannot proceed with that and jeopardize all of the trade laws, all of the sales which Cray and others have made, all of the efforts we have made to open this market to our computers and to other countries and to other companies that sell in that market?

I want to make it clear that the bottom line has nothing to do with whether it is Cray or NEC that gets the NSF contract. It is a process that must be followed here. There is a process for an antidumping case. The process has not been followed by the Department of Commerce, and this body is preparing to violate it in a very major way tonight. Because we are going to say, notwithstanding our procurement laws, notwithstanding the antidumping laws, and notwithstanding the WTO and, by the way, Japan will have a perfect case to take against us to the WTO and we will be sanctioned then on all computers that we try to sell in Japan, notwithstanding all that we are simply going to say that, if the Department of Commerce writes a letter, with no investigation ever conducted, that you cannot buy this computer. That violates the law. It violates the rule of law. It violates all the standard procedures, and we ought not to do it.

Let us follow the procedure. We stand for the rule of law. We stand for doing the right thing. I urge my colleagues to reject this language, to support the Kolbe amendment, to reject this language and to remove it from the legislation.

Mr. OBEY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the issue here is very clear. The issue is whether we are going to stand up for America and stand up for fair trade under the rule of law or not.

What are the facts? This Congress is being asked to appropriate $277 million, and the purpose for that, I quote, is "to promote fundamental research in education and computer and information sciences and engineering and to maintain the Nation's preeminence in these fields."

Despite that, a grantee of the National Science Foundation wants to purchase a supercomputer. They have put out a bid to buy it for a fixed price of $35 million. Three companies bid, one American company and two Japanese companies. The United States machine on a pound-for-pound and chip-for-chip basis ran at a faster clock speed than did their Japanese competitors. But one Japanese company, NEC, proposed to sell three times the machine at an estimated cost to manufacture of somewhere between $90 million and $110 million. So they proceeded to try to sell a machine which cost three times as much as the price at which they were willing to provide it to the NSF grantee.

The NFS was warned by the Commerce Department that this appeared to be a case of dumping, and it appeared to be a violation of our trade rules. But before the Commerce Department could get a written document to the NSF, NSF decided to proceed anyway because they wanted to have that computer at a cut-rate price.

□ 1745

Now the question is why would the Japanese sell a $110 million computer for 35 million bucks? It is very simple. The supercomputer industry is critical to the future economic strength of this country and to our national security. The supercomputer industry is very small, but it is a cornerstone of U.S. competition and of our competitive posture.

It is crucial to the design of aircraft, it is crucial to the design of jet engines.

In World War II, one of the reasons we won is that we broke the Japanese and German codes. The Nation with the best supercomputer capacity can decode another Nation's secrets, it can predict weather better, it can unravel the mysteries of genetics. It is absolutely key in the design and simulation testing for new automobiles, for new weapons, for new aircraft, for new items of virtually every kind in the economy, for new drugs.

A supercomputer, for instance, is key to the design of the new Boeing 777. And yet financial analysts who look at what is happening in this field worry about the long-term survivability of the U.S. supercomputer industry. Now, they do not worry about it because they think we do not produce products of quality. They worry about it because of the huge deep pockets that Japanese corporations have in comparison to American corporations who produce

these supercomputers. U.S. companies have to finance their R&D, their development of new products out of profits from current sales. But in Japan, Fijitsu and NEC are backed by virtually limitless credit from their huge mega banks.

I would point out that neither Japanese supercomputer company has ever made a profit selling supercomputers. They are willing to sell at a loss simply because they want to break the U.S. market, they want to drive the U.S. industry right off the face of the globe, and then they will have an absolute and total monopoly on supercomputer capacity and capability in this world.

So now what this bill says is something I suppose some people see as very shocking. It says simply that none of the funds can be used for this agency to purchase a supercomputer if the Commerce Department determines that it has been dumped on the U.S. market. Now, the Commerce Department has not yet made a preliminary nor a final determination. They have made an initial guess about it, and they tried to stop the agency and slow them down until this could be evaluated, but the agency was hell-bent to go ahead because they were putting their own narrow interests, in my view, ahead of the broader interests of the country.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. OBEY] has expired.

(By unanimous consent, Mr. OBEY was allowed to proceed for 3 additional minutes.)

Mr. OBEY. Now, the authors of this amendment or the author of this amendment is saying that it violates trade laws. It most certainly does not. There is no trade law, there is no trade pact which we have joined which requires us to accept dumped goods. The authors say, "Well, why don't you follow the process normally used for consumable items? That's what you ought to do."

The problem is it is very different if one is dealing with an automobile versus a supercomputer because if one simply waits and allows for a final determination down the line, the only penalty is to assess an additional tariff. Japan has already indicated they will gladly accept that additional tariff in order to bust the U.S. market and compete successfully because of their deep pockets.

We are told that the Congress is violating the law if they do what the committee is suggesting. They do not. The Congress does not violate the law. If my colleagues take a look at Footnote 24 to the antidumping agreement to which America subscribes, there is a recognition that other actions can be taken. It is suggested that we are violating the procurement law. That is not correct, because the procurement law only applies directly to American agencies, and what we are discussing here is the action of a grantee of a U.S. agency.

So there is in no way a violation of either U.S. law or violation of trade agreements to which we have become a party.

There is a reason why the gentleman from California [Mr. HUNTER], why the gentlewoman from Ohio [Ms. KAPTUR], why myself, why the gentleman from Minnesota [Mr. SABO], Ross Perot and a wide variety of people in both parties support the committee action: because they recognize that it is critical to the security interests of this country, they recognize that it is critical to the long-term economic needs of the country.

All we are saying is, if in the end this computer is determined to be purchased at a dumped price, do not buy it. That is all it says. We could have gone much further, as has been done in the defense bill, and simply say, "You can't sell any foreign computer." We did not say that. We preferred to allow the Commerce Department to make a rational determination. That is what one would do if they are interested in protecting the national security interests of the United States.

Mr. Chairman, I would urge a "no" vote on the amendment.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I move to strike the last word and rise in support of the Kolbe amendment.

Mr. Chairman, because of Japan's trade barriers, the United States of America negotiated an agreement with Japan to have free, open, and transparent trade in government procurement of supercomputers. yes; this does violate that agreement. It is written so broadly it does violate that supercomputer bilateral agreement. It also violates the World Trading Organization's, the WTO's, antidumping agreement. It also violates a WTO government procurement agreement.

Now, who wins from this international trading system? America wins. If the international trading system goes under, we lose international protection of property rights, of intellectual property rights. If is all part of the same system. We benefit from the international protocol that governs trading, and we cannot go out there and violate the agreements that America has put her signature to.

As a result of this agreement, whose goal it was to overcome Japanese barriers in their market, the United States has sold 12 supercomputers to the Japanese Government. Now a Japanese company is about to sell one to our Government. That is a pretty good deal.

The American market is growing only slowly because our population is growing only slowly and our population is aging. Older people do not buy as much as younger people. If we are to have a rising standard of living for our folks, if we are to have faster growth in our economy, we must be competitive in the international market and we must have solid rules that govern international trading, or our kids will not have the career opportunities they want and they will not have the rising standard of living they hoped for.

If there is one thing my constituents are concerned about and one thing they say to me day after day, it is, "We're concerned about wage stagnation". And believe me, Connecticut has had a tough time in the last 5, 6, 7 years. Wage stagnation, slow economic growth; those are the problems we face, and if we persist or if we go forward with this proposal that blatantly violates an agreement we put our name to, we will not only lose in the short term, as Japan retaliates in whatever industry she targets, but in the long term we lose the protection of international trade law and that will cost us jobs. Retaliation hurts. It is not neutral. It costs jobs. It cuts incomes. But worse than that, it sends a terrible signal. The affirmative action to abrogate an agreement we are a party to, following passage of Hill-Burton and the legislation offering trade with Iran, sends a signal to the international community that we are not prepared to adhere to the only trade protection that can assure fair trade. I have fought all of my years here in Congress for fair trade. I fought for the machine tool industry, I fought for the bearing industry, I fought to preserve our dumping laws, I fought for 301 retaliation. I have been over there in Geneva with many of my colleagues with Chairman Rostenkowski, former chairman of the Committee on Ways and Means, as the final deals on the GATT agreement, were made. We fought hard to get our way and we won on most points.

For us now to purposefully, consciously, by legislation, violate agreements that we put our name to and that are benefiting us simply is nuts, and it is going to destroy our credibility as a member of the international trading community. It is going to hurt international trading companies, and more and more we know it is the small companies who are in our export market, and it is going to cost jobs. It is going to undermine the very export promotion programs, the export growth, that is driving America's economy.

We do not domestically have the buying power anymore to guarantee our people a rising standard of living. We do not have it. We are not growing that rapidly, and we are aging rapidly. We depend on success in the export market.

Not to support the amendment offered by the gentleman from Arizona (Mr. KOLBE) to strike this provision from this bill is to say to people, "I'm more interested in politics that I am in your wages and in your economic future and in the strength of this Nation

and the preservation of the very regimen that guarantees, that has the best hope of creating for us free and fair trade worldwide, and with that free and fair trade over the decades ahead, prosperity and peace."

I urge support of the Kolbe amendment.

Mr. LEWIS of California. Mr. Chairman, there has been a bit of discussion on both sides regarding the question of time limitation earlier, and, as I understand it, the gentleman from Wisconsin [Mr. OBEY] and the gentleman from Arizona [Mr. KOLBE] are in agreement separately to have 20 minutes on each side on this amendment. Presuming that, I ask unanimous consent to limit the time to 40 minutes, 20 minutes on each side.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. SKAGGS. Reserving the right to object, Mr. Chairman, if I may, I have a very direct district interest in this particular controversy, had not been involved in the negotiation on the time limit and, therefore, have not had a chance to discuss with the gentleman from Arizona [Mr. KOLBE] what the allotment of time might be under the proposed unanimous-consent request.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

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

Mr. LEWIS of California. Mr. Chairman, the request is 20 minutes on each side.

Mr. SKAGGS. I mean within the gentleman's 20 minutes, and I just need assurances of an adequate piece of that time from the gentleman.

Mr. LEWIS of California. We will try to see if we can get him to yield.

The CHAIRMAN. The gentleman from California's unanimous-consent request is for 20 minutes controlled by the gentleman from Arizona [Mr. KOLBE] and 20 minutes controlled by the gentleman from Wisconsin [Mr. OBEY].

Mr. LEWIS of California. Yes, Mr. Chairman.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. KOLBE. Mr. Chairman, I yield 4 minutes to the gentleman from California [Mr. CAMPBELL].

Mr. CAMPBELL. Mr. Chairman, I wish to begin on the question of the Government procurement code, and I would yield to my good friend from Wisconsin, if I could have his attention. Might I have the attention of the gentleman from Wisconsin [Mr. OBEY], the author of the provision to which I am speaking? I wanted to offer to yield to my good friend from Wisconsin, and if I am wrong, I will be the first to admit it.

But I have a copy of the procurement code in front of me, and the reason why I am speaking is that I took the gentleman's comments to say that the procurement code did not cover this case because the procurement is by the National Science Foundation, and I will yield if the gentleman would make his point regarding the procurement code, and then I will read the section on point.

□ 1800

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

Mr. CAMPBELL. I yield to the gentleman from Wisconsin.

Mr. OBEY. I did not have a point to make on the procurement code, Mr. Chairman. The gentleman from Arizona [Mr. KOLBE] suggested we were in violation of procurement laws. I said that we were not, because the argument that has been made about that relates to the action of government agencies, not grantees.

Mr. CAMPBELL. Mr. Chairman, I appreciate the gentleman for responding. Here is exactly why I want to speak to the point. The procurement code reads, in article I section 3: "Where entities, in the context of procurement covered under this Agreement, require enterprises not included in Appendix 1 to award contracts in accordance with particular requirements, Article III shall apply. . . ."

So the procurement code in itself deals with Government agencies and then, in article I, section 3, says, and I repeat: "Where entities, in the context of procurement . . . require enterprises not included in Appendix 1 to award contracts in accordance with particular requirements, Article III shall apply. . . ."

So unless the gentleman wishes to correct me, and I would yield to him for that purpose, I believe his point is, with good intention no doubt, simply erroneous—that the procurement code does apply where a Government agency imposes a requirement on another enterprise in regard to a contract, as this law would. My friend, the gentleman from Arizona, makes a very valid point. This provision violates the procurement code.

Mr. KOLBE. If the gentleman would yield this amendment is a limitation on the National Science Foundation, which is an agency, so it clearly does go to the procurement code, to the National Science Foundation. I would also make the point that the procurement code says we must give national treatment: We cannot treat one country differently than another. This does that, it violates the WTO, it violates the procurement code.

Mr. CAMPBELL. Mr. Chairman, I grant the gentleman's point, but I think we have an even better point. Even if the Obey language were a requirement upon an enterprise, rather than the Government entity itself, it is covered by the procurement code. So I believe we have them both ways. This does violate the procurement code. The policy question I have is, do we want to violate the procurement code? I certainly hope we do not wish to violate international trade law, but that is what Government procurement code is.

The second and last point that I have to raise is the issue about violating the antidumping code. I would like the chairman's permission to recite what a commissioner of the U.S. International Trade Commission has told my good friend, the gentleman from Arizona, on June 19. He said, "I believe that the amendment, if passed," referring to the amendment by the gentleman from Wisconsin, "is in probable violation of our GATT-WTO obligations. In particular, the amendment appears to be inconsistent with article 18.1 of the antidumping code, which prohibits GATT members from taking punitive measures in response to dumping, other than those set forth in the antidumping code."

The reason is this: We have in our antidumping law a requirement that, first of all, the Department of Commerce find that there is a difference in price in the country where the good is sold and made and the country into which it is imported. Then following that, there must be an injury finding. The reason is the natural concern that countries have that if goods are selling at two different prices in two different markets just because the market conditions are different, that that may or may not be unfair. But if there is injury to the U.S. domestic market because of it, then it is unfair. I note that the gentleman from Wisconsin's amendment does not include that injury requirement.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. WALSH].

Mr. WALSH. Mr. Chairman, I thank the gentleman from Wisconsin for yielding time to me.

Mr. Chairman, I rise in opposition to the Kolbe amendment and in support of the committee bill. Mr. Chairman, this procurement for the NCAR, National Center for Atmospheric Research, for a supercomputer of Japanese make, Japanese make, NEC, what we are doing is supporting a policy of subsidizing prices of Japanese products by the Japanese Government for sale in the United States.

We have a history of this. My background was in telecommunications. I saw it happen in the telecommunications industry. We are talking about a sale of a computer for $35 million that has been estimated to be worth $100 million. If this was a supermarket, this would be referred to as a loss leader. You walk in the door, you buy a quart of milk for 50 cents, and you hopefully, as far as the supermarket is concerned, spend a whole lot more money while you are there. This is a

way to get in the door. It is dumping. It is a subsidy.

If our laws do not cover this, I would be surprised, but good judgment should. Good judgment should. If the NSF has found themselves a good deal by comparing two fairly similar computers, and they get a similar price so they opt for the Japanese make, that is fine; but the fact is the Commerce Department has determined that NEC is dumping, and we should be supporting that activity. So I would strongly urge a "no" vote on the Kolbe amendment, and stop rewarding foreign dumping in the United States.

Mr. KOLBE. Mr. Chairman, I yield 5 minutes to the gentleman from Colorado [Mr. SKAGGS].

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

Let me pick up where the gentleman from New York left off, because there has been no Department of Commerce determination of dumping. What there has been is what I think would be best referred to as an extraordinary back-of-the-envelope, very unusual, preliminary, preliminary guess by the Department of Commerce that there might be dumping. But upon analysis, two things are really very clear: First, they did the arithmetic wrong; second, they should not have done the arithmetic to begin with, because it is out of the normal process for dealing with these issues.

As the gentleman from California pointed out, the law provides a very firm, formal methodology for determining whether below-cost, unfair pricing occurs, and then what the remedy should be. We have not gotten to that point yet.

Clearly we should not be using taxpayer money to buy a foreign-made good that is dumped in this country. No argument about that. But we are getting way ahead of ourselves in assuming that that has been established in this case, because it has not.

There has been only one other case that anyone that I have been able to find could remember where the Department of Commerce issued this kind of an extraordinary predetermination before a case has even been filed. So, for some reason, the Department of Commerce wants to get ahead of its normal process in this case. In doing so, it simply, as far as I have been able to determine, probably did a sloppy job.

The reason it reached its conclusion, as far as one can tell, and we are none of us experts in this kind of analysis, was because they apportioned the R&D costs attributable to this machine across one-tenth of the number of units that should be used, thereby greatly inflating the proportion of R&D costs that would be factored in; and second, because they failed to look at it as a lease transaction, in which there would be residual value going back to the manufacturer or the lessor, which would serve to increase the net profit.

But in any case, Mr. Chairman, we do not have any business doing this on the floor of the House of Representatives.

What this is about is the earnest, good faith effort made by the National Center for Atmospheric Research [NCAR], which happens to be based in Boulder, CO. It does world class science on the atmosphere. It needs the most powerful computer capability it is able to buy with its NSF grant, with taxpayer money, to do the best work it can for all of us.

NCAR started out some time ago in this procurement effort, put out an RFP to 14 prospective vendors, 12 of them U.S. manufacturers; has strictly adhered to the Federal acquisition regulations throughout the process; ended up with three serious proposals; asked all of those people to go through best and final offer; and has now, at the request of the Department of Commerce, undertaken its own very rigorous analysis to determine whether there is any unfair pricing involved in this. I am absolutely certain it will be perfectly prepared to reexamine this whole exercise if there is any solidly developed determination, preliminary or final, of unfair pricing. But we simply do not have that.

Mr. Chairman, if we want to have a debate in this body about whether we should ever allow a supercomputer to be purchased with U.S. Government taxpayer funds from other than a U.S. manufacturer on national security, national infrastructure grounds, let us have that debate in an appropriate setting. It is not appropriate to be having that discussion as an adjunct to an appropriations bill. We already have in law all the guarantees and remedies necessary to deal with unfair pricing if it should turn out to be the case in this instance.

With respect to the question of the future of U.S. supercomputing, there are, by GSA analysis, General Services Administration analysis, some 700 supercomputers currently owned by various agencies of the U.S. Government, approximately 500 of those 700 in various Defense Department and national security-related agencies that are essentially going to be buying American. So if there is any question that we are going to have a very, very substantial and virtually guaranteed market for an American supercomputer industry, rest easy.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. LEVIN].

Mr. LEVIN. Mr. Chairman, we could debate the technical issues, and I enjoy doing that on antidumping. This provision that the Kolbe amendment is attacking may not be perfectly drawn, but let me say I think the amendment is a very imperfect solution. There is a real problem here. In the past, industries in this country have been targeted. In the 1980's it was semiconductors, machine tools, televisions, VCR's; almost you name it, and a major industry was targeted.

Now there is considerable evidence that supercomputers are being targeted, and what is happening is that profits from a sanctuary market in Japan are being used to drive out the remaining U.S. companies. Most of them are out of business.

I suggest, Mr. Chairman, that this is not the appropriate forum to discuss all the intricacies of our antidumping laws and the role of this agency or another agency. There is a problem here. The bill has an honest effort to address it. If there are some technical problems with it, it can be handled later on, but do not try to cure that by ignoring what is a real problem in an important industry, as the L.A. Times said, one of the industries of the future, really of the present, a corner of American competitiveness.

It has been said we are getting way ahead of ourselves. To the gentleman from Colorado [Mr. SKAGGS], I would say in the past the problem has been we have been way behind when American industries have been targeted and have been lost. Let us not lose this one. Defeat the Kolbe amendment.

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

Mr. Chairman, the gentleman from Michigan [Mr. LEVIN] is absolutely correct. There is a problem here. He said, let us not worry about the technical aspects of this. We can correct that later. There is a problem, all right. We are violating GATT and WTO agreements, we are violating our antidumping laws, we are violating our procurement laws; just minor little details, apparently, to some people. I think these are important matters. We have a firm commitment in this country to the rule of law. We ought not to so casually and cavalierly disregard that.

I would also like to respond to something that was said earlier by the gentleman from Wisconsin when he talked about the danger that we face of driving our industry out. Some danger: Cray has installed 130 supercomputers in Japan versus 80 by NEC and Fujitsu; in other words, more than 50 percent more by an American company. We are endangering that, all right. We endanger selling any more American computers in Japan if we take this kind of action, because they have a perfect recourse under the WTO to stop us, to levy fines and sanctions against us from selling computers.

Another point that should be made is that Cray has installed 320 supercomputers in the United States versus 2 from NEC. Some danger that Cray is in here. The gentleman is right, we are endangering. We are endangering the U.S. industry with this action, not with the action that was taken by the National Science Foundation and its grantee, the University Corporation for

Atmospheric Research, which did follow the procurement procedure exactly as they were supposed to.

Finally, let me say with regard to the matter that NEC is selling at below cost, the National Science Foundation, or rather the University Corporation for Atmospheric Research [UCAR], asked for an analysis to be done by a respected law firm here in Washington on this issue. They concluded that the Department of Commerce analyzed the wrong transaction. The treaty antidumping statute applies to the sale of imported merchandise to the first U.S. party, unrelated to the exporter. It does not have anything to do with leased kinds of equipment.

It also says that antidumping law provides, they concluded, that the fair value determination should be made by comparing prices for the same or similar products in the exporters' market or third country market with the U.S. price; but they conducted the type of constructed value analysis that is a method of price comparison that is invalid in this country, because of the absence of a home market or third country sales that have not been demonstrated.

□ 1815

So even on the back-of-the-envelope analysis that was done, by Commerce and the gentleman from Colorado [Mr. SKAGGS] had it exactly right, it was a back-of-the-envelope kind of thing, they said on their own that they did not want to actually initiate antidumping because they were uncomfortable. The Department of Commerce instead just sent this letter. So they violated the process that they are supposed to follow, that the industry is supposed to follow to have an antidumping case.

We have an antidumping process because Members on that side of the aisle and this side of the aisle said there has to be a way from companies to deal with this when there are allegation of dumping. Well, let us follow the law.

I would just say that what I am talking about here is the process. Again, there is a process to be followed. We are not following that process, and we are suggesting that we are just simply going to ignore the law.

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

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. HOUGHTON].

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

I rise to oppose the Kolbe amendment. I do so reluctantly because I have respect for the gentleman from Arizona [Mr. KOLBE] and for the position which he is taking. However, we can argue the legalities endlessly here in terms of whether we are violating any procedural process with GATT or the World Trade Organization.

I am not going to get into that because there are interpretations on both sides of this thing which I could agree with if I listen to very, very erudite lawyers.

However, what I am saying is this: Over a period of years I have seen egregious examples of dumping coming in very small packages. It would seem to me this particular case with the National Science Foundation that it is a perfectly normal and legal and obvious approach to have the Department of commerce review this to see whether there is any dumping.

Once you get an acknowledgment of the fact that NEC or any other computer is approved by an extraordinary group like the National Science Foundation, then you have something far more than the purchase of that one unit. I think is a perfectly normal process, I agree with it, and I reluctantly oppose the Kolbe amendment.

Mr. OBEY. Mr. Chairman, I yield 4 minutes to the gentleman from Minnesota [Mr. SABO].

Mr. SABO. Mr. Chairman, I rise in strong opposition to the Kolbe amendment.

In behalf of the language that is in the bill, might I inquire of the gentleman from Wisconsin [Mr. OBEY] what our language is in the bill?

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

Mr. SABO. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, all the language says is that, if it is determined that this supercomputer has been dumped on to the U.S. market, that it cannot be bought.

Mr. SABO. I thank the gentleman.

Mr. Chairman, reclaiming my time, I have listened to some of these arguments. The gentlewoman from Ohio [Ms. KAPTUR] will speak later. The gentlewoman knows our trade deficit with Japan. I think it is $70 billion or so; $60 billion, only $60 billion.

Here we have a very sensitive industry. I believe we have spent something like $5.5 billion on R&D on supercomputing through DOD and the NSF since 1991 to make sure that we retain our technological edge in this country. It is a very small industry, very key to our economy, very key to our national defense. We are told, I heard here a while ago, that, unless we ignore dumping in this case, that is going to destroy the American standard of living. That sort of leaves me confused.

It seems to me that we should make sure on this very crucial, small industry that the Japanese do not dump a product into our markets, particularly when it is taxpayer dollars going to purchase it. It seems to me we should continue on the policy of R&D to make sure we retain our national edge.

I hear all of these things, how we should be afraid of Japanese retaliation. The reality is the history of competition in Europe is the U.S. products win. We have not won in Japan. In 1995, the public supercomputer procurement market share in Japan: United States, 8 percent; Japanese, 92 percent. Do you think that is because of quality and cost and price? No; it is not. Our products are the best and the best price. Procurement by the Government in Japan in 1995, 11, Japanese; 1, United States. Do you think that is because they had superior quality and price? No.

So I do not know. Mr. Chairman, I am not a technical expert to make the judgments on whether they are dumping. All indications are that they are. This amendment would ask the Department of Commerce to appropriately make those judgments. If we are, we should not be spending taxpayer dollars to buy it.

People say: Oh, go through this process, put the computer in, let them get by with it. Some place, some time later, some tariff may be applied on a supercomputer. You know, they may not even sell the same product 1 year from now or 6 months from now.

So the provision in the bill is a good one; this amendment is one we should overwhelmingly reject.

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

Mr. SABO. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, I commend the gentleman for his leadership role. This is the evolution, this is the last chance to have a supercomputer company. I heard them talk about the computers sold in Japan. I wonder how many of them resulted in offsets where we actually had a transfer of technology in order to sell the product in Japan. Sixty-six percent of our avionics and electronics are an offset.

Mr. KOLBE. Mr. Chairman, I yield myself 1 minute.

We talked about what this would do to our supercomputer industry, which is one company: Cray. Let me just tell my colleagues what they said in a memorandum to their own employees just a month ago in which they said, it is a Q and A kind of memorandum.

Question. How much of an impact does the entire deal have on Cray financially and in terms of jobs?

Answer. It is a large procurement, but we as a company do not live or die by one deal. It does not make or break our revenue goals for the year, and it does not really make a difference in employment because we do not staff up prospectively for business that is not booked yet.

Mr. Chairman, this is not going to make or break Cray; they are doing very well in Japan. Let us not jeopardize the sales of computers that they have in Japan. Let us not jeopardize this with the kind of action that is being talked about here today. Let us not jeopardize this by violating our

own law our law makes it clear that you can only have a sanction after there is a final determination of dumping, and then it can only be in the form of an antidumping tariff, not in terms as proposed by section 421. It violates our dumping laws, and our procurement costs.

Mr. OBEY. Mr. Chairman, I yield myself 1 minute simply to say that I think the gentleman ought to consider what is happening today, not in the deep, dark, distant past.

My colleague talks about the wonderful performance of the Japanese in purchasing American supercomputers. If we read Foreign Trade Barriers, 1996 national trade estimate report on foreign trade barriers put out by the U.S. Trade Representative, we will see the following:

The positive trend in Japanese government supercomputer procurement witnessed in fiscal year 1993 and 1994 was reversed in 1995 during which U.S. firms won only 1 of 11 Japanese government procurements. Moreover, the United States has serious concerns about the conduct of the procurement process in two specific procurements.

I would suggest that hardly suggests to me that the Japanese are about to turn over a new leaf.

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

Mr. OBEY. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, I just think it points right out to this offset agreement where they demand that the product, not just that they transfer the technology and then they produce it and then the next thing you know they are selling it back to us, our own technology, except that it has a Japanese label on it.

Mr. OBEY. Mr. Chairman, I yield 4½ minutes to the gentlewoman from Ohio [Ms. KAPTUR].

Ms. KAPTUR. Mr. Chairman, I thank the gentleman for yielding me this time and rise in very strong support of the committee bill and oppose the Kolbe amendment, which was defeated in the full committee.

The language in the bill is fair, it is reasonable, and without question it is in our national interest.

The issue here really is why should we not as lawmakers ensure that the bidding process in this Government procurement activity is conducted in a fair manner at fair value offers. That is all it says.

It is somewhat curious, although it is not curious to those who have watched Japan over the years, that for a system that should cost somewhere between maybe $80 million and $100 million, the bid comes in at $35 million. Kind of interesting the way Japan behaves on the international market.

Mr. Chairman, if we go and read a recent book by the President's chief economic advisor, Laura Tyson, and I do not think she knew we would be debating this, but in her book, "Who's Bashing Whom," she gives us a window on what Japan really does and how they compete, and I quote directly.

She says:

At the root of the ability of Japanese firms to compete aggressively on price, even when it means selling products below cost and running losses, are the unique structural features of the Japanese economy. The companies competing with—U.S. firms like—Cray and Motorola have deep pockets and long time horizons. They can afford to cross-subsidize losses in one market with profits from another. They continue to benefit from a variety of promotional policies and from lax enforcement of regulations or restrictive business practices. They also continue to benefit from the insulated nature of the Japanese market, fostered by these and other structural impediments. In short, the pricing behavior of Japanese companies is a natural outgrowth of Japan's business and government environment.

We know it is a protected environment. There is not a person in this institution that would call Japan a free trader.

I know that the gentleman from Arizona [Mr. KOLBE] is a complete free trader. I am a fair trader. There is no way anybody could call Japan a free trader.

Now, if we look at this particular market, and I can still remember Norm Mineta when he served here laboring over those agreements with Japan trying to get 5-percent access in the market, 10-percent access, maybe 12 percent, and then Japan would violate those agreements. There is not any question Japan has a habit well recognized of underbidding in almost every market.

Look at what they did to us on the airport, the new airport out there, Osaka. We could not get U.S. firms to be able to bid into that construction.

So it is not just in supercomputers. It is in construction. It certainly is in the automotive industry. The results are painfully clear to the American people if they are not painfully clear to every Member of Congress here. That is we have maintained a $50 billion to $60 billion trade deficit now, annually, annually, in this decade growing every year regardless of what the exchange rate is.

I remember one of my dear friends, the gentleman from Florida, SAM GIBBONS, said to me: Well, if only the exchange rate, U.S. dollar to the yen, would go down from 240 to maybe 250 yen to the dollar. Why, we could just crack the Japanese market.

You know what? It never happened. And then the yen went down to 90, and the trade deficit kept going up. It does not matter whether Japan has got pneumonia or whether she is the most strident economy on the face of the earth in any given year. The trade deficit just keeps going on.

I would just have to say, let us wake up. Let us wake up. Let this Congress not be bound up in legalisms and procedures that we knot ourselves up into. Let us look at the bottom line, and let us do everything we can in order to ensure that the bidding practices in this situation are completely fair.

In many ways, supercomputers translate into national security. Let us not be naive. Support the committee bill. Oppose the Kolbe amendment, and stand up, for a change, for fair bidding practices.

□ 1830

Mr. KOLBE. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I listened to the gentlewoman from Ohio and I assume she believes that dumping is taking place in this case. I do not know if that is a fact or not. But if it is, there is a process to be followed. You file an antidumping case, you make a determination, you make a determination of the injury, and then you impose a sanction. The sanction is an antidumping tariff. I do not understand why the gentlewoman and other people over there are not willing to follow the law, the law that we voted on, that we adopted here.

Mr. Chairman, I yield 2 minutes to the gentleman from Colorado [Mr. SKAGGS].

Mr. SKAGGS. I thank the gentleman for yielding me some additional time.

Mr. Chairman, again I think all parties to this debate would stipulate that we are not going to buy anything with taxpayer money that we know to be priced unfairly. We are not going to ignore dumping. There is a regular order to be followed in dealing with those cases when they arise. We do not know if this is one of those cases or not.

Contrary to comments that have been made earlier by the gentleman from Minnesota, all indications are not that we have a dumping case.

The only indication that we have one is that very sloppily done predetermination made by the Department of Commerce contrary to the regular procedures that are supposed to apply. They basically put this through a black box and came out with an answer that nobody is able to review or scrutinize against any known standard. So we are really boxing against a sort of mythic opponent here.

What the regular Department of Commerce process prescribed by law requires is a very rigorous, very open process on the record with extensive filings of documentation of costs and pricing that the whole world can look at and scrutinize and analyze, that is subject to technical review, not in this kind of a very unfortunate circumstance. That is the way that we need to proceed.

If we want this aspect of our trade law to be different and if we want it to be handled differently, then we need to go through the process of changing the law and renegotiating our international trade agreements. We cannot

make policy on this in an ad hoc, case-by-case basis, when something high profile like this jumps up and grabs our attention. It will not serve the national interest in the long haul to proceed in this fashion.

Mr. OBEY. Mr. Chairman, I have only one remaining speaker and I understand we have the right to close.

The KOLBE. Mr. Chairman, I yield 30 seconds to the gentleman from California [Mr. CAMPBELL].

Mr. CAMPBELL. Mr. Chairman, just one point: What does this amendment provide? It removes the language by the gentleman from Wisconsin. That language does not say what was reported in the colloquy between the gentleman from Wisconsin and the gentleman from Minnesota, that the NSF may not buy this computer if dumping is found by the Commerce Department. What it says is that NSF cannot go ahead if there has been a "preliminary" or a "final" determination of dumping. The whole difference here is if the dumping finding is just preliminary and not final. If it is only a preliminary finding, it violates our international obligations to impose sanctions.

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

Mr. Chairman, let me just reiterate a couple of points here. There is a process that we have adopted that must be followed when we believe dumping is taking place. The process requires the industry or the Department of Commerce to initiate an antidumping case. The International Trade Commission then makes an initial determination of injury. The full investigation is then done by the Department of Commerce. It goes back to the International Trade Commission for ratification and for the imposition of an antidumping tariff. That is the process. That is the law.

As the gentleman from Colorado so aptly put it, we ought not to be engaging in ad hoc changes to our entire law as it relates to procurement, dumping, and international agreements. We should not be jeopardizing our supercomputer industry. Any foreign country would have a perfect case against us when we violate the law and violate our international agreements in this fashion to block the sale of supercomputers overseas. If people believe that we should have a process of protecting ourselves, then they should adopt that process and follow it. If the process is not right, change the process.

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

Mr. OBEY. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, let me say I respect the arguments being made by both sides. This is legitimate debate. I simply want to make a few points to refute what has been alleged by the amendment's sponsors.

I want to repeat, this bill does not say that we cannot buy this computer. What it says is that if there is either a preliminary or a final determination by the Commerce Department that this constitutes dumping by the Japanese, that then that computer cannot be purchased.

The reason it is worded that way is very simple: It can take up to a year to reach a final determination, whereas a preliminary determination, which has not yet been made, if a preliminary determination is reached it usually takes about 4 months.

The problem with waiting over a year and the problem of doing what the gentleman from Arizona wants us to do, and simply rely on the post-fact additional tariff if there is found to be dumping, is that that suits the situation if we are talking about consumables. But if we are talking about an industry such as the supercomputer industry, which is so integral to the defense of this country and to the national welfare, if we simply allow a Japanese company which has already demonstrated it is willing to sell every supercomputer they sell at a loss, then they are certainly willing to eat the additional tariff that would be imposed upon them in order to break the supercomputer market in this country and to eventually drive American supercomputer producers out of business.

We used to have 15 American supercomputer producers. We were down to 5. Two of them got out of business. There are really only three companies left in this country who produce anything that can be called close to the supercomputer and only one, Cray, which is still left fully standing. They will not be standing for very long if we allow the Japanese to continue this predatory pricing of theirs.

I want to make the point: we have signed no agreement that requires us to buy dumped products. We have signed an agreement to require open and transparent trading, but that was never meant to serve as a cover for predatory pricing of products.

We could have done, as I said, as has already been done on the defense bill, simply say these computers cannot be bought, period. I did not hear anybody object to that. But we took the more modest approach of simply saying if a determination is reached by the Commerce Department, then that supercomputer shall not be purchased with American tax dollars, because these dollars are appropriated to expand and to maintain the American preeminence in this field, and yet they are ironically being used to undercut that preeminence. All we are saying is if they reach that determination, then we cannot buy this supercomputer. That is all we are asking to do.

I would make the point that it ought to be obvious that if those Japanese corporations have never made a profit on the sale of a supercomputer, it is obvious that they are not after profit. They are looking at their long-term ability to bust the U.S. lead, break into our market and eventually drive our short-pocket companies out of business. I do not think that is in the interest of the United States.

I appreciate the bipartisan support for the action taken by the committee, and I would urge that the committee uphold the judgment of the committee.

Mr. SKAGGS. Mr. Chairman, I ask unanimous consent that each side have 2 additional minutes in this debate so as to accommodate the body hearing from the gentleman from Illinois [Mr. CRANE].

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

Mr. OBEY. Mr. Chairman, I must respectfully object. I was asked to agree to a time limit. I have the right to close. Now we are being asked to violate that process. I really do not think that is fair.

The CHAIRMAN. Objection is heard.

Mr. OBEY. Mr. Chairman, if I could reserve the right to object, I would be happy to give the gentleman 2 minutes to speak if I could be assured that we will still have the right to close.

Mr. KOLBE. If the gentleman will yield, that was the unanimous-consent request, 2 minutes on each side.

The CHAIRMAN. The gentleman from Wisconsin would still have the right to close if there was an extension on both sides of 2 minutes.

Mr. OBEY. Mr. Chairman, if that is the case, then I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Arizona [Mr. KOLBE].

Mr. KOLBE. Mr. Chairman, I yield my 2 minutes to the gentleman from Illinois [Mr. CRANE], the distinguished chairman of the Subcommittee on Trade of the Committee on Ways and Means.

Mr. CRANE. I thank my colleague for yielding this time, and I want to thank my distinguished colleague from the neighboring State of Wisconsin for accommodating us.

Mr. Chairman, I rise today in support of the amendment offered by my colleague, the gentleman from Arizona [Mr. KOLBE], to strike section 421 from the bill. I am greatly concerned that section 421 would force an independent government agency to turn down the NEC computer in question, even though neither the Department of Commerce nor the International Trade Commission has made any formal findings of dumping and injury, and in fact has not initiated any formal investigation, as required by statute and by

international law, to impose antidumping duties.

Clearly we must enforce our antidumping laws to prevent unfair trading. However, section 421 would improperly use the appropriations process to chill what could be a legitimate procurement that does not involve dumping. It is impossible for Congress to determine now whether the procurement in question violates the antidumping statute. That is a matter for the Commerce Department and the International Trade Commission to determine, using statutorily mandated procedures. Only when they have made this determination can we begin to consider the effects on the procurement.

In addition, I am greatly concerned that such language could violate our obligations under the WTO antidumping agreement, which provides that no specific action against dumping of exports from another party may be taken except in accordance with the agreement, and does not authorize punitive measures such as disqualification from government procurement.

In addition, I am concerned that the amendment could violate the Government Procurement Agreement, which provides that each party shall provide national treatment to suppliers of other parties. The Japanese government has already notified our government of their concerns that we would be violating our international obligations if this provision is adopted.

The United States is the largest target of foreign antidumping actions. We are vulnerable. What we do to other countries will be done to us. Accordingly, I would urge all Members to support the Kolbe amendment.

The CHAIRMAN. The gentleman from Wisconsin has 3 minutes remaining.

Mr. OBEY. Mr. Chairman, I yield myself 2 of those minutes.

Mr. Chairman, I simply want to repeat again, there is no violation of law and there is no violation of our trade agreements by the action taken by the committee. NCAR is not an agency of the Government. Article 3 of the Government Procurement Agreement does not apply to the proposed legislation because article 1 of the agreement states that the agreement covers procurements only by those entities listed in the agreement's appendices.

□ 1845

Neither ENCAR nor UCAR are among those listed entities. But having put that technical argument aside, I simply want to make this point. The only argument that is being made by the folks who are opposed to the committee action is that it is one of process.

As the gentleman from New York [Mr. HOUGHTON] has pointed out, we have lawyers on both sides of the argument making opposite arguments, and they will continue to do so. Our job is to cut through that and recognize that tonight what is important is that we defend the national interest of the United States. I repeat, we are not making a judgment that this supercomputer cannot be bought and we are not making a judgment that it is being dumped, although it is pretty hard to see why it is not when they are offering to provide a supercomputer worth $90 to $110 million for a $35 million price because they want so badly to bust into the United States market.

But I simply want to repeat, despite that fact, we are not determining that this computer at this point is being dumped. All we are saying is that if the Commerce Department reaches that conclusion, then, because this industry is so crucial, not only to the defense capability of this country but to the long-term economic viability of this country, it is important that we not allow legalisms to bind us to a requirement that if the Japanese corporation is willing to eat another $70 or $100 million tariff, that they would be allowed to use trade agreements to destroy our economy. That is all we are saying.

Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. LEWIS].

Mr. LEWIS of California. Mr. Chairman, I very much appreciate the gentleman yielding. He has done so in order for me to have a colloquy with the gentleman from Arizona [Mr. KOLBE].

Mr. Chairman, I very much appreciate the cooperation of the gentleman from Wisconsin [Mr. OBEY] in that regard.

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

Mr. LEWIS of California. I yield to the gentleman from Arizona.

Mr. KOLBE. Mr. Chairman, I would just ask the gentleman from California [Mr. LEWIS] to enter into a colloquy.

I think the gentleman has heard the very legitimate concerns that have been expressed about the possibility of antidumping. The gentleman has also heard the concerns on this side about the possible violations of law that may be involved here on the possible changes to our law.

I am just wondering if the gentleman can assure me that if this issue gets into the conference that this will be considered very carefully in the context of what might be done by the Senate and with the debate that has taken place here today.

Mr. LEWIS of California. Reclaiming my time, I can say to the gentleman we have had a very thorough discussion in our full committee and here on the House floor. There is no question that the gentleman from Wisconsin [Mr. OBEY] has a serious point that he wants to make. He has made that point very well. Between now and conference, there is not any question that we will continue to consider the result of this and it will be discussed thoroughly in conference.

Mr. KOLBE. Mr. Chairman, with that proviso, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

AMENDMENT OFFERED BY MR. GUTKNECHT

Mr. GUTKNECHT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GUTKNECHT: Page 95, after line 21, insert the following new section:

SEC. 422. Each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 1.9 percent.

Mr. LEWIS of California. Mr. Chairman, I ask unanimous consent, if the gentleman would agree, that we have a time limit agreement on the gentleman's amendment and all amendments thereto of 20 minutes.

Mr. GUTKNECHT. Mr. Chairman, I would cede to the chairman of the subcommittee, yes, 20 minutes, 10 each side.

Mr. LEWIS of California. Ten minutes to each side.

The CHAIRMAN. is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. The gentleman from Minnesota [Mr. GUTKNECHT] will control 10 minutes in support of his amendment and the gentleman from California [Mr. LEWIS] will control 10 minutes in opposition to the amendment.

The Chair recognizes the gentleman from Minnesota [Mr. GUTKNECHT].

Mr. GUTKNECHT. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, some of us were extremely disappointed a few weeks ago when we passed the conference committee report on the budget because in that budget, we reneged on a promise that we made last year and we increased spending by about $4.1 billion over what we had agreed to spend in last year's budget resolution.

Back in November 1994, the people of the United States I think sent a pretty clear message. They wanted us to put the Federal Government on a diet. They wanted us to balance their budget. I think, by backtracking on some of the commitments we made last year, we made a serious mistake and not only a breach with the taxpayers of America today but, more importantly, with our children.

So I am offering again the same amendment that I offered last week, and I intend to offer it to every appropriation bill from this point forward to

eliminate the 1.9-percent in discretionary spending on every appropriation bill that comes through this House. Now, if we will do that, we can recover that fumble and get back the $4.1 billion that we overstepped in the budget agreement just a few weeks ago. I want to just briefly say what this 1.9-percent amendment will not affect, because I think there will be some misstatements on this floor of the House, and I think there is some misunderstanding. First of all, this amendment will not affect compensation of veterans. It will not affect pensions for veterans. It will not affect veterans insurance and indemnities. It will not affect the readjustment in education benefits for veterans, and it will not affect burial benefits, because I think sometimes people are concerned about that. It will not affect mandatory spending.

So, Mr. Chairman and Members, what will the amendment affect? Well, it will affect discretionary spending, including administrative costs for the Federal bureaucracy. It will include $1.2 billion for Mission to Planet Earth, $4.3 billion for community development block grants. It will affect the $50,000 travel budget for the VA Secretary. And it will affect up to $15 million for the EPA employee bonus program.

Finally, it will affect, although a previous amendment may have changed this, the $365 million for AmeriCorps. So it will have some impact.

Mr. Chairman, what we are really talking about is less than 2 cents. It is about keeping our faith with the American people, set about keeping the promise we made just 1 year ago and the promise that many of us made in the elections 2 years ago. Mr. Chairman, I hope that Members will support the amendment.

Mr. LEWIS of California. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. STOKES] and I ask unanimous consent that he be permitted to control that time.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LEWIS of California. Mr. Chairman, I yield myself 2 minutes.

Mr. LEWIS of California. Mr. Chairman, I rise in the strongest of opposition to the gentleman's amendment. We all know the potential impact of across-the-board cuts, but this 1.9-percent cut indeed could be devastating to this very delicately developed bill. Let me tell the Members what this amendment would do.

For those of us who care about VA medical care, this across-the-board cut would impact those programs by no less than $323 million, a minor little cut in VA medical care that we fought so hard today to increase by $40 million. Under those circumstances, that would mean that thousands of veterans would not be able to receive inpatient medical treatment and thousands would not receive their outpatient care.

It also would cut $124 million from EPA, $375 million from our housing programs, $258 million from NASA, and $62 million from the National Science Foundation.

Mr. Chairman, I think most around here know that this subcommittee has done very diligent work in an attempt to reduce the rate of growth of government. We made by far the largest contribution to those reductions we are looking toward as we move in the direction of a balanced budget by 2002. We are not in that process, though, interested in destroying these programs and particularly undermining our ability to deliver the services out there to people in communities that we all really care about and really need many of those services.

So while I know my colleague from Minnesota is sincere in his efforts to cut the budget, we believe we have done the job in as balanced a manner within the committee as possible, and we urge a very strong "no" vote on this across-the-board cut.

Mr. GUTKNECHT. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I certainly do not want to cast any ill feelings toward the chairman of this subcommittee or to the other subcommittees. In fact, I think the entire Committee on Appropriations has done a very good job. If some will remember the Fram oil filter commercials from years ago, "you can pay me now or you can pay me later." What we are really saying is we do not have the moral fortitude, we do not have the courage to actually cut an additional $4.1 billion this year from domestic discretionary spending, but somehow in just 2 years, we will find the courage to cut $47 billion.

Mr. Chairman, we are talking about 2 cents this year. I do appreciate the work that the subcommittee has done, and I certainly appreciate these programs and I appreciate the veterans as much as anybody. But I think most veterans understand that balancing the budget transcends all of our responsibilities, and I think if we say, well, this group is going to be exempt and this group is going to be exempt, we will never get to the goal of balancing the budget.

So with all due respect, I think that this is a good amendment.

Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin [Mr. NEUMANN].

Mr. NEUMANN. Mr. Chairman, today this great Nation of ours stands $5.2 trillion in debt. That is literally $20,000 for every man, woman, and child in the United States of America. Every year as we keep spending more money than we are talking in, we just keep adding to that debt and our children get to get that debt. This is their inheritance, that is what we are going to pass on to our children.

When this Congress came in here 2 years ago, we said we are going to be different. We said we were going to balance the budget, we were going to do it by the year 2002. We got off to a great start. For the first year, we met our targets and we did what we said we were going to do and stayed on track, and things were going pretty good until about 2 weeks ago.

Two weeks ago, we passed a budget plan through this Congress that literally has the deficit going back up again. Let me say that one more time. The budget plan that we passed 2 weeks ago has the deficit going back up again next year. That is not OK.

Tonight we offer an amendment that literally reduces spending by 1.9 percent to help get us back on track to a balanced budget, back to where we belong, 1.9 percent. That is not 20 percent. That is less than 2 cents out of every dollar. Is there really anyone out there in this entire country that does not believe we can find 2 cents out of every dollar of waste in government spending? I believe we can. I honestly believe we can go into these bills and we can find 2 cents on the dollar of waste.

We are not talking 20 cents here. Two cents on the dollar. If we are able to do that, we can get ourselves back on track to a balanced budget and do what is right for the future of this great country of ours. That is what this Congress is all about. That is what our service to our country is all about. It is what we ought to be doing here tonight.

Mr. Chairman, I strongly encourage support of this amendment.

Mr. STOKES. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, this is a bad amendment. It is a bad amendment because if the Members of this House were to vote for this amendment, it would certainly show irresponsibility. This is because earlier today the House accepted a 0.4 percent across-the-board reduction amendment sponsored by the gentleman from Arizona [Mr. STUMP].

I think we need to take a moment and just understand what that amendment has already done as an across-the-board reduction amendment. The Stump amendment cuts $79 million from HUD, an area of the budget that has already been cut $2.3 billion. It cut $26 million from EPA, an area that already had been cut $494 million. It further cuts $54 million from NASA, which has already been cut $1.1 billion.

Now, the offerer of the amendment would have us think this is just a 1.9-percent small reduction that does not amount to anything. But we have to consider the amounts already cut from these important areas and add to it the fact that, as the chairman of the subcommittee has just said, this 1.9 percent is not so small. It cuts VA medical

care, which was protected from reduction under the Stump amendment. This amendment cuts medical care by $323 million, an area that all day long through one amendment after another we have protected on behalf of the veterans. This one hurts the veterans.

It cuts HUD, in addition to the cuts of the Stump amendment, by $374 million. This is an area of the budget already cut $2.3 billion. It cuts EPA by $124 million, an area already cut by $494 million. And it cuts NASA by $258 million, an area already cut $1 billion, as I said before.

I think the amendment, under these circumstances with these facts, ought to be strongly rejected by the Members of this House.

Mr. Chairman, I yield myself an additional 30 seconds and yield to the gentleman from Mississippi.

□ 1900

Mr. MONTGOMERY. The gentleman is absolutely right. Under medical care for veterans, under this amendment, we are going backward. We are losing by $280 million. We are going down, down, down. So this amendment should be soundly defeated if we have any care for veterans and their medical care.

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

Mr. LEWIS of California. Mr. Chairman, I yield 1 minute to the gentleman from Arizona [Mr. STUMP].

Mr. STUMP. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, let me say that while a 1.9-percent cut does not seem like much, we have to understand what this does. With all due respect, the gentleman is correct when he says it will not affect mandatory veterans benefits, but what he is not saying is it will affect our ability to deliver those benefits to them and to process them.

As the ranking member just mentioned, the thing that hurts me the most in this amendment is the cut to medical care. That is the worst place in the world that we could cut veterans benefits. So I would ask the gentleman to reconsider this; $323 million out of medical care certainly does hurt our honored veterans, as the gentleman put it a while ago.

Mr. GUTKNECHT. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. SOUDER].

Mr. SOUDER. Mr. Chairman, I want to first comment briefly on the question of veterans benefits. Should this amendment pass, I would be more than willing, as I am sure many others would, to look at how to transfer money into veterans medical inside this bill from HUD or other sections.

That is not the question we are trying to get at here. Veterans benefits go up. We are trying to keep some of them out. I am willing to back more, and have looked at several amendments to back more money for veterans. But overall we have to look at the Federal deficit. Many of us are very upset that the deficit is increasing in our second year of office. This amendment is not targeted at this bill, it is being offered to every bill.

We talk a lot about balancing the budget. The fact is we are not moving toward a balanced budget. We took a step in the wrong direction. Maybe we will over 7 years. We cannot bind Congress over 7 years, unless there is a constitutional amendment. We cannot bind the next Congress. All we can be held accountable for is what we do during our 2 years in office.

A 1.9-percent cut across the board would get us, if we went back to our other appropriations bills, back to no bump-up in the second year. That is the intent of this amendment.

Had others balanced off and figured out what priorities were inside that bill, we would not be faced with this. But we cannot constantly say, oh, well, we want to balance the budget but not here, but not here; 1.9 percent is a very small amount, yet it is what the difference is as to the trend line of where this country is going.

I, and many others, came here to reduce the size of Government, to put more power back to the States, and to make sure we stopped mortgaging our children's future. At this point, my children will be saddled with such a debt and such a high potential of bankruptcy of Medicare, of Social Security, of all of our Federal programs, unless we get a handle on it, that I believe it is time that we do at least these small steps.

Every year in this budget it gets harder. If we cannot change 1.9 percent now, how in the 3d year or the 4th year, the 5th year, the 6th year, and the 7th year are any of those numbers realistic? I urge this body to vote "yes" on this simple amendment.

Mr. STOKES. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I just want to respond to the statement made by the gentleman from Minnesota who just left the well and who acknowledged that money would be taken out of the medical care account, which I have already stipulated would be about $323 million. He commented that, if this amendment passed, he would be willing to look at ways that we can transfer that money back into that part of the bill.

Well, I submit to Members of the House that is not the way we legislate and that is not the way that this House should legislate. In addition to that, that particular gentleman does not sit on the Subcommittee on VA, HUD and Independent Agencies. He will not be involved in the conference on this bill. He will not have the ability to be able to do anything else about this bill.

We have to act on this bill based upon what would happen tonight if we were to pass this irresponsible amendment. I would urge the Members again to vote "no" on this. The gentleman from Minnesota says 1.9 percent is very small. I contend that there is nothing small about a $323 million reduction in medical care.

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

Mr. GUTKNECHT. Mr. Chairman, I yield myself such time as I may consume to say that this debate really is about what is responsible, and I think that is what this Congress should do.

Mr. Chairman, I yield 1 minute to the gentleman from Indiana [Mr. HOSTETTLER].

Mr. HOSTETTLER. Mr. Chairman, I rise in strong support of this amendment to reduce across the board the VA-HUD appropriations bill by 1.9 percent. First of all, let me reiterate the fact that, in fact, we spend $121 million more on VA medical expenditures than we did over 1996 in this bill with the 1.9 percent cut, so that even with the reduction in spending, even with the savings for the next generation, we will increase VA medical expenses by $121 million.

Mr. Chairman, this is a responsible amendment. My dad was a veteran and he served in North Africa, Sicily, Italy, France, and was on his way into the South Pacific when he got the good news that World War II was over. But my father, who passed away earlier this year, never meant for that victory in World War II to result in a time when his grandchild, who is going to be born later this year, is going to have a $187,000 bill to pay in interest on the debt.

Mr. Chairman, this is a responsible amendment, and I ask for its adoption.

Mr. GUTKNECHT. Mr. Chairman, I yield 30 seconds to the gentleman from Wisconsin [Mr. NEUMANN].

Mr. NEUMANN. Mr. Chairman, I just rise because I keep hearing all this stuff about cutting, cutting, cutting, cutting. I think we have an obligation to let the American people know that this bill is not going down in spending, it is going up in spending by about $4 billion from last year to this year.

So when we get all done talking about all these cuts, the American people have a right to know that spending is increasing in this bill. And even if our amendment is passed, spending from last year to this year, in good old Wisconsin language, is going up because we are spending more of the American taxpayers' money.

The CHAIRMAN. The gentleman from Minnesota [Mr. GUTKNECHT] has 1½ minutes remaining, the gentleman from California [Mr. LEWIS] has 2 minutes remaining, and the gentleman from Ohio [Mr. STOKES] has 1½ minutes remaining.

Mr. STOKES. Mr. Chairman, I believe I have the right to close.

The CHAIRMAN. The gentleman from California [Mr. LEWIS] is the gentleman who originally opposed the

amendment and claimed the time, but yielded to the gentleman from Ohio [Mr. STOKES]. Under the procedure today, the gentleman from California [Mr. LEWIS] has the right to close.

Mr. STOKES. Mr. Chairman, I have no problem with the gentleman from California closing.

Mr. LEWIS of California. Mr. Chairman, I will even yield that to the gentleman from Ohio, if he would like.

Mr. STOKES. Mr. Chairman, I do not need the additional time.

Mr. Chairman, I yield such time as he may consume to the gentleman from Mississippi [Mr. MONTGOMERY].

Mr. MONTGOMERY. Mr. Chairman, I appreciate the gentleman yielding me this time, and I should point out that I hope my colleagues would oppose this amendment. We were able earlier today to get for the veterans benefits an additional $17 million. Under this amendment it takes $19 million out of the benefits, so we actually lose $2 million out of the benefits program.

This is based on claims, that it takes 158 days now to process a claim in the benefits department. If we keep taking money away from us, it is going to take us forever to process these claims. It should be less than 90 days. Because we do not have the staff, and we are going to lose 600 employees anyway if we defeat this amendment, so by taking another $2 million out of the benefits, it does not make any sense at all.

On the VA health care, we are trying to open up outpatient clinics so we can take care of more veterans. We are cutting this $323 million more under this amendment, so certainly I believe that the House should defeat this amendment.

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

I want to go over again, and I do understand that there will be cuts as a result of this 1.9 percent reduction, but if we look down the path, sooner or later we are going to have to pay the price for this. If we cannot make $4.1 billion worth of cuts this year, how are we going to make $47 billion worth of cuts in a couple of years? The answer is we probably are not.

Let me just say this. Again, this 1.9 percent reduction will not affect mandatory spending on veterans benefits, including compensation of veterans, pensions for veterans, veterans insurance and indemnities, readjustment in education benefits and burial benefits. This amount will affect none of those. It affects domestic discretionary spending.

If we could adopt this simple little amendment that is less than 2 cents on every dollar, we can recover the fumble this House made a few weeks ago when we reneged on the promise we made last year.

Mr. Chairman, my grandmother said, "If you always do what you have always done, you will always get what you have always got." Unfortunately, this Congress is starting to do what previous Congresses have always done.

We are starting to say well, manana, manana. We will balance the budget in 2 years or 3 years. Well, some of us will not be back next year, and maybe this amendment will cause some of us not to be back, but, ladies and gentlemen, as long as we are here, we ought to do the right thing, and the right thing is to keep the promises we made in the campaign of November 1994.

To keep the promises we made last year with our 7-year budget plan, we need to get back on our path towards a balanced budget; 1.9 percent on the rest of the appropriations bills will get us there. I hope Members will support the amendment.

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

I am very impressed by the presentation by my colleague from Minnesota, Mr. GUTKNECHT. And to paraphrase his grandmother, I would say, "If you do not always do what you have always done, you are not going to get what you always got."

The objective of the gentleman is not different than our mutual effort to eliminate the deficit. The subcommittee takes this work very seriously. It is very important for all of us to know that the House, particularly this Member, as well as the gentleman from Minnesota [Mr. GUTKNECHT] are committed to changing the pattern of spending that have been a part of our past. But that does not mean that we have to overnight tear the heart out of important programs or undermine very carefully crafted efforts to move in the direction of reducing all traditional patterns of spending.

What we are about here, in all of these efforts, is to reduce the rate of growth of our government. We all recognize that there are other elements to the government process than just spending. There are growth opportunities in terms of our economy. The taxing system is producing more revenues. Indeed, over time, as we reduce the pattern of spending and the revenues grow, we get to 2002 and we have a balanced budget. That is our objective.

The time we suggest that the way to solve the budget is to cut every program, eliminate programs that are very important to people, is the time we have a counterrevolution. That could lead to real disaster in terms of our economy. We are attempting to make sense out of this process in this bill.

So far, through the rescission process, the 1996 bill this year, this subcommittee will have passed over $17 billion of reduced spending, a significant shift in pattern for this subcommittee. I tell the author of this amendment, as I oppose the amendment and ask that the Members vote "no," I tell the author that I too am committed to balancing this budget.

I am a absolutely convinced we are on a pathway to help with that, especially in terms of discretionary spending.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. GUTKNECHT].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. GUTKNECHT. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 456, further proceedings on the amendment offered by the gentleman from Minnesota [Mr. GUTKNECHT] will be postponed.

The point of no quorum is considered withdrawn.

□ 1915

AMENDMENT OFFERED BY MR. HOEKSTRA

Mr. LEWIS of California. Mr. Chairman, at the request of the gentleman from Michigan [Mr. HOEKSTRA], I ask unanimous consent that the pending demand for a recorded vote on the amendment offered by the gentleman from Michigan be withdrawn.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. The amendment is rejected on a voice vote.

AMENDMENT OFFERED BY MR. MARKEY

Mr. MARKEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. MARKEY: Page 95, after line 21, insert:

SEC. 422. None of the funds made available to the Environmental Protection Agency under the heading "HAZARDOUS SUBSTANCE SUPERFUND" may be used to provide any reimbursement (except pursuant to section 122(b) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980) of response costs incurred by any person when it is made known to the official having the authority to obligate such funds that such person has agreed to pay such costs under a judicially approved consent decree entered into before the enactment of this Act, and none of the funds made available under such heading may be used to pay any amount when it is made known to the official having the authority to obligate such funds that such amount represents a retroactive liability discount attributable to a status or activity of such person (described paragraphs (1), (2), (3) or (4) of section 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980) that existed or occurred prior to January 1, 1987.

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

Mr. MARKEY. I yield to the gentleman from New York.

Mr. BOEHLERT. Mr. Chairman, is there an agreement on time for this amendment?

Mr. MARKEY. On the amendment which is now pending, there is a 40-minute agreement on time, 20 minutes evenly divided.

I am sorry. I apologize, Mr. Chairman. There has not yet been an agreement reached on time.

Mr. BOEHLERT. Would the gentleman entertain an request for an agreement on time? I know both the chairman and the ranking member are anxious to move this along. I would be receptive to an agreement on time.

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

Mr. MARKEY. I yield to the gentleman from Ohio.

Mr. STOKES. Mr. Chairman, we would have to object to an agreement on time.

Mr. MARKEY. Mr. Chairman, as all who are listening are well aware, the Contract With America was intended as a full-scale, all-out attack upon the environment of our country. There was an agenda put together in the beginning of this Congress towards the goal of eviscerating most of the laws which have been placed upon the books over the last quarter of a century to protect the environment in our country.

One of the primary assaults upon the environment was begun in the Committee on Commerce last year, culminating, in the fall, upon a Superfund reform bill introduced by the Republican Party. Its intent, for all intents and purposes, to gut the Superfund bill, to make it ineffective.

The centerpiece, in their own words, of their Superfund gutting bill was to take hundreds of millions of dollars a year, billions of dollars, billions over the next decade, and to give money back to polluters, polluters who have already accepted responsibility for having polluted their own neighborhoods, for having ruined the water in their communities, for having led to the deaths of small children because of exposure to toxics, giving money not to the communities in order to help clean up but to the polluters themselves.

Now, the centerpiece of this proposal is still embodied in the Republican appropriations bill. In it is included a provision taking $861 million over the next year and making it available to give back to polluters who already accepted responsibility for their pollution and their responsibility to clean it up.

Now, here is how it works: If you happen to have been a polluter, congratulations to you. You may already have won millions of dollars in cash prizes from the Grand Old Party. The Ed McMahon polluters clearinghouse sweepstakes. Here is how it works. Just wait for this appropriations bill to pass, enacting reforms. Pretty soon the EPA Superfund prize van will pull up to your corporate headquarters and hand you a Federal Government taxpayer check, if you can identify yourself as a polluter. Here is how it works. First, is your toxic waste dump listed on the Superfund site on the national priorities list? In other words, that you are one of the worst polluters in America. You must answer yes to that question to qualify for this Federal money.

Second, did you even incur cleanup costs since they introduced their bill last October? That is, once, if you were there on October 18 as a polluter, you qualify for this money.

Third, was your liability attributable to activities which occurred prior to 1987? That is after the Superfund bill passed in 1981 so that in fact we knew that and you knew that the Superfund law was on the books, and have you accepted responsibility in a court-ordered, a court-ordered consent decree in which you have already agreed to accept liability to clean up the site yourself?

If you qualify under all of those standards, then you are a grand prize winner as a polluter. You qualify for the $861 million a year, billions of dollars over the next decade, which can be and will be given out to polluters.

Now, this, it seems to me, is an absurdity. We do not have $861 million a year for a new program to hand over to polluters when we are cutting Medicare, when we are cutting student loans, when we are cutting every other social program. We cannot have this program pile up to $6 and $8 billion over the next decade, gobbling up what limited resources we have as we target the 2002 for a balanced budget.

Mr. STOKES. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I yield to the gentleman from Massachusetts [Mr. MARKEY].

Mr. MARKEY. Mr. Chairman, I thank the gentleman from Ohio very much for yielding to me.

This provision has to be stricken from the Republican proposal, has to be cut out. That is what this amendment does. It just ensures that not only under the bill which the Republicans introduced last year, H.R. 2500, but under any bill which is ever introduced, we do not give money back to polluters who have already accepted court-ordered consent decree responsibility as to their responsibility to clean up the site. It makes no sense whatsoever.

So this is a very simple proposal. It gets right at the heart of what it is that the Republicans want to propose as a reform of environmental laws, giving money to polluters. We have operated for the last 15 years under the notion of the polluter pays, if they are responsible. The Republican proposal transforms it into the taxpayer pays the polluter. We are so sorry, it is going to cost you money for having to clean up the mess you created in the community, this neighborhood nightmare, which has taken all the property in the neighborhood off of the tax rolls, which could have led to the deaths or the creation of disease in families within the community. That is their new notion. We take care of the polluters.

So the Markey-Pallone-Borski amendment deletes this ability to be able to hand this money over to the polluters. It is a very clean, simple vote. As we go through the rest of the night, there will be attempts to take out one small attempt at doing it, last year's version, but it does not deal with any other version. The money stays there, all $861 million.

The gentleman from New York [Mr. BOEHLERT] is going to seek to make an amendment which just says, well, we are not going to use H.R. 2500, last year's version, but it does not say anything about any other version, which is what the Markey amendment says. You cannot do it. It is impossible under the Markey amendment. The Boehlert amendment says, well, we got caught; we got caught off base. We do not want to have this on our record. So we are going to withdraw it. Let us wait until Bob Dole is President so he will not be vetoing this so we can just do it with the majority of the votes in the House and the Senate. We are going to pull it back right now. We got caught. But no way are we going to take out the $861 million. In no way are we going to put a limitation on it being used by other mechanisms to give rebates to polluters, no. We are going to take out that part of the Markey amendment.

So this is a very clean, simple amendment that deals with the heart of the challenge to the Superfund program which for 12 years was under Republican control.

Remember this tonight, my colleagues: Yes, it was passed by a Democratic Congress but Rita Lavell and Ann Gorsuch and a whole line of Republican administrators for 12 years, right up to 1993, had responsibility for it. Only in the last years has it been put in the hands of an administrator who is fully committed to its implementation.

If this program was not as fully effective as it could have been, and we do believe it should be reformed, blame those Republican administrators, one of whom even went to jail in a contempt of Congress citation, for their lack of regard for our congressional intent.

So this is at heart a vote on whether or not in fact we are going to keep to the soul of what the Superfund program was meant to achieve; that is, that those who were responsible must pay. And we are not going to use limited taxpayer dollars as a handout to them. As we go through this debate, Mr. BOEHLERT will attempt to take one

small portion of it, one small attempt, the initial attempt, and to say, we are not going to use that route anymore, but make it impossible to have a straight up or down vote on whether or not any other attempt which the Republicans have contemplated can in fact be used to give this money over to polluters.

I want everyone to understand this debate, as it unfolds, because it gets right at the heart of what we believe as Democrats should be the intent of this program, which is personal responsibility, personal and corporate responsibility. Those who created the messes should clean them up. Those who have accepted legal responsibility in the courts should clean them up. We should not have to turn to the taxpayers, tip them upside down, have $861 million over the next year and billions more in years after that used to clean up the messes which corporate executives are responsible for.

Mr. OXLEY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, let us get one thing straight first of all. The taxpayers that I know the gentleman from Massachusetts is so fond of and wants to protect, the taxpayers who pay into the Superfund and the very polluters that he is talking about. He would allow the impression out there that somehow these taxpayers, Mr. and Mrs. Joe Sixpack, are paying, are going to pay for these cleanups. And we simply cannot allow that argument to stand. It makes no sense.

The Superfund program is basically funded to the tune of $1.6 billion a year until, of course, the President vetoed those taxes that go into the Superfund, $1.6 billion a year that come from the oil companies, the chemical companies, from chemical feedstocks, and the environmental income tax, that is really what funds the program.

So my friend from Massachusetts, who I know is a great friend of the taxpayers, has received a lot of awards for his stand on lower taxes and protecting the taxpayer, I am appalled, frankly, that my friend from Massachusetts would make the argument here on the floor of the House of Representatives that somehow the taxpayer is going to bail out these evil corporate polluters when, in fact, they are paying the taxes in the first place. They are not getting their money's worth, folks.

All you have to do is look at the program, 15 years of failure, about 5 percent of the sites on the national priorities list cleaned up. We have spent $30 billion in public and private moneys to clean up these sites. And what do we have to show for it? the average site rests on the NPL for 10 to 12 years. The average cost of a site to be cleaned up is between $25 and $30 million. And guess what?

□ 1930

Only about half of that really goes to actual cleanup.

Mr. Chairman, I would suggest to my colleagues that a vote for the Markey amendment is basically a vote for the status quo.

Now, if my colleagues like the idea of a Superfund program that fits all the qualifications that I just mentioned in terms of abject failure, then they want to support the Markey amendment because the Markey amendment essentially is an SOS amendment, "some old stuff," and we are going to continue with the same process that we had before, and I have got to think we are better than that.

I think we can learn from the mistakes of past Democrat Congresses that foisted this program on us, first of all, in a lame-duck session, signed by a lame-duck President, in overreaction to a couple of situations in New York State and Missouri, and then in 1986 we compounded that felony by voting for a reauthorization of the program that made it even worse, and some of the architects behind the original bill and the 1986 reauthorization are the same people who are opposing meaningful reform in this program. And I say shame on them and shame on their memory of what they have accomplished in the last 15 years, which is practically nothing.

And so it gives us an opportunity finally, under a Republican Congress, to really deal with the problem at hand and to clean these sites up, and I would suggest to my colleagues that that is our goal and that is what we are trying to accomplish with our bill that we have introduced [ROSA] Refund of Superfund Act.

Make it very clear that the Markey amendment stands for the status quo.

This is clearly the most egregious environmental program that anybody could have ever invented, and I do not understand why my friend from Massachusetts would want to sustain that for another several years.

I had an opportunity the other day to find a rather interesting piece of reading material. It is a coloring book that is put out by the Environmental Protection Agency. It is called the "Superfund Team, Mother Mouse," and instead of protecting children from contamination by cleaning up Superfund sites, the EPA apparently is indoctrinating them with a Superfund Man and Mother Mouse routine.

The CHAIRMAN. The time of the gentleman from Ohio [Mr. OXLEY] has expired.

(By unanimous consent, Mr. OXLEY was allowed to proceed for 3 additional minutes.)

Mr. OXLEY. Mr. Chairman, I understand we have no time constraints on this particular amendment; is that correct?

The CHAIRMAN. The gentleman is correct.

Mr. OXLEY. Mr. Chairman, this is the coloring book, and let me quote from the book where Mother Mouse meets the U.S. EPA remediation workers:

> She was smiling and humming when all of a sudden she heard someone coming. She saw a strange sight. "Oh my. What a fright!" Two people wore white suits with hoods on their heads and gloves on their hands. "They're creatures from Mars," she screamed. "Quick. Get in the house. Pull tight the laces. Don't make a sound. Stay in your places." "But we know them—they're keen!" the children cried out. "They're the Superfund Team! The Superfund Team!" the kids said with a shout.

This is actually a publication of the government of the United States of America. We have established a special hazardous waste cleanup program with its own taxes to pay for the self-promotion of the Environmental Protection Agency. The sad part is that in real life the men in white suits do not show up for years while mother and the children still live by the contamination.

Let us not waste time on coloring books, outrageous delays, endless lawsuits and bureaucratic bickering. Let us clean up the pollution for a change. Contaminated sites are still sitting around as giant festering sores on the landscape primarily because of the contentiousness Superfund's liability system causes. One can be held a hundred percent liable for the entire cost of cleanup at a site which could stretch into hundreds of millions of dollars even if they did not cause any of the contamination, even if they were not even alive when the contamination occurred, and even if they acted completely legally at the time, or even if they were ordered to put contamination at the site by the Federal Government or some local government.

Does that strike my colleagues as a reasonable Federal statute? I do not think so, and that is why the NFIB, the National Federation of Independent Business, who represent over 600,000 small businesses in this country today, along with local governments, school boards and other local organizations oppose the Markey amendment. As a matter of fact, the NFIB has made this a key vote.

I want to stress to my colleagues in the House on both sides of the aisle this is the NFIB key vote on the Superfund bill this session, and let us understand exactly where they are coming from. They understand what a disaster this Superfund statute really is.

Let us make certain for a change that we will deal with real cleanups this time instead of spending it on coloring books, on lawyers, on bureaucracies, and get this job done once and for all.

Mr. BUYER. Mr. Chairman, will the gentleman yield.

Mr. OXLEY. I yield to the gentleman from Indiana.

Mr. BUYER. Mr. Chairman, I am curious. Did not Carol Browner and the

EPA come before the gentleman and ask for an increase in funding, and now the gentleman is telling us they are spending dollars, taxpayer dollars, on coloring books?

Mr. OXLEY. That is precisely correct.

Mr. BUYER. That is pretty disgraceful.

Mr. DINGELL. Mr. Chairman, I move to strike the requisite number of words.

(Mr. DINGELL asked and was given permission to revise and extend his remarks.)

Mr. DINGELL. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman.

Mr. Chairman, I hope everybody has listened very closely to the comments by my dear friend from Ohio and looked at these wonderful posters that he has put up. The wonderful posters that my good friend from Ohio has put up do not mean anything and they do not have anything to do with the debate in which we are now engaged.

There are two amendments pending. The first is an amendment by my good friend from Massachusetts [Mr. MARKEY]. That amendment does two very simple things. It says first that one cannot give rebates to polluters in connection with cleanup.

Now, I have heard some rather novel and stressed explanations of why that might be a good idea, but the simple matter is that is a device to pay the polluter. That is something that has always been alien to the principles that we have had with regard to dealing with Superfund.

Second, it would prohibit compensating people who have already cut a deal with the Federal Government and with other polluters to clean up and to allocate the responsibilities.

My good friend, the gentleman from New York [Mr. BOEHLERT] who is a most sincere Member of this body, has come forward with an amendment which says that the first is a good idea, that we should not pay polluters for cleaning up. But he says that we should permit polluters to continue to get paid after they have cut a deal so that they essentially would be drawing moneys above and beyond what they should get in terms of their cleanup.

Now, this is a most curious posture, and I am sure that the gentleman from New York will have an interesting explanation for this. It is going to, I am sure, be extremely interesting, and he has nodded "yes" to me, but I think it is probably going to lack merit.

Now having said these things, there has been pending a long time an effort to get a decent cleanup under Superfund. I was highly critical of the last Superfund bill, and I was roundly criticized by a lot of people for being very much opposed to many of the things they tried to do in terms of compounding the difficulty of enforcement. So I do not apologize for anybody for my views on this.

I will tell my colleagues there is urgent need for enactment of new and improved Superfund legislation, get rid of some of the things that my good friend from Ohio, Mr. OXLEY, properly complained about. There is time, however, to address this question.

Last Congress we reported out legislation out of the Committee on Commerce. It was duly killed by my Republican colleagues, who did not want to move forward on Superfund legislation during the last Congress.

The Republicans during the last Congress killed our efforts to pass a better Superfund bill, and I know it distresses them to have this fact revealed because it is one of the nasty little secrets that they carry around in their pocket.

Now having said this to my colleagues, I think that we should observe that there is the ability on the part of my Republican colleagues to address Superfund. They chair the committee, they chair the subcommittee, they have the majority of the House, and they have extraordinary discipline.

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

Mr. DINGELL. I will yield to my friend because I know he has something important to add, and I am sure he wants to agree with me. But I want to conclude my statement, and I know he understands because I listened to him with great interest even though his comments were, in good part, irrelevant to the discussion that we are engaged in.

Having said these things and expressed great respect for my good friend from Ohio, who is not only a dear friend but one of the finest Members in this body, even though he is wrong in this matter, I would observe that the Republicans have the full capability to move forward. We stand ready to assist them in moving forward on good legislation.

I will observe that good legislation does, however, not embody the principle that we should pay the polluters for cleaning up. We should cause the polluters to pay, and we should not absolve those who have arrived at a settlement of the responsibility that they have achieved by having set at risk the health and the welfare and the well-being and the environment of the American people.

Mr. Chairman, I would urge my colleagues then to reject the amendment offered by my good friend from New York, for whom I also have enormous respect, and to adopt the amendment offered by my good friend from Massachusetts because it says that the polluter pays, the polluter gets no break for his wrongdoing, whereas the gentleman from New York says that he might get some.

The CHAIRMAN. The time of the gentleman from Michigan [Mr. DINGELL] has expired.

(By unanimous consent, Mr. DINGELL was allowed to proceed for 2 additional minutes.)

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

Mr. DINGELL. I yield to the gentleman from Ohio.

Mr. OXLEY. Mr. Chairman, I thank the gentleman from Michigan [Mr. DINGELL], who I have a great deal of respect for, and he is usually right on most issues, but let me remind him about the last Congress when I think the gentleman in the well was the chairman of the committee, and we had Democrats chairing the committee.

Mr. DINGELL. That is right, and we reported out a good Superfund bill unanimously out of the Committee on Commerce, and my Republican colleagues——

Mr. OXLEY. I am amazed, I must say, at being in the minority for all the time that I was in the Congress for the first 14 years, and then to be honored with apparently the title of being able to kill the Superfund bill——

Mr. DINGELL. And the gentleman is a fine chairman——

Mr. OXLEY. As a minority I am truly honored. I did not realize I was that good, and I thank the gentleman for yielding.

Mr. DINGELL. The gentleman is a fine chairman, and all he has got to do to get us a Superfund bill to the floor which is really meaningful is to see to it that the subcommittee convenes, writes a bill, and reports it out and excludes paying the polluter.

Now I guess the gentleman from New York [Mr. BOEHLERT] wants me to yield to him?

Mr. BOEHLERT. No, I am just listening with rapt attention.

Mr. DINGELL. Mr. Chairman, I am mightily distressed at that, and I therefore yield back the balance of my time.

Mr. Chairman, our Republican colleagues rejected the bipartisan bill that was approved 44 to 0 by the Energy and Commerce Committee in the 103d Congress in favor of a new bill, H.R. 2500, that was not introduced until October 1995. It seems that it took 10 months to figure out how to destroy the bipartisan agreement we had achieved in the prior Congress after months of stakeholders discussions.

It is my firm belief that we should dedicate as much Superfund money as possible to cleanup, and not to relieving polluters of their responsibility. And that is exactly what Mr. MARKEY'S amendment is designed to do.

Mr. MARKEY'S amendment will assure that Superfund money will be spent on cleanup and not on reimbursing polluters. The Markey amendment will ensure that existing consent decrees, under which parties have agreed to conduct or pay the costs of cleanup, will not be disturbed. Why should EPA expend enormous transaction costs to revisit existing consent decrees when the parties to those decrees have agreed to conduct a cleanup? If those parties have agreed, why do they expect to be relieved of their obligations under these decrees?

This amendment absolutely does not disturb the EPA's ability to provide funding at sites where there are existing consent decrees if EPA decides to provide funding to cover all or part of the shares of insolvent or defunct parties. This amendment does not adversely affect the EPA's ability to fund the relief contained in the recent Superfund liability proposals offered by the Democratic members of our Committee as well as the administration. Our recent proposals include fair share funding, limitations on municipal owner liability, exemptions for small business generators and transporters of waste, and exemptions for generators and transporters of municipal waste. The administration's letters in support of Mr. MARKEY'S amendment confirm that this amendment is consistent both with the administration's Superfund reform initiatives as well as the liability proposals we have offered during our bipartisan negotiations.

Moreover, this amendment will not bring Superfund cleanups to a halt. That is, unless companies decide to use this as a hollow excuse to breach their agreements to perform cleanup under the consent decrees they have already signed.

I urge my colleagues to support the Markey amendment to assure that Superfund moneys are spent on what I had thought was our mutual goal—expediting cleanup.

Mr. BLILEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the vote on the Markey amendment today is nothing short of a referendum on Superfund itself. If my colleagues think Superfund is effective, if my colleagues think that the program is doing a good job of cleaning up our Nation's worst toxic waste sites quickly and effectively, if my colleagues think that the Girl Scouts, churches, small businesses, local governments, and many, many other polluters are polluters and that we should continue throwing good money after bad to lawyers and consultants, then, by all means, my colleagues should support the gentleman's amendment. If, on the other hand, they have even the faintest idea of how badly broken Superfund truly is, they should join me in vigorously opposing the Markey amendment.

□ 1945

The amendment would prevent any meaningful Superfund recovery from taking place by eliminating even the possibility of allowing some fair share or "orphan share" funding under the program. The amendment effectively prohibits any retroactive liability relief whatsoever. Superfund's system of retroactive liability is so fundamentally unfair that it has forced parties caught up in a never ending blame that delays cleanup and threatens human health.

Mr. Chairman, the fact of the matter is that no one, and I mean no one, believes that the current Superfund law is working. Here is what people have said. President Clinton; yes, President Clinton: "We all know it doesn't work," he says, "the Superfund has been a disaster. All the money goes to lawyers and none of the money goes to clean up the problem it was designed to clean up."

The EPA Inspector General has said that "On a site-by-site basis, it is clear that liability negotiations consume a lot of time and delay completion of the site."

In a 1994 editorial, that bastion of conservative thought, the New York Times, said that

> Superfund has failed the efficiency test: of the $13 billion spent by government and companies, one fourth has gone to what are euphemistically called "transaction costs," fees to lawyers and consultants, many of them former Federal officials who spin through Washington's revolving door to trade their Superfund expertise for private gain.

A year earlier, the Washington Post editorialized that Superfund "is generating intolerable injustices and needs to be fixed. Many of these cases," as they say, "are grossly unfair, and all invite furious litigation as small companies, big ones, banks, mortgage holders, local governments and insurers all go after each other. That is why a high proportion of the money spent so far has gone not to cleanups but into lawyer's fees."

The Seattle times editorial board wrote that Superfund "has created a legal swamp, enriching lawyers while accomplishing precious little cleanup."

And a 1994 USA Today editorial said that "Superfund is absurdly expensive, hideously complex, and sometimes patently unfair. As a result, it invites litigation the way dung attracts flies: not by seeking but just by being."

Mr. Chairman, the evidence is clear. Superfund is badly broken. That is precisely why I have made Superfund reform a top priority of the Committee on Commerce in this Congress. All other reform proposals are on the table, including the 103d Congress's Superfund deal, the administration's new liability proposal, Republican proposals drafted by my colleague and friend, the gentleman from Ohio [MIKE OXLEY] and myself, contain some element of the fair share funding which the Markey amendment would prohibit.

In fact, the administration has the statutory authority to use so-called mixed funding under the law, and Administrator Browner recently announced that EPA would expand its use of orphan share funding to the tune of $40 million a year. This amendment would eliminate EPA's ability to implement even the modest administrative reform of the Superfund proposal.

The CHAIRMAN. The time of the gentleman from Virginia [Mr. BLILEY] has expired.

(By unanimous consent, Mr. BLILEY was allowed to proceed for 2 additional minutes.)

Mr. BLILEY. Mr. Chairman, the vote on this amendment is very simple. If members support Superfund reform, vote "no" on the Markey amendment.

It simply amazes me, Mr. Chairman, that the gentleman from Massachusetts would offer the amendment. Massachusetts has 32 sites, three-two, 32 sites listed on the national Superfund priorities list. Construction on cleanup remedy is complete on only 2 of these sites, even though 14 of them have been on the NPO list since 1983. It is astonishing that we cannot decide how to clean up a Superfund site in the time it took our forefathers to hold a Boston tea party, declare independence, fight a Revolutionary War, write a new Constitution, and establish a whole new government.

My friend sent out a "Dear Colleague" letter last week saying "Superfund is working in my district." Now he is introducing an amendment to prevent Superfund from working in anyone else's district. I would think the gentleman would not be so callous toward the people across the country who live near Superfund sites to block legislation that will get those sites cleaned up, especially since only 2 of 34 sites in his home State have been cleaned up.

Mr. PALLONE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am somewhat amazed by what I am hearing on the other side, because earlier today when we discussed my amendment that simply would have required that this $861 million in contingency money for the Superfund Program be simply put to use this year to fund the Superfund Program and to make it possible to work on new sites and continue work on existing sites where work has already started, what I was hearing from my friends on the other side of the aisle in opposition to it, basically I got the impression they were denying that this money would ultimately be used for a rebate program that gives money back to the polluters.

But having listened to some of the debate tonight, it seems like just the opposite. I do not know if anyone has specifically admitted on the other side that that is what this money would be used for, but they certainly do not seem to indicate that is a problem, using it for that purpose.

Mr. Chairman, we cannot have it both ways. We cannot come in here earlier in the day, or last week in a press conference, and say, "Oh, we are great because we are going to provide so much more money for the Superfund Program, we are going to do even more than the Democrats want, and then later on say, oh, well that money might be used for a rebate program, or we have to do all these changes to the Superfund Program first before we are going to make the money available,

and we are not exactly sure that the money is going to be used for.

That is the impression I am getting from the other side of the aisle. It scares me and makes it more crucial to have this amendment passed to make sure that the money will not be used, if it ever does become available, for this rebate program to polluters. Essentially, the debate this evening is on the Superfund Program.

All of a sudden now, the Republicans, or most of them on the other side, are suggesting that what they are really all about here is that they want to dramatically change the Superfund Program. I would contend that what they really want to do is abolish the Superfund Program, or at least make it ineffective.

The bottom line is that Superfund is working, contrary to the statements that my colleagues are making on the Republican side of the aisle. Sites are getting cleaned up. In my district, 7 of 9 sites are in some phase of cleanup. Nationally there are 1,284 sites on the national priority list, and in more than one quarter of them, or 346, construction has been completed, that means clean up. Construction has commenced at more than 470 other sites and final cleanup decisions have been made at about 150 other sites. So there are nearly 1,000 sites where construction has either been completed or begun, or a cleanup decision is made.

I would point out that this administration has also cleaned up more toxic waste sites than in the previous 10 years. All it takes is an administration that cares about a Superfund Program, rather than one that does not believe in the Superfund Program.

In the Committee on Commerce when we were marking up the Republican Superfund bill, there were many members who basically suggested we should not even have a Superfund at all and we should just let the States do their own thing with toxic waste clean up. I do not agree with that. I do agree with one statement that the gentleman from Ohio, the chairman of our subcommittee, made tonight when he said that this is a key vote. This is a key vote because basically this is the only amendment on the floor this year that will clearly define where people stand: Either you are for polluter pays, which is the basis for the Superfund Program, or you are for pay the polluter, which is what the gentleman from Michigan [Mr. DINGELL] and the gentleman from Massachusetts [Mr. MARKEY have said. That is what this is all about. This appropriations bill will allow the Government to pay the polluter. I do not think that is right. I do not think that is the way the program should be set up.

I also want to make mention of another theme that I keep hearing from the other side of the aisle. That is that somehow the Democrats on this side do not want to see the reforms in the Superfund Program that would help small businesses or help municipalities. In fact, the gentleman from Massachusetts [Mr. MARKEY] and the rest of us have repeatedly said we would exempt small businesses, the little guys who do not have the financial means to contribute to the cause of cleanup.

We would exempt municipalities, residential homeowners, small nonprofits. We would exempt any person who contributed less than 110 gallons of liquid hazardous substance, 200 pounds. We would cap the liability. There is nothing in this amendment, there is nothing in this amendment that would preclude any of those changes in the Superfund Program from taking place.

The reason we are offering this amendment is because we do not want to see change the cornerstone of the Superfund Program, and that is that the polluter should pay to clean up the mess, if you will, that he left behind. Once you get rid of that, you will not have an effective Superfund Program anymore. That is why this amendment is so crucial, and I would urge its adoption.

Mr. SHUSTER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition to the Markey amendment. Every proposal that has been put forward on Superfund includes the proposal that rebates be paid. If the gentlemen say they are opposed to rebates, then they are opposed to every reform proposal that has been put forward. They are opposed to fundamental reform. They must want to see the lawyers continue to get the money, rather than the money going into actually cleaning up these Superfund sites.

In fact, I find it more curious and more curious that we have heard from several of the opposition that the Superfund is working. The President of the United States, Mr. Clinton, President Clinton, has said that it is not working. Carol Browner, the EPA administrator, says that the entire Superfund law should be rewritten from start to finish. The EPA Inspector General said it is not working. But even though their President and their EPA and their Inspector General say it is not working, we have heard them say tonight that Superfund is working. The evidence is very clear. The statistics which have already been presented indicate that that is simply not the case.

The amendment before us is a funding limitation on the EPA spending bill that would preclude any reimbursement to persons who are potentially liable under the Superfund statute. All legislative proposals to reform Superfund, even the EPA's proposals, involve some element of reimbursement. Let me again emphasize that. The amendment before us ensures that none of these reforms can go forward.

The author has amended his amendment twice before bringing it to us, but it is still fatally flawed. It freezes the status quo and it protects the livelihood of all those wonderful Superfund lawyers. So if Members want to protect the lawyers, then they should support the amendment before us. But if Members want to reform Superfund, then oppose this amendment.

Mr. BORSKI. Mr. Chairman, I move to strike the requisite number of words.

Mr. BORSKI. Mr. Chairman, I am pleased to join the gentleman from Massachusetts and the gentleman from New Jersey in offering this amendment to keep Superfund from changing from a polluter pays program to one where the taxpayers pay the polluters. This amendment would prohibit use of the Superfund appropriation for payoffs to polluters, very simply. This amendment would maintain the principle that major corporate polluters should pay to clean up the dangerous toxic waste sites they have created.

Since the beginning of the 104th Congress, the majority has attempted to find a way to let these corporate polluters off the hook. Even though more than 80 percent of Superfund toxic waste sites are located near drinking water sources, they want to reduce standards for cleanup and use tax money to pay polluters for the limited remaining cleanup.

The majority has tried and tried again and then tried a third time to come up with a plan to help out corporate polluters. They could have been developing a plan to let small businesses and municipalities escape the Superfund liability web. They could have been developing a plan to help America's urban communities develop their brownfields sites that are so important for job creation. They could have been developing a plan that would implement a fair share allocation plan that would eliminate the high transaction costs resulting from the current liability requirements. Unfortunately, none of these things have been done.

Mr. Chairman, this bill contains only $1.3 billion for Superfund.

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That money should be used for cleanups, not for corporate payoffs. With this amendment, corporate polluters would still be held responsible for cleaning up the toxic messes that they created.

Mr. Chairman, money from corporate polluters has funded most of the Superfund cleanups that have taken place. If that source of money is eliminated without being replaced, Superfund cleanups would have to be drastically reduced.

With the low level of funding in this bill, using any fund to pay corporate polluters would mean less cleanup, less protection of the environment, less protection of drinking water.

All of this leads to one question: Where is the Superfund reform? Everyone has agreed that Superfund reform is absolutely critical. But, we have been waiting for 18 months for the majority to move a bill to the full committee level. In the waning months of the 103d Congress, Administrator Browner put together a consensus bill that was backed by a remarkable coalition, business, State and local governments and environmental groups and Democrats and Republicans.

Incidentally, Mr. Chairman, under Administrator Browner there have been more cleanups in the first 3 years than in the previous 12 years of the Superfund program. Unfortunately, the bill that Administrator Browner crafted died at the end of the last Congress.

For the past year-and-a-half, the Republicans have ignored H.R. 228, the bill based on the Coalition agreement. Their substitute for the broad-based agreement is no Superfund reform at all. In three months of negotiation, all we got was a three-page outline asking us which of their previously rejected solutions we wanted to take.

I want to remind my Republican colleagues, they are in the majority. If they want to bring their bill to the floor, then do so. Until then, the Markey-Pallone-Borski amendment will prevent this special treatment for special interests. I urge support of this amendment.

Mr. BOEHLERT. Mr. Chairman, I rise to strike the last word.

Mr. Chairman and my colleagues, I rise in strong opposition to the Markey amendment. Before I get into the meat of my argument, let me just make a couple of points.

This is sort of grand theater here tonight. We have witnessed that for the last 48 hours. What really disturbs the new minority is that they are not yet adjusted to the fact that they are in the minority, no longer in the majority, and that the majority is stepping up to the plate and addressing in a responsible way very important environmental issues.

For example, the new minority keeps saying the new majority wants to pay the polluters. That is unmitigated nonsense, plain and simple. We are talking about a so-called retroactive liability discount scheme that was floated about several months ago and we rejected it. It is off the table. No one agrees that we should have retroactive liability discount, because we do not want to pay the polluters. Everyone agrees to that.

Now, the concept of should those who pollute pay be embraced? You are darn right it should be. We should force those who pollute to pay, because we have an obligation to our children and future generations to leave them with a cleaner, safer, healthier environment, and we intend to do just that.

However, my friend, the gentleman from Massachusetts [Mr. MARKEY], the author of this amendment, suggests that the present program should be left intact; do not make any adjustments. Mr. Chairman, I would suggest that the gentleman from Massachusetts talk to his President and my President, the fellow who occupies 1600 Pennsylvania Avenue. He thinks there should be some changes and has provided some money in the budget for liability relief.

The Administrator of the Environmental Protection Agency, a woman for whom I have the greatest of respect and I work with on a partnership basis, Carol Browner, thinks there should be some liability relief, and I agree with her.

Here is who we should relieve. We should relieve those small business people, the innocent people who are victimized and caught up in this scheme. I am not just saying that, you are saying that, your administration is saying that, Carol Browner is saying that, President Clinton is saying that, we are all saying that. However, under Mr. MARKEY's amendment, oh, no, we do not want to provide any relief for anybody, we want to keep it as it is because we have just heard from another colleague that the system is working quite well.

I do not know many people in America that think Superfund reform is working as intended, and believe me, it was well intended, because we want to clean up toxic waste sites. That is very important to all of us. But the gentleman from Massachusetts [Mr. MARKEY] says things are all right and some of those people who are supporting his amendment seem to conclude that it is all right.

The gentleman from Pennsylvania [Mr. BORSKI], the ranking member of the subcommittee I am privileged to chair, keeps coming up with the old saw that we are going to pay polluters. I would say to the gentleman that he knows we have no intention of doing so. The gentleman and I agree that that would be lousy policy, and, boy, we are not going to pay those polluters, nor should we.

And guess what, fellow Republicans? I know my colleagues have examined that idea and agree that we should not pay them, but should we pay some liability relief? You are darn right. Do my colleagues want to know why? Because the American people are sick and tired of spending all of their time in the courts with their lawyers, everybody suing everybody and these toxic waste sites are not being cleaned up.

What about my kids? What about my grandchildren and future generations? We want to leave them with a cleaner, a healthier, a safer environment.

Mr. Chairman, let me tell my colleagues what is wrong with the Markey amendment. There is a lot wrong with it. First of all, let me increase your comfort, because we are going to eliminate any possibility whatsoever that we can pay polluters, because I am going to offer a substitute amendment pretty soon, and I am sure my colleagues will support that, because we are going to make it abundantly clear to one and all and to history that no way are we going to pay polluters. We are going to make sure that retroactive liability discount scheme never surfaces again, nor should it. That is good news.

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

Mr. BOEHLERT. Only if you will support that amendment.

Mr. MARKEY. Mr. Chairman, toward the goal of supporting that amendment, I would just like to clarify. If the gentleman would yield, would the gentleman's amendment prohibit any rebates to polluters who have already signed?

Mr. BOEHLERT. Mr. Chairman, reclaiming my time, I am glad the gentleman brought that up. I am glad the gentleman brought that up, and reclaiming my time, because my good friend from Massachusetts brought me to my next point, here is the deal there, and it is very important to remember this.

We are opposing restrictions on liability relief, as is the administration. Let me point that out. The administration wants to have some liability relief. Because, guess what? Some people have stepped up to the plate, they have assumed their responsibility, they are going to fulfill their responsibility.

The CHAIRMAN. The time of the gentleman from New York [Mr. BOEHLERT] has expired.

(By unanimous consent, Mr. BOEHLERT was allowed to proceed for 3 additional minutes.)

Mr. BOEHLERT. Mr. Chairman, let me get to these points and then I will be glad to yield to my friend because we are good friends and we work together on these things and usually on environmental issues we see eye to eye. I do not know how the gentleman got misguided in this instance.

We want to say to people who have stepped up to the plate and have accepted their responsibility, good for you, and if we pass legislation that provides some relief for small business, that is going to allow some assistance to these small businesses. That is very important, and we are going to say something else.

Mr. Chairman, this may never become law. My colleagues know how we deal in this institution. We may end up never having this measure law, and if we never have this measure law and we go on with a continuing resolution, the Markey language would prevail and never more could we provide any liability relief for small businesses and for municipalities, those communities across the country that are so hard-pressed to make ends meet.

And what would they have to do? They would have to go to their taxpayers, their property taxpayers. What

a lousy way to raise money, increase their property taxes, all if this amendment as proposed passes. But I do not think it is going to pass, because I think people recognize that we have an obligation to go forward in a responsible way.

Now, to those who argue that we do not have a plan to deal with the subject, let me point out, a year ago I presented a plan, a very good plan that a lot of people embraced. Now, you know what the Administrator of the Environmental Protection Agency said in response to an examination of my plan? This is Carol Browner. I think she should be Secretary Browner, because I think EPA is very important, and I think it should be a Cabinet level agency. She said, Boehlert's proposal is something the Clinton administration would feel very, very comfortable with. It is a very attractive proposal. It goes a long way toward removing lawyers from the system, and I think it is a wise and informed position.

Now, let me make this one point, this one point. The point is, and this is why I say it is grand theater. It is disturbing to so many of my good friends on the other side of the aisle that Republicans are acting in a responsible manner dealing with an environmental issue, because guess what? My colleagues on the other side of the aisle feel they own that issue, and we are the bad guys, we are uncaring and insensitive and we do not want to address in a responsible way the environment, but that is wrong, we do, and we are proving it. Yesterday we proved it with safe drinking water legislation. Today we are proving it as we are urging with all of the compassion that we can find that we have meaningful Superfund reform, and I say to the gentleman from Massachusetts [Mr. MARKEY], his proposal would not allow that.

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

Mr. BOEHLERT. I yield to the gentleman from Massachusetts.

Mr. MARKEY. Mr. Chairman, I thank the gentleman. I know that the gentleman is not acting in a deliberate attempt to totally misrepresent what my amendment does; although he has, I know it is not deliberate. So I welcome the opportunity to clarify for the gentleman what it is that my amendment does.

Mr. BOEHLERT. Mr. Chairman, I am not going to reclaim my time, I am going to let the gentleman continue, because this is grand theater.

Mr. MARKEY. Mr. Chairman, I thank the gentleman from New York so much, because this goes right to the heart of what we are talking about.

Just for the record so that everyone who is listening is not all confused, the Environmental Protection Agency wrote yesterday that they support the Markey amendment.

The CHAIRMAN. The time of the gentleman from New York [Mr. BOEHLERT] has expired.

(On request of Mr. MARKEY, and by unanimous consent, Mr. BOEHLERT was allowed to proceed for 1 additional minute.)

Mr. MARKEY. Mr. Chairman, I would ask the gentleman if he would continue to yield.

Mr. BOEHLERT. Mr. Chairman, I will continue to yield for 30 seconds, because I want half of that time. This is fairness.

Mr. MARKEY. Mr. Chairman, the Department of Justice as well also supports the Markey amendment.

Now, I know that the gentleman has some general language there from Carol Browner speaking about him as an individual, and let me say this, the halo over his head could not be shinier after the last year and a half of missionary work.

Mr. BOEHLERT. Mr. Chairman, this is a good time to reclaim my time since we are talking about the halo over my head. I will reclaim my time, because that is a good note on which to close, referring to a halo over someone's head. Administrator Browner was not talking about me, and I would appreciate any kind words she would care to share about me, but she was talking about the Boehlert proposal.

That is very important. We want meaningful Superfund reform. We want a cleaner, safer, healthier environment for our kids and grand kids, and I think we can get it if we deal in a responsible manner by voting for what I will soon offer as a responsible substitute to the Markey amendment.

Mr. STEARNS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I must speak on this bill, and I echo the words of the chairman of the subcommittee, the gentleman from Ohio [Mr. OXLEY]. If you are on a train ride and year after year you go on and you keep riding on this train ride and it does not get to where you want; what do you do? You stop the train or you get off. This is where we are tonight. And what we have here is a responsible bill that takes us off the train heading in the wrong direction.

Superfund was hastily enacted in 1980 following national publicity over a few chemical waste sites. Originally, EPA got $1.6 billion in funding to clean up over 1,000 nationwide sites. As my colleagues can see from this chart, after nearly 15 years and an estimated $20 billion in State and Federal and private funds spent on the Superfund Program, less than 10 percent, less than 10 percent of the 1,300 sites that the EPA has place on the Superfund national priority list have been completely cleaned up.

Now, I do not think the taxpayers would be happy with that if we spent $20 billion and only 10 percent of the sties were cleaned up, and that is what this chart shows. Is that progress? Is that a train that is going in the right direction? Lord knows not.

The EPA originally estimated it would take $7 million and 5 to 8 years to clean up an average site. Today the studies indicate an average of 11 years and $25 to $40 million in cost per site; estimates of the entire national cleanup effort range from $300 billion to $1 trillion. They are estimating it is going to cost $1 trillion when Federal facilities are included in the cleanup.

What this means is simple. The existing Superfund Program must be replaced with a new program in which the benefits justify its costs, which is equitable, cost effective, and limited in size and scope when feasible. It should be targeted to address real, current, and significant risks to human health and environments posed by the past disposal of hazardous substances. Retroactive liability, a joint and several liability must be remedied. We must change and work on that, and the size and scope of the Federal national priority list should be kept. States should be given the opportunity to delegate implementation of the reforms of the Federal Superfund Program at the sites, as well as provided with incentives to implement their own reform programs in a fair and cost-effective manner.

Now, Mr. Chairman, this is what this bil does, and what the gentleman from Massachusetts [Mr. MARKEY] does is return us to the status quo, to the train that continues to go in the wrong direction after all of these years since 1980. So there is no use continuing to throw money into this program without reform.

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Mr. Chairman, this is why we need term limits around here. This is why we need to change Congress and not have one party dominate Congress for 40 years, because they are on the same train going in the wrong direction. There are no new ideas.

But, lo and behold, the Republican majority comes in, we have Chairman OXLEY with new ideas and a new program. And once and for all we start to say this train is going in the wrong direction, and we are going to move forward, stop this train and move it in the right direction. That is what this program does. So term limits is good for Members and term limits is good for the majority after 40 years of the Superfund Program.

Mr. Chairman, I rise in strong opposition to the Markey amendment. I might point out that this program can be improved vastly, and I call for the defeat of the Markey amendment and passage of the Republican plan.

Mr. BUYER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have to rise in opposition to the Markey amendment here tonight. I did take special interest, though, when the gentleman from New Jersey, Mr. PALLONE, spoke, when I noticed and it first came to my attention that the gentleman from Massachusetts, Mr. MARKEY, had 32 sites in his own district, of which only 2 had been cleaned up, and then when I noticed the district of Mr. PALLONE, the 6th District of New Jersey has 9 Superfund sites, zero have been completely cleaned up, 7 of those sites came in 1983.

Really, I find it very fascinating that Members would want to defend the status quo when in fact so many Superfund sites have been on the books for so long. If our commitment is to a healthier and safer environment, what are we doing? Time out. What in fact are we doing?

The purpose of Superfund is to protect public health from the dangerous release of materials in a cost effective manner. Sixteen years after the law was enacted, lawyers, not the environment, have become the big winners. What I have here is a scroll. On this scroll is a list of thousands and thousands of lawyers who have been retained at over 1,300 of the Superfund sites. Let me just continue on, and I will speak as this goes on, and I will move slowly and everybody in America can read this list of lawyers.

Each year on average, only 5 sites are removed from the national priority list, and each year citizens pay $4.5 billion on the cleanup costs. That is because 47 percent of the total Superfund costs are spent on lawyers and legal expenses.

It is difficult right now for the Democrat Party here because they have to face a choice. The choice is between a constituency that supports them on the environmental issues, that gives a lot of money to their congressional campaigns, and trial lawyers who fund their campaigns with a lot of money. What we have here are all these trial lawyers, so I guess I have to assume that they are siding with the lawyers here tonight.

The liability aspect is so measured that even local governments are being sued millions of dollars on Superfund simply because they picked up the garbage. In Indiana alone, 32 Superfund sites are awaiting action. In my district, we have Continental Steel in Kokomo, IN. It has been on the national priority list for 10 years. The Federal Government has already spent nearly $13 million on contamination removal, yet it is still considered worst on the Indiana list.

I applaud Chairman MIKE OXLEY for having come to Indiana to actually look at the Continental Steel site. I imagine the gentleman from Ohio [Mr. OXLEY] can recall looking at the spent pickle liquor that was right next to Wildcat Creek. That spent pickle liquor still has the risk of contamination into the water because money is going to all these lawyers. It is all the lawyers.

I applaud the gentleman from Ohio because he chooses the environment. He wants to side with the millions of people who live next to these Superfund sites. But what I find here today is the Democrats are siding with the scroll and all the lawyers.

Everyone must agree that Superfund is broken and will require additional funding to fix it. We need to reform Superfund, the joint and several liability, in order to immediately clean up the Superfund sites by using Superfund business taxes to clean up these sites rather than litigating and negotiating.

This amendment would prevent significant reform of the current Superfund liability system by preventing these funds from being used to clean up the sites. Instead, this amendment will keep the status quo of taking money from taxpayers and lining the pockets of all of these lawyers.

The list keeps going and going and growing as environmental law continues to grow. Forty-seven percent of all of the money has gone to all these lawyers instead of cleaning up all the sites.

One could say, "This is a little bit about theater here tonight." It is Mr. Chairman. This is a little bit about theater. But the reality and the fact fo the matter is that money that should be going to make our enviroment healthier and safer is going to line the pockets of trial lawyers, who will in turn send that money into many campaigns because the Democrats want the majority back. I think that is shameless, that they would choose that over the environment.

I will stand with the environment, and I applaud the gentleman from Ohio [Mr. OXLEY] here tonight. God bless you. Vote down the Markey amendment.

Mr. ORTON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to my colleague from New Jersey, Mr. PALLONE, out of courtesy inasmuch as he was referred to by the last speaker.

Mr. PALLONE. I appreciate the gentleman's yielding to me.

Mr. Chairman, I just wanted to say, first of all, it is very easy to come on the floor and start disparaging the lawyers. There are a lot of lawyers involved in a lot of things in this place including on the floor of this House.

What did Voltaire say: the first thing we do is kill all the lawyers. Maybe that is what the gentleman wants to do, but I do not think that is the issue here tonight.

The issue here tonight is whether or not the corporations and the individuals who polluted these sites and created the mess are going to be responsible for cleaning them up. If we eliminate that as a basic tenet of the Superfund Program, it will no longer be a viable program. The taxpayers will be basically paying for things that will not happen because there will not be enough money to do the cleanup.

The gentleman mentioned my district specifically. Of the nine sites in my district, seven of them I mentioned are in various phases of cleanup but most of them are in very advanced stages where they are actually doing just monitoring now of the overall program. One site has actually been deleted from the list. Again the gentleman talks about our side of the aisle. This administration, as I said before, has done more cleanups in the last few years than have done in the whole 10 years prior to that of the Superfund Program. It has also deleted more sites from the NPL list than any previous administration. So we are talking here about a Democratic administration that cares about the program, that believes in the program, that wants to make certain changes in the program that are beneficial but still keep the program intact.

What you want to do tonight, and I am amazed when I listen to the debate on the floor, is destroy and get rid of the program.

I just wanted to make one additional comment again based on my friend from New York and what he said about this codisposal option, because that upsets me a great deal. One of the sites that I have is in advanced stages of cleanup in Edison, NJ. It is called the Kin-Buc site, one of the most hazardous sites, the most toxic sites in this country. If any of you went there today to see what has been done at that site, it is amazing how much cleanup, what has actually been done. It not only looks beautiful, it is working. The Superfund Program works. But if what the gentleman from New York [Mr. BOEHLERT] described for codisposal were to come in play and become the law, that site would never be cleanup up today. Because under his proposal, if there is any municipal waste or a substantial amount of municipal waste that goes to a landfill, which is what the Kin-Buc site is, then there is no longer any liability on the part of the polluters to clean up the site. If they have already spent money to spent money to clean up, which they have done at Kin-Buc, then they get reimbursed, which is what this is all about, rebates to the polluters. If on the other hand they have not cleanup it up yet, then the responsibility is turned over to the taxpayers to pay the cost of the cleanup. That means that cleanup does not occur.

The bottom line here, and I think everyone has to understand this, you eliminate the polluter pays principle. You make these changes that they have to do the cleanup and you will not

see progress on Superfund sites. You can talk here all you want about all the lawyers and about the various stages of cleanup and how you think the program is not working. The bottom line is the program is working. What you are proposing will make the cleanups stop. That is what the other side is all about.

I have heard it said over and over again, we do not need a Superfund Program. Let the States do the job. The job cannot be done by the States. If we do not pass this amendment tonight, and we do not get away from this notion that we are going to pay rebates to the polluters, we are not going to see the Superfund Program as a viable program anymore. That is the bottom line.

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

Mr. ORTON. I yield to the gentleman from New York.

Mr. BOEHLERT. I would like to respond to the gentleman from New Jersey [Mr. PALLONE]. The proposal I advanced last July which was spoken so highly of by the Administrator of EPA would eliminate retroactive liability for 250 codisposal sites across the country, the idea being to get small businesses out from any liability and to get communities out from any liability, have the trust fund pay for the cleanup, because I want cleanup just as much as the gentleman does and this is a faster way to get the cleanup.

Mr. PALLONE. If the gentleman will yield further, I understand what the gentleman is about, but the gentleman's proposal is not necessary and is counterproductive. We can have exemptions for small businesses, we can have exemptions for municipalities.

The gentleman from Massachusetts [Mr. MARKEY] has indicated and I have indicated and all of us have indicated that we do not have a problem with that and this amendment does not preclude that. But if you go along with this codisposal site that basically says because municipal, household waste, whatever, goes into a landfill or a site and that means that there is no longer liability for the people, the generators of most of the hazardous waste, then in effect what you are doing is eliminating liability for the corporations in the case of Kin-Buc, in my own district, that had to do the cleanup, and there is not going to be the taxpayer money to do that cleanup. It will not happen.

AMENDMENT OFFERED BY MR. BOEHLERT AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. MARKEY

Mr. BOEHLERT. Mr. Chairman, I offer an amendment as a substitute for the amendment.

The Clerk read as follows:

Amendment offered by Mr. BOEHLERT as a substitute for the amendment offered by Mr. MARKEY: Page 95, after line 21, insert the following:

SEC. 422. None of the funds made available to the Environmental Protection Agency under the heading "Hazardous Substance Superfund" may be used to implement any retroactive liability discount reimbursement described in the amendment made by section 201 of H.R. 2500, as introduced on October 18, 1995.

Mr. BOEHLERT [during the reading]. Mr. Chairman, I ask unanimous consent that the amendment offered as a substitute for the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. BOEHLERT. Mr. Chairman, I will not take the entire 5 minutes because I know the chairman and the ranking member of the committee have been working very hard and we have all been here for a long time on this very subject. It is an important subject, so we should discuss it in detail. But all that needs to be said has been said pretty much.

I would like to add just a couple of thoughts. The Boehlert amendment makes it absolutely clear once and for all that the retroactive liability discount is dead. Please, no more stories about paying polluters. It is all over. Finished. I never supported it in the first place, and it is behind us. It has been for 5 months. The negotiations have gone forward on Superfund reform without any discussion of retroactive liability discounts.

Second, the Boehlert amendment preserves the right of Congress, that is a very precious right, to develop bipartisan Superfund legislation that will provide needed relief, liability relief to thousands of small businesses and small communities across the country. We want to get them out of the courts, we want to get them out of the law offices, and we want to get the emphasis on cleaning up toxic waste sites. I think the Markey amendment would actually undermine the most important administrative Superfund reforms being sought by the Environmental Protection Agency. I think we should move forward. This is a responsible pro-environment, pro-small business, pro-small community substitute amendment, and I urge its adoption.

Mr. MARKEY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, let us just clear away, if we could, a lot of the statements that have been made this evening about the nature of this amendment. The gentleman from New York [Mr. BOEHLERT] is not speaking about H.R. 2500 when he talks about anything that Carol Browner has said. Any personal remarks that Carol Browner may have made about the gentleman from New York [Mr. BOEHLERT] are deserved by him. But H.R. 2500 was in fact a bill which Administrator Browner recommended a veto on. A veto.

If the gentleman from New York [Mr. BOEHLERT] wants to associate himself with that bill, because that is what my amendment refers to, H.R. 2500. It refers to provisions in H.R. 2500 that allow for rebates to be given to polluters. If the gentleman from New York [Mr. BOEHLERT] wants to associate himself with that portion which somehow or other he has up on his board over here with the gold star from Carol Browner, that is fine. Take credit for that. But we are not debating that this evening, and we are not debating liability for municipalities. We are not debating the whole long laundry list of issues that all of these Republicans keep getting up and speaking about. We are only debating one issue, the issue of whether or not tax dollars that we need to balance the budget, that we need to pay for Medicare, that we need to pay for Medicaid, that we need to pay for inoculations of children are going to be spent to give money to polluters in cases where they have accepted liability in curt to clean up a site for which they are responsible.

□ 2030

That, Mr. Chairman, is what this whole debate is about.

Now, the Boehlert amendment deals with H.R. 2500's provision which allows for the payment of money for polluters. What my amendment does out here on the floor, that he is seeking to amend, would prohibit any scheme ever to pay polluters. Now, there is a big difference between taking the Contract With America provision and Mr. BOELHERT saying, well, I do not support that, and taking any other provision which could be constructed which would accomplish the very same goal.

That is why the Markey amendment has to pass, or else the Boehlert amendment has just given a very temporary 60- or 90- or 120-day inoculation to the Republican Party, pending Bob Dole' election as President, they hope, and then the bill can pass with only 51 percent of the vote. So we need the Markey amendment to prohibit it, to make it part of the law, not just H.R. 2500, this concoction of wish lists by the polluters of America, fulfillment of the Contract With America, but any scheme which is constructed.

So I give the gentleman from New York his due, and he deserves it, and the Republican Party deserves credit for using the gentleman as a guard-all shield against their support for all of the polluter-written legislation that has been presented out on this floor over this past year and a half. But even the gentleman, in all of his sacrifice for the Republican Party, cannot protect them against H.R. 2500, even as the gentleman brings out his good report card from Carol Browner on the things that he does support.

H.R. 2500 the gentleman opposes, I hope, because Carol Browner said that it should be vetoed, and if you did not, then fine, there is an area of agreement

that you have with the Republican Party, but not with the environmentalists of our country, not with the EPA, and not with anyone that wants to see the sites in this country that have been polluted by chemical companies, by oil companies, cleaned up.

Mr. Chairman, I hope that this amendment is not allowed to in any way interfere with our ability to also ensure that the Markey amendment is included as part of this law.

Mr. GILLMOR. Mr. Chairman, I move to strike the last word.

(Mr.. GILLMOR asked and was given permission to revise and extend his remarks.)

Mr. GILLMOR. Mr. Chairman, I rise in opposition to the Markey amendment. The Markey amendment continues to support a failed program when there are better alternatives available. This amendment ignores some simple and widely accepted facts about Superfund, and unapologetically defends the failed status quo.

The Markey amendment preserves the current retroactive liability system—a system that has proven to be successful at enriching lawyers, but not in cleaning up the environment.

When Superfund was originally passed in 1980, and when it was reauthorized in 1986, it was a program with great hope. The hope was that the billions of dollars raised by the corporate taxes in this program would go for cleaning up some of the Nation's most dangerous hazardous waste sites. Regrettably, the promise was not met.

Superfund turned out to be an all-too-typical Federal Government program. First, it failed in its purpose. After 16 years and a cost of $15 billion, only 91 sites have been cleaned up. Second, it was an all-too-typical Government program because in the process of failing, it consumed billions and billions of dollars. Third, much of the money that was spent did not go for helping the environment. It went to enrich attorneys and it went for regulatory and bureaucratic costs. This program must be reformed and we have a vehicle pending before this Congress to reform it in the Commerce Committee.

The appropriations legislation offered here to fund the U.S. Environmental Protection Agency [EPA] in fiscal year 1997 places a priority on Superfund spending for actual cleanup, limiting the resources used for redundant administrative and support services. I could not agree more with this strategy. I offered in the Commerce Committee, and the committee accepted, these same provisions to the House reauthorization and reform of the Superfund program. I am glad the Appropriations Committee has decided to accept this idea in the report language to this bill.

EPA says it is spending roughly about 65 percent of their Superfund budget on remedial actions, the rest going to administrative, research, and oversight activities. However, only about 40 percent goes to actual cleanup. So, 60 percent winds up going to other activities. Environmental protection, especially when it comes to Superfund, should not be just spending money, but in spending money wisely for environmental cleanup.

A vote for the Markey amendment is a vote against reform of Superfund. The major problems with Superfund are its liability determination, retroactive liability, and a failed method of remedy selection. If you really care about the environment, you want the limited resources we have spent for dealing with real environmental needs, and not wasted. The money ought to go to pay the people who move dirt, and clean up the actual sites, and not go to the consultants and lawyers. A "no" vote on this amendment coupled with the passage of real reform in Superfund will be good for the environment, and especially it will be good for the people who live near these sites.

Mr. PALLONE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I will not use more than a minute or so. I wanted to point out, I am amazed. I appreciate the fact that the gentleman from New York [Mr. BOEHLERT] is basically getting this half right, I guess is the way to phrase it. But essentially what he is doing here is eliminating the liability or allowing rebates, if you will, for those who have entered into consent orders and admitted liability.

So if a polluter said, "Look, I did this," and enters into the consent decree, then they can still get a rebate check. For the life of me, I do not understand why we should allow that if someone has admitted guilt, so to speak, and said that they contributed to the mess.

I think it is commendable that the gentleman is going halfway and agreeing with the rest of the Markey amendment, but I totally oppose the idea that just because there is a consent order outstanding that someone has entered into, that somehow that person should continue to be able to get a rebate. It goes against the grain in terms again of what the Superfund program is all about, and the idea is that those who polluted should pay.

Mr. DINGELL. Mr. Chairman I move to strike the requisite number of words.

Mr. Chairman, I have in my hands the two amendments which we are discussing. The first is the amendment offered by the gentleman from Massachusetts [Mr. MARKEY]. It is an excellent amendment. What it does is it says that there can be no money paid to a fellow who has polluted for cleaning up; he has to clean up after himself.

This reminds me of a wonderful sign that I once saw on the wall. It said, "Your mother does not live here, so you will have to clean up after yourself."

What the gentleman from New York [Mr. BOEHLERT] wants to do and what my Republican colleagues want to do is to modify that slightly. Mr. MARKEY says that if you pollute, you cannot get paid for cleaning up. The gentleman from New York says that. Now, the gentleman from New York has then established that he is half right, and for that we should salute him because it is quite a rarity in a Republican Congress for a Republican to be half right.

Having said that, we come to the second part, however, which the gentleman from New York has stuck in there. I always thought the gentleman from New York was a very smart fellow, and I still do, but something happened here tonight that I cannot explain and perhaps he can. What he says is, but if you have made a settlement, then the Government is going to pay you to clean up and give you a rebate for cleaning up after you have made a mess and after you have been forced into a settlement.

I do not understand why we should pay a wrongdoer who has made a mess and not settled, and I do not understand why a fellow who has made a mess and then settled should be paid. It just does not follow and it does not make good sense.

Now, I have enormous respect for the gentleman from New York [Mr. BOEHLERT]. He is a very wise and very good Member of this body, and I salute him for the good work that he has done over the years. But tonight he has things a little wrong. What we really need to address is to understand that there are two situations where a polluter could profit under this legislation. The first is where he has gone out and made a dirty mess, risked the lives of the people, contaminated the water, polluted the air, dirtied up a major area, threatened the life and well-being of the people, and under the Republican idea we will then pay them for cleaning that up and having put large numbers of people at risk. This will look very good on their balance sheets, and I am sure my Republican colleagues like that.

Having said that, Mr. Chairman, it must be observed, however, that the gentleman from New York [Mr. BOEHLERT] would address that, and for that we should salute him. But it is so that he does not address the other equally important situation which arises under the bill. That is, that a polluter who has cut a deal and has agreed that he has done something wrong and has agreed freely that he, along with other polluters, will then clean up, is going to get a rebate. Now, that may be a splendid idea if you are a polluter, but from the standpoint of the taxpaying public and from the standpoint of people who have to pay the taxes for the cleanup, it does not make good sense, because what it does is it diverts moneys from an already short Superfund into the paying off of wrongdoes. That is wrong.

Now, if we need to address the question of Superfund, we ought to be addressing it in the committee. My Republican colleagues have run the committee now for almost a year and a half. There is no Superfund bill. My good friend from New York, the gentleman from New York [Mr. BOEHLERT], got up and castigated the Democrats because we have not gotten a bill.

Now, it may be that he does not know that the Republicans control this Congress, but believe me, and I will tell him now, they do. As a matter of fact, I understand the distinguished gentleman from New York is a subcommittee chairman on the Committee on Transportation and Infrastructure.

Mr. Chairman, I yield to the gentleman from New York for purposes of explaining what he is doing tonight, I will be very happy to do so because I notice he is standing and I do have great respect for him.

Mr. BOEHLERT. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I would just like to point out that what I am proposing would permit continued consent decrees to be entered into with the hope that some relief will be provided in the near future, because the Democrats and the Republicans are very actively seeking Superfund reform legislation this year.

What the Markey amendment will do is provide a disincentive for anyone to settle and to begin to clean up, because they are going to hold out hope that some day in the future this will happen. I want to get in with Superfund cleanup so that we can have a cleaner, healthier, safer environment for our kids and our grandkids.

Mr. DINGELL. Reclaiming my time, I thank the gentleman, but what the gentleman from New York would do is to give forgiveness and absolution retroactively.

It isn't what we are going to do prospectively that my good friend from New York would address, it is that which has already been done. He is going to catch a bunch of rascals and scoundrels who polluted and go out and make them whole for what they have already agreed to clean up.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. BOEHLERT] as a substitute for the amendment offered by the gentleman from Massachusetts [Mr. MARKEY].

The amendment offered as a substitute for the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. MARKEY] as amended.

The amendment, as amended, was agreed to.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 456, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order: the amendment offered by the gentleman from Minnesota [Mr. GUTKNECHT], and the amendment offered by the gentleman from Pennsylvania [Mr. WALKER].

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. GUTKNECHT

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Minnesota [Mr. GUTKNECHT] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 45, noes 372, not voting 16, as follows:

[Roll No. 277]

AYES—45

Baker (CA)
Barton
Brownback
Bunning
Campbell
Chabot
Coburn
Cox
Crane
Dreier
Duncan
Graham
Gutknecht
Hamilton
Herger
Hoekstra
Hostettler
Inglis
Istook
Johnson, Sam
Kasich
Klug
Largent
McIntosh
Metcalf
Meyers
Minge
Myrick
Neumann
Petri
Pombo
Portman
Radanovich
Ramstad
Roemer
Rohrabacher
Roth
Royce
Sanford
Sensenbrenner
Shadegg
Smith (MI)
Souder
Tiahrt
Upton

NOES—372

Abercrombie
Ackerman
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bateman
Beilenson
Bentsen
Bereuter
Berman
Bilbray
Bilirakis
Bishop
Bliley
Blumenauer
Blute
Boehlert
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TN)
Bryant (TX)
Bunn
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chambliss
Chapman
Chenoweth
Chrysler
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooley
Costello
Coyne
Cramer
Crapo
Cremeans
Cubin
Cummings
Cunningham
Danner
Davis
de la Garza
Deal
DeFazio
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dornan
Doyle
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Engel
English
Ensign
Eshoo
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Fields (LA)
Filner
Flanagan
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Green (TX)
Greene (UT)
Greenwood
Gunderson
Gutierrez
Hall (TX)
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Heineman
Hilleary
Hilliard
Hinchey
Hobson
Hoke
Holden
Horn
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Jackson (IL)
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnston
Jones
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDermott
McHale
McHugh
McInnis
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Nadler
Neal
Nethercutt
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Peterson (MN)
Pickett
Pomeroy
Porter
Poshard
Pryce
Quillen
Quinn
Rahall
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Rogers
Ros-Lehtinen
Rose
Roukema
Rush
Sabo
Salmon
Sanders
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schroeder
Schumer
Scott
Seastrand
Serrano
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Spence
Spratt
Stark
Stearns
Stenholm
Stockman
Stokes
Studds
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Wamp
Ward
Waters
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wise
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—16

Becerra
Bevill
Boehner
Browder
Christensen
Coleman
Fields (TX)
Flake
Gibbons
Hall (OH)
Hayes
Lincoln
McDade
Peterson (FL)
Roybal-Allard
Yates

□ 2100

Messrs. LAHOOD, DELLUMS, PETERSON of Minnesota, VISCLOSKY, CHRYSLER, and COOLEY of Oregon, and Mrs. CHENOWETH changed their vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. WALKER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania [Mr. WALKER] on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 245, noes 170, not voting 18, as follows:

[Roll No. 278]

AYES—245

Allard
Andrews
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bono
Brewster
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Castle
Chabot
Chambliss
Chenoweth
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
Deal
DeLauro
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
English
Ensign
Everett
Ewing
Fawell
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frisa
Funderburk
Gallegly
Ganske
Gejdenson
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Green (TX)
Greene (UT)
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Johnson (CT)
Johnson (SD)
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kennelly
Kim
King
Kingston
Klug
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (KY)
Lightfoot
Linder
Lipinski
LoBiondo
Longley
Lucas
Luther
Manzullo
Martini
Mascara
McCarthy
McCollum
McHale
McHugh
McInnis
McKeon
Metcalf
Meyers
Miller (FL)
Minge
Molinari
Moorhead
Morella
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Orton
Oxley
Parker
Paxon
Petri
Pombo
Porter
Portman
Pryce
Quinn
Radanovich
Ramstad
Richardson
Riggs
Rivers
Roberts
Roemer
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Schumer
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Talent
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Torricelli
Traficant
Upton
Vucanovich
Walker
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Young (FL)
Zeliff
Zimmer

NOES—170

Abercrombie
Ackerman
Baesler
Bellenson
Berman
Bishop
Blumenauer
Bonilla
Bonior
Borski
Boucher
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clay
Clayton
Clement
Clyburn
Collins (IL)
Collins (MI)
Conyers
Costello
Coyne
Cramer
Cummings
de la Garza
DeFazio
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Durbin
Edwards
Engel
Eshoo
Evans
Fattah
Fazio
Fields (LA)
Filner
Foglietta
Ford
Frank (MA)
Frelinghuysen
Frost
Furse
Gephardt
Gonzalez
Gordon
Gutierrez
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Houghton
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Johnston
Kaptur
Kennedy (MA)
Kennedy (RI)
Kildee
Kleczka
Klink
Knollenberg
LaFalce
Lantos
Levin
Lewis (CA)
Lewis (GA)
Livingston
Lofgren
Lowey
Maloney
Manton
Markey
Martinez
Matsui
McCrery
McDermott
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Mink
Moakley
Mollohan
Montgomery
Moran
Murtha
Myers
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Packard
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (MN)
Pickett
Pomeroy
Poshard
Quillen
Rahall
Rangel
Reed
Regula
Rogers
Rose
Rush
Sabo
Sanders
Sawyer
Schroeder
Scott
Serrano
Sisisky
Skaggs
Skeen
Slaughter
Smith (WA)
Spratt
Stark
Stokes
Studds
Stupak
Tanner
Tejeda
Thompson
Thornton
Thurman
Torres
Towns
Velazquez
Vento
Visclosky
Volkmer
Walsh
Ward
Waters
Watt (NC)
Waxman
Wicker
Williams
Wilson
Wise
Wolf
Woolsey
Wynn
Young (AK)

NOT VOTING—18

Becerra
Bevill
Browder
Christensen
Coleman
Farr
Fields (TX)
Flake
Gibbons
Hall (OH)
Hayes
Lincoln
McDade
McIntosh
Mica
Peterson (FL)
Roybal-Allard
Yates

□ 2107

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. FARR of California. Mr. Chairman, I was inadvertently detained during rollcall vote No. 278. Had I been present I would have voted "no."

Mr. COOLEY of Oregon. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise today to express my sincere reservations about the bill before us today, the fiscal year 1997 VA, HUD and independent agencies appropriations bill.

This bill provides desperately needed funding to help our Nation's veterans deal with their health needs, assist them in housing costs, and allow them to meet their educational goals. These measures are not only worthwhile, but necessary because they live up to our Government's obligation to those who gave valiantly in the defense of this great Nation. Unfortunately, this bill does much more than meet these worthwhile objectives.

The bill before us also provides funds for dozens of other bloated, unrelated agencies which serve as a black hole for our citizen's hard-earned tax dollars. These agencies include the Office of Science and Technology, Community Development Financial Institutions, the Council on Environmental Quality, and the National Science Foundation.

Perhaps the most difficult task for me is to justify the inclusion of the Environmental Protection Agency and AmeriCorps into this omnibus bill. I have serious concerns about these two agencies, their ability to spend the public's money wisely, and the choices they make in carrying out their mission. Unfortunately, I have to vote for them as part of this bill.

Although it will be difficult, my dedication to honoring this country's promise to its veterans supersedes my concerns about these misguided agencies. However, I would like to state for the record that I am voting for veterans, not bureaucrats at the EPA and AmeriCorps.

By forcing the representatives of the people to vote for this voluminous bill, we are denied an opportunity to more closely scrutinize the way the people's money is being spent, and ordered to vote in favor of a bill which sets our deeply held beliefs in conflict. In the future, I hope that we can revisit the appropriations process in order to create more cohesive, and carefully scrutinized, bills.

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise really to discuss the remaining business, briefly, to give Members a sense for the time that we may have left. If you would like to discuss the time that we have left, I would be glad to try.

Before we get to that point, the gentleman from Ohio [Mr. STOKES] and I have talked a lot about this new environment between both sides on this appropriations bill, of which we are very appreciative. I must say that there is one more item that has added greatly to the work that we have done and facilitated the process as much as possible in this environment. I hope the Members will express their appreciation for a very, very fine job of chairing this committee during this very difficult process by the gentleman from Texas.

At this point, we are aware of just five more amendments. We understand

the sponsors will agree to a time agreement as follows: One amendment each for the gentleman from Georgia [Mr. KINGSTON] and the gentleman from Indiana [Mr. ROEMER], the gentleman from Illinois [Mr. WELLER], the gentleman from Utah [Mr. ORTON], and the gentlewoman from Texas [Ms. JACKSON-LEE], and each amendment will be considered for 10 minutes equally divided, 5 minutes on each side for each amendment, and we could take less than that, by the way.

Mr. OBEY. Mr. Chairman, let me suggest, I know that Mr. STOKES and everyone else on this side of the aisle would like to be cooperative in working this out. I want to see the gentleman's request approved.

I think there is an impediment to that right now. If the gentleman could withhold that for a few moments and if we could get a unanimous consent for the next amendment only, while it is worked out, I think we might save a lot of time.

Mr. LEWIS of California. Mr. Chairman, I ask unanimous consent that debate on the Weller amendment and all amendments thereto be limited to 10 minutes, the time to be equally divided and controlled.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. The gentleman from Illinois [Mr. WELLER] and a Member opposed, each will control 5 minutes.

The Chair recognizes the gentleman from Illinois [Mr.WELLER].

□ 2115

AMENDMENT OFFERED BY MR. WELLER

Mr. WELLER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. WELLER:

SEC. . FHA MORTGAGE INSURANCE PREMIUMS.—Section 203(c)(2)(A) of the National Housing Act (12 U.S.C. 1709(c)(2)(A)) is amended by inserting after the first sentence the following new sentence: "In the case of mortgage for which the mortgagor is a first time homebuyer who completes a program of counseling with respect to the responsibilities and financial management involved in homeownership that is approved by the Secretary, the premium payment under this subparagraph shall not exceed 2.0 percent of the amount of the original insured principal obligation of the mortgage.".

Mr. VENTO. Mr. Chairman, I reserve a point of order on this amendment.

The CHAIRMAN. A point of order is reserved by the gentleman from Minnesota [Mr. VENTO].

The Chair recognizes the gentleman from Illinois [Mr. WELLER] for 5 minutes.

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

Before I begin discussing my amendment I do want to take a moment and commend the chairman of the subcommittee, the gentleman from California [Mr. LEWIS] and also the ranking member, the gentleman from Ohio [Mr. STOKES], for their leadership and their management of this particular bill. I think they have gone out of their way, Mr. Chairman, to work towards bipartisanship.

Mr. Chairman, I offer an amendment that helps working families by working towards expanding homeownership opportunities for first-time home buyers by working to lower the up-front costs for FHA loans. This amendment, which has bipartisan support, I would like to point out, Mr. Chairman, would lower the FHA mortgage insurance premium for first-time home buyers to get ownership counseling. Currently the maximum rate is 2¼ percent of the loan value. This amendment would reduce that to 2 percent, saving the average FHA homeowner about $200 a year and $200 towards their up front closing costs, and of course counseling, working with these aspiring homeowners, would help reduce the default rate.

Some in Washington would call $200 probably chump change, saying that is not very much, but for real working families back in Illinois and throughout this country who are struggling to make ends meet, $200 is a lot of money each year.

This amendment is needed to promote home ownership, helping American families pursue the American dream because we all recognize that strengthening home ownership strengthens families, and when someone owns a home in a community, that strengthens their communities.

This amendment is needed like many undisturbed that we see a decline in home ownership, particularly among the young. Statistics show that home ownership rates among heads of households under 35 years of age is three-fourths of what it was in 1979. In fact, in 1979, 45 percent of heads of households under 35 were homeowners. Today, in 1995, this past year, 39 percent of heads of households under 35 were homeowners. We have seen a 9-percent drop.

Over the past 6 months as interest rates have gone up, we have seen about a 1½ percent rate increase on home mortgage rates. That averages out to about a $1,000 a year increase in home ownership costs for the average family and the average home loan. Unfortunately, we did not reach a balanced budget agreement this year which would have brought down interest rates, but we are still working on that, and this effort will help reduce those costs.

As I pointed out, interest rates, mortgage rates have gone up 1 to 1½ percent, driving up the average cost a thousand dollars a year, or about $85 a month for the average home mortgage.

This amendment restores opportunity, my colleagues. Let us help aspiring potential home buyers afford a new home. Let us help reduce their costs and give them a $200 break on their closing costs as well as a $200 break in their annual costs of FHA insurance. As we know, increased home ownership strengthens communities.

I do want to point out this amendment has bipartisan support, is basically identical to what the President endorsed a few weeks ago in his initiatives. I ask for bipartisan support. Let us help working families afford a home. Let us strengthen communities, strengthen home ownership. Let us make home ownership more affordable.

Mr. Chairman, I ask for bipartisan support and I reserve the balance of my time.

Mr. VENTO. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am reserving my point of order.

I would point out that this obviously goes beyond the scope of appropriating and into policy areas, much of which the committee, the principal committee on which I serve and many others in this body, has not dealt with.

Mr. Chairman, under that reservation I would just point out that this change, a good change, and I might say that Mr. WELLER has been an ally in support of the FHA program, and I and other Members have noted that and appreciate it, and this does follow, as he had mentioned, a policy administration action by President Clinton 3 weeks ago to in fact reduce the up-front costs in terms of FHA.

So normally important that program to affordable housing in this country, and although this is out of scope, I understand that there has been agreement. I do not want to stand in the way of the agreement; I want to be part of the home ownership, increasing national home ownership opportunities.

Last week Secretary Cisneros visited my district and outlined just such a program and other programs that have achieved that. In fact, the Clinton administration has had great success since initiating this, with 1.4 million families since 1995 achieving or obtaining home ownership because of the positive interest rates and other factors in the economy.

So I join the gentleman and want to commend him, but I would hope that the committee of jurisdiction would deal with the comprehensive FHA formula. We sent a bill over there 2 years ago that substantially raised the average loan, raised the ceilings, did a variety of things that would have accorded opportunity for home ownership, and the problem with these sort of bits and pieces of amendments that are coming to the floor today, I know good in their own vein, they simply frustrate the overall modernization of the FHA program, which I might say is healthy, is

vital, is serving people in this country and is something that they need.

So if my colleagues care about home ownership in this country, we ought to be supporting a strong revitalized FHA program. It is healthy. It deserves that support.

With that said, Mr. Chairman, I withdraw my reservation of a point order.

The CHAIRMAN. The Chair grants the gentleman from Minnesota [Mr. VENTO], in order to make his statement, the 5 minutes in opposition to the amendment.

The gentleman may reserve the balance of that time if he so wishes.

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

Mr. WELLER. Mr. Chairman how much time is remaining?

The CHAIRMAN. The gentleman from Illinois [Mr. WELLER] has 2 minutes remaining.

Mr. WELLER. Mr. Chairman, I yield 1 minute to the gentleman from Arizona [Mr. HAYWORTH].

Mr. HAYWORTH. Mr. Chairman, I thank my colleague from Illinois for yielding this time to me.

Mr. Chairman, we do not need a whole minute to say this. We just need to reiterate this one key point: $200 is a lot of money to hard-working families in the United States of America, and for people to have the opportunity to buy a home for the first time this amendment would empower those people.

That is why I am proud to stand with my good friend from Illinois and Members on both sides of the aisle in support of the Weller amendment.

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

Mr. Chairman, I would just point out to my colleagues that the history of this began in the early 1980's with an up-front premium payment to FHA. Now, they in fact took the entire premium and pulled it into the mortgage, thereby creating a negative net worth in terms of the loan-to-value ratio. That in essence, I think, added to some of the problems with FHA, although FHA was never in the red. It was always in the black. Studies came out with projections that cast a shadow on the FHA single family, the M-1 fund.

Mr. Chairman, in the early 1980's, I think in the name of making symbolic deficit reduction, the policy was changed to collect an up-front premium on FHA. We changed that policy, on a bipartisan basis, myself and the Member, the Governor now of Pennsylvania, Tom Ridge, in a conference committee led by the gentleman from Texas [Mr. GONZALEZ] and others, and I think that it is noteworthy that we can now reduce further the up-front premium. I hope that some day we can eliminate it completely, reducing that as a necessary cash and liability problem, and convert this back to what it was on a pay-as-you-go basis in terms of the insurance premiums for FHA.

And as I voiced earlier, the fervent desire to modernize this program so it can begin to serve families across this country; in my State, because of the value of homes, it serves about 40 to 50 percent of the market. In most of our States and jurisdictions it does not because home costs are higher, and so the average middle-income American that is desirous of a home loan is not able to achieve the benefits of FHA with this low down payment and the insured nature that it carries.

It has been a marvelously successful program. It has in fact been the most successful program in the history of this Nation in terms of providing home ownership.

Again, I commend the gentleman from Illinois [Mr. WELLER] for his pursuit not just of this amendment this evening but his general support for FHA.

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

Mr. VENTO. I yield to the gentleman from Utah.

Mr. ORTON. Mr. Chairman, I will be very brief just in stating my support for the amendment. Indeed the President has, as indicated, indicated that he would do this administratively. I believe it is good to put it in statutory language. I support the amendment by the gentleman.

Mr. WELLER. Mr. Chairman, I yield myself as much time as I might consume.

Mr. Chairman, in closing let me just be very brief. Let us get to the bottom line here.

Today it is a real struggle for many families to be able to afford a home. We are seeing that as taxes are too high, interest rates are too high and working families' incomes are being squeezed. Many cash-strapped young working families are struggling, trying to obtain a home and pursue the American dream.

Last year, thanks to FHA, we saw 850,000 families had the opportunity to purchase a home thanks to FHA, and 250,000 of them would not have had the opportunity to own a home unless we had the FHA single-family 100 percent loan guarantee program. It is an important mission, and if we want to help young families, young working families, young cash-strapped working families afford the American dream, we need to help them out. At this time when interest rates are going up, let us give them a break, help reduce their closing costs by $200.

I ask bipartisan support for his amendment. I appreciate the bipartisan support we have received.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. WELLER].

The amendment was agreed to.

AMENDMENTS OFFERED BY MR. ORTON

Mr. ORTON. Mr. Chairman, I offer two amendments, and I ask unanimous consent that they be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Utah?

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. ORTON:

Page 95, after line 21, insert the following new section:

SEC. 422. (a) AUTHORITY TO USE AMOUNTS BORROWED FROM FAMILY MEMBERS FOR DOWNPAYMENTS ON FHA-INSURED LOANS.—Section 203(b)(9) of the National Housing Act (12 U.S.C. 1709(b)(9)) is amended by inserting before the period at the end the following: ": *Provided further*, That for purposes of this paragraph, the Secretary shall consider as cash or its equivalent any amounts borrowed from a family member (as such term is defined in section 201), subject only to the requirements that, in any case in which the repayment of such borrowed amounts is secured by a lien against the property, such lien shall be subordinate to the mortgage and the sum of the principal obligation of the mortgage and the obligation secured by such lien may not exceed 100 percent of the appraised value of the property plus any initial service charges, appraisal, inspection, and other fees in connection with the mortgage".

(b) DEFINITION OF FAMILY MEMBER.—Section 201 of the National Housing Act (12 U.S.C. 1707) is amended by adding at the end the following new subsections:

"(e) The term 'family member' means, with respect to a mortgagor under such section, a child, parent, or grandparent of the mortgagor (or the mortgagor's spouse). In determining whether any of the relationships referred to in the preceding sentence exist, a legally adopted son or daughter of an individual (and a child who is a member of an individual's household, if placed with such individual by an authorized placement agency for legal adoption by such individual), and a foster child of an individual, shall be treated as a child of such individual by blood.

"(f) The term 'child' means, with respect to a mortgagor under such section, a son, stepson, daughter, or stepdaughter of such mortgagor.".

Page 95, after line 21, insert the following new section:

SEC. 422. Sections 401 and 402 of the bill, H.R. 1708, 104th Congress, as introduced in the House of Representatives on May 24, 1995, are hereby enacted into law.

Mr. ORTON [during the reading]. Mr. Chairman, I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Utah?

There was no objection.

□ 2130

Mr. DELAY. Mr. Chairman, I reserve a point of order on the amendments.

Mr. ORTON. Mr. Chairman, I will explain my amendments. They are really very simple. There are three parts. The reason I am offering them at this point is, following the Weller amendment, which has just been adopted, which in fact does legislate on this appropriation bill, I acknowledge that mine does also, but I believe that it is important

to do this, to make changes, to modernize and improve and update the FHA program.

Mr. Chairman, I ask unanimous consent, in light of the unanimous consent agreement that had been attempted to be reached, that all time on these amendments that I am offering be limited to 10 minutes, divided between the two sides.

The CHAIRMAN. Does the gentleman from Utah [Mr. ORTON] ask for 5 minutes each, including the time that the gentleman has consumed?

Mr. ORTON. Yes, Mr. Chairman.

The CHAIRMAN. And any amendments thereto?

Mr. ORTON. Yes.

The CHAIRMAN. Is there objection to the request of the gentleman from Utah?

There was no objection.

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

Very briefly, Mr. Chairman, my amendment does three things to modernize and improve FHA. First, it simplifies the downpayment requirement of FHA. It is a very complex two-part downpayment requirement. This simplifies it to a simple one-part calculation. It retains essentially the same downpayment requirements, but does so in a more simple manner. It will save costs and save time.

The second part would also change the provisions of issuing the mortgage insurance certificates. Right now, qualified lenders who make FHA loans have the right to authorize the loan. They make the determination who is eligible for the loan. But the actual FHA insurance certificate is issued by HUD.

My second portion of the amendment changes that and allows the paperwork to be issued by the authorizing lender. This will save time, costly delays, it will save administrative costs to the FHA.

My third part of the amendment would be to change the downpayment requirements. Right now there is a prohibition for downpayments made, including a loan from a parent. My amendment would allow parental loans to be included by the purchaser of the home. Right now, parental loans are prohibited. You cannot acquire a home under an FHA guaranteed loan if you have borrowed a parental loan for part of the downpayment.

I believe we should not be telling parents they cannot loan money to children. This would not in fact weaken the safety and soundness of those loans. You can borrow money now from a third party. Why can you not borrow money from a parent? It is more likely that the parent would step in and help if that loan became troubled, anyway.

HUD supports all three of these amendments. They are supported on a bipartisan basis. All three reduce costs, administrative bureaucracy, reduce time. These amendments all were included in the housing bill which was passed by this House in 1994 but stalled because it was not adopted by the other body.

Mr. Chairman, I would urge adoption of my en bloc amendment.

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

Mr. ORTON. I yield to the gentleman from Texas.

Mr. BENSTEN. Mr. Chairman, I just want to speak to the second amendment the gentleman is offering. I offered a similar amendment to the USA Housing Act that we did, which does allow for these contributions for downpayment assistance for people who want to purchase public housing units. This is what State and local housing agencies are doing around the country. It makes eminent sense. I commend the gentleman for offering his amendment.

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

Mr. ORTON. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, I commend the gentleman. We have worked on these amendments for 2 years. Unfortunately, this year we have not had any hearings on FHA, but these are good amendments. They ought to be incorporated. I still am concerned about the modernization of the broader FHA program. It is desperately needed. But the gentleman has worked hard on these amendments, they are a simplification, and they actually facilitate home ownership. I commend him.

Mr. ORTON. I thank the gentleman from Minnesota for his statement. I, too, share the gentleman's concern. We do need to have an FHA modernization bill enacted through the committee and brought to this full floor of the House. I would encourage our committee to do so. Until that is done, I believe that the Weller amendment and the Orton amendment are good modernization. They improve the FHA, they expand home ownership, and I would urge adoption of the amendments.

The CHAIRMAN. Does the gentleman from Texas [Mr. DELAY] insist on his point of order?

Mr. DELAY. Mr. Chairman, I withdraw my point of order.

The CHAIRMAN. Does any Member seek recognition in opposition to the amendment?

The question is on the amendments offered by the gentleman from Utah [Mr. ORTON].

The amendments were agreed to.

AMENDMENT OFFERED BY MR. ROEMER

Mr. ROEMER. Mr. Chairman, I offer amendment No. 40.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 40 offered by Mr. ROEMER: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds made available in this Act for the National Aeronautics and Space Administration may be used to carry out, or pay the salaries of personnel who carry out, the Bion 11 and Bion 12 projects.

Mr. LEWIS of California. Mr. Chairman, if the gentleman from Indiana will yield, we have agreed upon a time limitation of 10 minutes for each of these items. I just want to make sure that is all right with the gentleman from Indiana.

Mr. ROEMER. I have not been privy to that time limitation, Mr. Chairman. I have been patiently waiting for the last 5 hours to offer the amendment, and sat through a very interesting and intriguing Superfund debate and FHA debate. I have a number of cosponsors who may want to speak, so I would object.

I may not use more than 10 or 11 minutes on my side.

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

Mr. ROEMER. I yield to the gentleman from Ohio.

Mr. STOKES. Mr. Chairman, the gentleman will recall when the ranking member of the full Committee on Appropriations, the gentleman from Wisconsin [Mr. OBEY], was on the floor a little while ago, he made reference to the fact that we would not at this time be able to enter into a time agreement, indicating that, obviously, some work was going toward that end, but at the current time we just cannot agree.

Mr. LEWIS of California. Mr. Chairman, the gentleman from Wisconsin [Mr. OBEY] and I have had the discussion and the gentleman from Ohio [Mr. STOKES] and I have an understanding. I would suggest, short of that, that probably at this hour it would be deleterious to go too much longer.

Mr. ROEMER. I will try to limit debate as much as I can, Mr. Chairman.

Mr. Chairman, I offer this amendment in the spirit of bipartisanship on behalf of the gentleman from Iowa [Mr. GANSKE], the gentleman from Minnesota [Mr. MINGE], and the gentleman from Wisconsin [Mr. NEUMANN]. This is a bipartisan amendment to try to save the administration some money.

Many of our constituents across the country, in California, are just getting home from a hard day's work and may be watching C–SPAN right now. People on the second shift in Indiana, working in the afternoon in a factory, might be just tuning in to C–SPAN right now. I encourage them to turn their TV up and listen to this debate.

My amendment, the amendment offered by the gentleman from Iowa [Mr. GANSKE], this bipartisan amendment simply says that NASA can no longer spend $15 million to send to Russia to send to Russia to send monkeys up into space.

Many people sitting in their living rooms might be turning their volume

up right now and saying, we do what? We send hard-earned taxpayers' dollars from NASA to Russia, when they should be using rubles to send monkeys up into space?

Mr. Chairman, I do not think we should be doing that as we work toward a balanced budget, as we make tough spending cuts here in America. This Bion program, as it is called, sends monkeys up into space of 14 days at a time. One mission is due to go up in August 1996. Another is due to go up in July 1998. We send these monkeys up in space for 14 days. We have had human beings up in space for 439 days now, but we want to study the gravitational effects, or the Russians want to study the gravitational effects, of 14 days lost in space on monkeys.

Back in the 1960's, Mr. Chairman, with Alan Shepherd going into space in May of 1961, and we did not know too much, we did not have Mir, we did not have shuttles, we did not have the ability to study this, maybe doing some joint ventures with the Russians in the cold war and maybe studying monkeys in space made some scientific sense. In 1996, when we have sent up 162 people into space, for us to be now spending $15 million on monkeys going from the former Soviet Union into space, I would think the American people would be outraged by that.

Mr. Chairman, I hear from NASA that they are looking at a study. They want to study this and see if this is the appropriate thing to do. It is one mistake to make the $15 million go to NASA and then go to the Russians to put monkeys in space. We do not need to further complicate this and have a study done to see whether or not this is the right thing to do. Let us, as Members of Congress, end this program now. We cannot afford $15 million for monkeys to be sent up into space from Russia. We have joint ventures with the Russians, with Chernobyl, with the Space Station that I disagree with, with dismantling nuclear weapons, and $15 million to send monkeys up into space does not make any common sense.

Mr. Chairman, let us stop the monkey business at NASA. Let us get this 400-pound gorilla off the taxpayers' backs, and let us do the right thing. Let the Russians spend their rubles on a barrel of monkeys, and let us move forward and balance the budget for hardworking taxpayers.

Mr. Chairman, I yield to the gentleman from Iowa [Mr. GANSKE].

Mr. GANSKE. Mr. Chairman, I rise in support of the Roemer-Ganske amendment. Let us be clear about one thing, Bion 11 and 12 are really not about science, they are about subsidizing the Russian space program. NASA plans to spend $35 million to launch two Russian-owned rhesus monkeys on a Russian spacecraft. Does NASA really expect to learn something new about the effects of extended weightlessness on humans by studying monkeys for 2 weeks? Twenty-three years ago this type of research may have made sense. Since then, humans have stayed in space more than a year, as my colleague has mentioned. Even members of the science community have expressed doubts about this project. Earlier this year, the President's science adviser wrote to the NASA administrator.

The CHAIRMAN. The time of the gentleman from Indiana [Mr. ROEMER] has expired.

Mr. GANSKE. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I will be brief. The President's science adviser wrote to the NASA administrator and said, "I sympathize with your concern that the era of primate research is now behind us and that it may be time to retire those animals."

Mr. Chairman, as we struggle to balance the budget and set priorities, we owe it to the American people not to continue spending money on unnecessary research like this project. Let us stop this wasteful handout to the Russian space industry and save $15.5 million. Think of those poor little monkeys. Think of those little monkeys with the probes drilled into their heads, floating around weightless up there. Just say no to this monkey business.

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

Mr. GANSKE. I yield to the gentleman from Nevada.

Mr. ENSIGN. Mr. Chairman, I rise in strong support of the Roemer-Ganske amendment. As one of the two veterinarians in the House of Representatives, many of us who went through either veterinary school or medical school learned a lot about using animals for medical research. There are animals used in medical research all the time. Dr. GANSKE and myself are strong supporters of using animals for medical research when it is indicated, and only when it is indicated, and obviously to do it in a humane way when we do that.

I think one of the reasons for the animal rights movement over the years is simply because people do unnecessary experiments. That is exactly the purpose of the Roemer-Ganske amendment, is to eliminate an unnecessary, cruel animal experiment when it is not going to benefit mankind in the future. That is the reason we need the Roemer-Ganske amendment. I appreciate the gentleman yielding to me.

Mr. BROWN of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to first start out by indicating the very high regard I have for the gentleman from Indiana [Mr. ROEMER]. He has been more diligent, I think, than any Member that I know of in seeking to find and to curtail unnecessary or undesirable expenditures, and I have very high respect for him for that. He has also brought into question those programs which, in his eyes, deserve to be reviewed as perhaps being of lesser priority than other programs. This, too, is a very important exercise for any Member of Congress. He does this in a way which exemplifies the very best in congressional conduct. He is a true gentleman, and I respect him for that.

Unfortunately, Mr. Chairman, I cannot agree with all of the decisions that he comes to with regard to the goals which he is seeking. For example, he announced that in this amendment, he was seeking to save money for the American taxpayers. His amendment saves no money whatsoever for the American taxpayers. It does prohibit $15 million from being spent on the Bion 11 and 12 projects, but that merely means that NASA can use that same amount of money for whatever else it wishes to.

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

Mr. BROWN of California. I yield to the gentleman from Indiana.

Mr. ROEMER. Mr. Chairman, I thank the gentleman for his kind words. I hold the former chairman of the committee in even higher esteem than he knows.

□ 2145

But in clarifying what the gentleman has just outlined, what my amendment does is that it says that NASA cannot send $15 million to Russia to send up monkeys into space, but they might be able to keep it within the NASA account to spend on shuttle safety or on science projects. That is the intention of my amendment, to keep it in NASA, but not to send it to the former Soviet Union.

Mr. BROWN of California. Mr. Chairman, reclaiming my time, the gentleman's statement that it would save money is, in effect, not exactly apt.

Mr. ROEMER. Mr. Chairman, if the gentleman would continue to yield, my statement would be that the American taxpayers work very hard for the money they send here, and they probably would like to see it spent on shuttle safety or on science like the Galileo program, but not on Russian monkeys going up into space.

Mr. BROWN of California. Mr. Chairman, again reclaiming my time, I will accept the gentleman's restatement of the value of his amendment, namely that it will allow the money to be spent on higher projects. I disagree very strongly with that also.

On the other hand, we have had two gentlemen here who speak to the problem of the treatment of the animals. I would like to indicate that I have spent most of my legislative life, the last 35 years, in trying to project the treatment of animals. I am the author of

the Humane Treatment of Laboratory Animals Act, which is currently on the books. With Senator Dole, I offered the Humane Slaughter Act quite a few years ago. In the State legislature of California I offered similar legislation with regard to the treatment of animals, and I have tried to remain extremely sensitive to all of those groups who are concerned about the safety, treatment, and care of animals. I have devoted quite a bit of effort to that.

So whether we want to approach this from the standpoint of how the animals are treated or the value of the science, I am willing to address it in either of these directions. But going back to the matter of the value of the research, this is probably the longest standing research program in NASA's agenda. It goes back to 1973. It is a program in which the Russians are partners and the French are partners, and they are both deeply concerned about the question of biological reactions in space.

It involves more than monkeys, incidentally. It involves other forms of animals and includes plant life, for example, because we still do not understand the reaction of living organisms to the environment of space. Despite the fact that we have sent 152 people into space, we cannot treat humans as animals. They are instrumented, and the instrumentation is for their own safety and protection. They are monitored for pulse, respiration, heartbeat, all of these things in order that observers on the ground can determine if there is any problem with their condition in space.

We have sent some of our finest doctors into space to study the astronauts, but you cannot use them as laboratory animals, you cannot instrument them to determine a large number of reactions that you can observe in instrumented animals.

In addition to that, the astronauts themselves cannot be subject to anesthesia or other treatment; in fact, they are given drugs that inhibit some of the effects of space in order that they may perform their other missions.

The CHAIRMAN. The time of the gentleman from California [Mr. BROWN] has expired.

(By unanimous consent, Mr. BROWN was allowed to proceed for 3 additional minutes.)

Mr. BROWN of California. Mr. Chairman, we cannot say that the fact that we have had human beings in space is a substitute for animal research. That is just not the situation.

Now, I would point out that amongst all of the areas of research in space, that which every person thinks is the most important is the research on human beings and on those materials which might be of benefit to human beings which can only be achieved in space.

Mr. Chairman, we are not going to achieve the value of this biological research unless we are able to use experimental animals. I have observed the treatment of experimental animals in every kind of condition. As a part of the legislation that I enacted, there is a requirement that there be a veterinarian, for example, in every research establishment which uses animals. I have visited these and consulted with the veterinarians who monitor this research. I have seen dogs, I have seen monkeys which have been incised and sensors put into their stomachs and into their lungs and in other places to observe the conditions that exist for the benefit of human beings. Most of this is done at research hospitals frequently associated with our veterans health program. It is there that we are learning some excellent things about the reaction of human beings to a number of conditions based upon the results we get with animals.

Mr. Chairman, we are getting exactly the same kind of research in space. We are treating the animals exactly the same. They are under the supervision of skilled veterinarians. They are subject to review by science peer review panels to determine if all of the protocols are being met.

There is no program in the last 25 years that has been more thoroughly explored, been more thoroughly monitored and checked and peer reviewed to determine both the conditions of the animals and the results of the research.

On the basis of all of these things, there is a practically unanimous agreement that we cannot stop this international health research program without doing great damage to the goals that we seek to achieve in space.

For these reasons, Mr. Chairman, I earnestly solicit opposition to this amendment, which, despite my high regard for its author, has absolutely no redeeming features.

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

Mr. MINGE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to indicate that I have joined with the gentleman from Indiana [Mr. ROEMER] in sponsoring this amendment. Over the last many years we have seen former Senator Proxmire talk about the Golden Fleece Award. I think that we have a responsibility in Congress to make sure that funds are spent in the most frugal and responsible of fashions. If we are trying to balance the budget, we must have the confidence of the American people that we have made the tough decisions here in Congress in that regard.

For that reason, I urge the support of this amendment so that we no longer have Federal programs which are held in ridicule in the popular media, and we spend a tremendous amount of time trying to rationalize and justify programs but, instead, cut back to the very essence of what the space program is about.

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

Mr. MINGE. I yield to the gentleman from Indiana.

Mr. ROEMER. Mr. Chairman, I thank the gentleman for yielding and for his help in cosponsoring this amendment.

What the gentleman from California outlined to us, I do not disagree too much with what he said. But within NASA there are probably only 100 higher priorities than this sending monkeys into space for the Russians. There are only probably one million higher priorities within our own budget with $15 million, and certainly there are three or four higher priorities for joint United States-Russian cooperation from the Nunn-Lugar language to dismantle nuclear weapons, from the research we are doing on Chernobyl, from the different and important things that we do in energy cooperation.

I think that this is one of the lowest priorities that we can possibly have in expenditures of taxpayers' money. I would encourage my colleagues to vote to get the monkey off of NASA's back and get the 400-pound gorilla off the taxpayers' backs.

Mr. LEWIS of California. Mr. Chairman, I rise to strike the requisite number of words.

Mr. Chairman and my colleagues, I listened to my colleague who presents this amendment with great care. I know that one of his very serious priorities is that of addressing the question of NASA's work in space. I must express my appreciation to him this year for not presenting his amendment to eliminate the space station, which has been kind of a consistent pattern. Monkeys in space is probably a better subject, but I would urge my colleagues to focus just for a moment upon the very fine words of my colleague, the gentleman from California [Mr. BROWN], the former chairman of the Committee on Science.

We all know that with the time that men have spent in space up to this point, there are a number of serious difficulties and questions we have relative to their potential impact upon the health of those men and women who will spend lots of time in space in the future.

That is what the space station is about. It is a significant piece of our commitment to NASA's work; it is a very important part of our leadership in the future.

The fact that we are involved in this kind of work with Russia and other of our allies relates very much to that partnership that itself interrelates to space station. So one more time, I appreciate the gentleman not presenting an amendment that would eliminate space station. But the more we can undermine our effectiveness in dealing with human space flight, the better, I would suppose.

In this case we are talking about first a very short-term experiment that

did send monkeys into space with measuring devices. After gathering that data along with a lot of other data, we have a process whereby there is a panel of experts who will review all of that data and suggest where we can go with the next step to make certain that we are taking every precaution that saves human lives as they participate in our work in space.

It is simple to laugh at something like this, especially if you do not care about the program. It is easy to joke about Russia, I suppose, if you do not care about those international partnerships. But indeed this is not a laughing matter. We are talking about one of America's very, very future programs dealing with our future horizon. We should lay the foundation to make certain that we are doing everything to protect those men and women who will participate on behalf of American interests. I believe in the most sincere and strongest terms that I would urge Members to reject this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. ROEMER].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. ROEMER. Mr. Chairman, 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 CHAIRMAN. Pursuant to House Resolution 456, further proceedings on the amendment offered by the gentleman from Indiana [Mr. ROEMER] will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT OFFERED BY MR. KINGSTON

Mr. KINGSTON, Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment Offered by Mr. KINGSTON: page 95, after line 21, insert the following new section:

SEC. 422. None of the funds made available in this Act may be used by any officer or employee of the Environmental Protection agency to organize, plan, or disseminate information regarding any activity if it is made known to such officer or employee that such activity is not directly related to governmental functions that such officer or employee is authorized or directed to perform.

Mr. KINGSTON. Mr. Chairman, I am going to go very quickly. What this amendment does is it limits EPA employees and funds going to EPA for business purposes only, EPA purposes. It has come to my attention that EPA is involved with a lot of activities that are not related to protecting the environment, a lot of extracurricular activities. Some are social in nature, many are political in nature.

What I am trying to do with my amendment is limit EPA to its mission statement, and that is cleaning the environment and not getting involved in all other causes and problems of the world.

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

Mr. KINGSTON. I yield to the gentleman from Florida.

Mr. MICA. Mr. Chairman, first I want to thank the gentleman from Georgia [Mr. KINGSTON] for this amendment. It is an amendment that should pass overwhelmingly because EPA is off track.

Now, I am a Republican, I have children and I support the mission of EPA. That mission is to clean up our environment, to clean up our land and our water, to clean up our air. But somehow that mission has gone astray. Let me give a couple of good examples.

□ 2200

Mr. Chairman, I want to point out how EPA spends some of its money. Let me cite what EPA did to me, for example, with some of these funds. They sent an invitation around the Hill and they sent invitations to my office inviting us to attend an event. The only problem is that they sent it to me with the names of my two past opponents as staff assistants.

So EPA was keeping a list of political opponents, sending an invitation to me with the name of two people, one who was going to run against me, did not file, and another one who filed and ran against me. Is this the right use of taxpayer money?

Let me give another example. Here is EPA Watch, which watches over EPA and reports on their activities. EPA signed a contract with PTA—and I am a past card-carrying member of PTA, I have children, I have belonged to the association—but they signed a grant, and basically the purpose of the grant was to get PTA to organize lobby against any of the proposals that we made for changes in the operations of EPA. Is that the right thing to do with the money?

Listen to this. This is what EPA Watch says:

Congressional sources close to the illegal lobbying issue expressed amazement that EPA, after all the scrutiny it has undergone, would dare to fund a newsletter with such an obvious political mission.

I am for cleaning up the environment. I am for clean air, for clean water. I want my children to inherit a better land. But what are they doing with taxpayers' hard-earned money? We just heard an amendment about sending monkeys into space.

I submit, Mr. Chairman, that this is monkey business in EPA that should stop, that in fact we should pass the Kingston amendment, that we should bring some sense, some purpose, some direction. If the office of compliance can spend their money on going after things of this sort and not requiring compliance with cleaning up the environment and the air, there is something wrong in the system.

I support the effort of the gentleman from Georgia [Mr. KINGSTON]. Other efforts have been made to try to get that agency which is off course, on course. It is our responsibility to direct that agency in the way it expands our taxpayers' hard-earned dollars. I support that agency, I will do anything I can to help our environment but this agency has to have direction.

Finally, there are almost 18,000 people in EPA. Twelve years ago there were about 6,000. There are 6,000 now in Washington, DC. These people have to find something to do. Eighteen thousand people on the payroll and they are not in your States. They are in regional offices and they are right here, 6,000 of them, within 50 miles of where I am speaking.

They need direction. This Congress' responsibility is to give them direction. They should not be doing the things they are doing. They should be cleaning up the environment. I support the Kingston amendment and urge its adoption.

The CHAIRMAN. The time of the gentleman from Georgia [Mr. KINGSTON] has expired.

(By unanimous consent, Mr. KINGSTON was allowed to proceed for 1 additional minute.)

Mr. KINGSTON. Mr. Chairman, what we are talking about is use of Government telephones, copying machines, fax machines, E-mail, internal mail distribution systems, electronic bulletins and so forth, all funded with taxpayer dollars and yet being used not for their intended purposes of cleaning up the environment.

I am very concerned about this. At a time when EPA is saying they do not have enough money to clean up toxic waste and so forth, they should not be engaged in extracurricular activity such as political activities and social agendas.

But realizing that the scope of EPA's involvement in nonenvironmental activities is so extensive, I do not know that my amendment adequately addresses it. It is a very big problem, Mr. Chairman. I think that this Congress should revisit it and do it extensively, but at this time I think that I am going to withdraw my amendment and maybe take another route at another date.

Mr. FOGLIETTA. Mr. Chairman, I rise to speak against the amendment offered by Mr. KINGSTON.

I am afraid that some of us are allowing the politics of division and intolerance to blind us from common sense.

What happened here was very simple. An E-mail went over the computers of the EPA merely informing workers that it was Gay Pride Month.

This effort attempts to strike out at this trivia with an amendment that is overbroad and heavy handed.

Let's think about what it could stop EPA staffers from doing. They can no longer join together on blood drives, charitable events, going-away parties for employees, Black History Month, Earth Day, staff sports clubs, and so much more.

Do we really want to do this?

There are benefits in employees bonding together on community events. And as long as it does not get in the way of work—disseminate information about such events in a noncostly way. This is valuable, just as there is value in communities gathering together to express pride in themselves.

We have so many things to do in this House. This is a waste of our time. Vote against the Kingston amendment.

Mr. KINGSTON. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. JACKSON-LEE of Texas: Page 95, after line 21, insert the following new section:

SEC. 422. None of the funds made available in this Act may be used to provide assistance under section 8 of the United States Housing Act of 1937 when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) the assistance will be used for tenant-based assistance in connection with the revitalization of severely distressed public housing; and

(2) the public housing agency to which such funds are to be provided—

(A) has a waiting list for public housing of not less than 6,000 families;

(B) has a jurisdiction for which the Secretary of Housing and Urban Development has determined (pursuant to section 203(e)(2)(A) of the Housing and Community Development Amendments of 1978 or otherwise) that there is not an adequate supply of habitable, affordable housing for low-income families using tenant-based assistance; and

(C) does not include, under its plan for revitalization of severely distressed public housing, replacement of a substantial portion of the public housing dwelling units demolished with new units.

Ms. JACKSON-LEE of Texas (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 gentlewoman from Texas?

There was no objection.

Ms. JACKSON-LEE of Texas. Mr. Chairman, let me first emphasize and make it perfectly clear that the amendment that I offer is not a return to one-for-one replacement. My amendment is simply giving hope to the homeless and the housing underserved in this country.

We recognize that our country has a very diverse housing stock. Miami differs from New York, Houston differs from Detroit, Los Angeles differs from Atlanta. The need of our citizens who are in need of public housing differ, as well.

This amendment simply provides opportunity for our local housing authorities to include amongst the resolution to their housing problems replacement of those units that they would demolish with new units. It does not preclude the use of Section 8 certificates. It simply adds to the usage of replacing units by new units. It particularly applies to those communities with a shortage of decent and affordable housing for low-income families and a waiting list of at least 6,000 families for public housing.

Let me share briefly the story of Houston, TX, a city of 1.6 million citizens in a country of some 3 million citizens, with a public housing stock in Houston of only 3,125 units. Presently there are 12,000 individuals and families on the waiting list for public housing. The list was closed in 1994. If the list were still open, that number would have doubled by now.

This amendment is a fair and reasonable response to saying to our localities with waiting lists that they must include in their policy the opportunity for the replacement of housing units.

I am not against section 8 vouchers. I think they have been effective. But in our community and many others, the waiting list for section 8 vouchers is enormous, as well. Section 8 vouchers now in Houston are 15,335.

But the real question becomes the flexibility of individuals to live in harmony and where they would like to live. I think we are all well aware of a situation that occurred in Pennsylvania recently. That had to do with an African-American woman named Bridget Ward who was forced to leave her home in a predominately white neighborhood becasue the neighborhood residents were opposed to any individuals living in their neighborhood who received section 8 assistance.

It does not mean we pull back from section 8 assistance. It simply means that there is some validity to replacing some of those demolished units in our communities with new units.

I would ask my colleagues in their revie of this amendment to be assured that it has the flexibility to provide HUD with all of the flexibility that they need. That is, of course, to determine, one, that there is a waiting list of 6,000 or more; that there is no habitable housing in that particular area; and to be able to suggest that if that is the cae, then we should have replacment hosing as well as the utilization of Section 8.

That is different now because in most of the communities that I have heard from, there is a belief that there should be no replacement housing, and there is a chilling effect on new units. Many communities that are not the urban centers of our Northwestern States, some of the Midwestern communities, some of the Southern cities are still in need of building public housing.

I would hope my colleagues would join me in viewing this as a reasonable response to balancing section 8 certificates with the building of replacement units for public housing units.

Mr. BENTSEN. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Texas.

Mr. BENTSEN. I thank the gentlewoman for yielding.

Mr. Chairman, let me just say, there are a couple of important points that she made. This does not bring back one-for-one replacement. It does bring back substantial replacement. This is similar to what HUD is doing in the city of Houston, as it relates to Allen Park Village which was torn down, which has been a problem in Houston, but HUD has agreed to come back and build 500 units. It is also commensurate with what we have done in the USA Housing Act with severely distressed housing. I think this amendment is important to the city of Houston and other cities that have like situations. I commend my colleague from Houston for offering the amendment.

Mrs. MEEK of Florida. Mr. Chairman, I move to strike the last word.

I just want to make a few favorable comments on the Jackson-Lee amendment from her long experience in working with residents of public housing and with municipalities. I think that the general concept is good on both sides. I think the housing bill which is before this committee, is a good bill, but I think my colleague, SHEILA JACKSON-LEE, has hit on a need here, particularly in smaller southern municipalities, that this certainly is overlooking.

Her amendment brings into consideration the fact that we have an incoming flux of new citizens coming into some of the southern cities and many of them are of various ethnicities, and certainly in terms of financial stability, many of them are below the poverty level.

So, I think what Ms. SHEILA JACKSON-LEE sees, that this will take a certain trend and there will not be any replacement of these homes. I can understand exactly what he is talking about when I go through my city. I see a lot of them boarded up and many of them are really too good to be destroyed. It seems to me that private entrepreneurs are taking advantage of these places that the Government has spent so much money for all of these years. They are replaceable and they are good for revitalization. I think my colleague is saying, let us take the policy so that it can include some other people, because we have a differentiated type of population. It is not standard. People still need public housing.

We understand that this flies in the face of a policy that was passed, which I did not agree with from the beginning, that we should cut out all of the public housing.

I think that the committee should look at this. The amendment is not a harsh amendment, as I see it. It does not ask for a lot, except that we keep that little window open so that we could replace some of these.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentlewoman yield?

Mrs. MEEK of Florida. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I appreciate the gentlewoman's explanation. Might I say in a statement partly made by HUD, it indicated that HUD agrees that in tight housing markets with long public housing waiting lists, it generally makes sense to replace severely distressed public housing with a mix of tenant-based assistance and hard units.

Might I say that HUD seems to think that that practice goes on today. But I think the gentlewoman's example of in some communities there is a chilling effect because they believe that there is no one-for-one replacement and, therefore, are not inclined to provide some of the hard units.

This amendment again is not a return to one-for-one. It simply says to our communities that we can balance section 8, a very useful tool, section 8, with the utilization of the replacement of some units. It does not give you one-for-one, it simply says some units, so that this can be balanced.

I think the gentlewoman's explanation on that is extremely important, so that it is not presented to our colleagues that we are returning to one-for-one. Not at all. We are simply saying that you can balance that utilization.

Mrs. MEEK of Florida. If I may reclaim my time, first of all it is so important that we understand in housing, one size does not fit all. No matter what the housing policy is, you will find that there is certainly a difference in housing needs in certain areas of this country. Of course I know how the HUD people feel. This has really become a real, real bad situation for them and they cannot handle it. So rather than meet all of the needs like the Jackson-Lee amendment would do, they just say, "Well, we'll step back from all of this replacement of public housing, it's been an eyesore, we've been sued, everything has been done to us."

□ 2215

So this is an easy way out. I think the amendment of the gentlewoman from Texas [Ms. JACKSON-LEE] sort of touches the heart of this matter; that is, it is all right to stick within the housing policy, but please leave some room for these people who do not fit that particular mold.

Mr. Chairman, I thank the gentlewoman for introducing this amendment.

Mr. LEWIS of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise very reluctantly to suggest to the gentlewoman that while I oppose this amendment, I do so with great sensitivity to not only the problem that she is concerned about but the difficulty we have relative to some of our most important housing programs that need to be taken care of by way of the authorizing process.

There is little question that we have difficulty with public housing across the country that has been long neglected, where buildings are boarded up, and on the other hand we have a shortage of housing availability for people who have stopped becoming part of lists because the list are too long, as you have suggested.

I am very empathetic to that problem, but I am afraid your amendment, as I can best interpret it, might very well find ourselves moving back in the direction of the one-to-one replacement policy position that we just moved aside or tried to set aside or get rid of. One-to-one replacement in the past simply said that if we were to eliminate or tear down a dilapidated public housing unit that we had to replace it with another unit. What really happened, because there was no funding available, is that led to a scourge across the country with public housing having a blight placed upon it as people looked at boarded-up facilities and wondered what are these people doing? So we are attempting to move in a direction that makes some sense. My colleague, at the same time, is faced with a very real shortage problem in her community, as I am in my community. It is a problem that we have to deal with. It is a problem that potentially could lead to a lot of expenditure, and frankly, I think it has higher priority than some of our other expenditures.

But within this bill at this point in time, frankly we are not in a position to effectively implement that which my colleague is suggesting because of its policy implications. It needs to go before the policy committee, and while I know that the gentlewoman is going to withdraw her amendment, and I appreciate that, it is important for the gentlewoman to know that at this point in time, we need to work together with the policy and authorizing committee people as well.

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

Mr. LEWIS of California. I yield to the gentleman from Ohio.

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

Mr. Chairman, let me just say I, too, am concerned about the concerns expressed here by the gentlewoman from Texas. I know how concerned she is about her community and how she is concerned about trying to meet a specific problem relative to housing in her community. The gentlewoman discussed this matter with me several times as she has discussed it with the gentleman from California [Mr. LEWIS] and it is a matter in which I am sympathetic towards her concerns.

I have assured her that the gentleman from California and I, working together, perhaps in conference, can try and remedy the problem that she is attempting to address here. I would urge the gentlewoman, if she can withdraw her amendment, that the chairman and I would continue to try and work this problem out for the gentlewoman.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Mr. LEWIS of California. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the esteemed ranking member from Ohio for his words of concern. Recognizing, of course, that all of us come from communities that may be favorably impacted by recognizing the need of responding to waiting lists 6,000 and above, which is one element of this amendment, and as well recognizing that we should not have a singular policy that eliminates replacement offer puts replacement under section 8 or section 8 over replacement. I would hope and would appreciate then if we could have, one, a continued dialogue, but that we could work through conference to solve a problem that is not necessarily only relevant to my community or my State.

I find that throughout the country there are small communities, middle-sized cities that are losing housing units because there is a chilling effect because they believe there is a sole policy that says do not replace any of your public housing units. That is very, very bad for our families that are on the waiting lists, so much so that they are no longer even allowed to get on waiting lists because they are closed.

So I would ask the chairman for his commitment to work on this issue that is extremely important, I think, nationwide, and I want to thank the gentleman from Ohio [Mr. STOKES] for his leadership as well and his desire to work with me on this very important issue.

The CHAIRMAN. The time of the gentleman from California [Mr. LEWIS] has expired.

(By unanimous consent, Mr. LEWIS was allowed to proceed for 1 additional minute.)

Mr. LEWIS of California. Mr. Chairman, the gentlewoman and I discussed this earlier, and she has been very, very sensitive about the time problem we have this evening. Absolutely I commit that we will continue this dialogue. It is very important that the

gentlewoman and I and the gentleman from Ohio [Mr. STOKES], and the authorizers work together, for this ought to have a different priority in terms of funding that eventually works its way through appropriations bills and it has in the past. I very much appreciate the gentlewoman's bringing this to our attention.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman very much, and I also thank the gentleman for his offer to visit my community to see the circumstances that I am speaking of.

Mr. Chairman, in light of our discussion, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I know of no other amendments to the bill.

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

Mr. LEWIS of California. I yield to the gentleman from Massachusetts.

Mr. MARKEY. Mr. Chairman, I have one additional amendment which I will be more than willing to accept the time limitation of 5 minutes on either side, and that would complete the business. I would very much appreciate the gentleman's consideration.

Mr. LEWIS of California. Mr. Chairman, I would say to the gentleman from Massachusetts [Mr. MARKEY], even though I have been told by others that we were going to absolutely have to rise on this bill that we spent 2 days on if we did not finish by 10:30 p.m., I am nonetheless highly inclined to accede to the gentleman's request if we can keep this to 10 minutes, 5 minutes on each side.

AMENDMENT OFFERED BY MR. MARKEY

Mr. MARKEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MARKEY: Page 95, after line 21, insert:

SEC. 422. None of the funds made available to the Environmental Protection Agency under the heading "HAZARDOUS SUBSTANCE SUPERFUND" may be used to provide any reimbursement (except pursuant to section 122(b) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980) of response costs incurred by any person when it is made known to the official having the authority to obligate such funds that such person has agreed to pay such costs under a judicially approved consent decree entered into before the enactment of this Act.

Mr. MARKEY (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 Massachusetts?

There was no objection.

Mr. MARKEY. Mr. Chairman, I ask unanimous consent that debate on this amendment be limited to 10 minutes equally divided between the majority and minority.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The CHAIRMAN. The gentleman from Massachusetts [Mr. MARKEY] will be recognized for 5 minutes and a Member opposed will be recognized for 5 minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. MARKEY].

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

Mr. Chairman, what we have before us right now is the original Markey amendment on the Superfund rebate program to polluters, and what we have done is we have just taken the part of the amendment that the Members were deprived of being given the opportunity to vote upon earlier and taken that part of the bill and brought it out here to the floor so that we can make sure that in instances where companies that had accepted before courts the legal responsibility to clean up hazardous waste sites within communities, that they not be given rebates by the Federal taxpayer for the purposes of cleaning up those sites.

It is a very simple concept: The polluter pays. The polluter who has gone before a court, who has been adjudicated or accepted voluntarily the responsibility of cleaning up the site should not be given taxpayers' dollars to do so. It is a simple concept.

Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey [Mr. PALLONE] so that he may also speak to the merits of this issue.

Mr. PALLONE. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I think this is a simple up or down vote. The issue is whether or not Members want the polluter to pay or to pay the polluter. What the gentleman from Massachusetts [Mr. MARKEY], is saying is that in this case, particularly where there has been a consent order already entered into and the party who is the polluter has agreed that they are liable, there is no reason why they should be given a rebate from the Government and paid to pollute.

It is a simple up or down vote and I would certainly urge a "yes" vote.

Mr. MARKEY. Mr. Chairman, I yield myself such time as I may consume. For all of those who are listening, this is going to be a very simple up-or-down vote. This just flat out will prohibit the ability for any polluter to receive Federal funds if they have accepted the legal responsibility to cleanup the site. Otherwise, we are going to take the monies which we should be using to clean up orphan sites, to help out municipalities and we will be expending monies upon the work which the polluters themselves should be doing.

Mr. Chairman, I again urge all Members very strongly who want to take 1 of the 10 most important environmental votes that will be cast in this Congress to vote "aye" on the Markey amendment and to make sure that the Superfund Program is not turned on its head and a very large percentage of the money just being handed over to polluters that should be used for the sites that need the help in communities with the neighborhood nightmares that otherwise would not be cleaned up at all.

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

Mr. LEWIS of California. Mr. Chairman, I rise in opposition to the amendment, and I yield such time as he may consume to my colleague the gentleman from Ohio [Mr. OXLEY] from the committee of original jurisdiction.

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

Mr. Chairman, let me be very brief. This Markey amendment basically sets the whole process on its head. Why would anybody want to enter into a consent decree if they could not get reimbursed for their cost? That does not really make a whole lot of sense in this process, and I would say to my friend from Massachusetts, if you really want to slow down this process even more than it already is, I would suggest that the Members vote for the Markey amendment.

This is very clear in its attempt to bring small businesses under this incredible yoke of the Superfund liability program.

Let me read from the inspector general of the EPA in his semiannual report to the Congress, findings on the Superfund program. He says, "In general, lengthy remedial investigation feasibility study and enforcement negotiations delayed actual cleanup of sites." Actually delayed the cleanup of sites.

So I suggest to Members that the Markey amendment is the wrong way to go, and let me also point out that this is going to be an NFIB key vote. The National Federation of Independent Businesses that represents over 600,000 small businesses in all of our districts is opposed to the Markey amendment, will make this a key vote. I want to make that very clear to the Members.

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

Mr. LEWIS of California. I yield to the gentleman from New York.

Mr. BOEHLERT. Mr. Chairman, I would add we have already debated this issue and we passed by a voice vote my substitute amendment. Keep in mind, the Markey amendment is antienvironment because it would slow and in some instances actually halt cleanup. We do not want to do that.

It is antismall business, and we certainly do not want to be antismall business. Even the administration agrees that we should provide exemption for small business.

□ 2230

And it would be antilocal government. The level of government that is most financially strapped.

Why would anyone in their right mind voluntarily enter into a consent decree to clean up while we are deliberating endlessly on Superfund reform? They would hold out. We would have no cleanup. It does not make sense from an environmental standpoint, it does not make sense from a business standpoint, it does not make sense from local government standpoint. I urge a "no" vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. MARKEY].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. MARKEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. The Chair will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the additional amendment in this series.

The vote was taken by electronic device, and there were—ayes 142, noes 274, not voting 17, as follows:

[Roll No. 279]

AYES—142

Abercrombie
Ackerman
Andrews
Baldacci
Barrett (WI)
Beilenson
Berman
Blumenauer
Bonior
Borski
Boucher
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Clay
Clayton
Clyburn
Collins (IL)
Collins (MI)
Conyers
Costello
Coyne
Cummings
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Durbin
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Foglietta
Ford
Frank (MA)
Franks (NJ)
Furse
Gejdenson
Gonzalez
Green (TX)
Gutierrez
Hastings (FL)
Hilliard
Hinchey
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kildee
Kleczka
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martini
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Moran
Nadler
Neal
Oberstar
Olver
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Poshard
Rahall
Rangel
Reed
Richardson
Rivers
Roukema
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Serrano
Skaggs
Slaughter
Smith (NJ)
Stark
Stokes
Studds
Stupak
Tejeda
Thompson
Thornton
Torres
Torricelli
Towns
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Wise
Woolsey
Wynn
Zimmer

NOES—274

Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brewster
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Castle
Chabot
Chambliss
Chapman
Chenoweth
Chrysler
Clement
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeLay
Diaz-Balart
Dickey
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
English
Ensign
Everett
Ewing
Fawell
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Frelinghuysen
Frisa
Frost
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Gordon
Goss
Graham
Greene (UT)
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Jones
Kasich
Kelly
Kennelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
Longley
Lucas
Manzullo
Martinez
Mascara
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Mollohan
Montgomery
Moorhead
Morella
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Obey
Ortiz
Orton
Oxley
Packard
Parker
Paxon
Payne (VA)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Scott
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stump
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thurman
Tiahrt
Torkildsen
Traficant
Upton
Vucanovich
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wolf
Young (AK)
Young (FL)
Zeliff

NOT VOTING—17

Becerra
Bevill
Browder
Christensen
Coleman
Fields (TX)
Flake
Gephardt
Gibbons
Goodling
Hall (OH)
Hayes
Lincoln
McDade
Peterson (FL)
Roybal-Allard
Yates

□ 2249

The Clerk announced the following pair:

On this vote:

Mr. Gephardt for, with Mr. Goodling against.

Mr. JOHNSON of South Dakota and Mr. FRANKS of Connecticut changed their vote from "aye" to "no."

Ms. MILLENDER-McDONALD and Mr. TEJEDA changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. GOODLING. Mr. Speaker, I was present for roll vote No. 279, amendment 37 to H.R. 3666, the Veterans Affairs, Housing and Urban Development, and independent agencies appropriations bill. I slipped my voting card into the electronic voter tallying device and voted no. However, due to an electronic error I was recorded as not voting. I regret that my no vote was not recorded. As a result, my vote was paired with the minority leader.

AMENDMENT OFFERED BY MR. ROEMER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Indiana [Mr. ROEMER] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 244, noes 171, not voting 18, as follows:

[Roll No. 280]

AYES—244

Abercrombie
Ackerman
Allard
Andrews
Bachus
Baesler
Baker (CA)
Barcia
Barr
Barrett (WI)
Barton
Bass
Blumenauer
Blute
Bonior
Bono
Brown (OH)
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chenoweth
Chrysler
Clayton
Coble
Collins (GA)
Condit
Cooley
Costello
Coyne
Crapo
Cremeans
Cubin
Cummings
Cunningham
Danner
Davis
Deal
DeFazio
DeLauro
Dellums
Deutsch
Diaz-Balart
Dickey
Doggett
Dooley
Doolittle
Doyle

Duncan
Dunn
Durbin
Ehrlich
Engel
English
Ensign
Evans
Ewing
Fawell
Flanagan
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Furse
Ganske
Gejdenson
Gilman
Goodlatte
Goodling
Gordon
Goss
Graham
Greene (UT)
Greenwood
Gunderson
Gutierrez
Gutknecht
Hamilton
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Herger
Hilleary
Hinchey
Hobson
Hoekstra
Hoke
Holden
Hutchinson
Inglis
Istook
Jackson (IL)
Jacobs
Johnson (CT)
Johnson (SD)
Jones
Kelly
Kennelly
Kildee
Kingston
Kleczka
Klug
LaFalce
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (GA)
Lewis (KY)
Lightfoot
Lipinski
LoBiondo
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martini
Mascara
Matsui
McCarthy
McCollum
McHale
McHugh
McInnis
McIntosh
McNulty
Meehan
Menendez
Meyers
Mica
Miller (CA)
Miller (FL)
Minge
Mink
Molinari
Moran
Morella
Myrick
Nadler
Nethercutt
Neumann
Ney
Norwood
Oberstar
Obey
Owens
Oxley
Pallone
Parker
Pastor
Paxon
Pelosi
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quinn
Rahall
Ramstad
Rangel
Reed
Riggs
Rivers
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Royce
Salmon
Sanders
Sanford
Saxton
Scarborough
Schroeder
Schumer
Seastrand
Serrano
Shadegg
Shaw
Shays
Shuster
Skelton
Slaughter
Smith (NJ)
Solomon
Souder
Spence
Spratt
Stark
Stearns
Stupak
Talent
Tate
Tauzin
Taylor (MS)
Thurman
Tiahrt
Torkildsen
Torricelli
Towns
Traficant
Upton
Velazquez
Vento
Visclosky
Wamp
Watts (OK)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Woolsey
Wynn
Young (AK)
Zeliff
Zimmer

NOES—171

Archer
Armey
Baker (LA)
Baldacci
Ballenger
Barrett (NE)
Bartlett
Bateman
Bellenson
Bentsen
Bereuter
Berman
Bilbray
Bilirakis
Bishop
Bliley
Boehlert
Boehner
Bonilla
Borski
Boucher
Brown (CA)
Brown (FL)
Bryant (TX)
Callahan
Calvert
Campbell
Chapman
Clay
Clement
Clinger
Clyburn
Coburn
Collins (IL)
Collins (MI)
Combest
Conyers
Cox
Cramer
Crane
de la Garza
DeLay
Dicks
Dingell
Dixon
Dornan
Dreier
Edwards
Ehlers
Eshoo
Everett
Farr
Fattah
Fazio
Fields (LA)
Filner
Foglietta
Foley
Ford
Frank (MA)
Franks (CT)
Frost
Gallegly
Gekas
Geren
Gilchrest
Gillmor
Gonzalez
Green (TX)
Hall (TX)
Hancock
Hansen
Hefner
Heineman
Hilliard
Horn
Hostettler
Houghton
Hoyer
Hunter
Hyde
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Johnson, Sam
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kim
King
Klink
Knollenberg
Kolbe
LaHood
Laughlin
Lewis (CA)
Linder
Livingston
Lofgren
Martinez
McCrery
McDermott
McKeon
McKinney
Meek
Metcalf
Millender-McDonald
Moakley
Mollohan
Montgomery
Moorhead
Murtha
Myers
Neal
Nussle
Olver
Ortiz
Orton
Packard
Payne (NJ)
Payne (VA)
Peterson (MN)
Petri
Pickett
Quillen
Radanovich
Regula
Richardson
Roberts
Rush
Sabo
Sawyer
Schaefer
Schiff
Scott
Sensenbrenner
Sisisky
Skaggs
Skeen
Smith (MI)
Smith (TX)
Smith (WA)
Stenholm
Stockman
Stokes
Studds
Stump
Tanner
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Torres
Volkmer
Vucanovich
Walker
Walsh
Ward
Waters
Watt (NC)
Waxman
Weldon (FL)
White
Williams
Wise
Wolf
Young (FL)

NOT VOTING—18

Becerra
Bevill
Brewster
Browder
Christensen
Coleman
Fields (TX)
Flake
Gephardt
Gibbons
Hall (OH)
Hayes
Kasich
Lincoln
McDade
Peterson (FL)
Roybal-Allard
Yates

□ 2300

Messrs. HILLIARD, TEJEDA, and WELDON of Florida changed their vote from "aye" to "no."

Messrs. ROYCE, DAVIS, BONO, DELLUMS, SCARBOROUGH, and BACHUS, Mrs. JOHNSON of Connecticut, and Messrs. WICKER, ENGEL, MILLER of California, TIAHRT, and McINNIS changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read the final lines of the bill.

The Clerk read as follows:

This Act may be cited as the "Departments of Veterans Affairs and Housing and Urban Development, and Independent Agency Appropriations Act, 1997".

Mr. HINCKEY. Mr. Chairman, I want to take a moment today to voice my support for NITA LOWEY's amendment on the watershed protection program. The Watershed Protection Program is one of the best examples we have of what we should all want government to do. It is a cooperative program, not a coercive one. It is a cost-effective program, not a grandiose one. It is a consensus program, not an adversarial one. Everyone benefits.

Everyone agrees that New York City needs a clean water supply that it can depend on. Upstaters like myself know that the relations between the city and the areas that provide its water haven's always been good. My district includes the places that were condemned and flooded over 80 years ago to provide water for New York City, and there is still quite a bit of resentment about it—as you would expect. This plan represents what we in New York have learned about working together, and we think it can serve as a model for the rest of the country, a model that could be helpful in resolving some of the most contentious issues of our day.

What does everyone get? New York City gets clean water—and saves the cost of an $8 billion filtration plant. The watershed areas get help in developing their economies, and help in improving the quality of their own drinking water. Farmers are learning new and more efficient management techniques. All parties benefit from a cleaner environment.

Although the plan can save money over time, it isn't free. That is why we like a commitment of Federal for demonstration projects and monitoring. We have an agreement that everyone will work together—but we still have to see how well the plan works in practice. Without modest support now, the plan could fall apart, and it could mean higher costs for everyone—including the Federal Government—at a later date.

The Federal Government protects or owns key watersheds for many cities around the country. Our constituents pay for your protection. We're not asking the Federal Government to do that for us—just to provide some modest, matched assistance. And we think this plan can offer the entire country something valuable in return.

Ms. JACKSON-LEE of Texas. Mr. Chairman, although I respect the gentleman from Indiana as a colleague and fellow Science Committee member, I realize and accept the fact that he does not believe the space station alpha to be a worthy endeavor. In pursuing this conviction, the Congressman has offered on many occasions, amendments to cancel the space station program. I respect the gentleman for adhering to his principles, and offering his amendments, but this particular one, which would cut $75 million from the program is worse than cancellation.

The $75 million is but a fraction of the total moneys appropriated for the space station this year, however I know that every penny has been planned and accounted for. the first element launch is quickly approaching and every day and every dollars becomes more and more important as November 1997 approaches. I have been told that a cut of this magnitude would cause significant disruptions to this complex and pioneering effort.

NASA has promised, and we expect the program to come in one time and on budget which is, I believe, a reasonable request. However, I do not believe that is fair to hold them to these expectations when we continually attack their attempts to reach this goal by cutting a little bit here, and a little bit there. By doing this, we will only increase the potential for problems and the resulting condemnation of the agency by this body.

While cutting a couple of million here or there doesn't seem harmful to us, as we sit here far removed from the people and programs we effect, it can wreck havoc with an extensively planned and financially slim program.

I do not know what the Member from Indiana wanted to accomplish wit his amendment, but I believe it to be an ill-considered and unwise action. This Nation is on the verge of creating a permanent human preserve in space and it would do no good to handicap these efforts, just when every last penny is needed to assure success. I urge a vote against this amendment.

Mr. FRANKS of Connecticut. Mr. Chairman, I rise in support of H.R. 3666, the Veterans' Affairs, Housing and Urban Development, and

independent agencies appropriations bill. Let me first commend the work of Chairman JERRY LEWIS, Congressman LOUIS STOKES, and my colleagues on the Veterans' Affairs/Housing and Urban Development Appropriations Subcommittee. They have certainly crafted a reasonable and sturdy bill under difficult circumstances and the product which they bring to the floor deserves the blessing of the House. I am especially happy that Messrs. LEWIS and STOKES have increased from last year's levels the funding for many of my top priorities such as the programs for our veterans, housing, and environmental protection. Also, I am pleased that there is an adequate level of funding for NASA's human space flight program in which our space station is being developed. Mr. Speaker, I am a firm believer that the people down here on planet Earth will reap the benefits of the many scientific breakthroughs that the space station is sure to provide.

Still, Mr. Chairman, this does not mean there is no room for improvement. While I realize that nothing is perfect, we should nevertheless strive to produce the best appropriations bill possible for the American people. Accordingly, I do intend to support those amendments which I feel will enhance the bill into a more embraceable legislative product.

First, I intend to support the amendment offered by my colleague from New York, Congressman RICK LAZIO. Mr. Chairman, as duly elected members of the House of Representative, we must never forget the importance of ensuring secure housing for the more vulnerable of our society such as our elderly and our disabled. The Lazio amendment addresses these concerns by adding $100 million for elderly housing assistance—thus increasing it to $695 million—and adding $40 million for disabled housing assistance—increasing that funding to $214 million. Mr. Speaker, the moneys provided by the Lazio amendment will help us to successfully continue the mission of providing needed housing to our Nation's seniors and handicapped.

I also will be supporting the amendment offered by my Connecticut colleague, CHRIS SHAYS. This amendment will increase the funds for the Housing Opportunities for Persons with AIDS program [HOPWA] by $15 million, increasing that funding for this program to $186 million. Mr. Speaker, since 1995, the number of reported AIDS cases has risen by one-third and the number of States and metropolitan areas qualifying for HOPWA grants has increased by 23 percent. However, for the last 3 years, funding for HOPWA has remained at a flat level. Mr. Speaker, the Shays amendment provides the modest, but much-needed increase in HOPWA funding. Passage of this amendment will help the HOPWA program provide increased assistance to the 34 States which now receive HOPWA funds, of which Connecticut is one, and ensure that more people with HIV or AIDS have security when it comes to housing.

Mr. Chairman, I also rise in strong support the Stump-Montgomery-Solomon amendment to increase the Veterans Administration's medical care amount by $40 million from its current level of $17 billion and to increase the Veterans Administration's benefit administration general operating expenses by $17 million from its current level of $824 million. Mr. Speaker, this amendment, which is supported by our Nation's leading veterans service organizations, will help us maintain our duty to provide adequate medical care for our vets while allowing the Veteran's Administration to process more veterans claims.

Mr. Chairman, I once again voice my support for this piece of legislation and encourage my colleagues to do likewise.

Mr. WELDON of Florida. Mr. Chairman, I want to encourage my colleagues to support this important appropriations bill this evening. Not only does this bill fund important housing and veterans programs, it funds the critical scientific research and development efforts of our Nation.

Among those efforts funded are those of the National Aeronautics and Space Administration [NASA], the world's premier space agency. My district is home to one of NASA's key centers, the Kennedy Space Center [KSC], the launch site for all U.S. human space flights. KSC and other NASA centers are unique national assets, but their future is threatened by continued efforts to reduce and eliminate funding for critical human space flight programs, most notably the space station program.

Despite having expressed strong, bipartisan support for the International Space Station only a few weeks ago, the House is once again being asked to vote on funding for the Space Station.

These perpetually unsuccessful efforts to cripple the space station only create uncertainty for NASA and our international partners and unnecessarily tie up the House.

You will hear many of the same arguments from opponents that you heard last month. But nothing has changed since then. The program is still on schedule and within budget. The scientific value of the space station has not diminished since last month. The Space Station still represents the forward-looking, future vision of our country.

Don't be fooled by these so-called savings. In fact, any reduction in funding now would cause cost growth equivalent to double the so-called "savings" due to schedule delays in the production of space station components.

We should keep our commitment to NASA and the American people by fully funding the space station.

You should also recognize that any attempts to reduce or transfer funding for the space station are only thinly-veiled efforts to fatally cripple the program. These cuts would devastate a program that has succeeded in staying on schedule and within budget. In fact, over 100,000 pounds of hardware have been produced so far, and we are only 17 months away from the first launch to begin construction.

It's time once and for all to show our support for the program and let NASA and our international partners do their jobs. I urge you to support the space station and to strongly oppose any efforts to terminate or reduce funding for this important program.

Further, I want to point out that that there are several amendments to the bill tonight that would result in "across-the-board" cuts in the VA/HUD funding measure. While some of these cuts may fund worthwhile programs, these cuts also severely impact critical programs like the space shuttle and space station. I strongly urge my colleagues to suppose any such cuts so we can avoid weakening our Nation's human space flight effort.

NASA has already done a significant amount of voluntary downsizing, and it can truly serve as a model for other parts of the Federal Government as we reduce the size and scope of government. However, NASA can take no further cuts in this year's budget. It is imperative that NASA receive the funding level proposed by the Appropriations Committee.

Our children and grandchildren will thank you for supporting NASA and supporting their future.

Mr. KANJORSKI. Mr. Chairman, today is an important day for veterans living in northeastern Pennsylvania. In this appropriations bill, Congress will finally commit the resources needed to modernize the Wilkes-Barre, PA VA Medical Center. Included is a $42.7 million plan to renovate and substantially upgrade the facility.

I greatly appreciate the strong leadership of both VA Secretary Jesse Brown in securing funds for the project in President Clinton's budget request and VA-HUD Subcommittee Chairman JERRY LEWIS for including the request in this bill. I also must thank ranking member LOUIS STOKES for his tireless efforts on behalf of veterans and his gracious help on this and other projects important to the citizens of my region. Of course, Congressman JOE MCDADE deserves much praise for his hard work in support of this project, as does Congressman TIM HOLDEN and Congressman PAUL MCHALE.

Mr. Chairman, in my May testimony before the subcommittee in support of this project, and many times since coming to Congress more than 11 years ago, I have tried to explain to the membership of this body how desperate the situation is at this 50-year old medical center. Space shortages are severe, equipment and facilities are outdated, and employee morale is sinking rapidly. Simple put, we must upgrade this facility immediately.

The medical center is wholly insufficient to meet the current and future needs of my region's veteran population. Over 99 percent of all patient rooms are not equipped with either private or semiprivate bathrooms, including rooms for female veterans. Ambulatory care has only 44 percent of needed space. Medical and surgical intensive care units have only 54 percent of needed space, and patient privacy is nonexistent in the hospital's 16-bed wards. Serious environmental deficiencies, such as very poor ventilation, have increased the risk of spreading infection among patients and workers.

I could go on and on about the past and current problems arising from the bad condition of the medical center, but what we must decide today is how we intend to address the future of veterans' medical care in the region. Should we permit the continued, rapid deterioration of the medical center and, in effect, give up hope on providing quality medical services to these veterans or fulfilling our obligation to the taxpayers to provide such services in an effective, cost-efficient manner? I believe we must fulfill our obligations to the brave men and women who risked their lives and health

so that we could remain free. Fortunately, the President and the members of the appropriations committee made the right choice in support of full funding for the project. This long overdue project will enable the Wilkes-Barre VA Medical Center to provide the quality medical services veterans deserve and taxpayers expect. I would strongly urge the full House, as well as the other body, to concur.

Without a doubt, this funding will help transform the medical center into a first-class medical care facility. Under the plan, two new bed towers will create much-needed space to correct patient privacy problems, as well as serious ventilation, heating, and air conditioning deficiencies. An ambulatory care addition will enable the expansion of numerous medical units, and help prepare the medical center for the greater focus of the VA on outpatient medical care overall.

Some Members of this Congress believe that we should no longer make substantial investments in VA medical facilities. I disagree. We made a commitment long ago to care for needy veterans and meet their special medical needs through a separate health system. I believe we must continue to do so in the future, as well. To meet this commitment, VA facilities must be appropriately maintained. While new hospitals have been built and old facilities renovated over the years, the Wilkes-Barre VA Medical Center has been virtually forgotten. As the third largest VA facility in the fifth largest State in the Nation, and after nearly five decades of service, this medical center is long overdue for major repairs and modernization.

Mr. Chairman, the 250,000 veterans spread across 19 counties in northeastern and central Pennsylvania, as well as the medical center's dedicated employees, need and deserve this important project. I therefore urge swift approval of this appropriation by the House.

Mr. DINGELL. Mr. Chairman, I rise to thank the chairman, ranking member, and other members of the Subcommittee on VA–HUD–Independent Agencies for their recognition of the continuing importance of the Rouge River National Wet Weather Demonstration Project. In particular, my colleague from Michigan, Mr. KNOLLENBERG, deserves credit for proposing and steering an important provision of this legislation which will provide $20 million in fiscal year 1997 for the Rouge Project.

This project was begun in 1990 following the completion of the Rouge River Remedial Action Plan [RAP] in 1989 which found that the most densely populated and urbanized river in Michigan was contributing significantly to the quality of the fresh surface water of the Great Lakes—which contains 20 percent of the world's fresh surface water. A report of the General Accounting Office [GAO] 2 years prior to completion of the RAP found that the cost of restoring the Rouge watershed would be massive. In fact, the most recent cost estimates show that the clean up will cost nearly $1.4 billion by 2002.

That is why I joined a group of my colleagues from the metropolitan Detroit area to see if we could muster the resources to meet a tremendous challenge: comprehensive watershed-wide clean up, while developing a technological, managerial, and financial model that could be replicated nationwide as other communities come to grips with the costs and other problems associated with cleaning our waters and keeping them clean. As it so happens, southeast Michigan had many local and regional resources in place to implement such a model, but were in need of Federal partnership. Congress accepted that challenge, and with passage of this measure tonight, the Federal Government will have contributed almost 25 percent of the cost. The remainder is being paid by ratepayers in each watershed community in seven congressional districts, in combination with clean water revolving loans administered by the State of Michigan. It is important to note that, despite this help, our citizens are still being asked to pay higher water bills, and our cities are being asked to stretch resources which already are stretched to their limits.

Mr. Chairman, I am pleased to report to my colleagues tonight that, although such a massive undertaking is never easy, the citizens and community leaders of metropolitan Detroit, on a bipartisan basis, are working together to solve a common problem using innovate approaches to save a precious resource. With the first phase of the project due to be completed soon, project administrator Wayne County is already transferring the knowledge it has gained to other communities across the nation. Again, I would like to commend my colleague from Bloomfield Hills for his leadership this year, so that the state that led in the industrialization of America can lead in the clean up of its natural resources.

Ms. MCCARTHY. Mr. Chairman, I rise to express my support of one of our Nation's greatest success stories for our youth, the AmeriCorps program, and to express my opposition to amendments offered today which would eliminate or drastically reduce funding for the Corporation for National and Community Service.

The mission of AmeriCorps is sensible: provide educational opportunities for young people who serve their community in ways that make a real difference in the lives of others.

In my district, AmeriCorps members have partnered with professionals and nonprofit agencies to help immunize children, revitalize and clean up inner city neighborhoods, install smoke alarms in the homes of the elderly, and weatherize homes in low income areas. On Earth Day this year, I assisted AmeriCorps members with planting a community garden in a vacant lot once strewn with debris. The lot now is a source of neighborhood pride.

AmeriCorps members continually champion the cause of community service by their collective and individual efforts. In my community, members have worked with community police officers to initiate neighborhoods watch programs and shut down drug houses. The energy of these young people has inspired many families to get more involved to preserve and protect their neighborhood. As a result, Kansas City is cleaner, safer and more livable in places because AmeriCorps has made its mark.

As we work to balance the Federal budget, I believe we must set smart priorities. Certainly providing opportunities which afford young people access to job training and education ought to be among our national goals.

I urge my colleagues to support the modest level of funding for the Corporation for National and Community Service included in this appropriations bill.

Mr. OWENS. Mr. Chairman, I rise in opposition to many of the provisions in the VA–HUD–Independent Agencies Appropriations Act for Fiscal Year 1997—H.R. 3666. While this bill is a major improvement over last year's VA–HUD appropriations debacle, H.R. 3666 still lacks adequate Federal provisions to address the housing emergency in this country, especially within the inner cities. The passage of various amendments that will be offered by many of my Democratic colleagues today may make this legislation more palatable. However, the basic right of our most vulnerable citizens to sleep comfortably at night must not be compromised.

H.R. 3666 would continue a devastating trend which began in 1995—not funding any new section 8 incremental vouchers. These vouchers could be used to house additional families—many of whom are homeless—who are in dire need of housing assistance. Currently, over 70 percent of the families who quality for low-income housing assistance are not receiving it. These 20 million families are simply forced to deal with substandard housing conditions with serious building code violations such as dangerous electrical wiring and inadequate plumbing; exorbitant rent; and even homelessness. These families, who could qualify for housing assistance, are simply placed on waiting lists. H.R. 3666 would not enable HUD to provide for these families.

This bill completely ignores the Department of Housing and Urban Development's [HUD] recently released "Worst Case Rental Housing Needs" report. The report disclosed that the number of households with unmet worst-case housing needs reached an all-time high of 5.3 million in 1993. Of this number, more than 1 million were households headed by an elderly person, and more than 1 million were working-poor families, including many with children. In my State of New York, there were more than 350,000 households with worst-case unmet housing needs. More than 144,400 of these households were families with children. Ironically, Congress responds to this crisis by ending its 20-year record of funding annual increases in the number of renter households assisted through HUD programs.

Furthermore, H.R. 3666 would slash elderly and disabled housing by 29 percent—a $319 million cut. H.R. 3666 would appropriate only $769 million in a new account to fund the section 202 Elderly Housing and section 811 Disabled Housing programs. There is no justification for decreasing housing opportunities for senior citizens and persons with disabilities. We must recorder our priorities and halt the rollbacks of crucial Federal protections.

H.R. 3666 would continue the assault on the successful Americorp program by cutting the program's funding by $36 million—compared to fiscal year 1996. And there are a host of amendments that will be offered to terminate the program. After four independent evaluations have validated the benefits of Americorp, and after thousands of volunteers have attested to its success, Republicans have refused to accept Americorp as a cost-efficient, public-private, community investment that deserves our support.

Finally, H.R. 3666 would underfund another highly regarded program—youthbuild. The

youthbuild program educates and trains our youth, renovates our housing, and improves our community by giving young adults the opportunity to construct and rehabilitate housing for homeless or low-income people while simultaneously developing their own academic and vocational skills. Since fiscal year 1995, this program has had to sustain a 50 percent cut. H.R. 3666 would continue this unwise trend and freeze funding at the fiscal year 1995 level.

No, this year's VA–HUD appropriations bill does not contain those ridiculous legislative environmental riders. However, H.R. 3666 would apply a freeze philosophy and fund most programs at or near their fiscal year 1996 appropriation level. At a time when the number of households with worst-case unmet housing needs has reached an all-time high of 5.3 million, at a time when more than 7 million children and adults are homeless, and at a time when a baby is born into poverty in this country every 32 seconds, additional Federal resources are necessary—not a freeze. Unsurprisingly, this freeze philosophy was not applied to the National Defense Authorization Act—H.R. 3230—which authorized $12 billion more than the administration requested and $2.4 billion more than fiscal year 1996 funding to defense programs. The Federal Government can and must do much better in ensuring that its people, even those who are the least fortunate and least economically stable, have safe, decent and affordable housing.

Mr. SMITH of New Jersey. Mr. Chairman, I would like to first thank Chairman JERRY LEWIS for his yeoman's work on this issue of childhood cancer in Toms River, NJ. As I testified before his appropriations subcommittee on May 8, the Agency for Toxic Substances and Disease Registry [ATSDR] is currently working to assist New Jersey in its search for answers to a disturbing, potential cancer cluster among young children.

I rise in strong support of the amendment to H.R. 3666 offered by Chairman LEWIS of California. Childhood cancer is a tragedy that is of national concern, and with the funding provided in this amendment, ATSDR will be given the resources to examine any possible environmental link between toxic substances and childhood cancer.

As some of you know, the Toms River area has two superfund sites—Ciba Geigy and Reich Farm—that many residents fear could be responsible for abnormally high cancer rates in the area.

In August of 1995, the New Jersey Department of Health, responding to anecdotal evidence of increased incidence of cancers among young children, analyzed data in the New Jersey State Cancer Registry and came up with alarming results: a five fold increase in cancer rates for brain and central nervous system cancers among children under age 5.

Something is causing these cancers, Mr. Speaker, and with the funds provided in this amendment, the anxious parents of these kids may at last begin to get some answers. And I would note to my colleagues that if ATSDR does find an environmental link, it will have implications far beyond the State of New Jersey.

Mr. Speaker, I have repeatedly indicated to my colleagues that ATSDR's work on environmental health is vitally important, especially because no other agency has environmental health as its chief mission. ATSDR provides critical work in filling the serious data gaps in scientific understanding about the human health effects of hazardous substances released from Superfund sites. It also assists States through cooperative agreements, in conducting Public Health Consultations.

With this amendment, ATSDR will have the resources needed to include New Jersey in a seven State national study of brain cancer incidence near national priorities list [NPL] sites. It provides Federal resources through comparative geographic data analysis, providing medical and scientific expertise and education, as well as environmental and biomedical monitoring to examine potential exposure pathways.

Cancer is always tragic, Mr. Speaker, but it is especially heartbreaking when it strikes down innocent children. And that is why it is important to keep a careful count of each of the little victims of cancer, so that researchers can have complete and accurate information to work with. As part of its public health response plan, which this amendment will fund, ATSDR will conduct interviews with area families to make sure people do not fall through the cracks.

In conclusion, with this amendment, the Republican Congress is sending a clear and powerful message to the American people, as well as to the residents of Ocean County: we care about environmental health. We are committed to finding answers; why are so many of our precious children coming down with cancer? But most importantly, we are willing to back up our commitment with Federal dollars.

Mr. THOMAS. Mr. Chairman, I rise today to express my disappointment that language dealing with the Section 8 Housing Program in sections 204 and 205 of H.R. 3666, the Veterans Affairs, Housing and Urban Development and Independent Agencies appropriations bill, was removed from the bill. We have been working to reform this program since 1993 when my local newspaper in Bakersfield, CA, described the rents subsidized by the Section 8 Program. According to the article, some building owners were receiving rents $200 and $300 above comparable market rents for similar size units in the area. While I understand that there may be some additional costs associated with managing section 8 units, I do not believe that an additional $200 or $300 per month is justified.

I believe he Department of Housing and Urban Development must be given the authority to simply reduce rents to those projects which are blatantly out of line with rents paid for comparable units in the area. In taking such a step, I understand that other factors beyond a simple comparison of other area rents must be taken into account. That is why I have introduced legislation to provide the HUD Secretary this authority and why I am disappointed, therefore, that the section 8 language, which would have allowed HUD to bring in a third party arbitrator upon the expiration of section 8 contracts to negotiate new rents based upon comparable market rents was deleted from the VA/HUD appropriations bill. The intent of my legislation is not to bankrupt these projects or violate a contract, nor throw anyone out of their apartments. The intent is to eliminate the windfall that a few project owners may be unjustly receiving at taxpayer expense.

I hope that the Housing and Community Opportunity Subcommittee of the Banking and Financial Services Committee moves quickly this summer to bring legislation to the floor that addresses this issue.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise today to raise my strong opposition to Mr. HOSTETTLER'S amendment to eliminate AmeriCorps.

This amendment to H.R. 3666 will eliminate the entire program and thus deny the opportunity for many deserving young people to attend college. The program is simple, but it has had a significant impact on the lives of people living in my Houston, TX, district.

In the city of Houston, David Lopez, an AmeriCorps volunteer, has worked to provide the inner city kids of working parents with supervised activity and play. This keeps them from being left to their own devices or worse to the design of street predators who would lead these young lives in the wrong direction.

For a year of volunteer service with Communities In Schools, David has earned a $4,725 scholarship toward college.

AmeriCorps is the one and only chance for many of its participants to obtain a college education. It has been under attack from the early days of the 104th Congress for being inefficient. The truth is that among the numerous independent studies this year, including the one by the conservative Chicago School economists, the studies confirmed that investments in national service programs are sound, yielding from $1.54 to $3.90 for every $1 invested. In fact, a 1995 GAO report concluded that AmeriCorps almost tripled the amount of $31 million that Congress directed them to raise by raising some $91 million.

AmeriCorps has played a vital role in communities all over America. The 23,641 students taught, and the 49,632 youth helped through violence prevention programs is a testament to the critical role this program plays in the lives of people in need.

I strongly oppose any effort to end this program.

Mr. FAZIO of California. Mr. Chairman, I rise to offer my support for the legislation before us today. H.R. 3666 provides $84.3 billion for veterans and housing programs, the Environmental Protection Agency, NASA, and the National Science Foundation. While this bill falls well short of the administration's request, overall funding is $1.8 billion higher than last year's level.

I am particularly pleased to note that the committee has decided to include funding for the replacement hospital at Travis Air Force Base in Fairfield, CA. Building a new, state-of-the-art facility at Travis will provide much-needed medical care for over 430,000 veterans in northern California. These veterans need a new full service veterans hospital.

I would like to recognize the steadfast support of Operation VA, and in particular, Carolyn Rennert and George Pettygrove, who have been unwavering in their support for the construction of this hospital. The entire Travis community, including many hard working veterans and citizens throughout Solano County

deserve praise for their efforts. I would also like to thank the chairman of the VA–HUD Subcommittee, JERRY LEWIS, for his support for the hospital. His commitment to the hospital is a significant step in ensuring that the hospital at Travis becomes a reality.

I am also pleased that the bill includes funding for the Sacramento River Toxic Pollutant Control Program [SRTPCP] within the EPA's Environmental Programs and Management Account. This is a cooperative program conducted by the Sacramento Regional County Sanitation District and the Central Valley Regional Water Quality Control Board.

The Sacramento River is the largest and most important river in California. It supplies water for agricultural, municipal and industrial uses as well as providing important recreational benefits. Unfortunately, this key environmental and economic asset is threatened by pollutant loadings that jeopardize these beneficial uses. The river exceeds State and EPA-recommended water quality criteria developed in the early 1990's for a number of toxic pollutants, particularly metals such as copper, mercury and lead.

The SRTPCP, which is in its third year, was created to bring the Sacramento River into compliance with water quality standards. The program is based on watershed management concepts including the development of site-specific water quality standards and technically feasible, cost-effective programs to achieve water quality standards throughout the river and its tributaries.

Regrettably, I do have one concern and that is that this proposal fails to adequately protect the environment. It simply goes too far and will hurt the ability of communities to protect their residents from toxic exposure. I support the Durbin amendment to restore the community's right-to-know what chemicals are being emitted from local industries.

It is important to encourage growth and development and that can best be achieved if companies work to earn the trust of the community and the two work closely together. Along those lines, I also urge my House and Senate counterparts to do the same and work out a reasonable solution to this issue.

I urge my colleagues to support the fiscal year 1997 VA–HUD appropriations bill.

Mr. HOYER. Mr. Chairman, I rise to express my very serious concerns about the funding levels for Superfund, section 8 housing vouchers, and space sciences in this bill. Once again, the appropriations priorities of this majority are shortchanging America's communities by underfunding efforts to clean up our environment, provide safe housing for our seniors and poor children, and make our neighborhoods better places to live.

I am particularly concerned by the cuts to Mission to Planet Earth, a critical NASA program which has great potential for helping predict weather and climate. The ability to better predict natural disasters will save both money and lives. Moreover, our capability to forecast up to a year in advance will yield tremendous benefits for agricultural and natural resources productivity.

The subcommittee's mark includes $1.149 billion for Mission to Planet Earth. Regrettably, this is a reduction of $220 million from the President's budget request. If the allocation for this appropriations measure was not so constrained, I would offer an amendment to add that $220 million to the bill before us. NASA, through internal efforts, has already greatly reduced the Mission to Planet Earth budget. Further reductions could cause serious delays in the weather measurements and the Earth observing system. Cuts could also affect NASA's agreements with the United Kingdom, Japan, Brazil, and France—all partners in the EOS system.

Goddard Space Flight Center is NASA's lead center for these efforts and has an extraordinary reputation for Earth science studies. I have had the chance to visit with the scientists working on this program and I can tell you that their work is outstanding. Our understanding of the Earth as an integrated system is far from complete. Mission to Planet Earth and EOS will produce both practical benefits and long-term understanding of the environment.

Mr. Chairman, I strongly believe that it is in the best interests of our country and, indeed, of mankind, to fully fund Mission to Planet Earth and I urge the committee to work to accomplish that objective as this bill moves through the legislative process.

Mr. GEJDENSON. Mr. Chairman, I rise to express my strong concern that the bill before us eliminates the U.S. Office of Consumer Affairs. As many members of this body know, the Office of Consumer Affairs is the only entity on the Federal level which serves as an advocate for consumers on virtually any issue. I believe we should be devoting significantly more, rather than fewer, resources to protecting the interests of American consumers.

The Office of Consumer Affairs traces its origin to the President's Committee on Consumer Interest established by President John Kennedy in 1962. President Johnson transformed the committee into the Office of Consumer Service in 1968. President Richard Nixon was responsible for establishing the Office of Consumer Affairs within the White House and redefined its mission to include information distribution and consumer education. In fact, Elizabeth Dole was Deputy Director of the Office during the Nixon years and played an important role in developing voluntary agreements between manufacturers and consumers. President Nixon was also responsible for transferring the Office to the Department of Health and Human Services and expanding its mission again to include consumer advocacy throughout the Federal Government. Presidents Ford, Carter, Reagan, and Bush all continued the Office and utilized it to ensure consumers' interests were protected at the national level.

As I mentioned above, the Office acts as a consumer advocate. Other entities in the Federal Government address consumer issues by regulating products or services. The Office's mission is to serve as a central point of contact—a one-stop-shop—where consumers can obtain a wide range of information and assistance in addressing their problems with Government agencies as well as the private sector. The Office distributes information through a variety of sources, the most popular of which is the *Consumer's Resource Handbook*. Every member of this body is familiar with these valuable publications which are arguably the most thorough source of consumer-related information issued in America. The handbook provides tips on how to get the most for one's money, prevent fraud and protect personal privacy. In addition, it contains more than 100 pages listing national consumer groups, State and local consumer affairs offices, better business bureaus, corporate consumer centers and a wide range of other helpful information. As the result of aggressive distribution efforts, headquartered in Pueblo, CO, more than 1 million copies are currently in circulation.

The Office of Consumer Affairs responds quickly, and efficiently, to consumer complaints through the toll-free National Consumer HELPLINE. I want to stress to my colleagues that the HELPLINE is staffed by a portion of the Office's 13 trained, professional employees and is not contracted out to another office or to private operators. The HELPLINE can quickly direct consumers to appropriate government agencies helping them negotiate an often complicated system of shared and overlapping jurisdiction. Staff also refer callers to consumer affairs offices in the private sector. Between June, 1995, when the HELPLINE commenced operation, and the end of February, 1996, more than 80,000 people—about 10,000 per month—have been served. It is important to note the Office has assisted this volume of callers while operating the HELPLINE only 4 hours daily. I believe the number of calls would increase significantly if the Office had sufficient resources to operate the HELPLINE during normal business hours.

In addition, through the HELPLINE, letters and other sources the Office performs its central function as an advocate—helping consumers solve their problems. Office staff research consumers' problems and then work with manufacturers and Government agencies to develop voluntary solutions. The Office has a unique problem-solving role because it is nonregulatory. It can contact a private company and work to achieve a compromise relating to how a particular product is sold or produced or how a service is delivered. Most regulatory agencies can not take similar action without being confronted with conflict of interest charges or allegations they are being "soft" on entities under their jurisdiction. In a February, 1996 letter to President Clinton, several major U.S. corporations and trade organizations, including MasterCard, MCI, Ford, and the American Gas Association, were among 41 groups urging the President's continued support for the Office. The Office of Consumer Affairs is the only Federal agency which can bring consumers and businesses together in an nonadversarial setting and produce agreements which benefit all parties.

Mr. Chairman, American consumers need a voice at the Federal level more than ever before. Rapid and complex changes in our economy, widespread reorganization of Federal programs, and a blizzard of new products and services associated with the information revolution are generating questions and concerns from a growing number of Americans. At the same time, States, which traditionally have offered the first line of defense for consumers, are reducing, and in some case eliminating, consumer affairs departments and units at an alarming rate.

A March, 1996 investigation by Money Magazine provides startling information about just

how severe some of the reductions at the State level have been. As part of its investigation, Money surveyed 45 State attorneys general and 51 other State, county and city consumer affairs offices requesting information about historic and present budgets, contacts, number of cases investigated, and the amount of money returned to consumers as a result of such investigations. Based on the information provided, Money concluded that 44 of the 96 entities surveyed—nearly 50 percent of the total—"have seen their funding or staff levels slashed or eliminated during the past decade."

The magazine determined consumer protection efforts have been improved in only 9 States. At the same time, 41 States and the District of Columbia have curtailed consumer protection efforts or merely held the line on service in spite of increasing demand. Alabama, Alaska, California, Connecticut, the District of Columbia, Florida, Hawaii, Iowa, Maryland, Massachusetts, New Hampshire, New York, South Carolina, Tennessee, Texas, Virginia, and Wisconsin were all rated by the magazine as "losing ground" in the battle to protect consumers' interests. For example, the Alabama attorney general's consumer affairs staff has been cut by 70 percent since the early 1980's while Maryland's has been pared by 28 percent since 1990. In Massachusetts, the executive office of consumer affairs was slated for closure and in New Jersey, Rhode Island, and South Carolina certain State-administered consumer advocacy organizations have been terminated. As the States continue to reduce consumer affairs units and curtail investigations, preserving a consumer advocate at the national level becomes even more important.

I recognize the Appropriations Committee has provided a minimal increase to the Consumer Information Center and transferred some of the Office's functions to the Center. The Center distributes the Consumer's Resource handbook, other consumer-related information and publications from various Government agencies. While the committee report makes vague references about transferring functions, the bill is silent on this issue. However, it is very important to note that the Center will not be taking over the Office's advocacy role. It will not operate the HELPLINE, it will not address consumer complaints and it will not represent consumers' interests in policy discussions within the Federal Government. The Center is, and I believe will remain, a warehousing and distribution entity and will not be transformed into a consumer advocate under the provisions of this bill.

Mr. Chairman, the Office of Consumer Affairs is a great value for the American people. In an article published in the Christian Science Monitor in January, 1996, two former Directors of the Office stated it provides services to the 97 million households in this country for about two cents per household. I challenge any member to find another program which offers similar service to the American people for less. I firmly believe the taxpayers are willing to spend less than $2 million dollars annually to ensure they have a consumer advocate at the Federal level. The American people are not blindly demanding spending cuts. They want this Congress to make cuts and policy changes which make sense. I believe the vast majority of Americans would agree that eliminating the Office of Consumer Affairs fails this important test.

Mr. FOGLIETTA. Mr. Chairman, I rise to speak in favor of this bipartisan amendment which would provide the funds needed to keep the HOPWA Program at pace with the growth of the need and the problem.

HOPWA needs the little bit of extra money that this amendment provides, because the number of communities served by it have expanded.

Why do we need a separate housing program for people with AIDS? That's what I hear some people ask about this program. The reason is because the needs are so unique. So often, people with AIDS find themselves on the fringes of our communities: Isolated; frightened; stigmatized. Broken financially from the costs of drugs and doctors. Sometimes, homeless. The worst thing that someone needs in the latter stages of AIDS is to worry about where they will live and where they will die. Worry hastens death.

HOPWA is the caring and decent thing, but if that is not enough * * * consider the financial aspects of the issue. Without the hospices provided by HOPWA, a person with AIDS is likely to end up in a hospital, where Medicaid will be huge. Support this amendment because it's cost effective. Support this amendment because it's right.

Mr. REED. Mr. Chairman, I rise in strong opposition to the Hostettler amendment to eliminate the AmeriCorps Program.

AmeriCorps has provided an opportunity for more than 40,000 young people to earn their way through college by giving something back to their communities and our Nation. AmeriCorps members perform many vital functions, including tutoring children, helping seniors, housing the homeless, feeding the hungry, preventing crime, and protecting the environment.

This past Sunday, I attended the City Year Rhode Island Graduation, in which 55 individuals were honored for their year of service in Providence and Central Falls, RI. City Year participants make a difference in the lives of Rhode Islanders by tutoring children and cleaning up communities. Next year, City Year Rhode Island, which receives a majority of its funding from the Corporation for National Service, expects to provide service opportunities to additional participants who will serve throughout the State.

AmeriCorps is making a positive impact in our communities and in the lives of the participants. One recent City Year Rhode Island participant was a high school dropout working in jobs which gave her little chance of advancement. Her involvement in City Year provided an opportunity to assist others in need, which in turn renewed her belief in the value of hard work and inspired her to return to and finish high school. She is now attending Brown University where she is studying medicine, turning a nearly destroyed dream of becoming a doctor into a reality.

Today the critics of AmeriCorps will attempt to disparage AmeriCorps with claims of financial mismanagement and wasteful spending. In recent months, however, the Corporation for National Service has addressed these and other concerns by reducing costs, increasing private-sector support, improving financial management, and eliminating grants to other Federal agencies, in order to harness the full potential of national service. Furthermore, four independent studies have concluded that AmeriCorps is a cost-effective investment that yields more in benefits than the program costs.

As the Providence Journal-Bulletin recently noted, we should be increasing funding for this worthy program, not eliminating it. AmeriCorps enjoys widespread support among participants, governors, and businessmen and women in Rhode island, and across the Nation. I urge my colleagues to reject the Hostettler amendment and other anti-AmeriCorps amendments offered today.

Mrs. MORELLA. Mr. Chairman, I rise in opposition to the Hostettler amendment to eliminate AmeriCorps funding.

AmeriCorps has been a very valuable resource for our great Nation. AmeriCorps is achieving results; AmeriCorps is cost effective; AmeriCorps has earned private-sector support; and AmeriCorps is cutting costs.

An evaluation of AmeriCorps programs by Aguirre International—headed by President Ford's Commission of Education found that just one-tenth of the AmeriCorps members: taught 23,641 students; tutored 23,867 individuals; mentored 14,878 youths; helped 2,551 homeless people find shelter; planted more than 210,000 trees; collected organized, and distributed 974,103 pounds of food and 5,000 pounds of clothes; developed and distributed 38,546 packets of information about drug abuse, street safety, health care, and other issues; ran violence prevention after-school programs for 49,632 youth; performed energy audits for more than 18 million square feet of buildings; and leveraged 669,369 hours of service by unstipended volunteers—each AmeriCorps member manages about 16 volunteers and generates 246 volunteer hours.

AmeriCorps is cost effective for our Nation. Numerous independent studies this year, including one by conservative Chicago School economists sponsored by three private foundations to test their investment in AmeriCorps, confirmed that investments in national service programs are sound, yielding from $1.54 to $3.90 for every dollar invested.

In fact, the 1995 GAO Report concluded that AmeriCorps almost tripled the amount it was required to raise from non-corporation sources in its first year: Congress directed AmeriCorps programs to raise $31 million; they raised $91 million. Of this total, $41 million—more than the amount required of all sources—came from the private sector alone. Such financial support proves that leaders at the local level across the country feel that AmeriCorps is an effective way to meet the needs of their communities.

The program is below budget. In fact AmeriCorps grantees have already reduced costs by 7 percent in real terms. The Corporation has already reduced its administrative budget by 12 percent in real terms. The Corporation has recently announced that it will lower its average budgeted cost per AmeriCorps member in its grants programs by $1,000 each year in program year 1999–2,000. And, the GAO reported the Corporation is spending less per AmeriCorps member than it had budgeted.

The Corporation has also announced that it will no longer make AmeriCorps program grants to other Federal agencies.

Additionally, Representative HOSTETTLER is focusing on just 2 of the over 1,200 AmeriCorps sites and 450 AmeriCorps programs over the last 2 years. In fact, in both these cases, the Corporation and the Governor's commissions found the problems and eliminated funding to the programs to eliminate the waste of taxpayer dollars. These are the exception that prove the rules work.

Recently, I visited two sites of an AmeriCorps program in Montgomery County, MD, called the Community Year. I saw first hand, at Karasik Child Care Center and Holy Cross Adult Day Care Center, that young adults are making a significant difference in the lives of people in need in Montgomery County through AmeriCorps.

Esther Kaleko-Kravitz is the director of Community Year, and Wendy Moen is the corpsmember development specialist. Under the auspices of these two able individuals, young adults provide direct services to the elderly, refugees, and the disabled population in the community, from preschool to adulthood. This national service experience promotes personal and professional growth among the corpsmembers and is a win-win situation for everyone.

All over America, there is a new spirit of community service. Meeting and talking with young people in my district, I see an idealism and an eagerness to help others.

The time has come to provide American students with a program which channels their energy and challenges them to discover the untapped resources within themselves.

We must encourage this spirit of service in our country by opposing this amendment. AmeriCorps members help to form a world where compassion and a willingness to help others will strengthen America and indeed make a difference.

Moreover Governors Weld, Wilson, Engler, Merrill, and Almond, religious groups like the Catholic Network of Volunteer service, the Episcopal Church, and Agudath Israel of America, volunteer sector leaders like Habitat for Humanity, Big Brothers/Big Sisters, the Red Cross, and the YMCA, support AmeriCorps strongly. I urge my colleagues to oppose the Hostettler amendment.

Mr. STUDDS. Mr. Chairman, I rise in support of the amendment, which would provide a $15 million increase for local HIV/AIDS housing assistance grants under the HOPWA Program. These funds will help thousands of people to live longer and stay healthier, while sparing States and localities the far greater costs associated with the hospital and emergency room care to which these individuals would otherwise be forced to turn.

Two years ago, I joined with Members on both sides of the aisle in an effort to prevent the HOPWA Program from being eliminated altogether. Fortunately, the program survived that crisis. But the Congress took away $15 million as part of the 1995 rescissions package, and the program has been level funded ever since—even though the number of reported AIDS cases has risen by one-third and the number of States and metropolitan areas qualifying for a piece of the pie has increased by 23 percent.

It is time to put that $15 million back. Without it, 34 States and cities in every region of the country will actually lose money this year as they struggle to bear the enormous and growing burden of this epidemic. Thousands of people will be forced to choose between paying their medical bills and paying the rent. Many will wind up in hospitals, at a cost 10 to 20 times that of housing and services in a HOPWA-funded residential facility. The rest could find themselves huddled in homeless shelters and sleeping on grates. Many could literally die in the streets this winter.

No civilized society can allow that to happen. I commend the gentleman for offering the amendment and urge its adoption.

Mr. NADLER. Mr. Chairman, I rise in support of this amendment which would increase by $15 million the Housing Opportunities for People with AIDS Program [HOPWA].

At a time when both homelessness and the spread of AIDS have reached crisis proportion, funding for the HOPWA Program is crucial to the basic existence of many Americans.

AIDS is now the leading killer of Americans between the ages of 25 and 44. The growth of the number of people infected with AIDS has been dramatic, and it is often the case that people with AIDS need housing assistance. In fact, at any given time, one-third to one-half of all Americans with AIDS are either homeless or in imminent danger of losing their homes. We have a responsibility, not only to respond to this very devastating public health crisis, but also to provide basic housing assistance to those who are suffering from AIDS.

The HOPWA Program is the only Federal housing program that specifically provides cities and States hardest hit by the AIDS epidemic with the resources to address the housing crisis facing people living with AIDS in communities throughout the Nation.

The HOPWA Program provides community-based, cost-effective housing for thousands of people living with AIDS and their families. This amendment would save funds that would, in the absence of the housing and services provided in a HOPWA-funded residential facility, result in higher expenditures for hospital or emergency room costs. For example, an acute-care bed for an AIDS patient costs on average $1,085 a day, whereas the housing and services provided in a HOPWA-funded residential facility costs between one-tenth and one-twentieth of that amount. In fact, it is estimated that HOPWA dollars reduce the use of emergency health care services by an estimated $47,000 per person per year.

Without this valuable program thousands of people suffering from AIDS would risk homelessness, and quite possibly, premature death due to exposure, poor nutrition, stress, and lack of medical care.

Mr. Chairman, this amendment is socially, morally, and fiscally responsible. I urge my colleagues to support it.

Mr. SCHUMER. Mr. Chairman, I rise in opposition to the amendment by Mr. BROWN to strike funding for the American Museum of Natural History.

There is so much to like about this project, it is hard to know where to begin.

The funds will be used to renovate New York's Hayden Planetarium. Money for the project is coming from a wide range of sources including $33 million from New York City and $27 million from private donations. The Federal Government is only expected to contribute 10 percent of the funding or $13 million.

When the project is completed, America will once again have the finest planetarium in the world. Think about your children and the 3 million people who visit the planetarium each year as I read to you a description of the finished product from the New York Times.

[The planetarium] centerpiece will be an enormous sphere that will evoke, symbolically speaking, an atom, a planet, a star and a galaxy. It will house several facilities, among them the most technologically advanced sky theater in the world and exhibits exploring the nature of the universe. A spiraling walkway will take visitors through time, from the Big Bang that formed the cosmos to the present day. It will also serve as an intellectual link, explaining how the earth evolved and the whys of oceans, continents, earthquakes, mountains and volcanoes.

For those who support NASA, let us remember that the future of our space program depends upon exciting the imaginations of the next generation about the cosmos. America ought to have the best planetarium in the world. After all, we are the leaders in space flight and in the exploration of the Universe.

We know that if these funds are cut they will end up in some other account—so the deficit reduction argument does not work. Let us do something in the NASA funding bill for our kids.

Oppose the Brown amendment.

The CHAIRMAN. If there are no further amendments, under the rule the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. COMBEST, 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. 3666), making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1997, and for other purposes, pursuant to House Resolution 456, he reported the bill back to the House with sundry amendments 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? If not, the Chair will put them en gros.

The amendments were 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.

MOTION TO RECOMMIT OFFERED BY MR. STOKES

Mr. STOKES. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. STOKES. In its present form I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. STOKES moves to recommit the bill H.R. 3666 to the Committee on Appropriations with instructions to report the bill back to the House forthwith with amendments as follows:

On page 61, line 14, after the first dollar amount, insert "(increased by $350,000,000)"

and,

On page 61, line 15, strike "September 1, 1997" and insert "September 30, 1997".

The SPEAKER pro tempore. The gentleman from Ohio [Mr. STOKES] is recognized for 5 minutes in support of his motion to recommit.

Mr. STOKES. Mr. Speaker, earlier in general debate I made reference to the fact that it was my intention to vote for this bill. I said at that time that the bill was not a perfect bill, but because of the fact that the chairman and I had truly worked in a real bipartisan manner to bring to the floor a bill on which he and I both agreed, there were certain parts of the bill that still needed improvement, we were both committed to working on that bill together both here and in conference, and that based upon that I had intended to vote for the bill.

Let me just remind the Members of what happened on this floor today that has changed that from my position.

Mr. Speaker, earlier today we had $122.4 million in additional cuts by amendments offered on the floor, and this is a bill that already in the area of HUD had been cut $2.3 billion in the bill as reported.

AmeriCorps; there was an amendment by the gentleman from Indiana [Mr. HOSTETTLER] which the House defeated where he proposed to take all of the money out of AmeriCorps. The House defeated that amendment by a vote of 240 to 183. Fifty Republicans voted with us to defeat that bill. Later on during the day the gentleman from Kansas [Mr. TIAHRT] had an amendment which again proposed to take all of the money out of AmeriCorps. That amendment was accepted without a vote by the chairman of the subcommittee and was accepted for reasons. I understood the reasons, but it took all the money back out of AmeriCorps again.

Mr. Speaker, we had provided $367 million in this bill, which was already below the President's request. I think by eliminating AmeriCorps from this bill what we are doing is inviting a veto of this bill. This is a pet of the President, and I think we can assure our colleagues it is going to be vetoed.

Additionally, today amendments took out $54 million in additional cuts to NASA. NASA had already been cut $1.1 billion in the bill as reported.

My motion to recommit puts the money, AmeriCorps money, back in, does not take it from any of the accounts. This is money that is lying there and is available. We put the money back in. It is deficit neutral. It is within the targets. It delays the money until September 30, 1997, so there is no immediate obligation.

I would urge all of the Members on both sides of the aisle, in the true bipartisan manner in which the gentleman from California [Mr. LEWIS] and I have worked on this bill, to support this motion to recommit.

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

The SPEAKER pro tempore. Does the gentleman from California [Mr. LEWIS] seek recognition on the motion to recommit?

Mr. LEWIS of California. I do, Mr. Speaker.

Mr. Speaker, as all my colleagues know, as a result of these last couple of days this is a very important, a very interesting, a very complex bill. To say the least, it is a difficult bill with many a compromise, an attempt to balance and measure and weigh carefully that which makes good sense for all those who care about the subject areas of this legislation.

In the discussion that we had earlier regarding the AmeriCorps program, we did essentially come to an agreement within the House that involved an amendment that raided the Hostettler amendment. We left a minimum basic level for AmeriCorps in the bill as a result of that amendment, and indeed it was our understanding that we would work with that as we move towards the conference, and it relates to a lot of the rest of the bill.

Later an amendment came to us that was not one that we had talked about before or had any in-depth discussion, but it was an amendment heartfelt but also that put this program against veterans' programs, and my colleagues know we discussed what we do with those programs.

So we kind of reversed ourselves there, and this motion to recommit is essentially to take us back to the position that we were in earlier in terms of our general understanding about this and a lot of another items.

So, with that, I know some Members have reservations, but we are in the process of measuring this program carefully, and at this point in time I would strongly urge my colleagues to respond to my ranking member, the gentleman from Ohio [Mr. STOKES] who has cooperated in depth in this program, and I urge my colleagues to support the motion to recommit.

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

PARLIAMENTARY INQUIRY

Mr. CUNNINGHAM. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. CUNNINGHAM. Mr. Speaker, if no Member has spoken against the motion to recommit, is there time available to speak against the motion?

The SPEAKER pro tempore. Five minutes in opposition to the motion was in order, and the gentleman from California [Mr. LEWIS] used the 5 minutes. There is no more time remaining.

Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Mr. STOKES. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 205, noes 212, not voting 17, as follows:

[Roll No. 281]

AYES—205

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Bellenson
Bentsen
Bereuter
Berman
Bishop
Blumenauer
Blute
Bonior
Borski
Boucher
Brewster
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Bunn
Cardin
Chapman
Clay
Clayton
Clement
Clyburn
Collins (IL)
Collins (MI)
Condit
Costello
Coyne
Cramer
Cummings
Danner
Davis
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Edwards
Ehlers
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gilman
Gonzalez
Gordon
Green (TX)
Gunderson
Gutierrez
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Holden
Horn
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
Klug
LaFalce
Lantos
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Montgomery
Moran
Morella
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (MN)
Pickett
Pomeroy
Poshard
Quillen
Quinn
Rahall
Rangel
Reed
Richardson
Rivers
Roemer
Rose
Rush
Sabo
Sanders
Sawyer
Schiff
Schroeder
Schumer
Scott
Serrano
Shays
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Spratt
Stark
Stenholm
Stokes

Studds
Stupak
Tanner
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Velazquez
Vento
Visclosky
Volkmer
Walsh
Ward
Waters
Watt (NC)
Waxman
Williams
Wilson
Wise
Woolsey
Wynn

NOES—212

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bilbray
Bilirakis
Bliley
Boehlert
Boehner
Bonilla
Bono
Brownback
Bryant (TN)
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Castle
Chabot
Chambliss
Chenoweth
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehrlich
English
Ensign
Everett
Ewing
Fawell
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gingrich
Goodlatte
Goodling
Goss
Graham
Greene (UT)
Greenwood
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Knollenberg
Kolbe
LaHood
Largent
Latham
Laughlin
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Moorhead
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Petri
Pombo
Porter
Portman
Pryce
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Seastrand
Sensenbrenner
Shadegg
Shaw
Shuster
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Tauzin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Upton
Vucanovich
Walker
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—17

Becerra
Bevill
Browder
Christensen
Coleman
Conyers
Fields (TX)
Flake
Gephardt
Gibbons
Hall (OH)
Hayes
Lincoln
McDade
Peterson (FL)
Roybal-Allard
Yates

□ 2326

Mr. CLINGER and Mr. HOUGHTON changed their vote from "aye" to "no."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the passage of the bill.

Pursuant to clause 7 of rule XV, the years and nays are ordered.

The vote was taken by electronic device, and there were—yeas 269, nays 147, not voting 17, as follows:

[Roll No. 282]

YEAS—269

Allard
Archer
Armey
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bateman
Bentsen
Bereuter
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Boucher
Brewster
Brown (OH)
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Castle
Chabot
Chambliss
Chapman
Chenoweth
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeLay
Diaz-Balart
Dickey
Dingell
Doolittle
Dornan
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
English
Ensign
Everett
Ewing
Fawell
Fazio
Flanagan
Foley
Forbes
Fowler
Fox
Frank (MA)
Franks (CT)
Frelinghuysen
Frisa
Frost
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Gordon
Goss
Graham
Greene (UT)
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson (SD)
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kim
King
Kingston
Kleczka
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
Mascara
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Mollohan
Montgomery
Moorhead
Morella
Myers
Myrick
Nethercutt
Ney
Norwood
Nussle
Ortiz
Orton
Oxley
Packard
Parker
Paxon
Payne (VA)
Peterson (MN)
Pombo
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Regula
Richardson
Riggs
Rivers
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Shadegg
Shaw
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stokes
Stump
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Traficant
Upton
Vucanovich
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wise
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—147

Abercrombie
Ackerman
Andrews
Baldacci
Barton
Beilenson
Berman
Blumenauer
Bonior
Borski
Brown (CA)
Brown (FL)
Bryant (TX)
Cardin
Clay
Clayton
Clement
Clyburn
Collins (IL)
Collins (MI)
Conyers
Costello
Coyne
Cummings
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dixon
Doggett
Dooley
Duncan
Durbin
Engel
Eshoo
Evans
Farr
Fattah
Fields (LA)
Filner
Foglietta
Ford
Franks (NJ)
Furse
Gejdenson
Gonzalez
Green (TX)
Gutierrez
Hamilton
Hancock
Hastings (FL)
Hilliard
Hinchey
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson, E. B.
Johnston
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Moran
Murtha
Nadler
Neal
Neumann
Oberstar
Obey
Olver
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Petri
Pickett
Pomeroy
Rangel
Reed
Roemer
Rose
Rush
Sabo
Sanders
Sanford
Sawyer
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Shays
Skaggs
Slaughter
Stark
Studds
Stupak
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Woolsey
Wynn

NOT VOTING—17

Bachus
Becerra
Bevill
Browder
Christensen
Coleman
Fields (TX)
Flake
Gephardt
Gibbons
Hall (OH)
Hayes
Lincoln
McDade
Peterson (FL)
Roybal-Allard
Yates

□ 2342

Mr. BARRETT of Wisconsin changed his vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. ROYBAL-ALLARD. Mr. Speaker, due to the need to attend the funeral of a close personal friend and campaign advisor in Los Angeles, I was absent for the House Session held on Wednesday, June 26, 1996. As a result, I missed a number of recorded floor votes including amendments and final passage to

H.R. 3666, the VA-HUD-Independent Agencies appropriations bill for fiscal year 1997.

My constituents have the right to know how I would have voted on the various amendments, bills, and rules considered during this time. For the RECORD, I would like to indicate my position on each missed vote:

Motion to Adjourn, rollcall 271—"no".

Lazio amendment to H.R. 3666, rollcall 272—"yes".

Shays/Lowey amendment to H.R. 3666, rollcall 273—"yes".

Sanders amendment to H.R. 3666, rollcall 274—"yes".

Hefley amendment to H.R. 3666, rollcall 275—"no".

Hostettler amendment to H.R. 3666, rollcall 276—"no".—This recorded vote was later withdrawn by unanimous consent.

Gutknecht amendment to H.R. 3666, rollcall 277—"no".

Walker amendment to H.R. 3666, rollcall 278—"no".

Markey amendment to H.R. 3666, rollcall 279—"no".

Roemer amendment to H.R. 3666, rollcall 280—"yes".

On the Motion to Recommitt with Instructions, rollcall 281—"yes".

On Final Passage of H.R. 3666, rollcall 282—"no".

PERSONAL EXPLANATION

Mr. CHRISTENSEN. Mr. Speaker, I was not present for the vote on passage of H.R. 3666. Had I been here, I would have voted in favor of final passage on the VA-HUD bill.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF CONCURRENT RESOLUTION PROVIDING FOR ADJOURNMENT OF HOUSE AND SENATE FOR INDEPENDENCE DAY WORK PERIOD

Mr. DIAZ-BALART, from the Committee on Rules, submitted a privileged report (Rept. No. 104-640) on the resolution (H. Res. 465) providing for consideration of a concurrent resolution providing for adjournment of the House and Senate for the Independence Day district work period, which was referred to the House Calendar and ordered to be printed.

POSSIBLE VOTE ON HOUSE RESOLUTION 463, DISAPPROVAL OF MOST-FAVORED-NATION TREATMENT FOR CHINA

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

Mr. SOLOMON. Mr. Speaker, I would say to my good friend, the ranking member of the Rules Committee, that we are about to take up the rule on the motion to disapprove most-favored-nation treatment for China. We do not expect to call for a vote over here even though all of our time will probably be used.

Mr. Speaker, I would just ask the gentleman if he expects anybody on his side of the aisle to call for a vote on this rule this evening.

Mr. MOAKLEY. Mr. Speaker, will the gentleman yield?

Mr. SOLOMON. I yield to the gentleman from Massachusetts.

Mr. MOAKLEY. Mr. Speaker, we have requests for time, we do not have any requests for votes, and I am not going to call for a vote.

Mr. SOLOMON. Therefore, we would not anticipate a vote on the rule although there is not any guarantee.

Mr. MOAKLEY. The gentleman is exactly right.

ANNOUNCEMENT REGARDING AMENDMENT PROCESS FOR LEGISLATIVE BRANCH APPROPRIATONS BILL

Mr. SOLOMON. Mr. Speaker, the Rules Committee is planning to meet on Tuesday, July 9, to grant a rule which may limit the amendments offered to the legislative branch appropriations bill.

Members who wish to offer amendments to the bill should submit 55 copies of heir amendments, together with a brief explanation, to the Rules Committee office in H-312 of the Capitol, no later than noon on Monday, July 8.

Amendments should be drafted to the bill as ordered reported by the Appropriatons Committee. Copies of the text will be available for examination by Members and staff in the offices of the Appropriatons Committee in H-218 of the Capitol.

Members should use the Office of Legislative Counsel to ensure that their amendments are properly drafted and should check with the Office of the Parliamentarian to be certain their amendments comply with the rules of the House.

Any off-set amendments should be scored by CBO to ensure compliance with clause 2(f) of rule 21, which requires that they not increase the overall levels of budget authority and outlays in the bill.

We appreciate the cooperation of all Members in submitting their amendments by the noon, July 8, deadline in properly drafted form.

PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 182, DISAPPROVING EXTENSIONS OF MOST-FAVORED-NATION STATUS TO PRODUCTS OF PEOPLE'S REPUBLIC OF CHINA, AND HOUSE JOINT RESOLUTION 461, REGARDING THE PEOPLE'S REPUBLIC OF CHINA

Mr. SOLOMON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 463 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 463

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 182) disapproving the extension of nondiscriminatory treatment (most-favored-nation treatment) to the products of the People's Republic of China. All points of order against the joint resolution and against its consideration are waived. The joint resolution shall be debatable for two hours equally divided and controlled by the chairman of the Committee on Ways and Means (in opposition to the joint resolution) and a Member in support of the joint resolution. Pursuant to sections 152 and 153 of the Trade Act of 1974, the previous question shall be considered as ordered on the joint resolution to final passage without intervening motion. The provisions of sections 152 and 153 of the Trade Act of 1974 shall not apply to any other joint resolution disapproving the extension of most-favored-nation treatment to the People's Republic of China for the remainder of the One Hundred Fourth Congress.

SEC. 2. After disposition of House Joint Resolution 182 pursuant to the first section of this resolution, it shall be in order to consider in the House the resolution (H. Res. 461) regarding human rights abuses, nuclear and chemical weapons proliferation, illegal weapons trading, military intimidation of Taiwan, and trade violations by the People's Republic of China and the People's Liberation Army, and directing the committees of jurisdiction to commence hearings and report appropriate legislation. The resolution shall be debatable for one hour equally divided and controlled by Representative Cox of California or his designee and a Member opposed to the resolution. The previous question shall be considered as ordered on the resolution to final adoption without intervening motion.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from New York [Mr. SOLOMON] is recognized for 1 hour.

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

Mr. Speaker, House Resolution 463 is a rule providing for the consideration of two measures. The first measure is House Joint Resolution 182, a resolution disapproving the extension of most-favored-nation treatment to the products of the People's Republic of China. It was introduced by the gentleman from California [Mr. ROHRABACHER] on June 13, and it was ordered reported adversely by the Committee on Ways and Means on June 18 by a vote of 31 to 6.

Although the Trade Act of 1974 already provides procedures for considering such disapproval resolutions without a special rule, there are two principal reasons why this rule is necessary.

First, the Trade Act provides for 20 hours of debate on such disapproval resolutions. This special rule narrows that down to 2 hours, equally divided between a proponent and the chairman

of the Committee on Ways and Means, Mr. ARCHER, in opposition. The rule also provides for consideration in the House instead of the Committee of the Whole as it ordinarily would be.

Second, the Trade Act does not waive points of order against he disapproval resolutions. This rule waives all points of order against House Joint Resolution 182 and its consideration. We are aware of only one need for a waiver, and that is the 3-day availability requirement for the committee report.

Since the bill and report were only filed yesterday, Tuesday, by the Committee on Ways and Means, and today is only the first rather than the third day of its availability, this rule and waiver are necessary.

Under the Trade Act procedures, disapproval resolutions are not subject to amendment or to a motion to recommit. This rule does not alter either of those provisions of the statute. Neither does the rule alter the statutory division of debate time between proponents and opponents.

After the 2 hours of debate provided by the rule, the previous question is ordered to final passage without intervening motion, meaning there will be no amendments and no motion to recommit, consistent with the statutory provisions of the 1974 Trade Act. We live by the law.

In addition to the two reasons I have cited for why this rule is necessary, the rule provides for the consideration of a tandem piece of legislation following the disposition of the disapproval resolution. That measure is House Resolution 461, introduced by the gentleman from California [Mr. COX] just yesterday.

Under the terms of this rule, the Cox resolution will be debated in the House for 1 hour, equally divided between Mr. COX or his designee, and a Member opposed to the resolution.

As with the disapproval resolution, the rule orders the previous question on the Cox resolution to final adoption without intervening motion, meaning no amendments and no motion to recommit. In other words, on both resolutions this House will be given a straight up-or-down vote, and that is the fair way to do it.

The Cox resolution is a simple House resolution, meaning that it does not require Senate approval or Presidential signature for it to be effective. The resolution contains a number of findings in the preamble regarding human rights abuses, nuclear and chemical weapon proliferation, illegal weapons trading, military intimidation of Taiwan, and trade violations by the People's Republic of China and the People's Liberation Army.

It then concludes with a single resolving clause that directs the various committees of jurisdiction, including the Committees on Ways and means, International Relations, and Banking and Financial Services, to hold hearings on the matters and concerns addressed in the preamble and, if appropriate, to report legislation addressing these matters to the House not later than September 30 of this year.

Mr. Speaker, those are the provisions of this rule. I think they will provide the House with ample opportunity over the next 4 hours to fully debate the critical problem of Communist China.

The Committee on Rules had a rather extensive debate on these issues last night before we reported this rule by a unanimous voice vote. I hope this rule will receive the same measure of bipartisan support we had in the Rules Committee.

On the resolutions themselves, I would urge support for both of them, for one simple reason, and let me say this loud and clear: The policy of engagement with Communist China has failed, failed, failed.

Despite what some proponents of business as usual will say today, all one needs to do is read the papers every single day to know that Communist China is a rogue dictatorship that is running amok and is absolutely contemptuous of our weak-kneed policy of appeasement. The examples of abhorrent and dangerous behaviors by this dictatorship are too numerous to even list. Here are just a few.

First, as we speak there is a vicious crackdown on dissent taking place in Tibet, and we all ought to keep this in mind as we deliberate this issue. It is pathetic, Mr. Speaker, It is so sad.

We must remember that we are talking about a Communist dictatorship that commits crimes against its own people every single day.

Mr. Speaker, we also must remember that Communist China represents a growing threat to the national security interests of this country, and that will be brought out during the next 4 hours of debate. Backed by its rapidly growing military power, Communist China has begun to throw its weight around in East Asia, bullying our democratic friends in Taiwan and acting very aggressively in the Spratly Islands.

Most of all, we should be very concerned about recent attempts by China to acquire SS–18 intercontinental nuclear missiles from Russia which could directly threaten the American people.

Now, Mr. Speaker, turning to proliferation matters, well, here the proponents of appeasement have really got some explaining to do. Hardly a day goes by when we do not read about things like Chinese nuclear ring magnet shipments to places like Pakistan, chemical weapons technology transfers to Iran, cruise missile shipments to Iran, uranium processing technology to Iran, plutonium processing technology to Pakistan, and the list goes on and on and on. I could stand here for 20 minutes and continue reading these kind of rogue activities by this government.

Mr. Speaker, the real issue here today, though, is jobs, jobs, jobs, issues that our China policy really hits home on. Once again, our trade deficit with Communist China has surged, and now stand at $34 billion. I wish every one of the men here in this body would take off their shirts and show me the label in the collar on their shirts. I bet them dollars to doughnuts there is not one made in the United States of America.

Mr. Speaker, Communist China does not grant fair access to our goods, period. Meanwhile, we continue to give China carte blanche in our markets with most-favored-nation trading status.

Mr. Speaker, this so-called relationship with Communist China that some people are obsessed with maintaining destroys American jobs, and this has got to stop. We have the power, especially the economic power, with 250 million Americans with the highest standard of living in the world and that buying power to bring pressure to bear on these tyrants, and we ought to use that, without firing a shot. We do it economically.

Terminating MFN is the 2 by 4 we need to get their attention. When the vast American market for Communist Chinese goods is shut off, even temporarily, these greedy dictators will start to show a little bit of flexibility. That is the only kind of language they understand.

So let us use it today by voting "aye" on the Rohrabacher resolution of disapproval of most-favored-nation trading status for Communist China. It does not have to be for a year, it does not have to be for 6 months. It can be for only 30 days. We would see them sit down at the table and start negotiating fair trading practices with America.

Mr. Speaker, after we pass the Cox resolution directing four committees of this House to hold hearings and report legislation on how to deal with this problem, those committees ought to report only substantive legislation which takes punitive measures against this outlaw regime which is in fact an enemy of the United States of America and certainly of every working American.

Mr. Speaker, at this point I include the following extraneous material for the RECORD:

[From the Weekly Standard, June 3, 1996]

MOST FAVORED NATION—OR MOST APPEASED?

(By Robert Kagen)

Bill Clinton's announcement last week that he will seek unconditional renewal of China's most-favored-nation status is the latest evidence of a metamorphosis remarkable even for this president. Though he relentlessly attacked the Bush administration's China policy as bereft of human-rights concerns during his 1992 candidacy, in office Clinton has become the spiritual godson of Henry Kissinger. After a very brief flirtation with risky originality, Clinton has sought safety in the conventional wisdom of the bipartisan foreign policy and business elite, in

which he stands shoulder to shoulder with his presidential rival, Bob Dole.

Incoherence on China is not unique to Bill Clinton's foreign policy. It has been a problem for politicians of both parties since the late 1980s. The collapse of the Soviet Union and its Communist empire swept away the original foundation on which the Sino-American rapprochement was built in the early 1970s. America's interests and priorities have shifted as policymakers must now grapple with how to manage a world in which the United States is the sole superpower. At the same time, China's place in the constellation of global powers has shifted; from its position as the weakest side of the Sino-Soviet-American triangle as recently as 10 years ago, China seems poised over the coming decade to become the principal challenger to American dominance of the world order.

The lack of clarity and resolve in American policy toward China today is due to the failure of policymakers to recognize these changes and reorient American strategy to deal with them. The result has been worse than incoherence. American policies these days are starting to look a lot like the kind of appeasement that eventually leads to disaster.

Twenty-five years ago, the logic of the U.S.-China relationship was clear. At a time when American power seemed in Vietnam-saturated decline, Richard Nixon and Henry Kissinger were searching for quick and easy ways of redressing the increasingly unfavorable U.S.-Soviet balance while shoring up Nixon's political standing at home. Playing the "China card" looked like a brilliant strategic gambit, a simple matter, as Kissinger recalled in his memoirs, of "align[ing] oneself with the weaker of two antagonistic partners, because this acted as a restraint on the stronger." Kissinger did not share the view of State Department Sinophiles that good relations with China were a worthy end in themselves; he considered them a means to the end of shaping Soviet behavior and inducing Soviet leaders to accept the outstretched hand of détente. Indeed, as former Kissinger aide Peter W. Rodman has noted, the real purpose of "triangular diplomacy" was not to forge a permanent strategic partnership with China against Russia but "to secure better relations with both."

The shift to a more enduring strategic partnership with China came during the Carter administration under the direction of national security adviser Zbigniew Brzezinski. Alarmed at the Soviet Union's increasing adventurousness in the Third World from Africa to Southeast Asia, Brzezdinski sought to involve the Chinese more directly on the U.S. side in the worldwide anti-Soviet struggle. Kissinger aimed at playing both Communist giants against each other, but Brzezinski in 1978 traveled to Beijing to tell Deng Xiaoping that the United States had "made up its mind" and had chosen China. The price the Carter administration willingly paid for this new strategic partnership was the completion of the process of normalization Nixon had begun, including the revocation of U.S. recognition of Taiwan. In American foreign policy circles, Brzezinski's actions firmly established the still-extant bipartisan consensus on the overriding strategic importance of U.S.-Chinese relations.

The world of the 1970s looked very different from today's, however. The West was suffering from a paralyzing loss of confidence in its institutions and its liberal values. Communism still seemed to many around the world, and even to some in the United States, a viable if not superior alternative to capitalism. The great, resurgent successes of liberal capitalism—the Reagan boom here, the rise of the economic "tigers" in East Asia—lay in the future. The policymakers of the 1970s could not even have begun to imagine the worldwide democratic revolution that began in the 1980s in Latin America and Asia and then spread to Central and Eastern Europe and Russia. Instead, the United States was surrounded by dictatorships in its own hemisphere and maintained supportive relations with them and many others around the world.

In such a world, the strategic value of American rapprochement and then partnership with a Communist China seemed to outweigh the sacrifice of American ideals such a relationship required. Churchill had been willing to "sup with the devil" in order to defeat Hitler; few questioned the logic of closer U.S.-Chinese ties in a world where democracy and capitalism seemed to be imperiled by an expanding Soviet empire. In a world filled with dictatorships of both the left- and right-wing varieties, moreover, few believed the United States could afford to be picky about how its allies governed themselves.

Which is not to say that everyone in the United States was enthusiastic about the new partnership with Communist China. Conservative Republicans, including the old "China Lobby" with its bitter memories of 1949 and the "betrayal" of Chiang Kaishek, opposed some elements of the new course—especially when it was conducted by the Democratic administration of Jimmy Carter. Thus Robert Dole, although a devoted supporter of Nixon, vigorously opposed Carter's normalization of relations with China at the end of 1978. After normal ties were established, as Jim Mann of the Los Angeles Times has recently noted, Dole called on the White House to invite the president of Taiwan to Washington. From the floor of the Senate in 1979, he insisted that the Taiwan Relations Act must not leave America's old ally undefended against aggression by America's new ally. And when Carter proposed extending most-favored-nation status to China in 1980, Dole led the opposition and introduced legislation denying it to any nation that, like China, had not yet signed the nuclear nonproliferation treaty.

Despite these efforts by its Republican allies, however, the authoritarian regime in Taiwan had a difficult time winning much support in the United States. The dominant view of American policymakers in both parties was that holding the prized China card was essential to America's strategic well-being and that other issues—like sentimental ties to Taiwan, like the sharp ideological differences between China and the United States—had to be set aside.

The resurgence of American power and will under Ronald Reagan ought to have changed this and many other calculations. And to some extent during the 1980s, it did. Reagan, who had achieved preeminence in the Republican party partly by leading a crusade against the Nixon-Kissinger foreign policy, did not share Kissinger's and Brzezinski's strong attachment to the China card. Reagan himself was a longtime supporter of Taiwan, and as Peter Rodman points out, in the Reagan administration "even the younger officials making Asia policy . . . thought that the Nixon, Ford, and Carter administration had all gone overboard in their sentimentality about China."

There was also strategic logic to the Reagan administration's de-emphasis of the relationships with China. At a time when Reagan was determined to challenge the Soviets directly on all fronts, both militarily and ideologically, a China policy born in a time of strategic weakness was less compelling. Reagan simply didn't believe he needed China as much as Nixon and Carter had.

The worldwide ideological offensive that Reagan launched at the start of his second year in office, moreover, could not fail to affect the nature of relations between the United States and China. By the mid-1980s, much of the world appeared to be moving steadily in the direction of liberal economics and liberal government. The dire circumstances that had given birth to the U.S.-China strategic partnership in the 1970s were rapidly giving way in the 1980s to a new international situation that required a recalculation of the value of close ties between the two global powers.

Finally, the beginning of the collapse of the Soviet empire in 1989 and the emergence of the United States as the world's dominant military, economic, cultural, and ideological power utterly shattered the original rationale for Sino-American partnership. In the post-Cold War era it was ludicrous to speak of playing the China card, as Kissinger had, to convince Moscow to embrace détente; or as Brzezinski had, to combat Soviet aggression in the Third World. It was no longer possible to describe U.S.-China relations as "align[ing] oneself with the weaker of two antagonistic partners," given the Soviet Union's free fall and China's explosive economic growth.

China itself had appeared to be part of the global trend toward freedom throughout the 1980s. The "Four Modernization," begun under the leadership of Deng Xiaoping in the late 1970s helped produce the Chinese economic miracle we know today. A Chinese "democracy movement" soon emerged, calling for a "Fifth Modernization," free elections, and in some instances openly praising American-style democracy. Though it was subject to government harassment, the existence of the democracy movement suggested to many American observers that political reform in China was the inevitable next step after Doug's economic reforms.

The massacre at Tiananmen Square in 1989 and the subsequent suppression of dissidents, which continues to this day, dashed these hopes. It could hardly have been better timed to force the United States to reconsider the unpleasant bargain it had made with its conscience in the 1970s. At the same time the old strategic rationale for the U.S.-China partnership was vanishing, the Chinese government cast a bright light on the acute ideological differences between the two countries. Indeed, after Tianenmen, China emerged as the most powerful opponent of American liberal principles in the world.

In the ensuing years, China would significantly increase its military spending, even as both Soviet and American defense spending declined, and with the clear aim of using its growing military power to enhance its influence abroad. the fruits of these efforts have been apparent in recent years, as china, in the words of Sen. John McCain, has increasingly been "displaying very aggressive behavior"—in the South China Sea, against a newly democratic Taiwan, and in a growing propensity to make arms sales to many of the world's rogue states.

Under these new circumstances, it would seem to make little sense to continue pursuing the old Cold War policies toward China. Yet remarkably, that is just what the Bush

administration tried to do after 1989, and what the purveyors of the bipartisan consensus, including most recently the Clinton administration, have been trying to do ever since. Even after the Cold War, the United States maintained "overriding strategic interests in engaging China," former secretary of state James Baker declares in his memoirs, but nowhere does he explain exactly what those "overriding strategic interests" are.

In fact, the most common explanations of the strategic importance of the U.S.-China relationship today are fraught with contradictions. American business leaders, and their supporters in the administration and Congress, constantly point to China's potentially vast market for American goods. But it is striking how unimpressive the economic numbers really are. Last year, American merchandise exports to China amounted to $12 billion, about 2 percent of overall exports. By comparison, American exports to Taiwan, with a population one-sixtieth as large as the mainland's, were $19 billion. Meanwhile, China has amassed a $34 billion trade surplus with the United States, enough to send Patrick Buchanan into fits of protectionist hysteria. Well might the boosters of the U.S.-China trade relationship insist, like Rep. Toby Roth, that "the key is not where China is today. What is important is where China is headed." But how impressive does the future look? Roth boasts that "in just 15 years, China will be our 13th largest export market." Now there's a strategic imperative!

In the late 19th century, many American businessmen succumbed to what some historians now call "the myth of the China market." The businessmen, the politicians, and the policymakers of the day could see only the unimaginable bounty that lay in the future of such a populous country—even though earnings in the near-term proved minuscule and businesses had to suffer losses in an effort to wheedle their way into the good graces of the Chinese powers that controlled foreign trade. A full century later, the bounty is still elusive, but the myth is just as potent.

And today's proponents of the China trade on strategic grounds have adopted another 19th-century nostrum as well: the conviction that increasing trade is the solvent for all the problems of mankind. Nations that trade with one another, the theory goes, will not let clashing strategic interests get in the way of making a buck. After all, Rep. Roth insists, "Economic strength, not military might, determines the world's great powers today." In testimony before Congress recently, Clinton administration official Stuart Eizenstat defended the renewal of most-favored-nation status for China on the grounds that the "commercial relationship provides one of the strongest foundations for our engagement." Argues undersecretary of state Peter Tarnoff: "Our economic and commercial relations increase China's stake in cooperating with us and in complying with international norms." Robert Dole, once the mainland's foe, now agrees: In a May 9 speech, he argued that "extension of most-favored-nation status [is] the best way to promote our long-term interests in China. . . . In China, continuing trade offers the prospect of continuing change."

Is that true? Few Republicans and conservatives would say that trade will reform Castro's Cuba. Nor would they be likely to forget that during the Cold War, the Jackson-Vanik restrictions on trade with the Soviet Union did not prevent political liberalization. On the contrary, the denial of most-favored-nation status to the Soviets may have encouraged reform by forcing the Communist leaders in Moscow to undertake political liberalization as the prerequisite for economic growth.

The view that economics is paramount while military, strategic, and political issues are of declining importance—so-called Manchester liberalism—was rampant in the 19th and early 20th centuries, right up until the outbreak of World War I. It is as dangerous a misconception today as it was then. Nevertheless, this assumption now lies at the heart of American China policy. We need to engage so we can trade, say the businessmen; yes, say the China experts, and we need to trade so we can engage.

In their search for a new rationale for preserving a close relationship between the United States and China, the adherents of today's bipartisan consensus have had to employ such logic constantly. Indeed, the logic of the U.S.-China relationship today has turned in on itself. In the 1970s, the case for strategic partnership with China was that it was necessary to meet the threat posed by the Soviet Union. Today, it seems, strategic partnership with China is necessary to meet the threat posed by China. Secretary of State Warren Christopher put the case best in his speech on May 17. He noted the "importance of China to our future security and well-being." And what, in addition to the lure of the market, is that importance? The answer is that "China can tip the balance in Asia between stability and conflict." In other words, we need a good relationship with China because China is dangerous. Or as Eizenstat put it, "It is when China's policies are the most difficult that engagement becomes the most essential."

It's a nice racket the Chinese have going. By the current circular logic of American policy, the more trouble the Chinese make—whether in Taiwan, or on trade, or in the South China Sea, or in weapons sales to rogue states—the harder the United States has to work to "engage." There is no dispute on this point now between the leading figures of both parties. Henry Kissinger, in an op-ed piece a few weeks ago, declared that "after Chinese leaders had been pilloried and threatened with sanctions for years," what was needed now was "a serious strategic and political dialogue, . . . a sustained effort to define a common assessment of the future of Asia." Christopher soon after announced his intention to "develop a more regular dialogue between our two countries." The idea is that regular consolations will "facilitate a candid exchange of views, provide a more effective means for managing specific problems, and allow us to approach individual issues within the broader strategic framework of our overall relationship."

We may be forgiven for doubting whether such candid talks will make a big difference. After all, it's not as if efforts at assiduous diplomacy haven't been tried. After the massacre in Tiananmen Square in 1989, President Bush and his secretary of state saw their man task as protecting the important strategic relationship with China from American outrage at Beijing's massive abuse of individual rights. According to Baker, President Bush's first reaction upon hearing of the assault at Tiananmen was: "It's going to be difficult to manage this problem." And indeed it was, as Baker's memoirs amply demonstrate. Baker employed precisely the negotiating style that the China experts insist is the only kind capable of producing results—quiet negotiations, no public threats, none of the "spasmodic harassment" Kissinger finds so detrimental, and constant attention to the fact that, as Baker writes, "face is unusually important to [the Chinese], so an interlocutor must negotiate a delicate balance that nudges them toward a preferred course without embarrassing them in the process." Despite all this subtle diplomacy, the Chinese gave Baker absolutely nothing for his troubles. Chinese officials, Baker recalls, "had no compunction about asking for American concessions while simultaneously ignoring my request for 'visible and positive Chinese steps' to make it easier to allay congressional and public anger with Beijing." Throughout the four years of the Bush administration, Baker acknowledges, "the Chinese relationship essentially treaded water."

Under present policies, in the years to come the United States will continue to tread water, or worse. The truth is, our posture today is, simply, plain old appeasement. One bit of proof is that we are not supposed even to use the word "containment" to describe our policy toward China lest we suggest to the Chinese that in some way we may consider them adversaries. The United States "should not, and will not, adopt a policy of containment towards China," declares Undersecretary Tarnoff. Why not? Because "we would gain nothing and risk much if China were to become isolated and unstable." In other words, even if it were necessary to contain China, it would be too dangerous to attempt the task. This is Kissinger's view, as well. Any attempt to pursue a policy of "containment" of China, Kissinger has argued, is "reckless" and a "pipe dream."

Such a skittish approach to another world power might be forgivable if our own nation were weak. But the same people who fear a policy of "containment" often boast that China needs the United States more than the United States needs China. In a trade war, for instance, Eizenstat argues that "China has a lot more to lose than we do." Like that $34 billion trade surplus, for instance. According to Baker, the Chinese "need our help to sustain their economic growth." And Baker, who got nowhere in four years if subtle diplomacy with Beijing, even believes that the Chinese understand toughness: "Strength inevitably irritates the Chinese, but they understand it. And the absence of resolve in dealing with them can lead to serious miscalculation on their part."

And yet "the absence of resolve" would seem to be the best characterization of the policy that the Bush administration and now the Clinton administration have chosen to pursue toward China. When Baker negotiated with the Chinese during the Bush years, he always went out of his way to make clear that the Bush administration was entirely "committed to maintaining the relationship," that it was always "seeking ways to reconcile our estrangement." Little wonder that, according to Baker, the Chinese "seemed utterly oblivious to our concerns." It is axiomatic that if the United States enters all negotiations with China with the mutual understanding that ultimately American leaders will not allow an estrangement in the relationship, then the Chinese will win in most of the negotiations.

In every relationship between nations there is a horse and a rider, Bismarck once noted, and one should endeavor to be the rider. American policy toward China today almost guarantees that we will be the horse.

How can the United States restore the resolve that James Baker believes is so essential to effective dealings with China? This week Congress is debating and voting on the

renewal of most-favored-nation status for China. It will surely pass, and perhaps it ought to. The fact of U.S.-China relations should not rest on this relatively narrow issue. The problem with our China policy goes deeper than simple trade rules. Dealing with an increasingly powerful and ambitious China over the coming years will require a strong and determined America willing either to engage or to contain China, depending on Chinese behavior.

Still, most-favored-nation status has become a symbol of China's whip hand over us. Our unwillingness to pay what is still a relatively small economic price in terms of lost trade opportunities; our fear that any crisis in U.S.-Chinese relations that might result from denial of most-favored-nation status is too dangerous to risk; our concern that in any confrontation it is we, not they, who will be most likely to blink—these are all sizable cracks in our armor the Chinese can exploit, have exploited, and, indeed, are exploiting.

Thus one can only conclude that before we can conduct a successful strategy of compelling China to "play by the rules of the international system," in the words of Bob Dole, we will have to break our addiction to the China-market myth. And that can only come about if policymakers, economists, and businessmen begin to look at the hard truth and stop allowing their dreams of a gold rush to outweight more vital concerns—not only America's strategic interests, but the basic liberties of more than a billion people living beneath the yoke.

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

Mr. MOAKLEY. Mr. Speaker, I thank my colleague from New York, Mr. SOLOMON, for yielding me the customary half hour and I yield myself such time as I may use.

Mr. Speaker, I want to make two things clear at the beginning of this debate.

First of all, the people's Republic of China has one of the worst human rights records in the world. The unconscionable mistreatment of the Chinese citizens is completely abhorrent. And we, the United States of America, need to do absolutely everything we can to change it.

Second, most-favored-nation status is not special treatment. Most-favored-nation trading status is the status this country accords to 181 countries, nearly every country in the world.

Only seven nations are not granted MFN trade status with the United States.

Since February 1, 1980, China has received MFN status under the 1974 Trade Act. The particulars of this law, the so-called Jackson-Vanik amendment, requires nonmarket economies—or communist countries—to have their trade status reconsidered each year.

Jackson-Vanik passed in 1974 and is based entirely on an outdated cold war strategy—that was put into effect 22 years ago, Mr. Speaker.

Today, Communism continues to crumble around the globe. Each time a country embraces democracy it is thanks entirely to our diplomatic efforts. And we shouldn't stop now.

Because, Mr. Speaker, one quarter of the world's population live in China—1.2 billion people. And very single one of them deserves their chance at freedom and democracy. Just as other people enjoy.

The choice is isolationism or direct engagement. And we accomplished very little with isolationism.

So unless we maintain normal trade relations with China—we lose the chance to show those 1.2 billion people how great democracy is. We lose the chance to end the unspeakable human rights abuse and the horrifying population control efforts that take place in China.

This is our chance to lift the iron curtain of oppression and show one quarter of our world what democracy is like.

And, Mr. Speaker, we've tried it the other way. We tried isolating China 20 years ago. It didn't work then and I don't think it will work today. In fact, I would argue that it actually made the oppression worse.

It's time to try something else. Because every day that these abuses take place; every day a baby girl is abandoned or worse; every day a student fighting for freedom is jailed—we share in some of the guilt. I for one believe we must do every thing we can to end these abuses and end them here and end them now.

If we do not take this chance we wash our hands of the lives of the Chinese people. We pass on the opportunity to negotiate with them on human rights. We pass on the chance to negotiate on nuclear weapons.

If we pass on the chance to talk to China, Mr. Speaker, we got no one to blame but ourselves when they don't listen.

MFN status will help the people of China by bringing businesses into the country, increasing wages, and putting increased pressure on the Chinese Government to improve their human rights record.

I think it's a good idea, It is a good rule, and I urge my colleagues to support it.

□ 2400

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

Mr. SOLOMON. Mr. Speaker, I yield 3 minutes to the gentleman from Arizona [Mr. SALMON], who is an outstanding freshman Member of this body. He has spent a lot of time in China and Taiwan.

Mr. SALMON. Mr. Speaker, I thank the gentleman for giving me this opportunity. This is something that every one of us has struggled with. I know I have probably spent more time on this issue in the last 6 months than I have any other issue, because it really cuts to the core of our values.

Of course we decry the human rights abuses that have happened in China. They are terrible, they are vile. Of course we are very sick and saddened by the nonproliferation issues that continue to be violated in China. Of course we are saddened and we are upset by the fact that they are pirating our software and our music and we are losing billions of dollars because of that. Of course we are sickened and saddened, me especially; having served a mission for my church in Taiwan, nobody was angrier than I to see friends and loved ones over there that I worked so long with for the 2 years, that I was there being threatened by missiles in the Taiwan Strait when that occurred. When we look at all of these terrible, terrible atrocities that are being committed in China, I think the gut instinct is let us come down hard, let us show them that we mean business. Let us get back to what John Wayne would do and be tough with these guys and make them learn a lesson. But I fear that throwing the baby out with the bath water is the worst thing that we could possibly do.

Think about it. Has there ever been any relationship in your life that you have improved upon or imparted your values to by walking away from that relationship? Severing MFN with China would be tantamount to a declaration of war, I believe, and would lead, I think, ultimately to a cold war, because relationships would quickly deteriorate and ultimately most sides would end up not communicating.

We in our Western understanding of things believe that we know that the right thing to do is to be tough with these people, but let us look at the idea of saving face that is so important to the Chinese culture.

I believe that the freedoms that we enjoy, the values that we hold dearly, will only come to pass in China when the people in China rise up and make it so. A great philosopher once said, more powerful than any invading army or any tactic is an idea whose time has come. I believe the idea of freedom is an idea whose time has come in China, as it was in Taiwan about 20 years ago.

When I lived in Taiwan, it was an oppressive regime. You could not speak out against the government. Freedom of the press was nonexistent. But economic reform spurred political reform, and the same thing will happen in China. But we have got to be articulate in our values. I think the administration can do a better job, a much better job articulating our values, but we will not improve anything if we walk away from the table, and the very things that we care so deeply about will be harmed irreparably if we walk away from this relationship.

Mr. MOAKLEY. Mr. Speaker, I yield 6 minutes to the gentlewoman from California [Ms. PELOSI].

Mr. PELOSI. Mr. Speaker, I thank the gentleman from Massachusetts for yielding me the time and rise in opposition to the rule, with all the greatest

regard for the chairman of the Committee on Rules and our distinguished ranking member.

Mr. Speaker, I rise in opposition to the rule for the following reason. This issue before the House of Representatives this evening is a very important one to the American people. Nothing less is at stake than our economic future, our democratic principles, and our national security. That is why I oppose this rule, because this rule says that tomorrow, while Members are away during a funeral and votes are not going to happen until 3 o'clock, we will have our chance to debate the rule while Members are not here. Then, after Members return, we will be given 15 minutes to make our case against MFN for China. I cannot support the curbing of debate that is happening in the House of Representatives under this rule.

I know the distinguished chairman of the Rules Committee did his best, but I think that this rule is an arrogant act on the part of the Republican leadership to stifle debate here on this issue. What are they afraid of? Are they afraid of the truth? Are the afraid of the American people weighing in? Are they afraid, as we had hoped, that this debate would take place when it always has in July? Are they afraid of 100,000 young people who gathered in Golden Gate Park to promote freedom of expression in Tibet, who heard from a monk who had been imprisoned by the Chinese for 33 years describe his torture by the Chinese, and who was freed only by international pressure led by the Italian government? Are they afraid of those people?

Why can we not have this debate while Members who here in Congress? Why can we not have the appropriate time, as we have always had, for the grassroots people to weigh in? They believe, and I hope they are always right, that their opinion makes a difference to their Member of Congress and that they should have the opportunity for public comment that the fast track of MFN allows, provides for, but that this leadership in this House of Representatives has decided to curtail. That is why I oppose the rule.

Let us talk about what is at stake. The previous speaker talked about economic reform leading to political reform. Well, let us quote directly from not my word but this administration's own country report on China, on the subject of repression in China. The State Department country report says, "The experience of China in the past few years demonstrates that while economic growth, trade and social mobility create an improved standard of living, they cannot by themselves bring about greater respect for human rights in the absence of a willingness by political authorities to abide by the fundamental international norms." It went on further to say that by year's end, this is 1995, almost all public dissent against the public authorities was silenced.

Why is this important also in terms of proliferation? I said first about our democratic principles being at stake. We talk about democratic principles. We want to ban investment in Burma, no business going on there. But when it comes to China, we cannot even raise a tariff because some businesses might lose a profit on their bottom line, because it is certainly not about American jobs. This is a job loser for America.

We can see by this chart, Mr. Speaker, maybe you cannot, the trade balance with China, when we started this debate in 1989, was reported for 1988 to be $3,479 million. In that time, it has increased 1,000 percent. The trade deficit for last year as reported in this 7-year period is $34 billion. Yes, that gives us leverage. It is not about any country that has human rights abuses, dear ranking member. It is about a country that has a $34 billion trade deficit with the United States, which gives us leverage, which should give us leverage.

Certainly we are not going to revoke MFN for China; the President will not allow it. We should certainly use our voices and our leverage on that issue to send a strong message from this Congress at least that we will stand for human rights. It is not enough to say they have merit or that even they have priority but they are important enough for us to use our muscle on them, our economic muscle on them.

In addition to this trade deficit, we have the transfer of technology to China which businesses are doing. We are almost encouraging it so they can access the market. We have the ripping off of our intellectual property. That piracy is not even counted of the billions of dollars in the trade deficit. So it is a better economic future. Where are our jobs? If Boeing is transferring the production of the tail section of their planes to China to be produced by workers who make $50 a month, how can that be a job winner for us?

On the issue of proliferation, I said it undermined our democratic principles, our moral authority to talk about human rights any place if we cannot talk about it where some business is at stake.

Second, I talked about how this trade with China is robbing our economic future. You want to do business in China? You open up a factory there. You give your technology plans to the government, they open up factories with your technology plans and tell you to create an export plan for the products that you make in China.

This isn't about United States products made in China. Only 2 percent of our exports are allowed into the Chinese market. Over one-third of China's exports flood United States markets. Is this going to isolate China? Where are they going to take one-third of their exports? Let us be reasonable to the American worker.

The third issue is proliferation. I do not have too much time to go into all of that except to say that this administration and the administration before it has looked the other way on the proliferation of missile technology and nuclear technology to Pakistan, of missile technology, nuclear technology, biological technology and chemical technology to Iran, at the same time as we are having nice little resolutions about boycotting Iran and having a secondary boycott on companies that invest in petroleum in Iran until Iran stops its production of weapons of mass destruction. But we do not want to go to the source, the source of that technology to Iran, because some big businesses might lose a little bit of their access.

So this, I repeat, undermines our democratic principles, threatens our economic future, and threatens our national security.

Mr. Speaker, I urge our colleagues to vote no on the rule and no on MFN for China.

Mr. MOAKLEY. Mr. Speaker, I yield 4 minutes to the gentleman from California [Mr. MATSUI].

Mr. MATSUI. Mr. Speaker, first of all, I want to commend the Committee on Rules for coming up with the rule they have. Obviously the vote on the motion to disapprove will be allowed tomorrow and, of course, the other piece of legislation will also be discussed, which will mandate that the four committees of jurisdiction that have jurisdiction over the issues that we are concerned about with China will report back by September 30 after holding hearings and possible legislation. I think it is a good solution in terms of crafting the rule. I think we will be able to get to the nub of the issue with that particular rule.

China is the most important relationship that the United States will have over the next 25 years. China comprises 22 percent of the world population. We cannot isolate the Chinese. If we walk away from the Chinese, the Japanese, the Europeans, the Brazilians, every other country will go into China.

So we have to engage the Chinese. I think, as the gentleman from Arizona said, if we cut off MFN, that is tantamount to declaring war with China. China then will become a very belligerent power. Right now they are not expansionary, as we saw with the Soviet Union. But if China should become expansionary and build up their armaments, then the Japanese, then the South Koreans, then the Indonesians, then all of Asia will build up arms and we will have a tinderbox in Asia for the next 10 to 20 years and it will be a threat to world peace and a threat to

our children and grandchildren. That is why this issue is important.

□ 0015

Now let me address for a moment the issue of the trade deficit. If we can stop spending 6 months a year on the issue of Most Favored Nation status with China, we can then get to the issues of opening up the Chinese market. And we can do it by exercising section 301, just as we saw last week on the issue of intellectual properties. What we did there, if my colleagues will recall, is tell the Chinese we will impose $2.3 billion worth of sanctions against them unless they come to an agreement with us on the piracy of our intellectual property. They have agreed with us.

Now, obviously, we are going to have to make sure that agreement is enforced. But the fact of the matter is that the only way we are going to be able to deal with the Chinese is by engaging them, not by trying to isolate them, because that will not work. And the key obviously is the fact that we must try to bring China into the civilized nations of the world over time.

So I would support this rule. I would obviously vote against the motion that the gentleman of the Committee on Rules will offer, and certainly support the gentleman's resolution that will require the four committees to look into this matter, hold hearings and obviously pass legislation should it become necessary.

Mr. Speaker, I urge adoption of this rule.

Mr. SOLOMON. Mr. Speaker, I yield such time as he may consume to the gentleman from California, Mr. DUKE CUNNINGHAM, a member of the Committee on National Security.

(Mr. CUNNINGHAM asked and was given permission to revise and extend his remarks.)

Mr. CUNNINGHAM. Mr. Speaker, I rise in favor of the rule and in opposition to MFN.

Mr. SOLOMON. Mr. Speaker, I yield such time as he may consume to the gentleman from Sanibel, FL [Mr. GOSS], another valuable member of the Committee on Rules.

(Mr. GOSS asked and was given permission to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, I thank the distinguished gentleman from Glens Falls, NY, and I rise in support of this eminently good and wise, noncontroversial rule, and I am asking to revise and extend my remarks in deference to my colleagues at this late hour, and I would suggest to the gentlewoman from California that the problem is scheduling, not rulemaking.

Mr. Speaker, I thank my friend from Glens Falls, the distinguished chairman of the Rules Committee, for yielding me time.

Mr. Speaker, I rise in support of this rule, a rule that will allow for the timely consideration of a bill to disapprove normalized trade relations with China. Or, in the archaic language of diplomacy, we are considering China's Most Favored Nation status, which the President has recently renewed. MFN for China has become a perennial issue—year after year we debate whether or not Congress should overrule the decision to renew normal trade relations—there are no special deals here—with China, the country with the largest population in the world. I welcome the debate, but I will again oppose raising additional trade barriers to one of the world's fastest growing economies. To do so would cost American jobs and ultimately diminish western democratic influence in this crucial region. I agree that China's leaders have acted in bad faith in areas of human rights, arms trades, and intellectual property. These problems must be addressed—and they will be —through the proper channels. We cannot ignore our leadership responsibilities in encouraging democratization and responsible actions in China, but this is exactly what we would be doing if we quit the field today. We must stay engaged in China in order to be a part of the—admittedly slow—process of reform, because many of the reforms in China that we have witnessed to this point have their roots in the free flow of commerce between that country and the United States. So, I urge my colleagues to support the rule, and oppose House Joint Resolution 182.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Connecticut [Mr. GEJDENSON].

Mr. GEJDENSON. Mr. Speaker, I think we have to examine what confronts us here. It is not simply what the Chinese do, it is the magnitude to which they can do it. If China was a country of 50, 60, 100 million, even 200 million people, operating with the kind of system that they operate under, we might be able to survive it; 50, 100 million people working in a totally controlled economy, working in prison, slave wages, slave manufacturing, we might be able to, through contact and through constant pressures, make some progress here.

This is a country with 1.2 billion people. Before they have an impact from our economic exchanges they will destroy the economic life of this country if we do not alter the trading practice.

In the last 20 years we have seen the workweek wage of an average factory worker in America drop by $60, not go up, but go down by $60 a week. Sixty percent of Americans have lost ground on their paycheck as a flood of Chinese goods have come into this country.

We talk about the French. The French would each have to buy $4,000 apiece in goods to replace America's demand to China. Forty-five billion dollars of sales in this country does but one thing, it puts American families at risk, it depresses American wages, and it goes on to do damage to our environment.

We can put scrubbers on our factories and clean up the rivers and the pollution that goes into the oceans. As China's economy grows, the pollution it puts into the air and the rivers will continue to devastate the environment of our globe: Missile technology, biotech weapons, chemical weapons proliferated by the Chinese to Iran and every other dangerous corner of the globe.

We were all saddened and frightened by the scene of American personnel barracks in Saudi Arabia being hit by a traditional bomb. What will happen when our Chinese trading partners ship to the Iranians nuclear chemical and biological weapons? What kind of challenges will confront us for the safety of American personnel and indeed the people in this country as well?

China, to be dealt with as a normal trading partner in this global community? Remember the Taiwanese elections a short time ago, as the Taiwanese citizens went to the polls to exercise their right to vote for a new congress and a new president? What did the Chinese government do? They brought their fire power to the straits of Taiwan and tried to intimidate the Taiwanese from a free election.

We have to defend the principles we believe in and the families we represent. The only way to do that is to vote down MFN.

Mr. SOLOMON. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, I thank the gentleman from Massachusetts for yielding me this time. I rise in opposition to the rule.

As the gentleman from New York, Chairman SOLOMON, pointed out, this MFN resolution should be given 20 hours of debate, guaranteed by statute. But in a phenomenal show of arrogance, the Republican leadership has said no.

This MFN debate reminds me a little bit of the Medicare debate; Republicans choking off debate, the Gingrich leadership team cutting back-room deals with powerful interest groups, consideration of the legislation in the middle of the night.

This bill will cost millions, will cost millions of American jobs. Our trade deficit with China, as my friend from California said, almost nonexistent only a few years ago, has climbed to $32 billion a year and rising. Within a couple of years it will surpass that of Japan.

MFN is an economic loser for America. We sell more to Belgium. As a Nation we export more to Belgium than we do to China. Conversely, 40 percent of all of Chinese exports are sold into the United States. Simply put, China needs us more than we need them.

How much more can China do to its people and how much more can China do to rest of the world? How many more times can they stick their thumbs in the eyes of their people and the rest of the world before we in this body finally say to MFN? Massacring

students in Beijing, selling nuclear technology to rogue nations, slave labor camps, illegally smuggling 2,000 AK-47s into the United States, forced abortions and sterilizations, forcible seizure of Tibetan children, forcing 12-year-old Chinese children to make toys for 12-year-old American children.

It is time we say no to MFN. It is time we say no to the Chinese government. It is time we say no to those abuses. Vote no on the rule, vote no on MFN.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume to say to the previous speaker that the way to be effective on the floor of this Congress is to be as less partisan as we can.

If the gentleman would notice, even the gentlewoman from California [Ms. PELOSI], the gentleman from Massachusetts [Mr. MOAKLEY], and myself and others have been critical of this administration and the previous administrations. We have been critical of both political parties. But when the gentleman stands up here and says the arrogance of the Republican Party by limiting this debate, which should have 20 hours of debate, to 4 hours, let me tell him it was done on a bipartisan basis and it was done, the same thing, under 15 consecutive Democrat leaderships. So let us be bipartisan about this and keep it on a high plane.

Mr. Speaker, I yield 2½ minutes to the gentleman from Virginia [Mr. WOLF]. On the highest plane I know, this man has been a leader and advocate of human rights throughout the entire world for his entire career here.

Mr. WOLF. Mr. Speaker, I do not even know what to say. I feel so bound up inside about what we are doing tonight. This is fundamentally an evil group of people. This is the evil empire of modern times.

They have Catholic priests and bishops in jail as we now speak who are being tortured. They are torturing Buddhist monks and raping Buddhist nuns. They have more slave labor gulag camps than they had when Solzhenitsyn wrote "Gulag Archipelago." They were selling AK-47's and shoulder missiles that could take 747s out of the sky in Boston, in Chicago, or in L.A.

This is a fundamentally evil group of people, and I worry that 3 or 4 years from now we will have to deal with those people on a military basis. I wish we had a better piece of tandem legislation. The piece of tandem legislation does not do. MFN? If they get it, fine, but we should have abolished the People's Liberation Army and done all these things that are important.

The last thing is, having served here since 1980, no Member of Congress would have had the guts or the courage to come to this floor during the 1980s, when Scharansky was in Perm Camp 35 and Sakharov was under house arrest, no Member of Congress would have had the guts or the courage to stand up and say that we should have given the Soviet Union MFN. And now we are just clamoring to give it to a regime that is the evil empire number one of this world.

I oppose the rule, but the rule is important. I just oppose MFN. I think all of us have to ask ourselves, and the gentleman from New Jersey, CHRIS SMITH, said it better than anybody, what threshold do we have in our own conscience that will make us finally say enough is enough? If they continue to do next year what they have done this year, raping nuns and imprisoning bishops and priests, what will be enough is enough? Each person should ask their own conscience that because we will have to deal with this issue again.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana [Mr. ROEMER].

Mr. ROEMER. Mr. Speaker, I thank the gentleman for yielding me this time, and with all the admiration that I have, both in my head and in my heart, for the gentleman from Virginia [Mr. WOLF] and the gentlewoman from California [Ms. PELOSI] who are two very strong advocates of human rights, it just shows even more strongly what a tough issue this is for everybody.

I am a strong advocate for MFN. I seem to disagree with Mr. WOLF and Ms. PELOSI on this particular issue, but it is not because I am not outraged about MFN, or that I am not upset with the Chinese Government for orphanages and abortion, or that I am not outraged at the Chinese for the kinds of things that they do in ring sales and foreign sales to the Pakistanis or into the Middles East. But I vote for MFN this year because I vote for the American principles of democracy and human rights, where we have as our pillar, in our foreign policy, that we stress human rights more than any other country in the world.

Now, if we walk away from China, do we have confidence that the Japanese are now going to begin to turn around China? I do not. Korea? No. Europe? No. The United States, with President Carter and President Bush and President Clinton, each one of those individuals can and should do a better job in terms of future Presidents and bilateral relations, stressing our human rights, but we must engage, we must argue, we must debate this issue with maybe the most important country for our citizens in the next 25 to 50 years: 1.3 billion people, the largest standing army.

So for our principles of human rights, I believe we should engage this country and not walk away.

Second, it is because MFN is in our best interests. We are not doing a favor for the Chinese. We create American jobs by doing this. Not right away, not enough with the trade deficit that we have, but let me give Members a quick example.

In Indiana we make brakes for Boeing and McDonnell Douglas commercial airliners. That market is not growing domestically. Our families that get $16 and $17 an hour making these brakes for these commercial airliners are not going to have these jobs if we just sell these airliners to Arizona and California and New Jersey.

□ 0030

But if we sell these airliners to Russia, to China, to Korea, to Japan, we will continue to see wages go up for our workers. We will continue to see better security for our work force, and hopefully it will not just be airliners, it will be computers, it will be manufacturing equipment, it will be a host of things. But I have confidence, Mr. Speaker, that Americans will stand up for human rights and will stand up and try to create better jobs for American families.

Mr. SOLOMON. Mr. Speaker, I yield 4 minutes to the gentleman from Claremont, CA [Mr. DREIER], one of the outstanding free traders in this Congress for the last, I guess, 16 years, vice chairman of our Committee on Rules.

Mr. DREIER. Mr. Speaker, I am happy to be on the same side of the issue with my chairman, the gentleman from New York [Mr. SOLOMON], in supporting this rule. I happen to believe that it is a very fair and balanced rule. It has come up in a very timely manner and, as Chairman SOLOMON said earlier, it is following the procedure that we have gone through in the past.

After 7 years of this debate, there is no question at all that the membership of this House, even if they have served here for only 18 months, has had the chance to look at the issue of MFN for China. Cutting off MFN would clearly hurt the United States. It seems to me that, as we look at this question, ending normal relations with China would be devastating. We have all acknowledged that we very much want to do what we can to assist those who have been victimized by reprehensible human rights violations that we have seen for the past several years. Weapons transfers, saber rattling with Taiwan, intellectual property rights violations, Tibet, all of these things are priority concerns of ours.

The fact of the matter is we need to recognize that over the past several years, while the situation was horrible on June 4, 1989, with the Tiananmen Square massacre and many other murders have taken place, we saw a video in our Republican conference yesterday showing that. But if we compare the Cultural Revolution that took place under Mao Tse Tung and the Great Leap Forward and the export of revolution as my friend, the gentleman from Virginia [Mr. WOLF], discussed that

took place under Mao Tse Tung to the China of today, while it is not perfect, it is still horrible, it is better than it was. Why? Because today we are engaged.

We disengaged from China with Chiang Kai-shek in 1949, left for Taiwan, up until the last several years, when Richard Nixon began that opening in the 1970's. I will tell my colleagues that, as we look at this issue, are we going to take a step backward and go back to the policies where under Mao Tse Tung 60 million Chinese people were starved, a million people during the Cultural Revolution were killed by the government? The answer is a resounding "no". What we need to do is we need to recognize that the single most powerful force for change is the one that my party stands strongly for, and that is the free market. We believe very strongly in the free market and the power of it.

It is more powerful than any U.S. Government coercion that we could possibly apply. The fact of the matter is, we join together, very much wanting to address these concerns. This rule makes in order a resolution which will allow us to look at the concerns that we will allow us to look at the concerns that we all want to address. But to disengage would be preposterous. The United States of America is the third most populous Nation on the face of the Earth. Yet the People's Republic of China has almost five times the population of the United States.

The gentleman from California, BOB MATSUI, my very dear friend, said it perfectly. Over the next quarter century it is going to be the single most important relationship that we have. It is very important that we maintain those ties. As I got on a plane, I was stuck in Pittsburgh the night before last. I happened to sit next to a Chinese American civil engineer from Iowa. He brought the issue up to me saying: I lived through the cultural revolution. It was very, very difficult. I saw friends who were victims of the human rights violations, and people were starving. Today when I talk to my family, things have improved. Let us not go back to those horrible times in the past. Let us address our concerns today and move forward.

Support this rule and defeat the resolution of disapproval.

The SPEAKER pro tempore. (Mr. LAHOOD). The gentleman from New York [Mr. SOLOMON] has 12 minutes remaining, and the gentleman from Massachusetts [Mr. MOAKLEY] has 9 minutes remaining.

Mr. SOLOMON. Mr. Speaker, I yield 3 minutes to the gentleman from Miami, FL [Mr. DIAZ-BALART], another very valuable member of the Committee on Rules.

Mr. DIAZ-BALART. Mr. Speaker, last week I finished reading a biography of a Father Maximillian Kolbe, now Saint Maximillian Kolbe. He died at Auschwitz. Pope John Paul has called him the patron saint of our century. In that biography, I learned the name of the company that in August of 1942 was given the contract to build 4 vast crematoria with gas chambers at Auschwitz. The name of the company was Topf and Sohne.

The other company that I learned about, I.G. Farbenindustrie, shared in the profits with the Nazis from the slave labor in the concentration camps.

I wonder if Hitler had not invaded Poland, maybe even afterwards if we had been willing to sit down and reach a peace agreement with him, whether we would not be having tonight's discussion perhaps each year with regard to MFN with the so-called Third Reich. Could we have stopped the construction of the crematoriums had there been engagement? Coexistence with Hitler? Probably not. But would it have been better for an American company to construct the crematoriums than a German company or a French company or a Canadian company? I do not believe so, Mr. Speaker.

I recognize that each situation has its peculiarities in each nation that we deal with. I recognize that China is geographically distanced to the United States and economically very powerful. But I cannot and I will not vote to continue a normal economic relationship with that government that our colleague, Mr. WOLF, has so eloquently described, as well as Mr. SOLOMON, that government of opprobrium.

Mr. MOAKLEY. Mr. Speaker, I yield 4 minutes to the gentlewoman from Ohio [Ms. KAPTUR].

Mr. SOLOMON. Mr. Speaker, I yield 30 seconds to the gentlewoman from Ohio [Ms. KAPTUR].

The SPEAKER pro tempore. The gentlewoman from Ohio, [Ms. KAPTURE] is recognized for 4 minutes and 30 seconds.

Ms. KAPTUR. Mr. Speaker, I want to thank the gentlemen for yielding time to me.

I rise in strong opposition to this rule and certainly in strong opposition to MFN. This rule was concocted late last night in the wee hours, around midnight, when none of the Members were here except but a few of us who overheard that there might be a meeting up there in the third corner, none of the press was around.

What we have here is merely another attempt by Speaker GINGRICH AND MR. ARMEY to railroad debate in this House on a measure so vital to the American people as well as to the cause of liberty in China. Under normal circumstances, I guess it would be said, but I am so outraged that it is hard to be sad as we consider this here this evening. In Washington it is now nearly 1 a.m., and most of the membership has gone home. People here are bleary-eyed, and yet this is what we are subjected to.

Tomorrow when most of our membership is gone, we will try to attempt to take up the merits of this.What disrespect we show to Bill Emerson, our dear colleague, by the manner in which this is being conducted.

I also want to say to my good friend, the gentlewoman from California, Congresswoman PELOSI, and to the gentleman from Virginia, FRANK WOLF, this Chamber should treat you better. Everyone of our colleagues who is here and who is a party to this deplorable rule and the manner in which it is being considered, shame on you. Shame on you. Shame on you, Speaker GINGRICH, wherever you are. You were out here making noise a few minutes ago, and Mr. ARMEY, for not showing the courtesy to the Members who have worked so hard to represent the best values that we represent as a country.

But do you know what? I have been at this podium before. I have the benefit of 14 years of seniority in this people's House. I remember when they railroaded GATT through here. Boy, do I remember that. I remember standing in this well and saying, American people, remember this one. I remember some of the Members in here snickered. Do you know what? They do. And I remember the NAFTA vote. I remember we almost carried it, and then 63 deals were made. And do you know what? The American people, they remember that, too.

And now we have got China MFN. It is merely another battle in a war, but it is out there in the country because the country ultimately learns what happens here no matter how hard we try to muzzle debate. In this legislation, the United States becomes the most unfavored nation, the most unfavored nation.

Take a look here. Every single year that we have had most-favored-nation, what a misnomer that is, the United States has amassed growing trade deficits with China. Until this year, we are at a level of over $40 billion, which translates into an additional loss at home of 800,000 jobs in this country. By names of companies you know: Nike, we have got Members here who are going to sell out for tennis shoes. We have got members in this Chamber, why, by golly, they are going to sell out for Wal-Mart, 700 sweatshops over in China that make that junk that they send in over to our shores. Well, Bill Clinton gets a lot of money from Sam Walton's family. I feel sad about that. But I care more about freedom and the way people are treated.

We have got some Members here who are going to sell out for Barbie dolls when the vote comes up here tonight and tomorrow. How sad.

You have an accounting to do in a higher life for the votes you will cast on this issue. Commercialism, that is what has become the basis of our foreign policy in the post-cold war world in which we are living.

In fact, the words of democracy, the hope for democracy, respect for the rule of law, the dignity of working people, the promotion of a sustainable environment, those are all illusions as we stand here in this Chamber this evening.

We have no evidence that China has done anything to warrant this favored treatment which will give them a 2 percent tariff level of goods into our market while they maintain a 30 percent to 40 percent tariff against our goods. And they now have the second largest amount of dollars reserves in the world, $70 billion, which they use to buy weapons pointed at us and at their neighbors. So that is what China MFN creates.

What a shame. What a shame. Maintaining the status quo by voting for MFN is a disgrace.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Speaker, we have heard the arguments over and over: by engaging with China, we can influence the behavior of the Chinese Government with regards to fair trade, human and labor rights, and proliferation. Members on both sides of the aisle have repeatedly expressed skepticism about this approach, and events continue to prove us right.

Recently, a disturbing new rationale for denying MFN has come to light: China has become the major contributor to weapons proliferation and instability in Asia, with Pakistan being one of the major recipients of Chinese nuclear technology and delivery systems.

As has been reported in the media recently, there is undeniable evidence from our own intelligence agencies that Pakistan has deployed nuclear-capable Chinese M–11 missiles, obtained through a secretive transfers that both countries have tried to cover up. Yet, incredibly, despite the overwhelming evidence, the administration seems unwilling to impose the tough economic that both nations clearly deserve.

Unfortunately, this is not the first time that the dangerous, destabilizing transfers of advanced weapons and nuclear technology from China to Pakistan have gone unpunished. Earlier this year, we failed to punish China or Pakistan for the transfer of 5,000 ring magnets, devices used for the production of weapons-grade enriched uranium. We officially bought into the unbelievable Chinese Government explanation that they were unaware of the transfer. We also went ahead with the transfer of $368 million in United States conventional weapons to Pakistan.

Mr. Speaker, it's time to get tough with China, Pakistan and other nations contributing to the spread of nuclear weapons. Denying MFN to China is a good place to start, an effective way to show that we're serious about nonproliferation.

□ 0045

Mr. SOLOMON. Mr. Speaker, I yield 3½ minutes to the gentleman from California [Mr. ROHRABACHER], one of the Members of this Congress I love to listen to because he speaks right from his heart. He is one of the leading advocates for human rights in this entire Congress.

Mr. ROHRABACKER. Mr. Speaker, I would like to share with Members of this body a notice that I just received in the mail. It seems that the Citizens for a Sound Economy are going to count my vote against most-favored-nation status against me when they are trying to calculate whether or not they will present to me next year's Jefferson Award.

How about that?

As far as I am concerned, the Citizens for a Sound Economy can take their award, and they can take it back, and what they can do is they can rename it the "Mao Award" or they can rename it the "Lenin Prize" or the "Goebbels Award," or whatever award they want, but they are insulting the Members of this Congress by calling it a Jefferson Award and then counting it against us for voting not to give world's worst tyranny an advantageous trading relationship with this country.

Mr. SOLOMON. Mr. Speaker, will the gentleman yield?

Mr. ROHRABACHER. I yield to the gentleman from New York.

Mr. SOLOMON. If the gentleman would do me a favor, if he is sending his back, would he put mine in the same box?

Mr. ROHRABACHER. It is unbelievable.

We have heard today the charge that those of us who are opposed to most-favored-nation status for China are talking about isolating and walking away from China. That is not the case. China is not a country to be ignored, but right now it is being run by tyrants and despots, and they are not a group of people that we should be providing advantageous trade relations with our own people.

The question is whether or not Communist China should continue to enjoy the advantageous trade relationship that it has because it is enjoying the same trade relationship that we give to democratic countries. No one is talking about walking away, no one is talking about an embargo, no one is talking about isolating China, but does any one really believe we should give these dictators, these people who are bullying their own neighbors, who are stepping on the faces of their own people with their combat boots, we should give them advantageous trade relationship with our country?

Every year since 1989, when the Tiananmen Square democracy advocates were massacred, we have seen the situation in China to continue to decline. The theory is, if we engage them, if we trade with them, give them this most advantageous trade relationship with us, things will get better. That is nothing more than a theory, and it is being proven wrong in practice. To continue to have our policies based on a theory that is not working is totally insane, and we will pay a price. In fact, the American people are already paying the price for that insanity.

Granting most-favored-nation status to China while it is going in the wrong direction is exactly the wrong signal to send to these despots. What we are doing is encouraging those dictators to continue their repression, and we are demoralizing those elements in China that want a better world.

Whose side are we on as we celebrate our fourth of July? Are we on the side of our own working people, on the side of those people who struggle for democracy, or are we just on the side of corporate profits? I do not believe that is what this country was founded on.

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

Mr. Speaker, at the beginning of this Congress the Republican majority claimed that the House was going to consider bills under an open process. I would like to point out that 60 percent of the legislation this session has been considered under a restrictive process.

Mr. Speaker, I include the following extraneous material for the record:

The material referred to is as follows:

FLOOR PROCEDURE IN THE 104TH CONGRESS 1ST SESSION; COMPILED BY THE RULES COMMITTEE DEMOCRATS

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 1*	Compliance	H. Res. 6	Closed	None.
H. Res. 6	Opening Day Rules Package	H. Res. 5	Closed	None.
H.R. 5*	Unfunded Mandates	H. Res. 38	Restrictive	N/A.
H.J. Res. 2*	Balanced Budget	H. Res. 44	Restrictive	2R; 4D.
H. Res. 43	Committee Hearings Scheduling	H. Res. 43 (OJ)	Restrictive	N/A.
H.R. 101	To transfer a parcel of land to the Taos Pueblo Indians of New Mexico.	H. Res. 51	Open	N/A.
H.R. 400	To provide for the exchange of lands within Gates of the Arctic National Park Preserve.	H. Res. 52	Open	N/A.

FLOOR PROCEDURE IN THE 104TH CONGRESS 1ST SESSION; COMPILED BY THE RULES COMMITTEE DEMOCRATS—Continued

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 440	To provide for the conveyance of lands to certain individuals in Butte County, California.	H. Res. 53	Open	N/A.
H.R. 2*	Line Item Veto	H. Res. 55	Open	N/A.
H.R. 665*	Victim Restitution Act of 1995	H. Res. 61	Open	N/A.
H.R. 666*	Exclusionary Rule Reform Act of 1995	H. Res. 60	Open	N/A.
H.R. 667*	Violent Criminal Incarceration Act of 1995	H. Res. 63	Restrictive	N/A.
H.R. 668*	The Criminal Alien Deportation Improvement Act	H. Res. 69	Open	N/A.
H.R. 728*	Local Government Law Enforcement Block Grants	H. Res. 79	Restrictive	N/A.
H.R. 7*	National Security Revitalization Act	H. Res. 83	Restrictive	N/A.
H.R. 729*	Death Penalty/Habeas	N/A	Restrictive	N/A.
S. 2	Senate Compliance	N/A	Closed	None.
H.R. 831	To Permanently Extend the Health Insurance Deduction for the Self-Employed.	H. Res. 88	Restrictive	1D.
H.R. 830*	The Paperwork Reduction Act	H. Res. 91	Open	N/A.
H.R. 889	Emergency Supplemental/Rescinding Certain Budget Authority	H. Res. 92	Restrictive	1D.
H.R. 450*	Regulatory Moratorium	H. Res. 93	Restrictive	N/A.
H.R. 1022*	Risk Assessment	H. Res. 96	Restrictive	N/A.
H.R. 926*	Regulatory Flexibility	H. Res. 100	Open	N/A.
H.R. 925*	Private Property Protection Act	H. Res. 101	Restrictive	1D.
H.R. 1058*	Securities Litigation Reform Act	H. Res. 105	Restrictive	1D.
H.R. 988*	The Attorney Accountability Act of 1995	H. Res. 104	Restrictive	N/A.
H.R. 956*	Product Liability and Legal Reform Act	H. Res. 109	Restrictive	8D; 7R.
H.R. 1158	Making Emergency Supplemental Appropriations and Rescissions	H. Res. 115	Restrictive	N/A.
H.J. Res. 73*	Term Limits	H. Res. 116	Restrictive	1D; 3R
H.R. 4*	Welfare Reform	H. Res. 119	Restrictive	5D; 26R.
H.R. 1271*	Family Privacy Act	H. Res. 125	Open	N/A.
H.R. 660*	Housing for Older Persons Act	H. Res. 126	Open	N/A.
H.R. 1215*	The Contract With America Tax Relief Act of 1995	H. Res. 129	Restrictive	1D.
H.R. 483	Medicare Select Extension	H. Res. 130	Restrictive	1D.
H.R. 655	Hydrogen Future Act	H. Res. 136	Open	N/A.
H.R. 1361	Coast Guard Authorization	H. Res. 139	Open	N/A.
H.R. 961	Clean Water Act	H. Res. 140	Open	N/A.
H.R. 535	Corning National Fish Hatchery Conveyance Act	H. Res. 144	Open	N/A.
H.R. 584	Conveyance of the Fairport National Fish Hatchery to the State of Iowa.	H. Res. 145	Open	N/A.
H.R. 614	Conveyance of the New London National Fish Hatchery Production Facility.	H. Res. 146	Open	N/A.
H. Con. Res. 67	Budget Resolution	H. Res. 149	Restrictive	3D; 1R.
H.R. 1561	American Overseas Interests Act of 1995	H. Res. 155	Restrictive	N/A.
H.R. 1530	National Defense Authorization Act; FY 1996	H. Res. 164	Restrictive	36R; 18D; 2 Bipartisan.
H.R. 1817	Military Construction Appropriations; FY 1996	H. Res. 167	Open	N/A.
H.R. 1854	Legislative Branch Appropriations	H. Res. 169	Restrictive	5R; 4D; 2 Bipartisan.
H.R. 1868	Foreign Operations Appropriations	H. Res. 170	Open	N/A.
H.R. 1905	Energy & Water Appropriations	H. Res. 171	Open	N/A.
H.J. Res. 79	Constitutional Amendment to Permit Congress and States to Prohibit the Physical Desecration of the American Flag.	H. Res. 173	Closed	N/A.
H.R. 1944	Recissions Bill	H. Res. 175	Restrictive	N/A.
H.R. 1868 (2nd rule)	Foreign Operations Appropriations	H. Res. 177	Restrictive	N/A.
H.R. 1977 *Rule Defeated*	Interior Appropriations	H. Res. 185	Open	N/A.
H.R. 1977	Interior Appropriations	H. Res. 187	Open	N/A.
H.R. 1976	Agriculture Appropriations	H. Res. 188	Open	N/A.
H.R. 1977 (3rd rule)	Interior Appropriations	H. Res. 189	Restrictive	N/A.
H.R. 2020	Treasury Postal Appropriations	H. Res. 190	Open	N/A.
H.J. Res. 96	Disapproving MFN for China	H. Res. 193	Restrictive	N/A.
H.R. 2002	Transportation Appropriations	H. Res. 194	Open	N/A.
H.R. 70	Exports of Alaskan North Slope Oil	H. Res. 197	Open	N/A.
H.R. 2076	Commerce, Justice Appropriations	H. Res. 198	Open	N/A.
H.R. 2099	VA/HUD Appropriations	H. Res. 201	Open	N/A.
S. 21	Termination of U.S. Arms Embargo on Bosnia	H. Res. 204	Restrictive	1D.
H.R. 2126	Defense Appropriations	H. Res. 205	Open	N/A.
H.R. 1555	Communications Act of 1995	H. Res. 207	Restrictive	2R/3D/3 Bipartisan.
H.R. 2127	Labor/HHS Appropriations Act	H. Res. 208	Open	N/A.
H.R. 1594	Economically Targeted Investments	H. Res. 215	Open	N/A.
H.R. 1655	Intelligence Authorization	H. Res. 216	Restrictive	N/A.
H.R. 1162	Deficit Reduction Lock Box	H. Res. 218	Open	N/A.
H.R. 1670	Federal Acquisition Reform Act of 1995	H. Res. 219	Open	N/A.
H.R. 1617	To Consolidate and Reform Workforce Development and Literacy Programs Act (CAREERS).	H. Res. 222	Open	N/A.
H.R. 2274	National Highway System Designation Act of 1995	H. Res. 224	Open	N/A.
H.R. 927	Cuban Liberty and Democratic Solidarity Act of 1995	H. Res. 225	Restrictive	2R/2D.
H.R. 743	The Teamwork for Employees and Managers Act of 1995	H. Res. 226	Open	N/A.
H.R. 1170	3-Judge Court for Certain Injunctions	H. Res. 227	Open	N/A.
H.R. 1601	International Space Station Authorization Act of 1995	H. Res. 228	Open	N/A.
H.J. Res. 108	Making Continuing Appropriations for FY 1996	H. Res. 230	Closed	
H.R. 2405	Omnibus Civilian Science Authorization Act of 1995	H. Res. 234	Open	N/A.
H.R. 2259	To Disapprove Certain Sentencing Guideline Amendments	H. Res. 237	Restrictive	1D.
H.R. 2425	Medicare Preservation Act	H. Res. 238	Restrictive	1D.
H.R. 2492	Legislative Branch Appropriations Bill	H. Res. 239	Restrictive	N/A.
H.R. 2491	7 Year Balanced Budget Reconciliation Social Security Earnings Test Reform.	H. Res. 245	Restrictive	1D.
H. Con. Res. 109				
H.R. 1833	Partial Birth Abortion Ban Act of 1995	H. Res. 251	Closed	N/A.
H.R. 2546	D.C. Appropriations FY 1996	H. Res. 252	Restrictive	N/A.
H.J. Res. 115	Further Continuing Appropriations for FY 1996	H. Res. 257	Closed	N/A.
H.R. 2586	Temporary Increase in the Statutory Debt Limit	H. Res. 258	Restrictive	5R.
H.R. 2539	ICC Termination	H. Res. 259	Open	
H.J. Res. 115	Further Continuing Appropriations for FY 1996	H. Res. 261	Closed	N/A.
H.R. 2586	Temporary Increase in the Statutory Limit on the Public Debt	H. Res. 262	Closed	N/A.
H. Res. 250	House Gift Rule Reform	H. Res. 268	Closed	2R.
H.R. 2564	Lobbying Disclosure Act of 1995	H. Res. 269	Open	N/A.
H.R. 2606	Prohibition on Funds for Bosnia Deployment	H. Res. 273	Restrictive	N/A.
H.R. 1788	Amtrak Reform and Privatization Act of 1995	H. Res. 289	Open	N/A.
H.R. 1350	Maritime Security Act of 1995	H. Res. 287	Open	N/A.
H.R. 2621	To Protect Federal Trust Funds	H. Res. 293	Closed	N/A.
H.R. 1745	Utah Public Lands Management Act of 1995	H. Res. 303	Open	N/A.
H. Res. 304	Providing for Debate and Consideration of Three Measures Relating to U.S. Troop Deployments in Bosnia.	N/A	Closed	1D; 2R.
H. Res. 309	Revised Budget Resolution	H. Res. 309	Closed	N/A.
H.R. 558	Texas Low-Level Radioactive Waste Disposal Compact Consent Act	H. Res. 313	Open	N/A.
H.R. 2677	The National Parks and National Wildlife Refuge Systems Freedom Act of 1995.	H. Res. 323	Closed	N/A.
	PROCEDURE IN THE 104TH CONGRESS 2D SESSION			
H.R. 1643	To authorize the extension of nondiscriminatory treatment (MFN) to the products of Bulgaria.	H. Res. 334	Closed	N/A.

FLOOR PROCEDURE IN THE 104TH CONGRESS 1ST SESSION; COMPILED BY THE RULES COMMITTEE DEMOCRATS—Continued

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.J. Res. 134	Making continuing appropriations/establishing procedures making the transmission of the continuing resolution H.J. Res. 134.	H. Res. 336	Closed	N/A.
H. Con. Res. 131				
H.R. 1358	Conveyance of National Marine Fisheries Service Laboratory at Gloucester, Massachusetts.	H. Res. 338	Closed	N/A.
H.R. 2924	Social Security Guarantee Act	H. Res. 355	Closed	N/A.
H.R. 2854	The Agricultural Market Transition Program	H. Res. 366	Restrictive	5D; 9R; 2 Bipartisan.
H.R. 994	Regulatory Sunset & Review Act of 1995	H. Res. 368	Open rule; Rule tabled	N/A.
H.R. 3021	To Guarantee the Continuing Full Investment of Social Security and Other Federal Funds in Obligations of the United States.	H. Res. 371	Closed rule	N/A.
H.R. 3019	A Further Downpayment Toward a Balanced Budget	H. Res. 372	Restrictive	2D/2R.
H.R. 2703	The Effective Death Penalty and Public Safety Act of 1996	H. Res. 380	Restrictive	6D; 7R; 4 Bipartisan.
H.R. 2202	The Immigration and National Interest Act of 1995	H. Res. 384	Restrictive	12D; 19R; 1 Bipartisan.
H.J. Res. 165	Making further continuing appropriations for FY 1996	H. Res. 386	Closed	N/A.
H.R. 125	The Gun Crime Enforcement and Second Amendment Restoration Act of 1996.	H. Res. 388	Closed	N/A.
H.R. 3136	The Contract With America Advancement Act of 1996	H. Res. 391	Closed	N/A.
H.R. 3103	The Health Coverage Availability and Affordability Act of 1996	H. Res. 392	Restrictive	N/A.
H.J. Res. 159	Tax Limitation Constitutional Amendment	H. Res. 395	Restrictive	1D
H.R. 842	Truth in Budgeting Act	H. Res. 396	Open	N/A.
H.R. 2715	Paperwork Elimination Act of 1996	H. Res. 409	Open	N/A.
H.R. 1675	National Wildlife Refuge Improvement Act of 1995	H. Res. 410	Open	N/A.
H.J. Res. 175	Further Continuing Appropriations for FY 1996	H. Res. 411	Closed	N/A.
H.R. 2641	United States Marshals Service Improvement Act of 1996	H. Res. 418	Open	N/A.
H.R. 2149	The Ocean Shipping Reform Act	H. Res. 419	Open	N/A.
H.R. 2974	To amend the Violent Crime Control and Law Enforcement Act of 1994 to provide enhanced penalties for crimes against elderly and child victims.	H. Res. 421	Open	N/A.
H.R. 3120	To amend Title 18, United States Code, with respect to witness retaliation, witness tampering and jury tampering.	H. Res. 422	Open	N/A.
H.R. 2406	The United States Housing Act of 1996	H. Res. 426	Open	N/A.
H.R. 3322	Omnibus Civilian Science Authorization Act of 1996	H. Res. 427	Open	N/A.
H.R. 3286	The Adoption Promotion and Stability Act of 1996	H. Res. 428	Restrictive	1D; 1R.
H.R. 3230	Defense Authorization Bill FY 1997	H. Res. 430	Restrictive	41 amends; 20D; 17R; 4 bipartisan
H.R. 3415	Repeal of the 4.3-Cent Increase in Transporation Fuel Taxes	H. Res. 436	Closed	N/A.
H.R. 3259	Intelligence Authorization Act for FY 1997	H. Res. 437	Restrictive	N/A.
H.R. 3144	The Defend America Act	H. Res. 438	Restrictive	1D.
H.R. 3448/H.R. 1227	The Small Business Job Protection Act of 1996, and The Employee Commuting Flexibility Act of 1996.	H. Res. 440	Restrictive	2R.
H.R. 3517	Military Construction Appropriations FY 1997	H. Res. 442	Open	N/A.
H.R. 3540	Foreign Operations Appropriations FY 1997	H. Res. 445	Open	N/A.
H.R. 3562	The Wisconsin Works Waiver Approval Act	H. Res. 446	Restrictive	N/A.
H.R. 2754	Shipbuilding Trade Agreement Act	H. Res. 448	Restrictive	1R.
H.R. 3603	Agriculture Appropriations FY 1997	H. Res. 451	Open	N/A.
H.R. 3610	Defense Appropriations FY 1997	H. Res. 453	Open	N/A.
H.R. 3662	Interior Appropriations FY 1997	H. Res. 455	Open	N/A.
H.R. 3666	VA/HUD Appropriations	H. Res. 456	Open	N/A.
H.R. 3675	Transportation Appropriations FY 1997	H. Res. 460	Open	N/A.
H.J. Res. 182/H.Res 461	Disapproving MFN Status for the Peoples Republic of China	H. Res. 463	Closed	N/A.

*Contract Bills, 67% restrictive; 33% open. **All legislation 1st Session, 53% restrictive; 47% open. ***All legislation 2d Session, 60% restrictive; 40% open. ****All legislation 104th Congress, 56% restrictive; 44% open. *****NR indicates that the legislation being considered by the House for amendment has circumvented standard procedure and was never reported from any House committee. ******PQ Indicates that previous question was ordered on the resolution. *******Restrictive rules are those which limit the number of amendments which can be offered, and include so-called modified open and modified closed rules as well as completely closed rules and rules providing for consideration in the House as opposed to the Committee of the Whole. This definition of restrictive rule is taken from the Republican chart of resolutions reported from the Rules Committee in the 103d Congress. N/A means not available.

Mr. Speaker, I yield the balance of the time to the outstanding gentleman from New York [Mr. RANGEL], the next chairman of the Committee on Ways and Means.

Mr. RANGEL. Now, that was a real introduction.

Mr. Speaker, I thought the name of this game was how to get economic growth. I now find that this foreign policy, this trade policy, that normally set by the President with bipartisan support, is now dependent on just how much we hate these bums that are running China, and If I had only known that, I would not even know why we are doing business with Japan. I mean I wan younger then, but it seemed to me that they were not very nice people then. And Germany; my God, the atrocities that were committed then. And Italy; they were not considered friends of ours. My God.

And when it comes to personal experience, those North Koreans, they were chasing me all around North Korea, and the Chinese shot me. And still we got sanctions against Cuba, and really they have not bothered me too much.

But the truth of the matter is, what are sanctions, and what is most-favored-nation treatment? It is not most favored nation. We are saying, if the United States does not get there first, then our so-called friends are going to get there. We also are saying if we get out of there, our great friends will be in there before we can pull out our equipment.

And so this is not a question about who you like and who you do not like, because I am certain that this is not going to be an anti-Communist type of thing with my friends supporting trade with North Vietnam, with my friends supporting trade with North Korea. My God, the Communists, all around us. They are just not shooting us, they are buying things from us, and they are creating jobs from us, and what choices do we have?

If we apply sanctions against them and it is a unilateral sanction, how do we hurt them? We do not have any friends in the United Nations that can depend on our credibility. We now have already told the United Nations, "Elect who you want for a secretary general, we're vetoing ahead of time."

We now told people that are doing trade with this little island in the Caribbean, "You dare do trade with them," or, "You do trade, have your companies any place where any Cuban says he has a piece of land, and we're going to take away your visas and have sanctions against you."

Who believes us any more? Why cannot the United States have credibility? Why cannot we believe in something and say what the name of the game is? Do we want to find atrocities? Answer: "You bet your life." And we are doing business in Africa with countries. We say we are going to have sanctions against Nigeria. Who is joining us with the sanctions? If we are going to hurt somebody, make certain that we win and stop teasing around throwing out sanctions or we are not going to trade with them when other people are going to trade.

I say, "Don't hurt yourself just because you're dealing with a bunch of bums. You're dealing with 1.2 billion dollars' worth of good people led by a bunch of bums. Well, what's your option? You just going to say, 'I quit; I am not going to play the game; you didn't pass the personality test'?"

It is dollars and cents. It is hard bucks.

They already said we have to balance the budget, and of course my President now finds it very convenient to adopt most of these ideas. He says balance the budget. He already said we have to cut revenues, and my President says, makes some sense, too: We have got to have tax cuts. He already said that we have to shrink Government. Well, my God, Government is being shrunk. But a strange thing is happening in this country, and that is that the old people are living older, and since they believe the answer to every social ill that we have are penitentiaries, they are building more jails.

Oh, we are not going to spend on education; leave that to the local kids. Well, the local kids are failing, they are in the street, they are jobless, they are ignorant, they have no training, they end up with drugs, making kids, getting violent, going to jail.

Oh, how are we going to deal with that? Well, the only name that we have in town is expanding the economy, and the only way we can expand the economy is not consuming everything that we make but by selling it to somebody even if we do not like the people we are selling it to.

Mr. SOLOMON. Mr. Speaker, I am going to be yielding myself the balance of the time, but in doing so I will yield up to a minute to the gentleman from California [Mr. DREIER].

Mr. DREIER. Mr. Speaker, I thank my dear friend from Glens Falls for yielding to me, and I do so simply to respond to the statement that was made about the Citizens for a Sound Economy and by my very dear friend from California who reminds me that we agree over 90 percent of the time on issues, as I do with many of my friends on this side of the aisle who disagree with me on this question.

Citizens for a Sound Economy feels very strongly about the need to extend MFN because, if we were to cut off trade with China, we would clearly be hurting most the people we want to help here in the United States; the reason being, CSE opposes tax increases. They very much want to cut the tax burden on those working Americans who benefit from toys, shoes, and clothing, and what is necessary is for us to do everything that we can to maintain that. It would be a $600 million tax increase. CSE stands for free trade and lower taxes, and that is the reason they have taken the position that they have.

Mr. SOLOMON. Mr. Speaker, I yield myself the balance of the time.

The SPEAKER pro tempore. The gentleman from New York [Mr. SOLOMON] is recognized for 5 minutes.

Mr. SOLOMON. Mr. Speaker, I was simply going to urge every Member of the House to come over here and vote for this rule. It is a fair rule. It is the kind of rule that we have had for 17 consecutive years when we continued to renew MFN for China all these years, so there is no reason for any of us to vote against it, and then I would urge my colleagues to vote for the resolution of disapproval for all of the reasons we have said before.

But I just have to respond a little bit because, as I look at this little note that is going around from the Citizens for a Sound Economy, and I look at what it says, it says that, "We may not give you this Jefferson Award again if you vote against giving MFN for China."

As my colleagues know, to me that is intimidation at its worst. I wonder if they have PAC checks, and now they are not going to give JERRY SOLOMON a PAC check. Well, let me just tell them, "If you have them, why don't you keep them? I don't want it; OK?" And any other industry who does not want to give JERRY SOLOMON a PAC check because he is going to vote for this motion to disapprove MFN for China because he believes in human rights for decent people and American foreign policy through all Presidents, whether they be Republican or Democrat, has always been to promote democracies around the world and to encourage human rights for all people. That is what this is all about.

I really resent this, and I am going to send mine back along with the gentleman's, but having said that, let us get back to what I think we all ought to vote for, this rule, and then take the bill up tomorrow, and let us vote to disapprove MFN for China, and then let us pass the resolution that talks about all of the rogue activities of this dictatorship with arms sales and with all of the activities that they undertake.

Mr. BEILENSON. Mr. Speaker, I have serious concerns about this rule and about the bill it makes in order.

I am strongly opposed to the protection that the rule provides for the legislative provision that freezes fuel economy, or CAFE, standards for the second year in a row. This is unwarranted protection for a controversial and major provision which should not be in an appropriations bill.

This legislative rider is a blatant attack on the environment; support for the fuel economy standards freeze is, in fact, opposition to pollution reduction, national energy security, and consumer savings at the gasoline pump.

By reducing oil consumption, CAFE standards have been enormously successful in cutting pollution. By preventing the emission of millions of tons of carcinogenic hydrocarbon into the air we breathe, the standards have improved air quality, including that in heavily polluted cities like my own of Los Angeles. But we have a long way to go before we have clean air.

In addition, CAFE standards have proved to be successful in saving an estimated 3 million barrels of oil a day, thereby reducing U.S. dependence on imported oil. There is no doubt that, without these standards, we would be importing far more oil than we already do. Those imports account for 52 percent of U.S. oil consumption, while contributing $60 billion annually to our trade deficit.

And, of direct importance to consumers, CAFE standards result in savings when they purchase gasoline. Because fuel economy standards doubled between 1975 and the late 1980's, a new car purchaser saves an average of $3,300 at the gas pump over the lifetime of a car. CAFE standards mean over $40 billion in consumer savings annually.

By continuing this freeze, we are preventing full implementation of the law that was enacted in 1975. Specifically, the freeze is blocking improvements in the CAFE standards for light trucks. This means that our constituents who purchase the very popular minivans, sport utility vehicles, jeeps, and pickups are denied the benefits of existing fuel-saving technologies.

These vehicles have become the most prevalent example of the gas guzzlers we have sought to do away with—they now comprise over 40 percent of the new vehicle market, increasing the demand for oil and, so, increasing pollution as well.

Mr. Speaker, I am also disturbed by some of the other provisions of this important piece of legislation, which affects, in one way or another, all Americans.

Specifically, many of us regret that the bill makes such drastic reductions in Amtrak's funding. Amtrak's capital improvement would be nearly halved; the fund for improvements in the Northeast corridor would be eliminated entirely. This is, Mr. Speaker, bad transportation policy.

Instead of cutting in half this funding for Amtrak, we ought to be providing funds to improve and expand rail service in the United States. We are currently making an investment that is totally inadequate; our rail system is nowhere near so cost-effective or consumer oriented as it should be. But, instead of providing the funds to overcome those deficiencies, the action we are taking today represents a giant step backward.

An effective, efficient rail system is essential to the quality of life and economic vitality of our Nation, and improving rail service should be a top priority; instead it has been sadly neglected. Trains run infrequently; the most popular ones are overcrowded; and passengers have well-founded fears about safety and the lack of good, reliable service.

We should be trying to meet the demands of customers—and would-be customers—by improving our Nation's rail program. Rail service should not be relegated to the past, or to the bottom of our list of priorities; it should not be taking a back seat to the enormous amount of funding we continue to pour into our multibillion-dollar highway system.

As the respected columnist, Jessica Mathews, pointed out in her recent Washington Post article, Amtrak has suffered from chronic underfunding; what it needs most is a guaranteed source of capital, and more than 3 percent of transportation funds it receives. We have a transportation system that heavily subsidizes travel by road and air—but ignores rail—and by doing so, we have serious congestion both on the ground and in the air.

A great investment in Amtrak would help us solve those serious problems. I urge my colleagues to consider that as we debate this appropriations bill.

Mr. Speaker, I commend the article by Jessica Mathews to my colleagues for their attention, and I include it at this point in the RECORD.

[From the Washington Post, June 24, 1996]

TIME TO MAKE PLANS—AND TRACKS

(Jessica Mathews)

American visitors to Europe and Japan this summer will have an experience you cannot have anywhere in America.

They will fly to a major airport like Amsterdam, Paris or Osaka, collect their bags, push their cart through customs and a few steps farther, still inside the airport, be at the doorway of an intercity train.

What's special about this quick and easy connection that non-Americans take for granted? First, of course, is the existence of healthy, heavily capitalized rail service, seen as integral to a national transportation system. Trains keep air and highway traffic flowing, and nothing competes with rail in an overall package of speed, cost, comfort, convenience and use of energy and land for trips in the range of 100 to 500 miles.

Anyone who thinks that rail travel is a nostalgia trip should take a look at the investment plans of the booming, modernization-obsessed Asian economies. China, Taiwan, Malaysia, South Korea and others are all investing heavily in high-speed rail.

That's the second characteristic missing for Americans: existing and planned service is high-speed rail, not futuristic magnetic levitation technology, but conventional rails in the here-and-now. After decades of undercapitalization, "high-speed" in the United States means only 100 mph to 125 mph, whereas France's 200 mph TGV would make the Washington-New York trip, downtown to downtown, into a one-hour commute.

The third factor is more subtle. Money can't buy it, and technology is no substitute. It is the connection: Air connects to rail, rail to transit, transit to bicycle and pedestrian options, and all of them are laid out to fit with the road system. It sounds basic and it is, but such links are so rare in this country that they're given a fancy name—intermodal connections. The missing element in the United States is planning.

Central planning is, of course, a dirty word here, but when we are serious about doing something well on a national scale, we plan just like everyone else. You can drive on one good road from Maine to Florida because the interstate highway system was laid out as a national system. To overcome our aversion in the 1950s, we pretended that all this planning was in the service of national defense (to move missiles on the roads). In 1996, with tourism/recreation the world's largest industry (and the United States' second-largest employer) and trade an ever-rising share of the global economy, we can no longer afford the hangup.

Missed connections persist at the state and regional level, even when comprehensive planning is attempted, because separate transportation trust funds with separate sources of revenue pit the various modes of travel against each other. The air, rail, transit and highway industries see themselves as competitors, not colleagues serving a broader public interest.

"That half-penny [of the federal gas tax] belongs to transit," says transit's chief lobbyist. "Why should we use our money [air ticket-tax funds] on rail?" asks an airline spokesman. And so New York's once-great Kennedy Airport lies gasping out in the suburbs, strangled by clogged highways, for lack of rail service from downtown. It's not a New York problem. It is obscenely difficult everywhere in this country to spend transportation money according to self-evident, local need.

Two things need to change: the chronic underfunding of rail and the separate pots of money that stand in the way of sensible spending. Eventually, the airport and highway trust funds and other appropriations must be combined into a single source of money allocated by need rather than mode of service. That will take some time. Meanwhile, urgent action is needed to rebuild passenger rail.

What Amtrak needs most of all is a guaranteed source of capital to buy the rolling stock that will reduce heavy maintenance costs on the antiquated equipment it inherited, improve service and attract new passengers. A recent test vote in the Senate approved a plan to allocate a half-cent of gasoline taxes, about $500 million per year, for that purpose. Last week, both Senate Majority Leader Trent Lott and Rep. Frank Wolf (R–Va.), in charge of transportation spending in the House, gave the idea a cautious blessing.

Approval is still far from certain, but it is essential. Congress and the administration have previously decided that Amtrak must operate free of public support by 2001—a status that has no precedent anywhere in the world and justification. All other modes of transport are subsidized, roads and highways especially heavily. Why should rail alone not be publicly supported?

Whatever its wisdom, the goal has been set, at least for the time being. If there is the slightest chance that it can be met, capital funding of at least $2.5 billion over five years is the bare minimum cost.

The evidence is all around us that a transportation system that pours money into roads and air travel and starves everything else doesn't work. Spending for airports and highways soared in the '80s, and now economic losses from congestion on the ground and in the air are setting records. In that same time, support for rail declined by a third. It now gets a bare 3 percent of federal transportation funds.

Undercapitalized businesses fail every day. That could happen to Amtrak. Or it could succeed with payoffs in quality of life and national competitiveness out of all proportion to the federal cost. It's up to Congress.

Mr. SOLOMON. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

□ 0100

PROVIDING FOR CONSIDERATION OF H.R. 3675, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATION ACT 1997

Ms. GREENE of Utah. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 460 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 460

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. 3675) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1997, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with section 401(a) of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 or 6 of rule XXI are waived except as follows: beginning with the colon on page 10, line 25, through "program" on page 11, line 3. Where points of order are waived against part of a paragraph, points of order against a provision in another part of such paragraph may be made only against such provision and not against the entire paragraph. The amendment printed in section 2 of this resolution shall be considered as adopted in the House and in the Committee of the Whole. During consideration of the bill for further amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment. The Chairman of the Committee of the Whole may reduce to not less than five minutes the time for voting by electronic device on any postponed question that immediately follows another vote by electronic device without intervening business, provided that the time for voting by electronic device on the first in any series of questions shall be not less than fifteen minutes. After the reading of the final lines of the bill, a motion that the Committee of the Whole rise and report the bill to the House with such amendments as may have been adopted shall, if offered by the majority leader or a designee, have precedence over a motion to amend. 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. The previous question shall be considered as ordered on the bill and amendments thereto the final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. The amendment considered as adopted in the House and in the Committee of the Whole as follows:

Page 8, line 18, strike "proceeds from the sale of".

Page 8, line 20, strike "credited as offsetting collections to this account so as to result" and insert in lieu thereof "disposed of in a manner resulting".

Page 8, line 22, strike the comma after the figure and all that follows through "Act" on page 9, line 1.

Page 11, line 18, strike "$2,742,602,000" and insert in lieu thereof "$1,642,500,000".

Page 27, line 4, strike "$400,000,000" and insert in lieu thereof "$460,000,000".

Page 48, line 12, strike the colon and all that follows through "funds" on line 15.

The SPEAKER pro tempore (Mr. LAHOOD). The gentlewoman from Utah [Ms. GREENE] is recognized for 1 hour.

Ms. GREENE of Utah. For purposes of debate only, Mr. Speaker, I yield the customary 30 minutes to the gentleman from Massachusetts [Mr. MOAKLEY], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for purposes of debate only.

Mr. Speaker, House Resolution 460 is an open rule providing for consideration of H.R. 3675, the fiscal year 1997 Transportation appropriations bill. The rule provides for 1 hour of general debate, equally divided between the chairman and the ranking member of the Appropriations Committee.

The rule contains a technical waiver of section 401(a) of the Budget Act, which prohibits consideration of legislation containing contract authority not previously subject to appropriations, and two waivers of rule XXI: clause 6, prohibiting reappropriations, and clause 2, prohibiting unauthorized and legislative provisions, with the exception, as requested by the authorizing committee, of a provision relating to funding for a boating safety grant program.

In keeping with our commitment to ensure that the appropriations bills comply with authorizations, the rule resolves certain concerns expressed by the authorizing committee by providing that an amendment printed in section 2 of the resolution is considered as adopted.

In order to better accommodate members' schedules, the rule allows the chairman to postpone votes and reduce voting time to 5 minutes. The rule also permits the majority leader to offer the privileged motion to rise and report the bill back to the House at any time after the final lines of the bill have been read. Finally, the rule provides for priority consideration of amendments that have been pre-printed in the CONGRESSIONAL RECORD, and provides for one motion to recommit, with or without instructions.

Mr. Speaker, I would like to point out that this is the seventh appropriations bill that we have considered this year, and that all seven appropriations bills have been considered under open rules. Under this open, deliberative process, we have given every member of the House an opportunity to offer an amendment on any issue they feel important.

Mr. Speaker, I would like to once again emphasize that this is an open rule, providing for fair consideration of the important issues contained in this bill. I urge my colleagues to support the rule.

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

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

Mr. Speaker, I commend my colleagues on the other side of the aisle for this open rule. The Rules Committee acted appropriately in exposing certain parts of this bill to points of order. In doing so, they followed the long-standing tradition in the House of honoring the authorizing committees' request to be able to raise points of order against legislative language in spending bills. This rule will give them that opportunity.

I also commend Mr. WOLF and Mr. COLEMAN for this bipartisan bill they've put together which I fully support.

This bill allocates $12.5 billion for transportation programs across the country which are very good investments in our country's infrastructure.

Most importantly, Mr. Speaker, this bill emphasizes safety. It allocates $4.9 billion for the Federal Aviation Administration to continue the good work they do making sure our skies are safe. Thanks to this bill, the FAA will be able to hire 660 new employees entirely devoted to passenger safety.

Even though our planes are among the safest in the world, as last month's tragedy in Florida showed us, we are still not as safe as we should be.

Although I am disappointed that this bill doesn't provide any new funding for the Northeast corridor, the most traveled passenger rail route in the country, I understand that there is a balance from previous appropriations to fund the continued construction of this project.

I urge my colleagues to support this open rule and to support this bill.

Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin [Mr. OBEY], the ranking member of the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, I simply want to say I support this rule. It is far preferable than the rule that we just considered. I would simply observe that with respect to the previous rule, this country has walked away from our values in dealing with trade. There is absolutely no reason in my view for us to provide MFN treatment for a country that produces goods through slave labor. I think it is a preposterous joke that we should in any way give credence to the idea that a country with a controlled economy is a fitting participant in free- or fair-trade arrangements. By definition, they are not. I thank the gentleman for his time.

Mr. MOAKLEY. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Ms. GREENE of Utah. 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 matter on House Resolution 460.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Utah?

There was no objection.

GENERAL LEAVE

Mr. WOLF. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3675, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1997, and that I may be permitted to submit tables, charts, and other extraneous material.

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

There was no objection.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATION ACT, 1997

The SPEAKER pro tempore. Pursuant to House Resolution 460 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 3675.

□ 0109

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. 3675) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1997, and for other purposes, with Mr. BEREUTER 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 Virginia [Mr. WOLF] and the gentleman from Minnesota [Mr. SABO] will each be recognized for 30 minutes.

The Chair recognizes the gentleman from Virginia [Mr. WOLF].

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

In the interests of brevity, Mr. Chairman, and because everyone, including the staff, ought to be able to go home, I will include my remarks.

Mr. Chairman, today I am proud to present to the House H.R. 3675, the transportation appropriations bill for fiscal year 1997. I believe this is a very good bill which will improve aviation and highway safety, provide essential funding for highways and other infrastructure improvements across the country, and maintain the Federal Government's commitment to

help localities and Amtrak with assistance in their operating budgets. This is a balanced bill, created in a bipartisan manner under difficult budget constraints.

Before I go any further, Mr. Chairman, I want to recognize the huge contributions of the gentleman from Texas [Mr. COLEMAN] in putting together this bill, and past bills, in a truly bipartisan fashion.

This will be the gentleman's last transportation appropriations bill, and I want to say how much I appreciate his diligence and hard work, and his true concern for transportation safety and infrastructure around this country. He will be sorely missed, and we all wish him well.

As all of us know, Mr. Chairman, the coming fiscal year will be very difficult, as we continue to tighten our belt on the way to a balanced budget. This is even more painful with each passing year, because the easiest budget reductions have already been made. Yet this body has shown its strong and unwavering commitment to eliminating the deficit by the year 2002, so some continued sacrifices will be needed.

Before I get into specifics of the bill, let me put the larger budget numbers in perspective. This year, our 602(b) allocation in new outlays is $11.4 billion, which is the same level as last year. This might not seem too difficult until you realize that just to fund things like the employee pay raise, normal inflation in employee medical insurance and other benefits, and general inflation in goods and services, the Department of Transportation would need $250 million more than it received in fiscal year 1996.

And if you use the President's budget as the baseline instead of the current level of funding, even greater reductions are required, because the budget proposed a large increase in new outlays. Combined with the money we need to pay off debts from past years, our budget allocation puts us $359 million in outlays below the administration's request. So very difficult choices had to be made below the level of their request.

This bill sets priorities with the limited resources we have available. What are those priorities?

Safety: Maintaining and improving safety is the number one priority in this bill, above everything else. The recent aviation accidents have convinced many of us that more needs to be done, and there are other troubling signs as well. Fraudulent and unapproved aircraft parts now get inside our commercial airliners all too often. And our aging air traffic control equipment raises concerns.

Last year, air traffic centers all over the country experienced breakdowns in important radar and communication systems. And air traffic controllers are getting stretched thin as air traffic increases without consistent growth in staffing.

To deal with these problems, the bill before the House today raises funding for air traffic control operations by about 6 percent, providing funds for 250 additional air traffic controllers and 373 new staff in aviation safety inspection and oversight. The bill also adds $139 million, not in the President's request, for new air traffic control equipment and systems to improve safety and airway capacity.

Because of the extremely serious questions surfacing now over aviation safety and the FAA's oversight, the bill appropriates $2.4 million for a blue-ribbon commission to perform a comprehensive review of aviation safety, financing, and acquisition. Over the past few weeks, we've seen FAA inspectors and the Transportation Inspector General testify before the House and Senate about safety problems. We read about internal FAA memos raising safety alarms which go ignored by management.

And we know how long it takes the FAA to procure and install new safety equipment. These problems must be addressed in a comprehensive, non-political and professional way.

This high level commission will be bipartisan, and will have adequate funding to analyze in-depth the aviation safety situation in the United States, the FAA's financing problems, and its organization. I intend to offer an amendment to the FAA authorization bill which provides the authorization for this commission when that bill is before the House later this summer. The chairman of the Transportation and Infrastructure Committee agrees with me on this approach. He supports this language, and I am pleased that the appropriations bill provides funds for this important activity.

And we must do more in other safety areas as well, or at least hold the line in the face of oncoming budget cuts. The National Highway Traffic Safety Administration [NHTSA], for example, performs critical work in research and public education to make our highways safer.

Earlier advances in reducing highway fatalities in this country have slowed in recent years, and in some states, fatalities are going back up with repeal of the national speed limit a few months ago. So the Committee bill places priority on protecting NHTSA's budget, and the related motor carrier safety grants program in the Federal Highway Administration.

Similarly, the second highest number of transportation fatalities in this country occur on our Nation's waterways, and we have received strong appeals from the States to raise funding for boating safety. So the bill raises funds significantly for this program—a 50 percent increase—and requires the Coast Guard to take a more active posture in helping to reduce boating deaths around the country.

Current Operations: The bill also tries to maintain funds for the various operating budgets, and for operating grants, at close to last year's levels. We do not have the resources to start major new initiatives. But we have tried to maintain the current level of operations. Coast Guard operations is funded at approximately last year's level.

Transit operating assistance is at the 1996 level of $400 million, which was difficult since the budget resolution passed by this House assumes that we phase out these grants. And Amtrak operating is at the budget request level. To enhance safety, the bill provides a 6 percent increase in FAA operations, but to help finance the increase, we include $30 million in FAA user fees. These funding levels will maintain current levels of operations except at the FAA, which will be increased.

Investing in Infrastructure: The bill places a high priority on investing in the Nation's infrastructure. With great difficulty, we have found a way to finance the federal-aid highways program at the current level, which will provide funds for road construction in every State. Once again this year, we have included no highway demo projects in the bill, allowing us to put more resources into the hands of the States to decide themselves which projects have the highest need. Likewise, we are not earmarking funds for airport construction grants.

Regarding the Central Artery highway project in Boston, we considered placing a cap on the total cost of that project this year, due to the spiraling costs. However, we have recently received information and assurances from the Commonwealth of Massachusetts and the Department of Transportation that the program is now under control. So although we will continue to monitor this project, I am pleased with the progress made at this time, and the bill includes no provisions restricting funds for this project.

Mr. Chairman, we have tried hard to minimize reductions in capital programs, but that has not been possible in every program. The proposal includes $4 billion for transit grants, the same as the current level. It includes $1.8 billion for FAA facilities and equipment, essentially the same as the budget request. It includes approximately the same level of funding as last year for Coast Guard acquisition, although additional resources will be available to augment their appropriation through sales of Coast Guard airplanes and shore stations which are no longer needed.

Two capital programs have been hit harder than others in this bill, and they are very good programs. These are airport grants and Amtrak.

We provide $1.3 billion for airport grants, 4 percent below the administration's request and $150 million below the 1996 level.

Likewise, Amtrak capital programs are funded at $200 million, a large reduction from $345 million provided for 1996. In addition to this appropriated level, Amtrak has just under half a billion dollars in the bank that it can use during the next year to fund such high priority items as electrification and procurement of high speed trainsets. This level of funding does not prejudice Amtrak from receiving consideration for funding in future appropriations bills.

I know these reductions will cause some Members concern, and I agree that these are good and meritorious programs. If there is any way to raise the figures for Amtrak and airport grants as we go through the process without harming safety programs or other critical needs, I am open to those suggestions. We have to make the difficult cuts as well as the easy ones, and I know these are difficult.

Finally, the bill is very clean of extraneous legislative provisions, and we have tried to work with the legislative committees to ensure their support for the bill. To my knowledge, the rule just adopted addresses the remaining concerns of the legislative committees. There are no major controversial policy changes in the bill. Therefore, I believe the bill can move forward without delay, and without undue controversy.

Mr. Chairman, I believe this is an excellent and balanced bill that puts an emphasis on our highest responsibility—protecting and enhancing transportation safety. From a financial standpoint, it is the best we could do given the budgetary circumstances we are under. It was developed in a truly bipartisan fashion, and received little controversy or debate at either the subcommittee or full committee levels. I believe it deserves the support of this entire body, and I ask for its approval.

Mr. Chairman, I include for the RECORD the following material:

FY 1997 - TRANSPORTATION APPROPRIATIONS BILL (H.R. 3675)

	FY 1996 Enacted	FY 1997 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
TITLE I - DEPARTMENT OF TRANSPORTATION					
Office of the Secretary					
Salaries and expenses	56,189,000	55,376,000	53,816,000	-2,373,000	-1,560,000
Office of civil rights	6,554,000	5,574,000	5,574,000	-980,000	
Transportation planning, research, and development	8,220,000	7,919,000	3,000,000	-5,220,000	-4,919,000
Transportation Administrative Service Center	(103,149,000)		(124,812,000)	(+21,663,000)	(+124,812,000)
Payments to air carriers (Airport and Airway Trust Fund):					
(Liquidation of contract authorization)	(22,600,000)	(21,922,000)	(10,000,000)	(-12,600,000)	(-11,922,000)
(Limitation on obligations)	(22,600,000)	(21,922,000)	(10,000,000)	(-12,600,000)	(-11,922,000)
Rescission of contract authority	(-16,000,000)	(-16,678,000)	(-28,600,000)	(-12,600,000)	(-11,922,000)
Rescission	(-6,786,971)	(-1,133,373)	(-1,133,000)	(+5,653,971)	(+373)
Rental payments	135,200,000	137,581,000	127,447,000	-7,753,000	-10,134,000
Minority business resource center program	1,900,000	1,900,000	1,900,000		
(Limitation on direct loans)	(15,000,000)	(15,000,000)	(15,000,000)		
Minority business outreach	2,900,000	2,900,000	2,900,000		
Total, Office of the Secretary	210,963,000	211,250,000	194,637,000	-16,326,000	-16,613,000
(Limitations on obligations)	(22,600,000)	(21,922,000)	(10,000,000)	(-12,600,000)	(-11,922,000)
Total budgetary resources	(233,563,000)	(233,172,000)	(204,637,000)	(-28,926,000)	(-28,535,000)
Coast Guard					
Operating expenses	2,278,991,000	2,519,350,000	2,609,100,000	+330,109,000	+89,750,000
Defense function (050)		118,500,000			-118,500,000
(Transfer from DOD)	(300,000,000)			(-300,000,000)	
Acquisition, construction, and improvements:					
Offsetting collections		-20,000,000	-20,000,000	-20,000,000	
Vessels	167,600,000	237,000,000	205,600,000	+38,000,000	-31,400,000
Aircraft	12,000,000	21,400,000	18,300,000	+6,300,000	-3,100,000
Other equipment	49,200,000	46,700,000	39,900,000	-9,300,000	-6,800,000
Shore facilities & aids to navigation facilities	88,875,000	59,500,000	47,950,000	-40,925,000	-11,550,000
Personnel and related support	44,700,000	47,000,000	46,250,000	+1,550,000	-750,000
Rescission, FY 1995			(-355,000)	(-355,000)	(-355,000)
Rescission, FY 1996			(-3,400,000)	(-3,400,000)	(-3,400,000)
Subtotal, A C & I	362,375,000	391,600,000	354,245,000	-28,130,000	-57,355,000
Environmental compliance and restoration	21,000,000	25,000,000	21,000,000		-4,000,000
Port Safety Development	15,000,000			-15,000,000	
Alteration of bridges	16,000,000	2,000,000	16,000,000		+14,000,000
Retired pay	582,022,000	608,084,000	608,084,000	+26,062,000	
Reserve training	62,000,000	65,890,000	65,890,000	+3,890,000	
Research, development, test, and evaluation	18,000,000	20,300,000	19,000,000	+1,000,000	-1,300,000
Boat safety (Aquatic Resources Trust Fund)	20,000,000		35,000,000	+15,000,000	+35,000,000
Total, Coast Guard	3,375,388,000	3,750,724,000	3,708,319,000	+332,931,000	-42,405,000
Federal Aviation Administration					
Operations	4,645,712,000	4,918,269,000	4,900,000,000	+254,288,000	-18,269,000
Offsetting Collections		-150,000,000	-30,000,000	-30,000,000	+120,000,000
Facilities & equipment (Airport & Airway Trust Fund)	1,934,883,000	1,788,700,000	1,800,000,000	-134,883,000	+11,300,000
Rescission	(-60,000,000)			(+60,000,000)	
Research, engineering, and development (Airport and Airway Trust Fund)	185,698,000	195,700,000	185,000,000	-698,000	-10,700,000
Grants-in-aid for airports (Airport & Airway Trust Fund):					
(Liquidation of contract authorization)	(1,500,000,000)	(1,500,000,000)	(1,500,000,000)		
(Limitation on obligations)	(1,450,000,000)	(1,350,000,000)	(1,300,000,000)	(-150,000,000)	(-50,000,000)
Rescission of contract authority	(-664,000,000)			(+664,000,000)	
Aircraft purchase loan guarantee program (indefinite borrowing authority)	50,000			-50,000	
(Limitation on borrowing authority)	(1,600,000)			(-1,600,000)	
Total, Federal Aviation Administration	6,766,343,000	6,752,669,000	6,855,000,000	+88,657,000	+102,331,000
(Limitations on obligations)	(1,450,000,000)	(1,350,000,000)	(1,300,000,000)	(-150,000,000)	(-50,000,000)
Total budgetary resources	(8,216,343,000)	(8,102,669,000)	(8,155,000,000)	(-61,343,000)	(+52,331,000)
Federal Highway Administration					
Limitation on general operating expenses	(509,660,000)	(652,905,000)	(510,981,000)	(+1,321,000)	(-141,924,000)
Highway-related safety grants (Highway Trust Fund):					
(Liquidation of contract authorization)	(11,000,000)	(2,049,000)	(2,049,000)	(-8,951,000)	
(Limitation on obligations)	(11,000,000)			(-11,000,000)	
Rescission of contract authority	(-9,000,000)			(+9,000,000)	
Federal-aid highways (Highway Trust Fund):					
(Limitation on obligations)	(17,550,000,000)	(17,714,000,000)	(17,550,000,000)		(-164,000,000)
(Exempt obligations) (sec. 310)	(2,331,507,000)	(1,314,802,000)	(2,055,000,000)	(-276,507,000)	(+740,198,000)
(Liquidation of contract authorization)	(19,200,000,000)	(19,800,000,000)	(19,800,000,000)	(+600,000,000)	
Emergency appropriations	(300,000,000)			(-300,000,000)	

FY 1997 - TRANSPORTATION APPROPRIATIONS BILL (H.R. 3675)—Continued

	FY 1996 Enacted	FY 1997 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Motor carrier safety grants (Highway Trust Fund):					
(Liquidation of contract authorization)	(68,000,000)	(74,000,000)	(74,000,000)	(+6,000,000)	.....
(Limitation on obligations)	(77,225,000)	(85,000,000)	(77,425,000)	(+200,000)	(-7,575,000)
Rescission of contract authority	(-33,000,000)	.....	.....	(+33,000,000)	.....
Alameda corridor project loan program	.....	58,680,000	.....	.....	-58,680,000
Alameda corridor project loan limitation	.....	(400,000,000)	.....	.....	(-400,000,000)
State infrastructure banks (Highway Trust Fund)	.....	250,000,000	.....	.....	-250,000,000
Total, Federal Highway Administration	.....	308,680,000	.....	.....	-308,680,000
(Limitations on obligations)	(17,638,225,000)	(17,799,000,000)	(17,627,425,000)	(-10,800,000)	(-171,575,000)
(Exempt obligations)	(2,331,507,000)	(1,314,802,000)	(2,055,000,000)	(-276,507,000)	(+740,198,000)
Total budgetary resources	(19,969,732,000)	(19,422,482,000)	(19,682,425,000)	(-287,307,000)	(+259,943,000)
National Highway Traffic Safety Administration					
Operations and research	73,316,570	98,976,000	81,895,000	+8,578,430	-17,081,000
Operations and research (Highway Trust Fund)	51,884,430	59,537,000	50,377,000	-1,507,430	-9,160,000
Subtotal, Operations and research	125,201,000	158,513,000	132,272,000	+7,071,000	-26,241,000
Highway traffic safety grants (Highway Trust Fund):					
(Liquidation of contract authorization)	(155,100,000)	(191,000,000)	(167,100,000)	(+12,000,000)	(-23,900,000)
State and community highway safety grants (Sec. 402) (limitation on obligations)	(127,700,000)	(151,200,000)	(127,700,000)	.....	(-23,500,000)
National Driver Register (Sec. 402) (limitation on obligations)	(2,400,000)	(2,400,000)	(2,400,000)	.....	.....
Highway safety grants (Sec. 1003(a)(7)) (limitaiton on obligations)	.....	(15,000,000)	(11,000,000)	(+11,000,000)	(-4,000,000)
Alcohol-impaired driving countermeasures programs (Sec. 410) (limitation on obligations)	(25,000,000)	(25,000,000)	(26,000,000)	(+1,000,000)	(+1,000,000)
Rescission of contract authority	(-56,000,000)	.....	.....	(+56,000,000)	.....
Total, National Highway Traffic Safety Admin	125,201,000	158,513,000	132,272,000	+7,071,000	-26,241,000
(Limitations on obligations)	(155,100,000)	(193,600,000)	(167,100,000)	(+12,000,000)	(-26,500,000)
Total budgetary resources	(280,301,000)	(352,113,000)	(299,372,000)	(+19,071,000)	(-52,741,000)
Federal Railroad Administration					
Office of the Administrator	14,018,000	16,883,000	16,469,000	+2,451,000	-414,000
Railroad safety	49,919,000	51,864,000	51,407,000	+1,488,000	-457,000
Railroad research and development	24,550,000	24,565,000	20,341,000	-4,209,000	-4,224,000
Northeast corridor improvement program	115,000,000	200,000,000	.....	-115,000,000	-200,000,000
High-speed rail trainsets and facilities	.....	80,000,000	80,000,000	+80,000,000	.....
Next generation high speed rail	19,205,000	26,525,000	19,757,000	+552,000	-6,768,000
Trust fund share of next generation high-speed rail (Highway Trust Fund):					
(Liquidation of contract authorization)	(7,118,000)	(2,855,000)	(2,855,000)	(-4,263,000)	.....
(Limitation on obligations)	(5,000,000)	.....	.....	(-5,000,000)	.....
Alaska Railroad rehabilitation	10,000,000	.....	.....	-10,000,000	.....
Rhode Island Rail Development	1,000,000	10,000,000	4,000,000	+3,000,000	-6,000,000
Direct loan financing program	.....	.....	58,680,000	+58,680,000	+58,680,000
Direct loan financing program limitation	.....	.....	(400,000,000)	(+400,000,000)	(+400,000,000)
Grants to the National Railroad Passenger Corporation:					
Operations	305,000,000	342,000,000	342,000,000	+37,000,000	.....
Transition costs	100,000,000	.....	.....	-100,000,000	.....
Capital	230,000,000	296,500,000	120,000,000	-110,000,000	-176,500,000
Total, Grants to the National Railroad Passenger Corporation	635,000,000	638,500,000	462,000,000	-173,000,000	-176,500,000
Total, Federal Railroad Administration	868,692,000	1,048,337,000	712,654,000	-156,038,000	-335,683,000
(Limitations on obligations)	(5,000,000)	.....	.....	(-5,000,000)	.....
Total budgetary resources	(873,692,000)	(1,048,337,000)	(712,654,000)	(-161,038,000)	(-335,683,000)
Federal Transit Administration					
Administrative expenses	42,000,000	43,652,000	41,367,000	-633,000	-2,285,000
Formula grants	942,925,000	221,122,000	460,000,000	-482,925,000	+238,878,000
Formula grants (Highway Trust Fund) (limitation on obligations)	(1,110,000,000)	(1,930,850,000)	(1,592,925,000)	(+482,925,000)	(-337,925,000)
Operating assistance grants	(400,000,000)	(500,000,000)	(400,000,000)	.....	(-100,000,000)
Subtotal, Formula grants	(2,052,925,000)	(2,151,972,000)	(2,052,925,000)	.....	(-99,047,000)
University transportation centers	6,000,000	6,000,000	6,000,000	.....	.....
Transit planning and research	85,500,000	85,500,000	85,500,000	.....	.....
Metropolitan planning	(39,500,000)	(39,500,000)	(39,500,000)	.....	.....
Rural transit assistance	(4,500,000)	(4,500,000)	(4,500,000)	.....	.....
Transit cooperative research	(8,250,000)	(8,250,000)	(8,250,000)	.....	.....
National planning and research	(22,000,000)	(22,000,000)	(22,000,000)	.....	.....
State planning and research	(8,250,000)	(8,250,000)	(8,250,000)	.....	.....
National transit institute	(3,000,000)	(3,000,000)	(3,000,000)	.....	.....
Subtotal, Transit planning and research	(85,500,000)	(85,500,000)	(85,500,000)	.....	.....

FY 1997 - TRANSPORTATION APPROPRIATIONS BILL (H.R. 3675)—Continued

	FY 1996 Enacted	FY 1997 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Trust fund share of expenses (Highway Trust Fund) (liquidation of contract authorization)	(1,120,850,000)	(1,920,000,000)	(1,920,000,000)	(+799,150,000)	
Discretionary grants (Highway Trust Fund) (limitation on obligations):					
Fixed guideway modernization	(666,000,000)	(725,000,000)	(666,000,000)		(-59,000,000)
Bus and bus-related facilities	(333,000,000)	(274,000,000)	(333,000,000)		(+59,000,000)
New starts	(666,000,000)	(800,000,000)	(666,000,000)		(-134,000,000)
Subtotal, Discretionary grants	(1,665,000,000)	(1,799,000,000)	(1,665,000,000)		(-134,000,000)
Mass transit capital fund (Highway Trust Fund) (liquidation of contract authorization)	(2,375,000,000)	(2,000,000,000)	(2,000,000,000)	(-375,000,000)	
Washington Metropolitan Area Transit Authority	200,000,000	200,000,000	200,000,000		
Violent crime reduction programs (Violent Crime Reduction Trust Fund)		10,000,000			-10,000,000
Total, Federal Transit Administration	1,276,425,000	566,274,000	792,867,000	-483,558,000	+226,593,000
(Limitations on obligations)	(2,775,000,000)	(3,729,850,000)	(3,257,925,000)	(+482,925,000)	(-471,925,000)
Total budgetary resources	(4,051,425,000)	(4,296,124,000)	(4,050,792,000)	(-633,000)	(-245,332,000)
Saint Lawrence Seaway Development Corporation					
Operations and maintenance (Harbor Maintenance Trust Fund)	10,150,000	10,065,000	10,037,000	-113,000	-28,000
Research and Special Programs Administration					
Research and special programs	23,937,000	28,169,000	23,929,000	-8,000	-4,240,000
Hazardous materials safety	(12,650,000)	(12,812,000)	(12,772,000)	(+122,000)	(-40,000)
Emergency transportation	(1,022,000)	(993,000)	(993,000)	(-29,000)	
Research and technology	(3,288,000)	(7,488,000)	(3,323,000)	(+35,000)	(-4,165,000)
Program and administrative support	(7,388,000)	(6,876,000)	(6,841,000)	(-547,000)	(-35,000)
Accountwide adjustment	(-411,000)			(+411,000)	
Subtotal, research and special programs	(23,937,000)	(28,169,000)	(23,929,000)	(-8,000)	(-4,240,000)
Pipeline safety (Pipeline Safety Fund)	28,750,000	31,500,000	28,460,000	-290,000	-3,040,000
Pipeline safety (Oil Spill Liability Trust Fund)	2,698,000	2,528,000	2,528,000	-170,000	
Subtotal, Pipeline safety	31,448,000	34,028,000	30,988,000	-460,000	-3,040,000
Emergency preparedness grants:					
Emergency preparedness fund	400,000	200,000	200,000	-200,000	
(Limitation on obligations)	(8,890,000)			(-8,890,000)	
Total, Research and Special Programs Admin	55,785,000	62,397,000	55,117,000	-668,000	-7,280,000
(Limitations on obligations)	(8,890,000)			(-8,890,000)	
Total budgetary resources	(64,675,000)	(62,397,000)	(55,117,000)	(-9,558,000)	(-7,280,000)
Office of Inspector General					
Salaries and expenses	40,238,000	39,771,000	39,450,000	-788,000	-321,000
Bureau of Transportation Statistics					
Salaries and expenses	2,200,000			-2,200,000	
Office of Airline Information (Airport and airway trust fund)		3,100,000			-3,100,000
Surface Transportation Board					
Salaries and expenses		3,000,000	12,344,000	+12,344,000	+9,344,000
Offsetting Collections		-3,000,000			+3,000,000
General Provisions					
Bureau of Transportation Statistics (transfer from Federal-aid Highways)	(20,000,000)	(25,000,000)	(25,000,000)	(+5,000,000)	
Transportation Administrative Service Center reduction	-7,500,000		-10,000,000	-2,500,000	-10,000,000
DOT field office consolidation (sec. 335)	-25,000,000			+25,000,000	
ICC transition (sec. 344)	8,421,000			-8,421,000	
Total, title I, Department of Transportation (net)	11,862,519,029	12,893,968,627	12,472,964,000	+610,444,971	-421,004,627
Appropriations	(12,707,306,000)	(12,911,780,000)	(12,502,697,000)	(-204,609,000)	(-409,083,000)
Rescissions	(-844,786,971)	(-17,811,373)	(-29,733,000)	(+815,053,971)	(-11,921,627)
(Limitations on obligations)	(22,054,815,000)	(23,094,372,000)	(22,362,450,000)	(+307,635,000)	(-731,922,000)
(Exempt obligations)	(2,331,507,000)	(1,314,802,000)	(2,055,000,000)	(-276,507,000)	(+740,198,000)
Total budgetary resources including (limitations on obligations and (exempt obligations)	(36,248,841,029)	(37,303,142,627)	(36,890,414,000)	(+641,572,971)	(-412,728,627)

FY 1997 - TRANSPORTATION APPROPRIATIONS BILL (H.R. 3675)—Continued

	FY 1996 Enacted	FY 1997 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
TITLE II - RELATED AGENCIES					
Architectural and Transportation Barriers Compliance Board					
Salaries and expenses	3,500,000	3,540,000	3,540,000	+40,000	
National Transportation Safety Board					
Salaries and expenses	38,774,000	42,407,000	42,407,000	+3,633,000	
Emergency fund	360,802			-360,802	
Total, National Transportation Safety Board	39,134,802	42,407,000	42,407,000	+3,272,198	
Interstate Commerce Commission					
Salaries and expenses	13,379,000			-13,379,000	
Payments for directed rail service (limitation on obligations)	(475,000)			(-475,000)	
Total, Interstate Commerce Commission	(13,854,000)			(-13,854,000)	
Panama Canal Commission					
Panama Canal Revolving Fund:					
(Limitation on administrative expenses)	(52,741,000)			(-52,741,000)	
Total, title II, Related Agencies	56,013,802	45,947,000	45,947,000	-10,066,802	
(Limitation on obligations)	(475,000)			(-475,000)	
Total budgetary resources	(56,488,802)	(45,947,000)	(45,947,000)	(-10,541,802)	
TITLE III - GENERAL PROVISIONS					
General Provision 310		(-41,000,000)			(+41,000,000)
General Provision 310(f)		-306,000,000			+306,000,000
Sec. 338 - National Civil Aviation Review Commission			2,400,000	+2,400,000	+2,400,000
Total appropriations (net)	11,918,532,831	12,633,915,627	12,521,311,000	+602,778,169	-112,604,627
Scorekeeping adjustments:					
Emergency preparedness grants limitation	-4,697,000			+4,697,000	
Administrative reductions (P.L. 104-134)	-15,000,000			+15,000,000	
FHA: Federal-aid highways (P.L. 104-19)	382,190,000			-382,190,000	
General provision: Bonuses & awards	-749,852			+749,852	
Pipeline safety	6,933,000	-3,000,000		-6,933,000	+3,000,000
Permissive transfer (Coast Guard to FAA)	(60,000,000)			(-60,000,000)	
Railroad Safety		-3,000,000	-1,000,000	-1,000,000	+2,000,000
Total, adjustments	368,676,148	-6,000,000	-1,000,000	-369,676,148	+5,000,000
Grand total (net)	12,287,208,979	12,627,915,627	12,520,311,000	+233,102,021	-107,604,627
Appropriations	(13,131,995,950)	(12,645,727,000)	(12,550,044,000)	(-581,951,950)	(-95,683,000)
Rescissions	(-844,786,971)	(-17,811,373)	(-29,733,000)	(+815,053,971)	(-11,921,627)
(Limitations on obligations)	(22,055,290,000)	(23,053,372,000)	(22,362,450,000)	(+307,160,000)	(-690,922,000)
(Exempt obligations)	(2,331,507,000)	(1,314,802,000)	(2,055,000,000)	(-276,507,000)	(+740,198,000)
Grand total budgetary resources including (limitations on obligations) and (exempt obligations)	(36,674,005,979)	(36,996,089,627)	(36,937,761,000)	(+263,755,021)	(-58,328,627)
Total mandatory and discretionary	12,287,208,979	12,627,915,627	12,520,311,000	+233,102,021	-107,604,627
Mandatory	582,072,000	608,084,000	608,084,000	+26,012,000	
Discretionary:					
Crime trust fund		10,000,000			-10,000,000
General purposes:					
Defense (050)		118,500,000			-118,500,000
Nondefense	11,705,136,979	11,891,331,627	11,912,227,000	+207,090,021	+20,895,373
Total, General purposes	11,705,136,979	12,009,831,627	11,912,227,000	+207,090,021	-97,604,627
Total, Discretionary	11,705,136,979	12,019,831,627	11,912,227,000	+207,090,021	-107,604,627

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

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

Mr. Chairman, I rise in support of the bill.

Mr. Chairman, I rise in support of the fiscal year 1997 Transportation appropriations bill and ask unanimous consent to revise and extend my remarks.

At the outset, I want to thank the gentleman from Virginia [Mr. WOLF] for working with me and other Members on several issues of particular interest to me and to other Members on this side of the aisle. He has been cooperative and fair. I also want to thank the staff—John Blazey, Rich Efford, Stephanie Gupta, Linda Muir, and Lori Beth Feld, for their assistance and

hard work on this bill. Also Kristen Hoeschler, Cheryl Smith, and Christy Cockburn of the minority staff.

I also want to note that the distinguished gentleman from Texas [Mr. COLEMAN] would ordinarily be managing this bill on our side of the aisle today. He could not be here due to his mother's poor health in Texas. But, we look forward to his return and his stewardship of this bill for the minority when we move to conference with the Senate.

The fiscal year 1997 Transportation bill is within the 602(B) allocation for the subcommittee. It is also well below the amounts allocated to the Transportation bill in last year's conference report—as a result, the funding choices were quite difficult, and several of the new initiatives advanced by the administration were not included in the bill. Nevertheless, in large measure, the bill provides adequate funding for basic transportation safety and infrastructure priorities.

The bill provides $4.9 billion for FAA operations, including $30 million in new FAA user fees, and $2.6 billion for Coast Guard operations. These amounts will fund essential safety operations at these agencies, although not all of the administration's requests were funded.

The bill provides $17.55 billion for the Federal-Aid Highways Program, which will maintain the current level of funding for highway maintenance, repair, renovation, and construction. These funds will help ensure that we continue a minimum level of investment to maintain and improve the condition of our Nation's roads, highways and bridges.

One innovative initiative of the administration to expand highway capacity and provide congestion relief through cost effective technology is the Intelligent Transportation Systems [ITS] Program. The ITS Program has matured from a high risk R&D initiative to the point where the program is ready to test the feasibility of integrating advanced technologies for traffic control and management systems in several cities across the country. I know first hand the potential of these ITS technologies for improving air quality, reducing congestion and conserving energy through the Guidestar Initiative that has been underway in Minnesota for several years.

This bill provides $228 million in funding for ITS Initiatives. I would have liked a higher funding level, but I believe we are headed in the right direction. These technology investments certainly have the potential for significant payoffs in future years and deserve continued support.

The bill provides $400 million in direct loans over 3 years for another important administration initiative—the Alameda rail corridor in California. This economic Development/Transportation Improvement Project has significant regional and national benefits.

In the area of transit, the bill provides $2.05 billion for transit formula grants, including $400 million for transit operating subsidies—the same amounts as last year. Mr. Chairman, transit operating subsidies were slashed last year by $310 million or 44 percent. As a result, many bus and rail operators have had to cut service and raise fares, and otherwise diminish services to the working poor, the elderly and others who depend on mass transit. I am pleased that this bill holds the line on additional mass transit reductions.

The bill also includes $1.7 billion for discretionary bus, rail modernization, and transit new start grants—the same amount as provided in 1996. These funds will help localities replace old, energy inefficient buses and modernize transit systems throughout the country.

The bill provides $1.3 billion in fiscal year 1997 funding for the Airport Improvements Grant Program—a $150 million cut or 10 percent reduction below this year's level. This funding level was the best we could do given the 602(b) allocation given the subcommittee. I believe that we will revisit this issue in conference with the Senate.

Mr. Chairman, I want to briefly mention some concerns about several other provisions in the bill:

The bill cuts essential air service by nearly 50 percent which will severely disadvantage the rural communities that depend on these subsidies.

The bill hits AMTRAK very hard. In total, considering both capital and operating funds, AMTRAK takes one of the largest reductions in the bill—a cut of 28 percent. Funding for the northeast corridor—AMTRAK's most profitable service—is completely eliminated. Clearly, AMTRAK cannot sustain the severe reductions in this bill, and I expect that this issue will be revisited in conference.

Mr. Chairman, I also do not agree with the committee's recommendation to deny $500,000 in funding for the Domestic Auto Content Labeling law. The American Automobile Labeling Act specifically requires the Department of Transportation to ensure that automobile manufacturers label new vehicles to display their domestic content. The U.S. Trade Representative is relying on the DOT to conduct periodic audits to monitor the compliance of Japan and other foreign governments with the 1995 Trade Agreement on autos and auto parts.

Under this agreement, Japanese automakers committed that they would increase their purchases of American automotive parts. However, without the baseline audits for which this bill denies funding, there will not be a mechanism for assessing whether these commitments are, in fact, met. The domestic content law will help promote jobs for U.S. workers, and provide consumers with information that will help them to buy American. The majority's decision to delete this funding was a bad decision, and should be reversed when we deal with this issue in conference with the Senate.

Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin [Mr. OBEY], the ranking member of the committee.

Mr. OBEY. Mr. Chairman, I also simply want to extend my appreciation to the gentleman from Virginia, [Mr. WOLF], the chairman of the committee, for the manner in which he has proceeded to produce a bill which I think will meet a bipartisan test. I would also simply note the absence of the gentleman from Texas, [Mr. COLEMAN], who could not be here today due to an illness in his family in Texas, that this will be the last transportation bill that Mr. COLEMAN would be serving this House on in the capacity of ranking member. We appreciate the very effective work that he has done.

I rise in support of this bill.

Mr. Chairman, last year, the Transportation appropriations bill was one of the appropriations bills where we were able, for the most part, to bridge partisan differences and reach agreement on a bill that could be signed into law. I believe that we should be able to accomplish that same goal on the bill we consider today providing fiscal year 1997 funding for priority transportation programs.

I want to extend my appreciation to the gentleman from Virginia , [Mr. WOLF] for his efforts to work out reasonable compromises on the bill and to address transportation spending priorities under a 602(b) allocation that provides $650 million less in budget authority and $1.3 billion less in outlays than was allocated to the conference version of the 1996 transportation appropriations bill last year.

I also want to note the fine work of the gentleman from Texas, [Mr. COLEMAN] on this bill. Unfortunately, Mr. COLEMAN could not be here today due to illness in his family in Texas. This bill will be the last transportation bill that Mr. COLEMAN will shepherd through this body as the ranking minority member of the transportation appropriations subcommittee. I know we will all miss the good humor and great ability with which he carries out his responsibilities.

The bill has several positive elements which I want to note. I am pleased that the bill provides a stable funding level for the Federal-Aid Highways program at $17.55 billion—the 1996 funding level. I would note that the conference agreement on the budget resolution which provided $4 billion more for nondefense discretionary spending over the House budget resolution allowed the subcommittee to receive an additional $325 million in outlays which helped to avoid a cut in funding for the highway program. I would have strongly supported an increased in highway funding to get closer to the full ISTEA authorization had additional funds been allocated to the subcommittee.

The bill also provides funding for transit infrastructure and operating assistance to the current level of $2.0 billion, including $400 million for transit operating assistance. These funds are essential for the mobility of the elderly, the poor and disabled, and those in rural America, who are dependent on bus and mass transportation to work, shop and live.

Mr. Chairman, at my initiative, the committee report on the bill requests the Federal Aviation Administration to review the safety and airworthiness of the ATR–47 and ATR–72 aircraft to make certain that they are safe to fly in the conditions in which they are being flown. The ART 72 is the airplane involved in the 1994 tragic crash in Roselawn, Indiana which killed 68 people. The National Transportation Safety Board will be issuing its report next month on the causes of this accident. My language will help ensure that the FAA undertakes the necessary reviews so that we can be confident that the FAA has taken all steps possible to ensure the safety of those who travel aboard these airplanes.

Mr. Chairman, these are some very positive aspects of the bill. I do, however, believe that the bill falls short in two areas about which I have some concerns.

A small, but significant item in the bill relates to the deletion of $550,000 requested by the administration for the implementation of the domestic content labeling law. This law requires new passenger vehicles sold in the United States to be labeled to show their domestic content. Without these funds, the National Highway Traffic Safety Administration will be unable to conduct the necessary audits to evaluate industry compliance with the requirements of the law.

The deletion of these funds amounts to a de facto repeal of a law that is needed to monitor the implementation of the June 28, 1995 United States-Japan Agreement on Autos and Auto Parts. This agreement, its implementation and its enforcement is a central part of the administration's trade policy toward Japan and its plans for opening the Japanese market.

For approximately 10 years, the United States government has been pressuring the Japanese automobile companies to increase their purchases from United States auto parts suppliers, particularly for those vehicles assembled in the United States. The domestic content labeling law provides the United States Government a recognized and credible methods for benchmarking the United States parts content of Japanese cars and light trucks. The $500,000 reduction in the bill in penny-wise, but pound foolish in terms of our ability to monitor and enforce this agreement to ensure that the Japanese live up to their commitments.

Mr. Chairman, I also disagree with the $500,000 cut in funds requested by the FAA for the contract tower program. The reduction in the bill assumes additional savings will be realized if contract air traffic controllers are paid less than locally prevailing wages. The $500,000 in assumed saving will result in a real cut in the program, since the Department of Labor has already determined that there insufficient justification for the waiver assumed in the bill. I do not agree with the suggestion implicit in the bill that we should not pay these contract air traffic controllers a decent wage. I will also support the amendment by Mr. COLLINS relating to changing the age 60 rule for commercial pilots.

Mr. Chairman, the basic elements of this bill are sound. It contains several flaws that I believe we can correct as the bill moves through floor, Senate, and conference action. I urge the adoption of the bill.

Mr. SABO. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. FOGLIETTA].

Mr. FOGLIETTA. Mr. Chairman, I rise in support of the bill.

Mr. SABO. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

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

Mr. Chairman, let me just reiterate and thank the gentleman from Minnesota [Mr. SABO], and the gentleman from Wisconsin [Mr. OBEY], and let me pay tribute to the gentleman from Texas [Mr. COLEMAN], who is retiring. This is the last bill he will be handling on the floor. He cannot be here because of a very serious illness in the family.

Let me just also thank the gentleman from Minnesota for mentioning the staff. I would like to include all of those staff names in my extension, because all of the ones that he mentioned have done an outstanding job, and quite frankly, without the very capable, very competent, bright bipartisan staff, it would have been impossible to do this. I take my hat off, and want the staff to know that I personally appreciate the good work they have done.

Mr. COLEMAN. Mr. Chairman, I rise today in support of H.R. 3675, the Transportation appropriations bill for fiscal year 1997. On a whole, Mr. Chairman, this is a good bill. Had we more money, it could have been a great bill; however, given our self-imposed national emergency and the tight budget constraints of the committee, Chairman WOLF and the members of the subcommittee crafted a fine product.

I would like to thank the chairman for his efforts in crafting the legislation and for consulting with me in advance of the subcommittee markup. In addition, the chairman did not include any outrageous provisions which would invoke the opposition of the minority. These two events have enabled H.R. 3675 to be one of the least controversial appropriations bills.

The 1997 Transportation bill considered today is within the revised 602b allocation for the Transportation Subcommittee. I might note that the bill is $650 million in new budget authority below last year's conference level for the 1996 bill. Obviously, this year's allocation is not enough to keep up with the pace of inflation nor to fund cost of living increases, much less to fund the needed increases in infrastructure investment without making substantial decreases elsewhere. The chairman worked hard to guarantee that safety would not be impacted by the constraints of the budget.

While this is a good bill, there are provisions of concern to the minority and to the administration. They include Amtrak's capital account; the operating accounts of the Federal Aviation Administration [FAA] and the Coast Guard; funding for domestic auto content labeling; and wage determination for level one air traffic control towers.

AMTRAK

I know many members of the majority join the administration and the minority in their concerns over the deep cuts in Amtrak's capital account. By cutting this account, it is my belief that we endanger the progress Amtrak in making in streamlining its operations. While Amtrak has made progress in reducing its operating grant needs, it must continue to invest in its infrastructure to attain the operating efficiencies necessary to provide the level of service required to attract passengers and revenue.

FAA OPERATIONS

The subcommittee was unable to fully fund the administration's request for FAA and Coast Guard operations accounts.

Within the FAA operations account, the administration is particularly concerned about the reduction in staff offices and the National Airspace System [NAS] hand-off. The amount provided for staff offices in the bill is $1.2 million less than in fiscal year 1996 and, $2 million less than requested. The FAA has indicated that if it does not have $1.2 million of this amount restored, it will have to lay off 70 workers.

By not fully funding the President's budget request for the National Airspace system hand-off, the subcommittee is effectively mandating that new equipment not be installed at several facilities and instead be warehoused.

COAST GUARD OPERATIONS

With respect to the Coast Guard, the Commandant has taken enormous strides to streamline its operations. While the committee provided a portion of the additional funds requested, it stopped far short of providing the majority of these funds. In addition, the priorities were shifted so that the funding does not mirror the Coast Guard's request. To quote the Secretary of Transportation, "[t]he subcommittee's reductions are inconsistent with the concept of a streamlined Coast Guard and will have a direct adverse impact on the maintenance and operational activity at front line Coast Guard units." The Secretary continues by noting that the reduced investment in Coast Guard assets will exacerbate efforts to reduce operating costs in the long run.

DOMESTIC AUTO CONTENT LABELING

The minority continues to be concerned about the decision not to provide funding to the National Highway Traffic Safety Administration [NHTSA] for domestic auto content labeling. The American Automobile Labeling Act specifically requires the Department of Transportation to promulgate regulations and to implement the law.

The U.S. Trade Representative is relying on NHTSA's work to serve as the baseline for monitoring compliance of the United States-Japan auto trade agreement that was negotiated in 1995. Under this agreement, Japanese automakers committed that they would increase their purchases of American-built automotive parts. However, without the work of NHTSA, there will not be a mechanism for assessing the levels of U.S. content in Japanese motor vehicles. Ensuring compliance with this trade agreement would promote jobs for U.S. workers.

Not funding this initiative will have ramifications beyond the enforcement of the American Automobile Labeling Act, and I hope that we can work together to amicably resolve this issue.

WAGE DETERMINATION

My final concern has to do with wage determination for level one air traffic control towers. On May 4, 1994, the FAA signed a memorandum of understanding with the National Air Traffic Controllers Association which ensure that no level one air traffic controller will lose his or her job as a result of the contracting-out program. The MOU provides that affected level one controllers will have the opportunity to receive additional training and be reassigned to a higher level tower or be guaranteed the right of first refusal to work for the private contractor at the equivalent of the Government wage.

The subcommittee assumes that the Department of Labor will issue waivers to the FAA so that contractors can keep the costs down by paying controllers at these smaller towers less than the prevailing wage. It is not within the

purview of this subcommittee to direct the actions of the Department of labor. It is not at all clear that these savings can be realized. The minority supports reasonable compensation for a day's work and disagrees with the policy implications this cut entails.

I would like to note that there are several positive aspects of this bill. Although the subcommittee was unable to fund the Airport Improvement Program at last year's level, we were able to maintain funding for both the highway trust fund and transit operating assistance at last year's level. This bill emphasizes safety by providing an additional 100 airline operations inspectors, 54 new air worthiness inspectors, as well as increased funding of the Boat Safety Grants Program and highway safety programs, such as safety belt and helmet use grants.

I would also like to commend the chairman for not earmarking any highway demonstration projects. The chairman made a decision to refrain from earmarking and has been steadfast in adhering to that decision regardless of pressure he may have received from both sides of the aisle.

In closing, Mr. Chairman, I would like to thank the subcommittee staff for their efforts in crafting this legislation, I would especially like to thank Cheryl Smith and Christy Cockburn for their hard work.

Overall, this is a decent bill, Mr. Chairman, and I commend it to my colleagues for their favorable consideration. I look forward to working with the Chairman to address each of these concerns prior to sending the final legislation to the President.

Mr. DeLAY. Mr. Chairman, I rise in support of this important legislation, which appropriates the funds to help build the Nation's highways and other modes of transportation.

I commend Chairman WOLF for his hard work on this legislation.

Transportation carries not only the people of the world, but also the ideas of the world. Better roadways, safer bridges, smarter highways, all contribute to a better world.

I am not an expert in bridge building but I know that we must build bridges with the next generation. That means providing them with the material to construct a better life for their children.

A balanced budget is one of those materials we will pass on to the next generation. And I commend the chairman for making this legislation fiscally responsible.

Better roadways are another material we will pass on to our children, and this legislation makes the necessary improvements to our Nation's transportation systems to keep us competitive into the next century.

In my hometown of Houston, this legislation increases funding for Intelligent Transportation Systems. These state-of-the-art systems pave the way for the even smarter, more effective transportation systems of tomorrow. Already, ITS has proved to be an integral part of Houston's mobility, and will only contribute in greater ways to the ability to move goods and people in an efficient manner using existing infrastructure.

This bill also contains funding for other forward-looking transportation systems, including the Advanced Technology Transit Bus and Houston Metro. I am especially proud of Houston Metro for being one of the most effective and cost-efficient transit systems in the Nation.

I urge my colleagues to vote for this legislation and keep America on the cutting edge of transportation technology.

Ms. MILLENDER-McDONALD. Mr. Chairman, I want to commend the Appropriations Committee for the Yeoman's job of meeting the numerous funding requests in this tough fiscal environment. Many of us take for granted and do not recognize the arduous task the Committee faces each time they are asked to balance fiscal responsibility with economic development.

I would also like to thank the chairman and the members of the committee for having the vision to provide the funding for the Alameda Corridor, to support the $400 million in direct loans, as requested by the President through the Federal Highway Administration.

The Alameda Corridor will provide this country with a fast and efficient gateway to Pacific Rim trade and will bolster our ability to compete in the burgeoning economic area. Once completed the Alameda Corridor will generate more than 70,000 local jobs and close to 200,000 new jobs nationwide. The expanded trade, created by the construction of the corridor, through the ports, will create new jobs related to manufacturing, production, and the shipping and trucking of goods.

Today's funding environment requires a strong public-private partnership to finance projects of this nature. With over 75 percent of the cost of the project funded by State and local sources, the Alameda Corridor truly exemplifies the kind of public-private partnership that this Congress has long urged States and localities to pursue for important infrastructure projects.

I would like to thank the members of the California delegation for working together in bipartisan manner to effectively move the project through this body and to bring to fruition plans and blueprints that were conceived long before many of us were sworn into office. Let history reflect that the success of the Alameda Corridor is rooted in the bipartisanship that has helped to bring us to this point. I look forward to continuing to work with my colleagues from both parties and with President Clinton to see the Alameda Corridor through to its completion.

I yield back the balance of my time.

Mr. BENTSEN. Mr. Chairman. I rise in strong support of H.R. 3675. I would like to thank Chairman WOLF and Ranking Member COLEMAN for their assistance in eliminating an environmental and safety hazard posed by abandoned barges in my district. I appreciate all the help both the majority and minority staff provided in addressing this issue. I would also like to thank city of Baytown Mayor Alfaro, Harris County Commissioner Jim Fonteno, Texas State Representative Fred Bosse, the San Jacinto River Association, and the Banana Bend Civic Association for bringing this longstanding problem to my attention.

Mr. Chairman, this legislation provides funding for removing barges abandoned in the San Jacinto River and the Houston Ship Channel. Last February I asked the Coast Guard to develop a plan for the disposal of the barges under the authority of the Barge Removal Act. This Federal law, passed in Congress in 1992, grants power to the Coast Guard to remove any abandoned barge after attempts to identify the owner have been exhausted. I believe that these environmental and navigational hazards have to be removed immediately under this provision to prevent further damage to life and property.

Again Mr. Chairman, I offer my strong support for this legislation and urge its immediate passage.

Mr. FAZIO of California. Mr. Chairman, I rise in support of H.R. 3675, the transportation appropriations bill for fiscal year 1997. I would like to thank the chairman, Mr. WOLF, for shepherding this bill through the Appropriations Committee with little or no controversy. I would also like to take this opportunity to say that it has been an honor and a privilege to serve with RON COLEMAN who is leaving this body at the end of this Congress. RON epitomizes the best characteristics of public service and his leadership will be missed by us all.

While this bill is imperfect, I think that the chairman has done a good job at balancing the diverse transportation needs of this country. I am particularly pleased that the committee has recognized the need to upgrade airline safety by funding additional positions at the FAA.

I am also pleased that the committee has included two projects that are very important to the transportation needs of my district.

BUS ACQUISITION—YOLO COUNTY

Last year the Yolo County Transit Authority [YCTA] was able to replace six of its aging and heavily polluting diesel-fueled buses with fully equipped compressed natural gas buses. Because the six buses approved by the committee last year constituted a little less than half of the county's total request, I am pleased that the committee has supported my request to fund the remaining buses.

Yolo County is part of the Sacramento nonattainment air basin and would face serious sanctions if aggressive efforts are not taken to reduce emissions. Compressed natural gas buses have made a significant impact on the air quality in Yolo County. YCTA already operates four compressed natural gas buses and has seen its emissions reduced by over 50,000 pounds due to the operation of these buses.

SOUTH-LINE EXTENSION

Also included in this legislation is $6 million for final design of an extension of Sacramento's light rail system. The extension will run southward from the existing rail hub in the downtown business district, toward two community colleges, two hospitals, several major employment centers and redeveloping areas, and many of the region's most disadvantaged neighborhoods. These areas comprise the most transit dependent sections of Sacramento, where no light rail service is available today.

In closing, Mr. Speaker, I want to express my thanks to the committee for their fine work and urge my colleagues to support this bill.

Mr. RAHALL. Mr. Chairman, I would like to note that this bill does not contain any earmarking of funds for high-priority highway projects, often referred to as demonstration projects.

The reason I make note of this particular fact is that whenever funds are earmarked for

highway projects, some in the media, and some in this body, call it pork barrel.

In fact, the distinguished chairman of the subcommittee, my good friend, advised Members earlier this year not to even bother testifying before his subcommittee on highway project requests.

Yet, to be sure, as it turns out there are numerous earmarks for other types of transportation projects.

For example, the bill earmarks over $724 million for 39 transit new start projects.

The report accompanying this bill earmarks $333 million for 87 bus projects under what is supposed to be a discretionary program.

In addition, the report directs $36.2 million to 16 specific intelligent transportation system projects.

I could go on and on.

My colleagues, those earmarks alone amount to almost $1.2 billion being directed by this bill toward specific projects.

$1.2 billion.

Ah, but not a one of them a so-called highway demonstration project.

For some reason that I have been unable to understand, the pork barrel label is only applied by the media and some in this body to the earmarking of funds for highway projects.

Meanwhile, the earmarking of funds for transit and ITS projects is met with mute silence.

Now, to be clear, I had no project requests before the subcommittee.

I was not seeking highway project earmarks, or for that matter, transit or ITS project earmarks.

And, I see nothing wrong with the Congress exercising its judgment and directing funds to a specific transportation project. These are, after all Federal funds and not State or local moneys.

However, I do want to illustrate the dual standard that is now being applied.

I want to point this out because we are now operating under this dual standard.

You can go to the Appropriations Committee to get an earmark of funds for a transit project, that serves a locality, but you cannot go to the Appropriations Committee for funding for a highway of an interstate nature that needs an extra boost to be completed.

You can go to the Appropriations Committee to get an earmark of funds for a bus station in some small town, but not for a four-lane highway that crosses State lines.

Mr. Chairman, this dual standard simply makes no sense.

And, as we all know, dual standards are never fair.

Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. BEREUTER, 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. 3675) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1997, and for other purposes, had come to no resolution thereon.

ELECTION OF MEMBER TO COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

Mr. GOSS. Mr. Speaker, I offer a privileged resolution, House Resolution 467, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 467

Resolved, that the following named Member be, and he is hereby, elected to the following standing committee of the House of Representatives:

Comittee on Transportation and Infrastructure: Mr. BAKER of Louisiana.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HOUR OF MEETING ON TODAY

Mr. GOSS. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon today.

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

There was no objection.

□ 0115

REPORT ON NATION'S ACHIEVEMENTS IN AERONAUTICS AND SPACE, FISCAL YEAR 1995—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

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

To the Congress of the United States:

I am pleased to transmit this report on the Nation's achievements in aeronautics and space during fiscal year 1995, as required under section 206 of the National Aeronautics and Space Act of 1958, as amended (42 U.S.C. 2476). Aeronautics and space activities involved 14 contributing departments and agencies of the Federal Government, and the results of their ongoing research and development affect the Nation in many ways.

A wide variety of aeronautics and space developments took place during fiscal year 1995. The National Aeronautics and Space Administration (NASA) successfully completed seven Space Shuttle flights. A Shuttle program highlight was the docking of the Shuttle *Atlantis* with the Russian space station *Mir*.

NASA launched three Expendable Launch Vehicles (ELV), while the Department of Defense (DOD) successfully conducted five ELV launches. These launches included satellites to study space physics, track Earth's weather patterns, and support military communications. In addition, there were 12 commercial launches carried out from Government facilities that the Office of Commercial Space Transportation (OCST), within the Department of Transportation (DOT), licensed and monitored.

NASA continued the search for a more affordable space launch system for the coming years with its Reusable Launch Vehicle program. NASA hopes to develop new kinds of launch technologies that will enable a private launch industry to become financially feasible.

In aeronautics, activities included development of technologies to improve performance, increase safety, reduce engine noise, and assist U.S. industry to be more competitive in the world market. Air traffic control activities focused on various automation systems to increase flight safety and enhance the efficient use of airspace.

Scientists made some dramatic new discoveries in various space-related fields. Astronomers gained new insights into the size and age of our universe in addition to studying our solar system. Earth scientists continued to study the complex interactions of physical forces that influence our weather and environment and reached new conclusions about ozone depletion. Agencies such as the Environmental Protection Agency (EPA), as well as the Departments of Agriculture and the Interior, used remote-sensing technologies to better understand terrestrial changes. Microgravity researchers conducted studies to prepare for the long-duration stays of humans that are planned for the upcoming International Space Station.

International cooperation, particularly with Russia, occurred in a variety of aerospace areas. In addition to the Shuttle-*Mir* docking mission and the Russian partnership on the International Space Station, U.S. and Russian personnel also continued close cooperation on various aeronautics projects.

Thus, fiscal year 1995 was a very successful one for U.S. aeronautics and space programs. Efforts in these areas have contributed significantly to the Nation's scientific and technical knowledge, international cooperation, a healthier environment, and a more competitive economy.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *June 26, 1996*.

APPOINTMENT OF MEMBERS TO ATTEND THE FUNERAL OF THE LATE HONORABLE BILL EMERSON

The Speaker pro tempore. Pursuant to the provisions of House Resolution 459, the Chair announces the Speaker's appointment of the funeral committee of the late Bill Emerson the following Members on the part of the House: Mr.

CLAY of Missouri; Mr. GINGRICH of Georgia; Mr. GEPHARDT of Missouri; Mr. BOEHNER of Ohio; Mr. SKELTON of Missouri; Mr. VOLKMER of Missouri; Mr. HANCOCK of Missouri; Ms. DANNER of Missouri; Mr. TALENT of Missouri; Ms. MCCARTHY of Missouri; Mr. MONTGOMERY of Mississippi; Mr. HALL of Ohio; Mr. LEWIS of California; Mr. HUNTER of California; Mr. ROBERTS of Kansas; Mr. WOLF of Virginia; Mr. KANJORSKI of Pennsylvania; Mr. MCNULTY of New York; Mr. POSHARD of Illinois; Mr. MORAN of Virginia; Mrs. LINCOLN of Arkansas; Mr. CHAMBLISS of Georgia; Mrs. CUBIN of Wyoming; and Mr. LATHAM of Iowa.

CHISHOLM TRAIL ROUND-UP

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas, Mr. PETE GEREN is recognized for 5 minutes.

Mr. PETE GEREN of Texas. Mr. Speaker, over 100 years ago, the last great herd of longhorns made its way from the grasslands of South Texas to the railhead in Abilene, Kansas, along the Chisholm Trail. The settlements dotting the trail grew into towns, and a few, like Forth Worth, became great cities. For 20 years, Fort Worth has set aside 3 days to remember and recognize the heritage of the Chisholm Trail. From June 21 to 23, the Chisholm Trail Round-Up was celebrated in Fort Worth's historic Stockyards District, benefitting western heritage organizations and keeping alive the knowledge of the way our ancestors lived their day-to-day lives.

The festival is a combination of fund, food, and friendly competition, and a time to reflect on an era that is part of the heritage of our Nation, who we are, no matter where we call home.

An estimated 25,000 to 35,000 men trailed 6 to 10 million head of cattle and a million horses between the end of the Civil War and the turn of the century along the Chisholm Trail. Many of the cattle were destined for shipment to the beef packing houses and butcher stalls of the industrial midwest and northeast; other herds supplied Indian reservations and military outposts.

Contrary to the moviemaker's image of the romantic cowboy, riding under the stars and singing around the campfire, the Chisholm Trail promised danger, drudgery, loneliness, and hardship. Years later, memories of raging rivers, stampedes and sudden violence would stir the blood of the older and wiser former cowboys when they clustered together at old settlers' days and country fairs, recounting days that would never pass again.

They came from all over the United States, and even from Germany, Poland, and France. These cowboys weren't paid much: $30–40 per month if times were good, which wasn't often. Most of them were young. C.K. Ackerman, who hailed from the Texas plains, remembered his first drive to Kansas, which was in 1873. The oldest man in the crew was 25, while the rest ranged between 18 and 22. Some didn't even wait that long to hit the trail. A.D. McGeenhee drove from Belton to Abilene in 1868 at the ripe old age of 11.

One-third of the men who went up the trail were black or Hispanic. Even about 20 women took the trail—and 1, Sallie M. Redus, took her baby along.

The Chisholm Trail did not offer riches to the cowboys, but many went on the fame and fortune after their cowboy days came to an end. Several transferred their skills and experience to the Fort Worth Stockyards, where they became commission merchants and livestock shipping agents for the railroads. E.L. Brouson quit the trail in the 1880's, acquired a small herd of his own and got rich and went broke so many times that eventually he lost count. J.B. Pumphrey and George Hindes became financiers. S.H. Woods served as Duval County judge from 1896 to 1915. Others went on to hold public offices like district attorney, county commissioner, sheriff, marshal, postmaster, city councilman, and even Texas Rangers.

No matter what their later fate, the cowboys who went up the Chisholm Trail left an indelible imprint on our history. A journalist at the end of the era wrote, "The cowboy was generous, brave, and ever ready to alleviate personal suffering, sharing his last crust, his blanket, and often more important, his canteen. He spent his wages freely and not always wisely, and many became easy prey to gambling and other low resorts. But some among them became leading men in law, art, and scient—even in theology, proving again that it is not in the vocation but in the man that causes him to blossom and bring a fruitage of goodness, honor and godly living."

The Chisholm Trail Round-Up is a heart-felt celebration of this spirit, and a tribute to the men and women who together forged a new way of life on the American frontier.

VICE PRESIDENT AL GORE COMMEMORATING THE 40TH ANNIVERSARY OF THE INTERSTATE HIGHWAY SYSTEM

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

Mr. GEPHARDT. Mr. Speaker, I am submitting a statement I have received today from Vice President GORE.

This week marks the 40th anniversary of the historic legislation that created our nation's Interstate Highway System. Tonight, at the Zero Milestone Marker on the Ellipse, there will be an event to honor the four visionary Americans who made it possible: President Dwight Eisenhower; Congressman Hale Boggs; former Federal Highway Administrator Frank Turner; and my hero, my mentor , one of Tennessee's finest sons and one of America's greatest Senators . . . my father, Senator Al Gore Sr.

The Interstate Highway System has meant so much to our country. Its creation led to an unprecedented period of national growth and prosperity. It increased safety and dramatically reduced traffic fatalities. And it enhanced our national defense and security.

The Interstate Highway System has literally changed the way we work and even the way we live. But it has done something else, too—something that can't be measured by statistics or dollar signs.

The Interstate Highway System unified our great and diverse nation. As President Clinton has said, it "did more to bring Americans together than any other law this century." And by so doing, it gave our citizens—and still gives our citizens 40 years and about 44,000 thousand miles later—the very freedom that defines America.

Inherent in our Bill of Rights—whether the freedom of religion or press—is the freedom of mobility . . . to go where we please, when we please. Families driving to our national parks on vacation, mothers coming home from work, fathers taking their children to baseball games . . . all depend on the Interstate Highway System—a system that has paved the way not only to the next destination, but to opportunity itself.

A highway to opportunity—that is America. And that is the freedom, I am proud to say, made possible in part by my father's dedication. I'm equally proud to continue that tradition—inspired by him—by working to connect all Americans to the 21st century's highway to opportunity, the information superhighway.

I was always amazed how the voice that called me to the dinner table or reminded me to do my homework could be the same voice that argued so eloquently in the Senate for what can only be described as the greatest public works project in the history of the United States of America. And on this, the 40th anniversary of that accomplishment, I would like to thank my father, Senator Al Gore, Sr.

On behalf of all Americans, I would like to thank him for the Interstate Highway System that, in his words, is truly an "object of national pride." And I would like to thank him, personally, for teaching me both what it means to be a dedicated public servant and a dedicated father.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. YATES (at the request of Mr. GEPHARDT) for today after 7:15 p.m., on account of personal reasons.

Mr. COLEMAN (at the request of Mr. GEPHARDT) for June 25 and 26, on account of family illness.

Mr. FLAKE (at the request of Mr. GEPHARDT) for today after 6 p.m. and on June 27, 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. OBEY) to revise and extend their remarks and include extraneous material:)

Mrs. COLLINS of Illinois, for 5 minutes, today.

Mr. GEPHARDT, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. FALEOMAVAEGA, for 5 minutes, today.

Mr. PETE GEREN of Texas, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

(The following Members (at the request of Mr. GOSS) to revise and extend their remarks and include extraneous material:)

Mr. DIAZ-BALART, for 5 minutes each day, today and on June 27.

Mr. METCALF, 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. OBEY) and to include extraneous matter:)

Mr. TORRICELLI.
Mr. MORAN.
Mr. PETERSON of Minnesota.
Mr. MATSUI.
Mr. HAMILTON.
Ms. DELAURO.
Mr. OBEY
Mr. DIXON.
Mr. FRANK of Massachusetts.
Mr. DINGELL.
Mrs. THURMAN.
Mr. REED.
Mr. FALEOMAVAEGA.
Mr. RANGEL.
Mrs. MALONEY.
Mr. BARCIA.
Mr. TOWNS.
Mr. ORTIZ.
Mr. JOHNSON of South Dakota.
Mr. PAYNE of New Jersey.
Mr. WYNN.
Mr. CLAY.
Ms. KAPTUR.
Mr. SCOTT.
Mr. PALLONE.

(The following Members (at the request of Mr. GOSS) and to include extraneous matter:)

Mr. PORTMAN.
Mr. FAWELL.
Mr. TALENT.
Mr. BATEMAN.
Mr. MCCOLLUM.
Mr. DORNAN.
Mr. TATE.
Mr. GILMAN.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1903. An act to designate the bridge, estimated to be completed in the year 2000, that replaces the bridge on Missouri highway 74 spanning from East Cape Girardeau, Illinois, to Cape Girardeau, Missouri, as the "Bill Emerson Memorial Bridge," and for other purposes.

ADJOURNMENT

Mr. GOSS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 18 minutes a.m.) under its previous order, the House adjourned until today, Thursday, June 27, 1996, at 12 noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3848. A letter from the Assistant Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Notification for Pesticide Registration Modifications [OPP-300110; FRL-5372-8] (RIN: 2070-AC98) received June 20, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3849. A letter from the Assistant Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Pesticide Worker Protection Standard; Decontamination Requirements [OPP-250108A; FRL-5358-8] (RIN: 2070-AC93) received June 20, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3850. A letter from the Assistant Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Pesticide Worker Protection Standard; Language and Size Requirement for Warning Sign [OPP-250107A; FRL-5358-7] (RIN: 2070-AC93) received June 20, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3851. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving United States exports to Russia, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking and Financial Services.

3852. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Recycled Used Oil Management Standards (FRL-5529-1) received June 25, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3853. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, El Dorado County Air Pollution Control District, Placer County Air Pollution Control District, and Ventura County Air Pollution Control District (CA 071-0005a; FRL-5464-7) received June 25, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3854. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Criteria for Classification of Solid Waste Disposal Facilities and Practices; Indemnification and Listing of Hazardous Waste; Requirements for Authorization of State Hazardous Waste Programs [FRL-5528-4] (RIN: 2050-AE11) received June 25, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3855. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants: Off-Site Waste and Recovery [AD-FRL-5516-7] (RIN: 2060-AE05) received June 25, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3856. A letter from the Inspector General, National Science Foundation, transmitting the semiannual report on activities of the inspector general for the period October 1, 1995, through March 31, 1996, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Section 5(b); to the Committee on Government Reform and Oversight.

3857. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Agency Relationships with Organizations Representing Federal Employees and Other Organizations (RIN: 3206-AG38) received June 25, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

3858. A letter from the Secretary of Housing and Urban Development, transmitting the fiscal year 1995 annual report under the Federal Managers' Financial Integrity Act [FMFIA] of 1982, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

3859. A letter from the Commissioner, Immigration and Naturalization Service, transmitting the Service's final rule—Adding Argentina to the List of Countries Authorized to Participate in the Visa Waiver Pilot Program [INS No. 1777-96] (RIN: 1115-AB93) received June 25, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WALKER: Committee on Science. H.R. 2779. A bill to provide for soft-metric conversion, and for other purposes; with amendments (Rept. 104-639). Referred to the Committee of the Whole House on the State of the Union.

Mr. DIAZ-BALART: Committee on Rules. House Resolution 465. Resolution providing for consideration of a concurrent resolution providing for adjournment of the House and Senate for the Independence Day district work period (Rept. 104-640). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HYDE: Committee on the Judiciary. H.R. 2001. A bill for the relief of Norton R. Girault (Rept. 104-637). Referred to the Committee of the Whole House.

Mr. HYDE: Committee on the Judiciary. S. 966. An act for the relief of Nathan C. Vance, and for other purposes (Rept. 104-638). Ordered to be printed.

BILLS PLACED ON THE CORRECTIONS CALENDAR

Under clause 4 of rule XIII, the Speaker filed with the Clerk a notice requesting that the following bills be placed upon the Corrections Calendar:

H.R. 2779. A bill to provide for soft-metric conversion, and for other purposes.

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 Mrs. MEYERS of Kansas:

H.R. 3719. A bill to amend the Small Business Act and the Small Business Investment Act of 1958; to the Committee on Small Business.

H.R. 3720. A bill to amend the Small Business Investment Act of 1958, and for other purposes; to the Committee on Small Business.

By Mr. FALEOMAVAEGA:

H.R. 3721. A bill to establish the Omnibus Territories Act; to the Committee on Resources, 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 Mrs. KELLY (for herself, Mrs. LOWEY, Mr. ACKERMAN, Mr. HINCHEY, Mr. KING, Mr. MANTON, Mr. MCHUGH, Mr. OWENS, Mr. SERRANO, and Mr. SOLOMON):

H.R. 3722. A bill to amend title 38, United States Code, to revise the manner by which the Secretary of Veterans Affairs ranks applicants for grants under the State Home Construction Grant Program administered by the Secretary and to limit the number of grants any State may be awarded in a year under that program; to the Committee on Veterans' Affairs.

By Mr. MCCOLLUM (for himself and Mr. SCHUMER):

H.R. 3723. A bill to amend title 18, United States Code, to protect proprietary economic information, and for other purposes; to the Committee on the Judiciary.

By Mr. MCCOLLUM (for himself, Mr. SCHUMER, Mr. STENHOLM, Mr. HORN, Mr. LEVIN, Mr. CANADY, Mr. HUNTER, Mr. BEILENSON, Mr. FRANK of Massachusetts, Mr. BOUCHER, Mr. BILBRAY, Mr. BRYANT of Tennessee, Mr. CAMPBELL, Mr. CLYBURN, Mr. GILLMOR, Mr. HASTINGS of Washington, Mr. KIM, Mr. MCKEON, Mr. MILLER of California, Mr. MONTGOMERY, Mrs. ROUKEMA, Mr. SHAYS, Mr. TRAFICANT, Mr. WAXMAN, and Mr. WILSON):

H.R. 3724. A bill to improve the integrity of the Social Security card and to provide for criminal penalties for fraud and related activity involving work authorization documents for purposes of the Immigration and Nationality Act; to the Committee on the Judiciary, 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. MORAN (for himself, Mrs. MORELLA, Mr. HALL of Ohio, Mr. LEACH, Mr. PAYNE of New Jersey, Mr. DEFAZIO, Mr. ENGEL, Mrs. SCHROEDER, Mr. BEILENSON, Ms. NORTON, Mr. OLVER, Mrs. MEEK of Florida, Mr. GREEN of Texas, Mr. LANTOS, Mr. FLAKE, Mr. BERMAN, Mr. WYNN, Mr. YATES, and Mr. FARR):

H.R. 3725. A bill to assist international efforts to improve awareness, detection, and clearance of antipersonnel landmines and explosive ordnance; to the Committee on International Relations, and in addition to the Committee on National Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MORELLA (for herself and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 3726. A bill to establish the Commission on the Advancement of Women in the Science and Engineering Work Forces; to the Committee on Economic and Educational Opportunities.

By Mrs. ROUKEMA (for herself and Mr. SCHUMER):

H.R. 3727. A bill to amend the Electronic Fund Transfer Act to require notice of certain fees imposed by the operator of an automated teller machine in connection with an electronic fund transfer initiated by a consumer at the machine, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. SPRATT:

H.R. 3728. A bill to suspend temporarily the duty on Para ethyl phenol [PEP]; to the Committee on Ways and Means.

By Ms. HARMAN (for herself, Mr. SPRATT, and Mr. TAYLOR of Mississippi):

H.R. 3729. A bill to provide for the detection and interception of weapons of mass destruction delivered by unconventional means; to the Committee on National Security, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction the committee concerned.

By Mr. BONILLA (for himself and Mr. CONDIT):

H. Res. 466. Resolution providing for the consideration of the bill (H.R. 2275) to reauthorize and amend the Endangered Species Act of 1973; to the Committee on Rules.

By Mr. GOSS:

H. Res. 467. Resolution electing Representative Baker of Louisiana to the Committee on Transportation and Infrastructure; considered and agreed to.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

228. By the SPEAKER: Memorial of the Legislature of the State of Alaska, relative to Legislative Resolve No. 50 opposing the proposed expansion of the U.S. Environmental Protection Agency's toxics release inventory program; to the Committee on Commerce.

229. Also, memorial of the Legislature of the State of Alaska, relative to Legislative Resolve No. 54 relating to the creation of a new U.S. Court of Appeals for the 12th Circuit; to the Committee on the Judiciary.

230. Also, memorial of the Legislature of the State of Alaska, relative to Legislative Resolve No. 70 urging the Congress of the United States to pass S. 1629, the 10th Amendment Enforcement Act of 1996; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 132: Mr. ROMERO-BARCELO.

H.R. 359: Mrs. ROUKEMA.

H.R. 598: Mr. SAWYER, Mr. DAVIS, and Mr. NETHERCUTT.

H.R. 739: Mr. CHABOT and Mr. DREIER.

H.R. 963: Mr. CHAPMAN.

H.R. 1023: Mr. LIPINSKI.

H.R. 1057: Mr. OBERSTAR and Mr. TRAFICANT.

H.R. 1708: Mr. GORDON, Mr. RICHARDSON, and Mr. CANADY of Florida.

H.R. 2119: Mr. SHAYS.

H.R. 2200: Mr. PAXON and Mr. BLUTE.

H.R. 2209: Mr. DIAZ-BALART, Mr. MATSUI, and Mr. FOGLIETTA.

H.R. 2214: Mr. TORKILDSEN.

H.R. 2391: Mr. DORNAN, Mr. HORN, Mr. SALMON, and Mr. MANZULLO.

H.R. 2400: Mrs. SMITH of Washington and Mr. BROWN of Ohio.

H.R. 2508: Mr. LINDER.

H.R. 2566: Mr. ZIMMER.

H.R. 2651: Mr. BISHOP and Mr. MASCARA.

H.R. 2779: Mr. BLUTE, Mr. CAMPBELL, Mr. KIM, Mr. MANZULLO, Mrs. MYRICK, and Mr. OXLEY.

H.R. 2807: Miss COLLINS of Michigan, Mr. SMITH of Michigan, Ms. DELAURO, Mr. SCARBOROUGH, and Mr. UPTON.

H.R. 2864: Mr. THOMAS.

H.R. 2900: Mr. TIAHRT, Mr. DORNAN, Mr. TATE, and Mr. CALVERT.

H.R. 2925: Mr. BILBRAY and Mr. COBURN.

H.R. 2927: Mr. WELLER, Mr. HORN, Mr. WHITE, Mr. CRANE, Ms. HARMAN, Mr. WICKER, Mr. RADANOVICH, and Mr. DREIER.

H.R. 3011: Mr. HORN, Mr. MINGE, and Ms. JACKSON-LEE.

H.R. 3087: Mr. FUNDERBURK.

H.R. 3138: Mr. QUILLEN.

H.R. 3142: Mr. HASTERT and Mr. BARCIA of Michigan.

H.R. 3150: Mr. CUMMINGS.

H.R. 3195: Mr. JONES.

H.R. 3226: Mr. OWENS and Mr. GILMAN.

H.R. 3234: Mrs. CUBIN.

H.R. 3331: Ms. JACKSON-LEE, Mr. ACKERMAN, Mr. HINCHEY, and Ms. BROWN of Florida.

H.R. 3346: Mr. ENSIGN.

H.R. 3391: Mr. NORWOOD, Mr. PARKER, Mr. HEFLEY, and Mr. FRELINGHUYSEN.

H.R. 3396 Mr. COMBEST, Mr. RIGGS, and Mr. BUNNING of Kentucky.

H.R. 3401: Mr. WICKER, Mr. FALEOMAVAEGA, Mr. MCNULTY, Ms. NORTON, Mr. BARRETT of Nebraska, and Mr. DINGELL.

H.R. 3433: Mr. MILLER of California.

H.R. 3463: Mr. MCDERMOTT, Mr. OWENS, and Mr. STARK.

H.R. 3480: Mr. HAMILTON, Mr. ROEMER, Mr. LEWIS of Kentucky, Mr. BAKER of Louisiana, and Mr. STENHOLM.

H.R. 3496: Mr. EVANS, Mr. PAYNE of New Jersey, Mr. GREEN of Texas, and Mr. RANGEL.

H.R. 3514: Mr. LAFALCE, Mr. CALLAHAN, Mr. HANSEN, Mr. WOLF, Mr. LEWIS of Kentucky, and Mr. EHLERS.

H.R. 3551: Mr. FRANKS of New Jersey, Mr. FLANAGAN, Mr. SCARBOROUGH, MR. ROMERO-BARCELO, and Mr. GOSS.

H.R. 3567: Mr. DUNCAN and Mr. CHRISTENSEN.

H.R. 3605: Mr. THOMAS, Mr. STARK, Mr. FILNER, Ms. ROYBAL-ALLARD, Mr. BONO, Mr. GALLEGLY, Mr. DORNAN, Mr. RIGGS, Mr. CONDIT, and Ms. MILLENDER-MCDONALD.

H.R. 3654: Mr. TORRES, Mr. TAYLOR of North Carolina, Mr. TAYLOR of Mississippi, Mr. HILLEARY, Mr. FROST, Mr. SCHIFF, Mr. PALLONE, Mr. BEVILL, Mr. BONIOR, Mr. WARD, Mr. KANJORSKI, Mr. DOYLE, Mr. MASCARA, Mr. COLEMAN, Mr. WISE, Mrs. MEEK of Florida, Mr. RICHARDSON, Mr. OLVER, Mr. HINCHEY, Mr. BARR, Mr. COMBEST, Mr. EVANS, Mr. WELLER, Mr. BUNNING of Kentucky, Mr. TRAFICANT, Mr. ORTIZ, Mr. TEJEDA, Mr. MARTINEZ, Mr. MORAN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. TOWNS, and Mr. SANDERS.

H.R. 3687: Mr. NEY, Mr. FORBES, Mr. FOX, and Mr. TAYLOR of North Carolina.

H.R. 3700: Mr. BOUCHER, Mr. OXLEY, Mr. ENGLISH of Pennsylvania, and Ms. LOFGREN.

H. Con. Res 142: Mr. FRAZER, Mr. CHABOT, Mr. JOHNSTON of Florida, and Mr. SALMON.

H. Res. 286: Mr. TAYLOR of Mississippi and Mr. OLVER.

H. Res. 452: Ms. KAPTUR, Mr. BONO, Mr. CLYBURN, and Mr. DELLUMS.

H. Res. 461: Mr. GINGRICH, Mr. ARMEY, Mr. DELAY, and Mr. HYDE.

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. 2740: Mr. CRANE.