

HOUSE OF REPRESENTATIVES—Friday, July 26, 1996

The House met at 9 a.m.

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

At the beginning of each day we give thanks to you, O God, for all the gifts and blessings and hopes that we receive. As the scriptures proclaim, "Make a joyful noise to the Lord, all the lands! Serve the Lord with gladness! Come into his presence with singing!" It is our earnest prayer, O God, that whatever our circumstance or whatever our situation, whatever our opportunity, we will respond to this day with prayer, praise, and thanksgiving. We pray that wherever we are or whatever our concern, we will continue to offer our gratitude to You, O God, for our lives, our hopes, and our dreams. In Your name, we pray. Amen.

THE JOURNAL

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

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

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

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

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

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

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 229, nays 51, not voting 153, as follows:

[Roll No. 366]

YEAS—229

Ackerman	Bateman	Bunn
Allard	Bentsen	Burr
Andrews	Bilbray	Burton
Archer	Bilirakis	Callahan
Armey	Bishop	Calvert
Bachus	Bliley	Campbell
Baesler	Blute	Cardin
Baldacci	Boehmert	Castle
Ballenger	Bonilla	Chabot
Barcia	Bonior	Chambliss
Barr	Brewster	Christensen
Barrett (NE)	Browder	Chrysler
Barrett (WI)	Brown (FL)	Clayton
Bartlett	Brownback	Clement
Bass	Bryant (TN)	Clinger

Coble	Inglis	Payne (VA)
Collins (GA)	Jackson-Lee	Pelosi
Combest	(TX)	Petri
Condit	Johnson (CT)	Porter
Conyers	Johnston	Portman
Cooley	Jones	Pryce
Cox	Kaptur	Quinn
Coyne	Kasich	Rahall
Cramer	Kelly	Reed
Crapo	Kennedy (RI)	Regula
Cummings	Kennelly	Rivers
Cunningham	Kildee	Roberts
DeLauro	Kim	Roemer
DeLay	King	Rogers
DeLuntz	Kingston	Rohrabacher
Deutsch	Kiecicka	Ros-Lohtinen
Diaz-Balart	Klink	Roethlisberger
Dingell	Kolbe	Roukema
Dooley	LaHood	Roybal-Allard
Dreier	Lantos	Royce
Duncan	Latham	Rush
Edwards	Levin	Salmon
Ehrlich	Lewis (CA)	Sanford
Eshoo	Lightfoot	Sawyer
Farr	LoBiondo	Saxton
Fattah	Lucas	Schaefer
Flake	Luther	Schiff
Flanagan	Maloney	Schumer
Foley	Manton	Scott
Forbes	Martini	Sensenbrenner
Franks (CT)	Mascara	Serrano
Franks (NJ)	Matsui	Shadegg
Frelenghuysen	McCarthy	Shaw
Frisa	McHale	Shays
Frost	McHugh	Shuster
Furse	McInnis	Siskisky
Galleghy	McKeon	Skaggs
Geren	McNulty	Skeen
Gilchrest	Meehan	Smith (MI)
Gilman	Meek	Smith (TX)
Gonzalez	Mica	Smith (WA)
Goodlatte	Miller (CA)	Solomon
Goodling	Miller (FL)	Stark
Gordon	Minge	Stearns
Goss	Mink	Stenholm
Graham	Moakley	Stump
Greene (UT)	Molinar	Talent
Gunderson	Mollohan	Tanner
Hall (TX)	Montgomery	Tate
Hamilton	Morella	Tauzin
Hancock	Murtha	Thornberry
Hansen	Myers	Thurman
Hastert	Myrick	Traficant
Hayworth	Neal	Upton
Hefner	Nethercutt	Walker
Hobson	Neumann	Walsh
Hoekstra	Ney	Wamp
Horn	Oliver	Ward
Hostettler	Orton	Wicker
Houghton	Packard	Williams
Hoyer	Parker	Woolsey
Hyde	Pastor	

NAYS—51

Abercrombie	Hefley	Pallone
Borski	Heineman	Payne (NJ)
Clay	Hilleary	Pickett
Clyburn	Jackson (IL)	Pomeroy
Deal	Jacobs	Poshard
DeFazio	Jefferson	Ramstad
Durbin	Johnson, E. B.	Sabo
Everett	Kanjorski	Schroeder
Fazio	Lewis (GA)	Stupak
Foglietta	Lewis (KY)	Taylor (MS)
Fox	Liptinski	Thompson
Funderburk	Longley	Torkildsen
Ganske	Lowe	Vento
Gephardt	McDermott	Volkmer
Green (TX)	McKinney	Watt (NC)
Gutierrez	Nussle	Waxman
Gutknecht	Obey	Wynn

NOT VOTING—153

Baker (CA)	Frank (MA)	Owens
Baker (LA)	Gejdenson	Oxley
Barton	Gekas	Paxon
Becerra	Gibbons	Peterson (FL)
Bellenson	Gillmor	Peterson (MN)
Bereuter	Greenwood	Pombo
Berman	Hall (OH)	Quillen
Bevill	Harman	Radanovich
Blumenauer	Hastings (FL)	Rangel
Boehner	Hastings (WA)	Richardson
Bono	Hayes	Riggs
Boucher	Herger	Rose
Brown (CA)	Hilliard	Sanders
Brown (OH)	Hinchee	Scarborough
Bryant (TX)	Hoke	Seastrand
Bunning	Holden	Skelton
Buyer	Hunter	Slaughter
Camp	Hutchinson	Smith (NJ)
Canady	Istook	Souder
Chapman	Johnson (SD)	Spence
Chenoweth	Johnson, Sam	Spratt
Coburn	Kennedy (MA)	Stockman
Coleman	Klug	Stokes
Collins (IL)	Knollenberg	Studds
Collins (MI)	LaFalce	Taylor (NC)
Costello	Largent	Tejeda
Crane	LaTourrette	Thomas
Cremeans	Laughlin	Thornton
Cubin	Lazio	Tiaht
Danner	Leach	Torres
Davis	Lincoln	Torricelli
de la Garza	Linder	Towns
Dickey	Livingston	Velazquez
Dicks	Lofgren	Visclosky
Dixon	Manzullo	Vucanovich
Doggett	Markey	Waters
Doolittle	Martinez	Watts (OK)
Dornan	McCollum	Weldon (FL)
Doyle	McCrary	Weldon (PA)
Dunn	McDade	Weiler
Ehlers	McIntosh	White
Engel	Menendez	Whitfield
English	Metcalfe	Wilson
Evans	Meyers	Wise
Ewing	Millender	Wolf
Fawell	McDonald	Yates
Fields (LA)	Moorhead	Young (AK)
Fields (TX)	Moran	Young (FL)
Filner	Nadler	Zeliff
Ford	Norwood	Zimmer
Fowler	Oberstar	
	Ortiz	

□ 0925

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

So the Journal was approved.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. EHLERS. Mr. Speaker, on rollcall No. 366, I missed the vote because I was detained in a doctor's office. Had I been present, I would have voted "yes."

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore (Mr. KINGSTON). Will the gentlewoman from New York [Mrs. MALONEY] come forward and lead the House in the Pledge of Allegiance.

Mrs. MALONEY led the Pledge of Allegiance as follows:

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

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

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

MESSAGE FROM THE SENATE

The message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 1051. An act to provide for the extension of certain hydroelectric projects located in the State of West Virginia.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 782. An act to amend title 18 of the United States Code to allow members of employee associations to represent their views before the United States Government;

H.R. 1642. An act to extend nondiscriminatory treatment (most-favored-nation treatment) to the products of Cambodia, and for other purposes;

H.R. 2980. An act to amend title 18, United States Code, with respect to stalking;

H.R. 3166. An act to amend title 18, United States Code, with respect to the crime of false statement in a Government matter;

H.R. 3448. An act to provide tax relief for small businesses, to protect jobs, to create opportunities, to increase the take home pay of workers, to amend the Portal-to-Portal Act of 1947 relating to the payment of wages to employees who use employer owned vehicles, and to amend the Fair Labor Standards Act of 1938 to increase the minimum wage rate and to prevent job loss by providing flexibility to employers in complying with minimum wage and overtime requirements under that Act; and

H.R. 3603. An act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1997, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 3603) "An act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1997, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. COCHRAN, Mr. SPECTER, Mr. BOND, Mr. GORTON, Mr. MCCONNELL, Mr. BURNS, Mr. HATFIELD, Mr. BUMPERS, Mr. HARKIN, Mr. KERREY, Mr. JOHNSTON, Mr. KOHL, and Mr. BYRD to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 3448) "An act to provide tax relief for small businesses, to protect jobs, to create opportunities, to increase the take home pay of workers, to amend the Portal-to-Portal Act of 1947 relating to the payment of wages to employees who use employer owned vehicles, and to amend the Fair Labor Standards Act of 1938 to increase the

minimum wage rate and to prevent job loss by providing flexibility to employers in complying with minimum wage and overtime requirements under that Act," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints from the Committee on Labor and Human Resources: Mrs. KASSEBAUM, Mr. JEFFORDS, and Mr. KENNEDY; and from the Committee on Finance: Mr. ROTH, Mr. CHAFEE, Mr. GRASSLEY, Mr. HATCH, Mr. SIMPSON, Mr. PRESSLER, Mr. MOYNIHAN, Mr. BAUCUS, Mr. BRADLEY, Mr. PRYOR, and Mr. ROCKEFELLER to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 3103) "An act to amend the Internal Revenue Code of 1986 to improve portability and continuity of health insurance coverage in the group and individual markets, to combat waste, fraud, and abuse in health insurance and health care delivery, to promote the use of medical savings accounts, to improve access to long-term care services and coverage, to simplify the administration of health insurance, and for other purposes," disagreed to by the House, and agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ROTH, Mrs. KASSEBAUM, Mr. LOTT, Mr. KENNEDY, and Mr. MOYNIHAN to be the conferees on the part of the Senate.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 1577. An act to authorize appropriations for the National Historical Publications and Records Commission for fiscal years 1998, 1999, 2000, and 2001;

S. 1675. An act to provide for the nationwide tracking of convicted sexual predators, and for other purposes; and

S. 1784. An act to amend the Small Business Investment Act of 1958, and for other purposes.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

EVIDENCE OF CASTRO'S ROLE IN DRUG TRAFFICKING

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

Mr. DIAZ-BALART. Mr. Speaker, yesterday's Miami Herald revealed vast new evidence of Cuban dictator Castro's personal involvement in cocaine trafficking into the United States. Drug dealers busted with thousands of pounds of cocaine from Cuba not only say the cocaine was brought into the United States with Castro's coordination, there are photos of Castro with the traffickers and video of Castro-assisted drug operations.

Mr. Speaker, our DEA and Customs people on the front line are doing an admirable job, but until when is the Clinton administration going to cover up the fact that Castro is today a major cocaine trafficker?

□ 0930

Where are the indictments against Castro's henchmen for trafficking that the U.S. Attorney in south Florida has had ready for issuance for 3 years? I know this administration would like the drug problem to just go away, but the cover-up on Castro's role in drug trafficking will not hold any longer.

President Clinton must face up to this issue of grave consequences to the American people.

COMMISSION NEEDED ON CAMPAIGN FINANCE REFORM

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

Mrs. MALONEY. Mr. Speaker, we have another session of Congress and another failed effort at campaign finance reform.

The more things change, the more they stay the same. We could shrug our shoulders and give up or we could put our shoulders to the wheel and work on the only viable option left for this Congress, a comprehensive commission on campaign finance reform.

I have introduced a bipartisan bill to do just that. It is modeled after Congressman ARMEY's Military Base Closing Commission. The Commission would consider all relevant aspects of campaign finance reform and present a comprehensive bill for an up-or-down vote on the floor.

President Clinton, Speaker GINGRICH and Senator DOLE all have publicly endorsed the concept. Let us take advantage of this rare consensus. Mr. Speaker, it is either an independent commission or more of the same.

INVESTIGATE THE ROLE OF CUBA IN DRUG SMUGGLING

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

Ms. ROS-LEHTINEN. Mr. Speaker, it comes as no surprise to those of us from south Florida that, as reported by the Miami Herald yesterday, the DEA is investigating a connection between Cuban tyrant Castro and the shipment of over 5,000 pounds of cocaine which was confiscated in Miami early January.

The Herald reported that United States drug enforcement agencies suspect the drugs were offloaded inside Cuban territory from a Colombian freighter and the agency is investigating a photo which documents a meeting between Castro and one of the drug smugglers arrested.

But will the mounting documentation on this and other cases result in an indictment of Castro?

As long as the administration refuses to confront, for political reasons, the role that the Cuban Communist regime plays in drug smuggling, our Nation will never win the war on drugs and stop the devastating effects that narcotics have on our children and society.

Unfortunately, the administration continues to drag its feet because the leadership at the top is not there and it ignores the facts in order to avoid a confrontation with Castro.

Once again, President Clinton fails the drug test.

It is time for the rhetoric to stop and action to be taken.

The finger points to Fidel Castro. Will President Clinton investigate?

ILL-ADVISED CHANGES IN LABOR LAW

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

Mr. GENE GREEN of Texas. Mr. Speaker, I am here from the Government and I am going to help you. I am a Republican and I am here to help the working people of America.

Both these statements are kind of hard to believe. We have a bill today on the calendar that will change 60 years of 40-hour week laws. The Republican majority this year alone opposed the minimum wage increase, cut occupational health and safety funding for safe workplaces, cut funding for fair labor standards enforcement, and now today they want to lower the wages by eliminating overtime wages.

This Congress is not the friend of the working people; they want to eliminate the working people.

AMERICAN PEOPLE NEED TO KNOW TRUTH ABOUT FILEGATE

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

Mr. BALLENGER. Mr. Speaker, one of the most interesting questions surrounding the Filegate matter was "Who hired Craig Livingstone?" In testimony before the House Government Reform and Oversight Committee, Bernard Nussbaum said he did not know who hired Mr. Livingstone.

That was the story last month, on June 26.

Yesterday, a very different picture emerged. Chairman Bill Clinger has now reported that based on his committee's investigation, Bernie Nussbaum was indeed very knowledgeable about Mr. Livingstone's employment at the White House.

The FBI has supplied evidence that completely contradicts his testimony.

Mr. Speaker, I think the American people deserve to hear the truth about Filegate. Instead of all the excuses and coverups; instead of all this bobbing and weaving; would it not be easier for the White House to come clean?

Think about it, Mr. Speaker, if they are truly innocent of any wrong doing, why do they not just tell the truth?

WORKING FAMILIES FLEXIBILITY ACT

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

Mrs. SCHROEDER. Mr. Speaker, America's working families are under tremendous stress. The average working family feels like a hamster in a wheel, where they run faster and faster every year and their tongues are hanging out and they cannot make ends meet. And so the Republicans who were against flex time, were against family medical leave, were against everything else, have come up with this new warm fuzzy. It sounds wonderful.

They are talking about the Working Families Flexibility Act. Well, it is so flexible that a working woman who works 47.5 hours a week at \$5 an hour takes a 22-percent pay cut. This is not what we need. It is wrong to try and trick America's families, who are under such stress, that you are trying to be so sympathetic toward them, when all you are really doing is giving their employers even more money and even more authority over the time and the hours that they work. This is wrong. It should be defeated.

Mr. Speaker, I hope everybody listens to it, and I hope we stop putting the kind of nice warm fuzzy names out over something that is really going to harm America's families. They are too precious to do that.

WELFARE REFORM LEGISLATION

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

Mr. MILLER of Florida. Mr. Speaker, I rise today to ask President Clinton a simple question. Will you sign the welfare reform legislation? Everyone in this Chamber wants to save our children. Every one in America agrees the current welfare system has failed our children. We have worked on a bipartisan basis in both Chambers to deliver reforms that free the most vulnerable children in America from a life of dependency on a faceless, uncaring bureaucracy.

We are one step away. All we need is President Clinton's signature. Here's what he must decide. Is it fair to leave our most vulnerable children trapped in unsafe schools and unsafe homes? Is it fair to leave kids in a system where

the only successful entrepreneurs in the neighborhoods are drug dealers?

President Clinton must decide who is more capable of delivering true compassion to these kids. Can a Washington bureaucracy that is saddled with outdated rules and regulations created to appease some special interest group really deliver compassion? I believe neighbors helping neighbors can dramatically change the lives of individual Americans. I hope the President makes the right decision for America's kids.

MINIMUM WAGE AND WELFARE

(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. Mr. Speaker, Members of the House, apparently the Republicans have gotten the message. America's families are working harder than ever, longer than ever, and earning less than at any time in the last 20 years. The reason for that is simply that wages have not kept up.

But what we now see is the Republicans fighting an effort to bring a minimum wage to a livable wage. We see it is Republicans now allowing employers to take away people's overtime, overtime that has become, unfortunately, more and more important to maintaining family wages in this country.

So, what we have is, we have a dual attack on working families, and now we see also that they are going to bring us a welfare bill that will plunge a million more children into poverty that are not in poverty today. Half of those children are in working families, but because their families cannot earn a better minimum wage, because they will not be allowed to earn more overtime, those families are now going to be put into poverty because they are also going to lose what little benefits they get under the current welfare system. No; working families, working poor families, working middle class families continue to be under assault by this Republican Congress because they have not got the message these families need help.

AIRPORT SECURITY NEEDED NOW

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

Mr. BURTON of Indiana. Mr. Speaker in 1990, we passed the Aviation Security Improvement Act, which was supposed to protect people in airports getting on their airplanes. It was supposed to deal with the possibility of detecting plastic explosives, which could kill a lot of people like that which happened in New York just a few short days ago. The problem is it did not work. It has not worked and since 1990, nothing really has been done.

They said by 1993 we would have devices at every airport, especially the international airports, to detect these plastic explosives. It has not happened, and now we have lost 230 some people over the Atlantic.

We need to put dogs at the airports that have the ability to sniff out plastic explosives. We use them in this Chamber, in the Capitol of the United States, and it will work at the airports.

The cost is very small compared to the machines we are talking about. Those machines could cost up to \$2.2 billion. To put dogs at 50 airports costs about \$4 million a year, and we could do it right away. We do not need to mess around. If we are going to protect the flying public in this country, we need to do it now.

Mr. Speaker, I have introduced a bill to this effect, and I hope all of my colleagues will cosponsor it.

THE COMP TIME BILL

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

Mr. BONIOR. Mr. Speaker, this comp time bill is not about compensation, and it is not about flexibility, and it certainly is not about helping working families. It is about ending the 40-hour workweek. It is about cutting people's pay. It is about changing the laws so employers no longer have to pay overtime wages for overtime work.

This bill takes away the only real raise that most people have gotten over the last 20 years, and they have earned that through their own hard work, through their sweat.

Mr. Speaker, if this bill becomes law, as this chart points out, a single mom who puts in 47 hours at 5 bucks an hour can lose \$50 a week. The factory worker who gets \$10 an hour can lose \$110 a week. This is a 22-percent cut.

Mr. Speaker, if this bill becomes law, workers are going to need comp time just to find a second job to make up for the money they lose in overtime pay.

PROVIDING FOR CONSIDERATION OF H.R. 2391, WORKING FAMILIES FLEXIBILITY ACT OF 1996

Ms. GREENE of Utah. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 488 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 488

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. 2391) to amend the Fair Labor Standards Act of 1938 to provide compensatory time for all employees. The first reading of the bill shall be dis-

pensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Economic and Educational Opportunities. After general debate the bill shall be considered for amendment under the five-minute rule for a period not to exceed two hours. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Economic and Educational Opportunities now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. Points of order against the committee amendment in the nature of a substitute for failure to comply with clause 7 of rule XVI are waived. Before consideration of any other amendment it shall be in order to consider the amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Gooding of Pennsylvania or his designee. That amendment shall be considered as read, may amend portions of the bill not yet read, shall be debatable for ten minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. If that amendment is adopted, the committee amendment in the nature of a substitute, as amended, shall be considered as the original bill for the purpose of further amendment. No further amendment to the committee amendment in the nature of a substitute, as amended, shall be in order except those 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: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be fifteen minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

□ 0945

The SPEAKER pro tempore (Mr. KINGSTON). The gentlewoman from Utah [Ms. GREENE] is recognized for 1 hour.

Ms. GREENE of Utah. 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 488 is a modified open rule providing for the consideration of H.R. 2391, the Working Families Flexibility Act. The rule provides for 1 hour of general debate, equally divided between the chairman and the ranking member of the Committee on Economic and Educational Opportunities.

Mr. Speaker, the rule makes in order the Committee on Economic and Educational Opportunities amendment in the nature of a substitute as an original bill for purpose of amendment, with each section considered as read. The rule waives clause 7 of rule XVI, which requires amendments to be germane, against this committee amendment in the nature of substitute. This waiver is necessary because the committee amendment includes a remedy provision to further enhance existing worker protections, and this provision is technically beyond the scope of the bill.

Mr. Speaker, the rule provides for the consideration of the manager's amendment printed in the Rules Committee report, which amendment shall be considered as read. This amendment shall not be subject to amendment or to a division of the question, may amend portions of the bill not yet read, and is debatable for 10 minutes equally divided between the proponent and an opponent. If adopted, this manager's amendment shall be considered as part of the base text for further amendment purposes.

In order to better accommodate members' schedules, the rule allows the Chairman of the Committee of the Whole to postpone votes and reduce voting time to 5 minutes.

Mr. Speaker, there are only 26 legislative days left in this Congress, and there remain a large number of priority items that must be considered by the House, including the remainder of the reconciliation process and all 13 appropriations conference reports. Accordingly, the rule provides for a 2-hour limit on the amendment process. Given that no amendments were offered during the full committee markup of this legislation, and only one amendment has been filed, 2 hours should be more than adequate time for amendment of this straightforward legislation.

The rule provides for consideration only of those amendments that have been preprinted in the CONGRESSIONAL RECORD. Members have been given ample time and notice to get amendments printed in the RECORD. Finally, the rule provides for one motion to recommit, with or without instructions.

Mr. Speaker, H.R. 2391 is important, commonsense legislation to give working families a much-needed option in balancing their work and family schedules. The Working Families Flexibility Act will permit private sector employees to have the option of choosing paid

compensatory time in lieu of cash wages when they work overtime hours. Employees of the Federal Government, and of State and local governments, have already had this opportunity for years.

As part of the House's new crop of working mothers, I am proud to be a cosponsor of this legislation. It's tough to be a good worker and a good mother, father, daughter or son. Millions and millions of us struggle with these competing demands every single day. This bill will bring relief to working families, especially working mothers and fathers who are bearing the brunt of balancing work and family obligations. This legislation will amend overtime rules for private sector employees that were established in 1938, as part of the Fair Labor Standards Act. It is important to note that the United States was a much different place in 1938—at that time, most women worked at home. Today, most women work both in their homes and outside of the home, and struggle to balance the time demands of work and family—particularly those of children.

We are trying to make the private sector provide workers the same options that public employees have today.

Many men are recognizing their duty to be more than just a financial provider and want to be able to spend important family time with their children.

The Working Families Flexibility Act seeks only to amend this one anachronistic aspect of the Fair Labor Standards Act that is hampering America's new generation of working families.

Indeed, contrary to what this bill's alarmist critics will say, the Working Families Flexibility Act is humble in its ambition. It seeks only to give working families an additional tool in balancing work and family time. This bill seeks only to equalize how public and private sector employees are treated with respect to comp time.

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

This legislation does not change the fundamental worker protections of the Fair Labor Standards Act.

This legislation does not change the 40-hour work week for purposes of calculating overtime.

This legislation does not relieve employers from the obligation of paying overtime.

This legislation does not give employers the means to coerce workers into taking compensatory time instead of overtime pay.

What this bill does, is give workers the option of choosing more cash wages or paid time off for overtime work.

Mr. Speaker, we all know that working families are suffering from a time crunch. Things have changed since 1938—we have more working parents,

more single parents, more divorces—we didn't plan it that way, but it's a reality. We also have more seniors living longer, needing the care and love of their children and grandchildren. The Working Families Flexibility Act will permit working parents to bank comp time, so that they can have time available to tend to a sick child, to go to a special event for that child, like a baseball game or dance recital, or to care for a fragile parent. If some of those workers prefer extra cash wages for overtime, they can still choose that. The point is that, under this legislation, the choice will be theirs, not Washington's.

Mr. Speaker, this is a chance to help working families get a little more control over their lives by giving them greater choices and more flexibility. Let's let them choose.

Mr. Speaker, I would like to once again emphasize that this is a modified open rule, providing for fair consideration of the important issues contained in this bill. I urge my colleagues to support this open rule and the important underlying legislation.

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

Mr. MOAKLEY. Mr. Speaker, I thank my colleague from Utah, Ms. GREENE, for yielding me the customary half hour and I yield myself such time as I may consume.

Mr. Speaker, the concept behind this bill is a good one. But the execution is terrible.

What is good for public employees should be good for private employees. If public employees can take comp time, private employees should be able to also.

But this bill basically means that employees can be forced to take paid time off rather than overtime pay, and that is a significant problem.

Because there is a big difference, Mr. Speaker, between private employers and the U.S. Government.

For one thing, the Government is a nonprofit, it does not need to impress its stock holders with a good bottom line, although it probably should, and it is not likely to go bankrupt anytime soon.

Furthermore, many Government employees work in white collar jobs and earn above average salaries, their salaries are probably adequate without overtime pay.

So what is good for the goose is not necessarily good for the gander.

And, once again, it is hard working, lower paid Americans who are getting hurt by this Republican Congress.

Like many other bills we have seen this session, this bill takes care of the big guys but does not do much for the workers.

In fact, I would say, Mr. Speaker, that it seriously endangers workers, particularly workers who rely on overtime pay to support their families.

This bill allows an employer to stop paying overtime, and say to employees, "Sorry, I can't pay you overtime, but in return for your long hours, you can take a vacation when it's convenient for me, if I'm still in business."

Mr. Speaker, two-thirds of workers who earned overtime pay in 1994 had family incomes of less than \$40,000 per year. They averaged wages of \$10 or less per hour and they relied on this overtime pay to feed their children and support their families. For those workers in particular, this bill could mean serious trouble.

It not only enables the employers to decide whether or not to offer comp time but also provides no protections for when and how a worker can use their comp time.

In spite of proponents' claims to the contrary, under this bill, workers have very little choice.

Because Mr. Speaker, when your employer says "we're doing things this way now" you either go along or you get replaced. That is just the way it is and anyone who says an employee can significantly change the work environment is fooling themselves.

This bill does nothing to prevent an employer from giving all or most overtime work to an employee who is willing to accept comp time and does not need the overtime pay.

If an employee does take the comp time this bill does not give them the right to use that time when they want it. In fact, an employer could force an employee to use comp time whenever the employer wants.

And, to make matters even worse, if a company goes out of business or goes bankrupt, employees left holding unused comp time have no protections at all. They worked overtime, they were promised comp time, but under this bill, they could be left holding worthless vouchers for comp time.

By lowering the costs of scheduling overtime, this bill will actually encourage employers to hire fewer employees and work them longer hours.

I for one have not been deluged with letters and calls or telegrams from employees clamoring for comp time, Mr. Speaker. In fact, the Employment Policy Foundation—an employer-based think-tank—estimates that 10 percent of employees who are already entitled to overtime pay do not receive it. That comes to \$19 billion of overtime pay each year that American employees should be getting already but are not.

Mr. Speaker, let us take care of American workers instead of taking away what few rights they have.

I urge my colleagues to oppose this rule.

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

Ms. GREENE of Utah. Mr. Speaker, I yield 4 minutes to the gentleman from Pennsylvania [Mr. GOODLING], chairman of the Committee on Economic and Educational Opportunities.

Mr. GOODLING. Mr. Speaker, it is very difficult for me to understand how Members can stand in the well, face the American people and totally distort the facts. I cannot understand that. It does a disservice to them, it does a disservice to those of us who are serving our constituents. My committee has responded to what the American people said they wanted, once again. We have done that.

The President took a poll, others took a poll and found out that 75 percent of the working families want to have a choice between comp time or overtime. That is what we have given them. They are protected from the word go. Only the employee makes that choice; no one can make them make that choice.

We have stagnation in wages and benefits now, not because of something of this nature but because there is an economy that is not growing. The Federal, State and local governments now have comp time, have had it for years. We here on this floor want to say, well, it is fine for our employees but we do not want the private sector to have the same opportunities that our employees have.

We have crafted it in such a manner, realizing that there is a difference between the private sector and the public sector, to make very sure that it is the employee who makes that choice. It is the employee who may change their mind, and they have the opportunity to change their mind and take the money rather than take the comp time. It is the employee who makes every determination in relationship to whether or not they take comp time.

First of all, it is totally incorrect to say that it has any effect whatsoever on a 40-hour work week. It does not in relationship to the calculation for overtime. This is what the legislation does.

If the employee chooses comp time over cash wages, there must be an express mutual agreement in writing or some verifiable statement between the employer and the employee. Employees would not be able to pressure or force employees to choose comp time.

Someone said, what if they go bankrupt the same as any other company now goes bankrupt? But in this case, they are first in line if a company goes bankrupt to claim anything from the assets of that company.

Employees would only be able to accrue a maximum of 240 hours of comp time within a 12-month period; but employers and employees could agree to a limit accrual to less than that if they decide to do that. Employers would have to pay employees in cash wages for any unused accrued comp time at the end of each year.

Nothing in the legislation precludes employees from changing their mind to choose cash wages instead of comp time or vice versa.

□ 1000

Comp time can only be provided at the request of the employee. So I think it is time to stop the nonsense of trying to confuse the American people. This is what the private sector wants because this is what the public sector has had and has enjoyed, and we should give them that opportunity to make that choice.

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

My dear friend who just took a seat I think would have to realize that the employer has to agree with the employee when it comes to the comp time and when that time could be taken.

Mr. HEFNER. Mr. Speaker, will the gentleman yield for just a question?

Mr. MOAKLEY. I yield to the gentleman from North Carolina.

Mr. HEFNER. Mr. Speaker, as someone who is not a businessman, and I have not been inundated with requests on this, but if I am working 30 or 40 people in my plant, and they were trying to make a living on, in a lot of cases, very low wages and the employer says, "Hey, we've got a deal here for you. You can either get overtime or you can get comp time, and I would suggest that comp time might be better for you," and if the guy does not really understand what is happening to him, he is going to pretty much have a tendency to go along with the employer.

Would that be a logical conclusion?

Mr. MOAKLEY. I would say also the employer would tend to give the extra time to the fellow who takes comp time rather than the overtime, so if you say, "I want overtime," they probably will not be designated as the fellow who is going to work.

Mr. HEFNER. If the gentleman will continue to yield, I remember back the first job I ever had I was a young guy just out of school and I got a job for \$18 a week, and I had some senior guys that were working in the place who were married and had families, and I went to the employer and I said "Hey, I do the same work as these people do except I do delivery work, I cut glass, I throw pipe, I need to get a little bit more money, why can't I get a little bit more money?" "Because you're not married and you don't need the money," and the employer, do my colleagues know what, he was right, and I did not get any more money.

But if I were working 20 or 30 employees and the employer comes in and say, "OK, folks, here's the deal. You can get, if you're going to work 48 hours this week, we'll give you some overtime, but the best deal for you is comp time and I'll decide when you can take the comp time." Is that the way this bill works?

The chairman said that people were demagoging here and absolutely misrepresenting it, and I think it can be misrepresented from both sides the

way I read this legislation. I want to do what is right for my small business people.

Mr. MOAKLEY. Just stated the case as it is.

Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan [Mr. BONIOR].

Mr. BONIOR. Mr. Speaker, I just wanted to follow up on my friend from North Carolina and look at this from another dimension, the person who is applying for a job. He or she goes to an employer and tries to get a job, and the employer is interviewing that person and suggests to them, or at least ask them:

"What would you prefer in your work life here with us at this company: comp time or overtime wages?"

Of course, the employer is going to make their case that they would prefer them to have comp time. They are going to be persuaded by that, or they are not going to get the job.

They hold all the leverage, they hold all the power in that situation, and that is why this bill is bad.

The idea of flextime is a good idea, but this is not flextime, this is comp time, and comp time means they lose overtime wages and pay, and that is what is wrong with this bill.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. Mr. Speaker, I thank the gentleman from Massachusetts for yielding me this time.

Mr. Speaker, I think what we have just heard in this colloquy is why we ought to vote against this rule and get this bill out of here.

We hear about cruel and unusual punishment, but this is going to be cruel and outrageous legislation because it is made to sound so wonderful and soft, but let me tell my colleagues, every employer in America will be really stupid if, when someone came to get a job, they did not say, "And by the way, when we have overtime, wouldn't you like to sign this little form saying that you really don't want to be paid for it, you'll just take comp time?"

And then, of course, the whole thing is that they only get the comp time when the employer says they can have the comp time.

Well, now, let us assume that things are so tough that the employer has to hire a few people who will not sign that. Well, what is he going to do when it comes time to hand out overtime? If they did not sign it, they are never going to get it.

So this is really terribly disruptive. We keep pretending like employees have exactly the same leverage that Michael Jordan does when he is out negotiating with his employer, and anyone who has been in an employee situation knows that is not true. And so what we are really doing is tilting the scale 100 percent in favor of the employer, and we are really going to end

up cutting the pay, because so many families depend on this extra money that they get, and if they do end up having the comp time, they are not going to get the comp time when they need it to go to the child's school or anything else. They get the comp time whenever the employer says they can take it, and that is no deal at all.

So I really hope that we should strip off the name "family friendly."

I hope many Members in this body who have small companies that, as employers, will benefit by this legislation will not vote on this legislation. I think it is a conflict of interest, and I think we ought to be talking about whether people who have companies that might be able to do this should be even able to vote on this legislation.

Do not call it "family friendly." Vote "no." Get it out of here. This is ridiculous, and this is the "employer reward" bill.

Ms. GREENE of Utah. Mr. Speaker, I yield 30 seconds to the gentleman from Pennsylvania [Mr. GOODLING] to correct some misperceptions about the legislation.

Mr. GOODLING. Again, Mr. Speaker, another total distortion of the facts. If an employee is coerced in our legislation, they can collect double overtime and attorney fees, and the Secretary of Labor can do it for them, they do not even have to do it themselves, and they can always cash out their comp time if they want, and this does not happen to be some outrageous Republican proposal. The President of the United States, who is not a Republican, has indicated that he supports this kind of legislation.

Ms. GREENE of Utah. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina [Mr. BALLENGER].

Mr. BALLENGER. Mr. Speaker, as my colleagues know, while our Olympic athletes may start their day with a bowl of Wheaties, our Democrat colleagues started the day by trying to serve up a bowl full of balderdash sprinkled with horse feathers. That is what we are trying to spoon out during their speeches on comp time: Distortions, prevarications, and untruths.

This is really a simple bill designed to give hourly employees the opportunity to have more flexibility in their work schedule so that, for example, they can better meet the needs of their working family.

The bill allows an employee, when the employer agrees, they have to agree together, to take overtime pay in the form of comp time rather than cash wages.

The bill does not, I repeat, does not affect the change in the 40-hour workweek. Some of the unions are sending letters, phone calls, saying that it does affect the workweek. Under this bill, a worker would still earn overtime in the very same way he or she does by now, by working 40 hours in a 7-day week. In

that, this bill would simply allow workers to choose, by agreement with the employer, to receive time-and-a-half comp time instead of wages. Workers in the public sector, State, local, Federal employees, have had the option of taking comp time for many years, and many union members do, too.

The bill extends this option to private sector, un-unionized private sector as well. Surveys have shown that there is strong support among hourly employees for having this option. Obviously not every employer will use it, but it will fill in a need for many workers. By allowing the employees to take comp time, they can bank extra hours at the time-and-a-half rate and use that time for extra vacation time, personal leave or whatever they want.

As I mentioned, the public sector and many unions have the option of using comp time now. We would extend that to the rest of the private sector.

I started out with simply using the same language that is in the law for the public sector and applying it to the private sector. Then Democrats started raising issues that frankly have not been problems in the public sector, and I doubt it would be in the private sector. But in order to help sell the bill, we made several changes that give private sector employees more protections against coercion and taking comp time or taking advantage of it if they do take comp time. We specified that the employee must choose comp time voluntarily, and it indicates so in writing. We have said that the employee that takes comp time but then changes his or her mind for whatever reason and wants cash, the employer has to cash out the employee's accrued comp time within 30 days of the request. We put in protections against coercion and special, specific penalties for employers who coerce employees into taking comp time. We specify that the employee may take comp time whenever he or she wishes as long as he or she gives reasonable notice to the employer and takes the leave that does not disrupt the employer's operation.

We have said to the employer that he has to cash out all the unused comp time at the end of the year and show it. I think we have accommodated every reasonable concern and some that were not so reasonable.

Mr. MOAKLEY. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. BONIOR], the minority whip.

Mr. HEFNER. Mr. Speaker, will the gentleman yield?

Mr. BONIOR. I yield to the gentleman from North Carolina.

Mr. HEFNER. Mr. Speaker, I just want to ask my colleague from North Carolina. They made the point that if they are coerced or they have a problem, that they have remedies for this, and all I wanted to ask was where would they go to make their complaint

and who would decide if it was coercion or whatever?

Mr. BONIOR. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. BALLENGER] to respond to the gentleman.

Mr. BALLENGER. They can go to court on their own or they could go to the Secretary of Labor, who is not a friend of business, and he will do it for them to enforce that law.

Mr. HEFNER. I am just curious how many people would have on their own the resources to go to court and how many people on their own would know where to go to go to the Secretary of Labor.

Mr. BALLENGER. That is the reason the Department of Labor is involved; to give them the authority does not cost anything. The gentleman's labor leader Mr. Reich, I am sure, would be happy to do it.

Mr. HEFNER. I have an idea that 90 percent of the people in our district in North Carolina do not have any idea who Mr. Reich is. I just think this is not a very good deal for the average working folks in the country.

Mr. BONIOR. Mr. Speaker, I do not know who my friends on the other side of the aisle think they are fooling today with this bill.

As my colleagues know, over the past 20 months the Republicans in this House have voted to cut Medicare, cut Medicaid, cut student loans, close nursing homes, raid pension funds, block health care reform, weaken health and safety laws, but labor laws, weaken the right to organize, block an increase in the minimum wage and eliminate the minimum wage altogether for literally millions of Americans. Yet today they come to the floor and they try to convince us that they are the champions of working men and women.

Now, I swear, if shamelessness were an Olympic event, the Gingrich Republicans would take the gold.

We all know that this bill is not about compensation, it is not about flexibility, and it is certainly not about helping working families. It is about cutting people's pay. It is about changing the law so the employers no longer have to pay overtime wages for overtime work.

This bill takes away the only real raise most people have seen for the past 20 years and have earned with their own sweat and hard work.

We live in a country today where 80 percent of our families have not seen a raise since 1979, and, according to the Wall Street Journal, we also live in a country where violations of overtime laws are so common that one study found that workers are getting cheated on \$19 billion each year. Yet this bill takes away the overtime cops off the beat; it completely wipes out the law that says they have to pay time-and-a-half for overtime work.

We are all for flextime because flextime allows us to arrange our schedules

to spend more time with our families. But that is not what comp time is. Comp time is a pay cut, pure and simple. If this bill becomes law, a single mom who puts in 47 hours a week earns five bucks an hour, will lose 50 bucks a week. Someone who works in a factory, works the same amount of time, \$10 an hour, he or she will lose \$110 a week. That is about a 22-percent cut in their pay.

No wonder this is called the comp time bill: because if this becomes law, workers are going to need comp time to find a second job to make up for the money they lost in overtime pay.

Why do you think that so many people are working overtime today? Because they like working long hours? No; it is because they need the money and it is because wages have been stagnant and they need the work, and they work hard for that.

So do not come to the floor and tell us that this bill is meant to help families spend more time with their families. Because if Republicans are really concerned about helping people spend time with their families, they would not have opposed the medical and family leave law. It supporters of this bill really wanted to help families, why do they give employers instead of the employees power to decide when and if comp time can be taken?

No wonder that 66 percent of working men and women say they fear that employers will use this law to avoid overtime pay. No wonder nearly 7 in 10 working people prefer overtime pay to forced comp time.

□ 1015

This bill does not give employees more control over their lives, it gives employers control over the lives of the people who work for them. Working people all over this country today are working hard, they are working longer hours just to make ends meet, and we should not take away the one sure path they have toward earning a better living for their families. Vote "no" on this rule. Vote "no" on the bill.

Ms. GREENE of Utah. Mr. Speaker, I yield 3 minutes to the gentlewoman from Ohio [Ms. PRYCE], my colleague on the Rules Committee.

Ms. PRYCE. Mr. Speaker, I thank my friend from Utah for yielding me this time. I rise to express my strong support for this rule and for the Working Families Flexibility Act.

First, this is a fair rule. The modest conditions outlined in the rule will ensure that Members have the opportunity to review all germane amendments prior to their consideration.

Second, as a cosponsor of the bill, I support restoring some flexibility to the American workplace. Today more than ever before in the history of America, both parents of a family find themselves in the workplace. As this percentage steadily grows, employers

find that current law hampers their ability to provide workers the flexibility that they want and need to balance family and work interests.

H.R. 2391 would restore flexibility by simply allowing overtime compensation to be given in the form of comp time off, and only if the employee wants this form of compensation.

Mr. Speaker, this is 1996. We are near the start of a new century. It is time for American labor law to catch up from the conditions and perspectives of the 1930's that helped shape landmark laws like the Fair Labor Standards Act. No matter how well-intentioned their creation, labor laws today simply must be reformed to reflect the changing nature of the modern workplace.

Over the past 25 years, the American economy has rapidly expanded. Competition has increased, and more women are working today than ever before. As a result, employees are looking for support and fairness as they struggle to balance family needs and job responsibilities. By freeing workers and their employers from the arcane 1930's standards, H.R. 2391 recognizes that a productive workplace can be achieved while also giving employees the flexibility to care for their families, creating a more family-friendly work environment and making it easier for the households where both parents work.

Allowing comp time is a good step toward revamping Depression-era labor laws. This bill is a winner for employers, employees, and families alike. The big union bosses and my colleagues on the other side should put the American worker first and stop playing paternalistic big brother. American workers are perfectly capable of deciding whether they want to be paid for their overtime service in dollars or in comp time. In this day and age, to many families, time is more valuable than dollars. I urge support for this important pro-family legislation and a vote for this very fair rule.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Texas, Mr. GENE GREEN.

Mr. GENE GREEN of Texas. Mr. Speaker, I thank my colleague from Massachusetts for yielding me this time.

Mr. Speaker, I serve on the Committee on Economic and Educational Opportunities where this bill originated. I have expressed it during the committee that I like the idea of workers choosing between earning overtime and comp time as long as it is the total choice of the employee with teeth to prevent the coercion. This bill does not protect that employee choice. National polls show that an overwhelming number of workers expect to be forced by their employer to accept comp time instead of overtime. But the central issue here is clear, it is either employee choice or employer mandate. That is the concern about the bill. That is why the bill is

flawed. H.R. 2391 does not contain a strong provision to prevent the employer from forcing workers to accept time off in lieu of overtime pay. In my district many people have to have overtime pay just to make ends meet. In H.R. 2391, employers maintain the control when to grant that comp time regardless of the amount of notice that the employee gives. What good is it to earn comp time if your employer makes you use that instead of your vacation you may earn? This needs to be addressed. Comp time should be treated just like any other wages in bankruptcy. This bill does not touch that. It should be at the same level in bankruptcy filings, so comp time is the same as lost wages in bankruptcy. This proposal does not ensure that the full remedies available to employees for violation of the overtime law are available where the employer violates the law. Strong civil fines should be established where employers who operate comp time programs violate the law and coerce employees. Instead of this flawed Republican proposal, we should work on a bipartisan proposal giving employees real flex time. I urge defeat of the rule, Mr. Speaker.

Ms. GREENE of Utah. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. WELDON].

Mr. WELDON of Pennsylvania. Mr. Speaker, I had not intended on speaking on this particular issue today but sitting back in my office listening to some of my colleagues speak, I had to come over here and I had to say a few words. As a Republican who supports labor a good deal of the time, as a Republican who voted against NAFTA, who voted for the antistrikebreaker bill, who cosponsored the family medical leave bill, I have got to respond to some of the assertions made by my colleagues on this side about what Republicans have done to working people in America.

It was Bill Clinton who jammed NAFTA down the throats of this country. It was Bill Clinton who told us the side agreements were going to raise up the working conditions and the environmental laws in Mexico.

Where are those side agreements, Mr. Speaker? And to all those rank-and-file workers out there, you ask your union leaders, what has this President done to enforce those side agreements? Zero, zilch, nada. The jobs are going south.

It was Bill Clinton, Mr. Speaker, who said he was for the antistrikebreaker bill which I voted for. But, Mr. Speaker, tell the workers of this country that it was Bill Clinton who would not lobby one of his two Senators from Arkansas to vote for cloture when it only needed one vote, because the votes were there to pass it, but he would not use his ability to get one of the Senators from Arkansas to vote to invoke cloture so that bill could become law, and I voted for it. Where is the outrage there?

And, Mr. Speaker, where is the outrage on the other side at those 1 million UAW workers, those 1 million machinists, those 1 million electrical workers who have lost their jobs in defense plants all across this country because of Bill Clinton's cuts?

Where is the outrage from the union leaders and from this side of the aisle on those losses? There has been total silence on those issues. And they have the gall to come to this floor and say that somehow a bill that allows workers the ability to decide whether they want some time off when they voluntarily have agreed to it is hurting labor. I am outraged and disgusted by what I hear on this side as someone who supports labor and supports working people.

Mr. Speaker, I say get real. I say this is solid legislation that we should all get behind. And as a pro-labor Republican I am going to vote for it, and I am going to challenge my colleagues on that side to match their actions to their rhetoric. They have not stood by labor on NAFTA, they have not stood by labor on antistrikebreaker, they have not stood by labor on the millions of jobs that have been lost in defense contract cutbacks by this President and this administration. We have a fair and an ideal dialog that benefits working people in this country, instead of the Beltway labor leaders that are totally in bed with the Democratic Congressional Campaign Committee, who have placed \$35 million running ads on every TV station in America, with none of those ads against right-to-work Democrats. We have right-to-work Democrats with zero voting records and there is not one dime of that money going against any of them. Why? Not because the rank-and-file labor workers disagree but because the leadership in Washington has targeted all of that money against Republicans. That is the outrage I feel and I am going to lead the effort to have this bill become law.

Mr. MOAKLEY. Mr. Speaker, I yield 2½ minutes to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, my colleague can be outraged but the fact of the matter is that with this piece of legislation, this is a repeal of the 40-hour workweek. Make no mistake about it. It is a reward to the rich special interests. That is what this piece of legislation is about.

Wages for working Americans in this country have been stagnant for too long, and what this bill will do is to cut workers' incomes by billions of dollars. That is right, billions of dollars. This bill makes radical changes in our Nation's laws.

Under the bill, the employer can deny an employee overtime pay and can coerce the worker into taking time off. The burden of proof is on the worker to find that memo, which will be

nonexistent, that says they intended to cut their wages. They are never going to find that memo. It will be a silent action.

It can deprive working families of the change to earn overtime. Today that is one of the very few tools that working Americans have in their struggle to keep their families together in our current economy. The Bureau of Labor Statistics says that average hourly pay has fallen by 11 percent over the past 17 years, and despite working longer and longer hours and throwing every member of their family into the work force, Americans, working families, are falling further and further behind.

What was the response of this Republican-led Congress? Stall the minimum wage. Eighty percent of the American public wants to see an increase in the minimum wage. They say that 90 cents is too much, because they make over \$133,000 a year, but we cannot have the minimum wage increase.

Now what they want to do is to cut people's overtime and to cut their pay at the same time as holding up a minimum wage increase. Let me say in that delaying tactic on the minimum wage, in my State of Connecticut \$4.8 million has been lost to workers in wages. Understand what this legislation is about: an assault on working families.

Mr. Speaker, today Republicans will continue their assault on working families. I am a Member of this body who voted against the NAFTA agreement. Middle-income families, understand that, will be hit the hardest because overtime pay is a much larger percentage of their income. In 1994, two-thirds of the workers who earned overtime pay had a total family income of \$40,000.

This is a repeal of the 40-hour wage week. I urge my colleagues, vote against this bill.

Ms. GREENE of Utah. Mr. Speaker, I yield 3 minutes to the gentlewoman from Kansas [Mrs. MEYERS], the chairman of the Committee on Small Business.

Mrs. MEYERS of Kansas. I thank the gentlewoman for yielding me the time.

Mr. Speaker, I rise in support of the rule on this important legislation. I hope all of my colleagues will support the rule and vote for the bill.

I have here some responses to the concerns that have been expressed this morning, and I will enter them into the RECORD at the conclusion of my remarks.

Mr. Speaker, this is a good piece of legislation. It is a commonsense solution to a problem which faces today's workers, and that is how to balance the time that must be spent working and the amount of time available for family matters, personal responsibilities, recreation and leisure.

But, unfortunately, once again the opponents of change are misrepresent-

ing the intentions as well as the effects of this legislation. I continue to be amazed by some who believe that all employers are bad people who are always looking for ways to cheat their employees.

As chairman of the Committee on Small Business, and the impact of this is going to be great on small business, I have worked with many small and some large businesses. I know firsthand that most employers have a deep and genuine concern about the people who work for them, and they want to do everything they can to satisfy their employees' needs.

Why? Because they have learned that this concern is reciprocal. Employers who treat their employees with kindness and respect are paid back with loyalty and a commitment to do the very best job possible.

Under current law, private sector employees are prohibited from allowing employees to take compensatory time off for overtime. The Fair Labor Standards Act, originally enacted in the 1930's when most women did not work outside the home, requires that employees be paid at the rate of 1½ times the regular rate for any time worked over 40 hours per week.

This bill permits employers to offer their employees a choice: They can continue to be paid for overtime, or they can elect to take compensatory time off at the rate of 1½ hours for each hour of overtime.

□ 1030

Mr. Speaker, it is important to emphasize that the choice is exclusively that of the employee, not the employer, and there are many protections in the bill for employees in the event they do work for an unscrupulous employer. I believe we all can agree that the demands of family and work today are difficult to balance. We have Members of this body continually calling for more family friendly hours. Why should our constituents not be able to choose to take a Wednesday afternoon off rather than getting an extra hour's pay if they want to? We all know that spending a few hours with our children can sometimes be worth more than money.

Let us give American workers, our constituents, just a choice. That is what we are asking, is a choice. Support this rule and this much needed change in the Fair Labor Standards Act.

RESPONSES TO ARGUMENTS AGAINST THE WORKING FAMILIES FLEXIBILITY ACT

(Page references refer to substitute to be offered by Representative Ballenger)

Opposition: Employers will pressure or force employees to be compensated for overtime in comp time instead of cash wages.

Response: The choice to take overtime pay in the form of comp time must be requested by the employee in a written or otherwise verifiable statement (Page 2, lines 11-17).

H.R. 2391 specifically prohibits employers from "directly or indirectly" threatening,

intimidating, or coercing an employee into choosing comp time in lieu of cash wages (Page 3, lines 10-18). Employers violating this would be liable to the employee for double time in cash wages for the unused comp time hours accrued by the employee (Page 7, lines 8-16).

Opposition: Employees do not have control of when to use their comp time. Employers will force employees to use their accrued comp time when it's convenient for the employer.

Response: H.R. 2391 prohibits an employer from coercing, threatening, or intimidating an employee to use any accrued comp time (Page 3, line 19-20).

The employee may use accrued comp time at any time he or she requests, if the use is within a reasonable period of time after the request and the use does not unduly disrupt the operations of the employer (Page 6, lines 15-23). The "unduly disrupt" standard has been part of the law for the public sector for many years. It has been defined in regulations by the Department of Labor as more than "inconvenience" to the employer.

Under the regulations for the public sector, the employer has to be able to show that the leave would cause an "unreasonable burden on the agency's ability to provide services of acceptable quality and quantity to the public."

The courts have also made clear that the "unduly disrupt" standard does not permit an employer to unilaterally schedule use of comp time by employees. *Heaton versus Missouri Dept. of Corrections* 43 F 3d 1176 (8th Cir. 1994).

In addition, the same standard—unduly disrupt the operations of the employer—is used in the Family Medical Leave with regard to the scheduling of leave to attend to foreseeable medical treatment.

An employer who threatens, intimidates, or coerces an employee into using accrued comp time would be liable to the employees for cash wages for the comp time which the employee was forced to take (Page 7, line 8-16).

Opposition: Employees won't be able to change their mind and choose wages once they've chosen comp time.

Response: Nothing in the bill precludes employees from changing their mind to choosing cash wages instead of comp time or vice versa. Comp time can only be provided at the request of the employee.

Employees can make a request in writing, at any time, to be paid cash wages for their accrued comp time. Employers must comply within 30 days (Page 4, lines 13-18).

Comp time must be cashed out at the highest rate paid to the employee during the time period in which the comp time was accrued or at the employee's current rate, whichever is higher. Thus, there is no financial benefit to an employer to delay payment for accrued comp time.

Opposition: Comp time should only be available to employers who provide a certain number of sick leave and annual leave to their employees. Otherwise, employers will eliminate or reduce paid sick and/or annual leave and offer comp time instead.

Response: Employees must request comp time. Allowing employees to receive comp time has not had the effect of eliminating other leave for public employees. Employers are not now required to provide employees a certain number of days as paid sick leave and/or annual leave; the fact that employees may receive comp time for overtime worked does not change the situation.

Opposition: Employees who work at seasonal industries or short-term employment

will not be able to use comp time before their term of employment is over.

Response: The bill gives all employees the option to choose comp time, if their employer offers it. There is no reason to deny the option to comp time for part-time, seasonal, or "low wage workers." Low wage workers are often in families where both parents work, and thus may particularly desire the flexibility of comp time. Similarly, seasonal workers may want to use comp time in order to "even out" fluctuations in income.

Opposition: Enforcement of the law will be difficult if employers who offer comp time don't have a written policy available to employees.

Response: An agreement by an employee to receive comp time must be in writing or some other form of verifiable statement by the employee as defined by the Department of Labor (Page 2, lines 11-17). The reason for allowing agreements in other than written instruments is that many companies maintain payroll records or computer or other electronic means. However, the Secretary of Labor can prescribe what kinds of records of employee agreement must be maintained.

Opposition: Employees will be able to accrue too many hours of comp time which they may not be able to take.

Response: Employees can only accrue 240 hours of comp time in a 12 month period (Page 3, lines 21-21). Employees may at any time make a written request to receive cash for their accrued comp time and the employer must pay the employee within 30 days (Page 4, lines 13-18).

Employers would be required to annually cash out employees' accrued comp time (Page 3, lines 24 through page 4, line 8).

Opposition: Comp time should be counted as "hours worked" for the purposes of calculating overtime. For example, an employee could take Monday as a comp day and the employer could require the employee to work 40 hours Tuesday through Saturday, without having to pay overtime. Thus, the employee didn't really get a "day off."

Response: The standard for calculating "hours worked" has been in place under the Fair Labor Standards Act since the 1930s. The only house which may be counted in the calculation of overtime pay are hours which the employee has actually worked. Comp time would fall under the same category as annual leave, sick leave and leave under the Family and Medical Leave Act and more of which are considered "hours worked" under the FLSA. Comp time in the public sector has not been considered "hours worked."

Opposition: Employees will accumulate comp time and then an employer will go out of business, thus never having to pay the employees for their overtime.

Response: Unused comp time would be considered "wages owed to an employee" for the purposes of enforcement (Page 6, line 11-14). Wages are protected under bankruptcy code as a priority for payment, thus comp time would be in the same category.

Opposition: Employers should be required to pay employees cash for overtime hours worked past a certain number of hours (e.g. 50) in a work week, no matter what the employee wishes.

Response: If employees have to work excessive overtime, they can always choose cash wages over comp time if they do not think they will be able to use their accrued comp time. Likewise, employees have the right to request in writing payment for accrued comp time.

Opposition: H.R. 2391 does not protect employee's claim to unemployment benefits if they cash out accrued comp time.

Response: H.R. 2391 requires the employer to "cash out" all accrued comp time upon termination of employment (page 5, lines 12-23). Depending upon state laws, such payments might reduce the initial week or weeks' unemployment benefits but those benefits are deferred not lost for the employee. In other words, the employee would be eligible for the same amount of unemployment benefits whether or not he or she receives "cashed out" comp time.

Opposition: Comp time is cheaper for employers than paying cash wages for overtime, and therefore employers will (1) force employees to take comp time, and (2) increase overtime and hire fewer employees.

Response: First of all, the employee chooses whether or not to take comp time over cash overtime, and the bill protects the employee's right to make that choice free of coercion from the employer. The bill also protects the employee's right to choose when to use comp time, subject only to the safeguard that doing so does not "unduly disrupt" the employer's operations.

Comp time is not generally cheaper for the employer than cash overtime. Besides the administrative costs of keeping the "comp time bank" records, the bill provides that when accrued comp time is used or cashed out, it is used or cashed out at the employee's current rate of pay, or the average pay during the period of time the comp time was accrued, whichever is higher. Thus the comp time will cost the employer at least as much or more when it used or cashed out than when it was earned.

Opposition: H.R. 2391 weakens the overtime protections for employees, which are already too weak. (citing Wall Street Journal article, Monday, June 24, 1996, quoting the "employer funded" Employment Policy Foundation estimates that "fully 10% of the workers entitled to overtime are cheated out of it").

Response: H.R. 2391 does not in any way weaken the overtime obligation of employers. It simply allows employees and employers to agree that overtime compensation will be taken in the form of compensatory time. The bill includes provisions to insure that employee's rights are protected (employee protections):

Requires that comp time may only be given mutual agreement of the employer and employee.

Requires that employee's agreement to take comp time be "knowing and voluntary."

Prohibits employer from making acceptance of comp time a condition of employment.

Requires agreement, affirmed in writing or otherwise verifiable form, by employee to take comp time.

Prohibits employer from directly or indirectly coercing or threatening, or attempting to coerce, and employee into taking comp time or using accrued comp time.

Requires annual cash out of accrued comp time.

Requires cash out of accrued comp time be at employee's current rate of pay or average rate during time it was accrued, whichever is higher.

Allows employee to cash out accrued comp time at any time with 30 days notice to employer.

Requires cash out of accrued comp time upon termination of employment.

Specifies that unused comp time is treated as unpaid wages for purposes of enforcement and collection.

Allows employee to use comp time whenever he or she pleases, unless use "unduly disrupts" operations of the employer.

Provides penalty for illegal coercion of employee with regard to choosing or using comp time.

The estimates of unpaid overtime in the Wall Street Journal article of June 22 included, as the article itself said, those employees not paid overtime because the employer believes they are exempt or the employer can't figure out the complicated federal rules and so 'takes a chance' by ignoring them. The confusing and ambiguous rules about who is exempt and who is non-exempt is an issue which Republicans have sought to address and will continue to seek to address in other legislation. But, H.R. 2391 does not affect that issue, nor does it change or weaken the overtime obligation. It establishes the option for employers and employees where overtime is paid.

Opposition: Despite Democratic efforts to work out an acceptable comp time bill, the Republicans have refused to make changes.

Response: It is true that supporters of comp time met and attempted to negotiate the details of a comp time bill with Mr. Clay, the Ranking Member of the Committee. Those discussions were broken off by Mr. Clay's staff in late May (after the bill was temporarily considered as the vehicle to allow a vote on the minimum wage). We have in fact made many, many changes to the bill since it was introduced, mostly to address concerns which the Democrats have raised, and many of some of which were taken directly from suggestions made by Democratic witnesses during Subcommittee hearings on the bill.

Following some of the changes which have been made to H.R. 2391 to address opponents concerns:

1. Clarify that the provisions providing for individual agreements apply only where employees are not represented by a collective bargaining agent.

2. Require that employee's agreement on comp time be affirmed in a written or otherwise verifiable statement.

3. Provide that agreement to take comp time in the private sector may not be a condition of employment.

4. Prohibit employer coercion of employees for purposes of (1) interfering with employee right to request or not the request, or (2) requiring any employee to use comp time.

5. Require annual "cash outs" of accrued comp time.

6. Allow employee to "cash out" accrued comp time at any time.

7. Establish a new remedy under the Fair Labor Standards Act for employers who coerce, or attempt to coerce, an employee into taking or using comp time.

The following additional changes are included in a Manager's amendment to be offered to be the bill.

Require employers to provide 30 days notice before terminating policy of allowing comp time.

Require employers to provide 30 days notice before cashing out accrued comp time, and allowing such cash out only for time in excess of 80 hours.

Provide that employer coercion of an employee may be actionable even if not willful.

Clarify that an employee may withdraw from an agreement in which he or she has requested comp time at any time.

Opposition: The bill limits the remedies available for unpaid comp time by only allowing private lawsuits for redress, as compared to unpaid overtime under current law, which allows both private suits and enforcement actions by DOL, as well as criminal charges.

Response: As the Committee report makes clear, the intent of the legislation is that all current remedies for violating the FLSA apply, and in addition, a new remedy for "coercion" in connection with choosing or using comp time is created. This intent will be further clarified in the manager's amendment.

Opposition: Comp time does not truly belong to the employer because under the bill an employer may deny an employee's use of comp time by paying off the accrued comp time hours.

Response: First of all, this is certainly an ironic objection to the bill: Democrats who oppose comp time and want to keep the status quo that only allows cash overtime payments object to a provision that allows employees comp time in favor of the cash overtime payment.

Second, the bill is premised on flexibility for employers and employees—thus either the employer or the employee may decide to cash out accrued overtime. Third, under the manager's amendment, a provision will be added that says that the employer must give 30 days notice to employees before cashing out any accrued comp time (in the absence of an employee request to do so), and provides that the employer option to cash out accrued comp time applies only to time accrued in excess of 80 hours.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey [Mr. ANDREWS].

Mr. ANDREWS. Mr. Speaker, I thank the gentleman from Massachusetts for yielding me the time.

Mr. Speaker, I oppose the bill and I frankly oppose the rule because there are some unanswered questions about this legislation that we are rushing to judgment and ignoring.

The first question is, How do we assure that it is truly voluntary for the man or woman who chooses comp time over cash? This bill, I do not think, provides for that. It says to an employee who feels that he or she has been coerced into this choice that they must meet an unmetable burden of proof. They must prove that the employer intended to deny them that choice. I would submit to you that there will be very few employees anywhere who will be able to meet that burden of proof it is not truly voluntary.

Second, Mr. Speaker, what happens to buy-back provisions? What happens if the employer owes you hours and hours of comp time and then goes out of business and does not have the cash to pay you back the cash value of the comp time? Unanswered question. We hear from our friends on the other side that well, this works in the public sector so it will work here in the private sector. There is a difference. The first difference is that most public sector employees are protected by civil service protections. If you believe that the employer in the public sector is coercing you, you have a hearing, you have the ability to process a grievance. Most private sector employees do not have such a right, and except for this one, most governments are not on the verge of going out of business because of

bankruptcy. So I would suggest to you there is a very important difference there.

Finally, this is really, with all due respect, citizen Dole's rush to close the gender gap. That is what this is really all about. I would suggest to you if the majority wants to speak to working women in America, let us talk about expanding the family medical leave that most Members opposed. Let us talk about getting health insurance for all working women, which most of the Members had very few ideas about.

Ms. GREENE of Utah. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I simply want to say it is astonishing to me that we are having attempts to mire this in gender war language.

Mr. Speaker, it is long past time that men and women assumed equal responsibility for raising children. This bill is addressed not only to working mothers who have had a difficult time balancing work and family, it is also geared to working fathers who are having that same difficulty while they are trying to assume more responsibility not just for the economic well-being of their children but for the emotional well-being of their children.

In addition, Mr. Speaker, this is not just about time off to help children. That is critical and it is important. But it is also about time to care for aging parents. It is about time to go back to school to get some additional skills. And most important, it is about letting workers choose whether they want additional time off or additional pay.

Mr. Speaker, I yield 1 minute to the gentleman from North Carolina [Mr. BALLENGER].

Mr. BALLENGER. Mr. Speaker, I am sorry to see the gentleman from New Jersey has left because he raised the question of willful being one of the proving points for the employee. We recognize that problem and we changed it. We removed the word "willful" in our bill.

For those people that are not sure what changes we have made in the description of the bill here on the report, we have in there the changes that we made at the request of the Democrats on the committee.

Also, again I would like to say as far as bankruptcies are concerned, the first claim that will be applied against any assets of any bankrupt company are wages and these are classified; that is, in the same manner as wages and will have first choice on any money that is left in that bankrupt company.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland [Mr. WYNN].

Mr. WYNN. Mr. Speaker, let us be straight about this, ladies and gentlemen. Comp time is not flex time. If employers want to give employees all

these benefits and all these opportunities to care for children and loved ones, they can do it now. It is called flex time. Come in early, leave early, come in late, leave late. That is possible.

This is comp time and this denies people basic income. I do not want to hear that oh, well, they can go to court and we lowered the legal standard. The fact of the matter is minimum wage workers are not going into anybody's court. They are not going down the street to see Robert Reich to talk about a labor violation. Those remedies are not practicable.

Let us talk about the real world. In the real world, wages have stagnated over the last 20 years. People need overtime to make ends meet. In 1995, the average full-time worker in manufacturing worked about 4.4 hours of overtime to make an additional \$3,800 a year. They need that money. Now, they are going to tell employees well, this is optional, it is up to the employee if they want to take it.

Let us talk about this so-called option. The reality of the workplace is that most employees want to keep their jobs and therefore go along with their employer. That means that when the employer suggests comp time, they are going to take it.

This so-called option does not really work. The employee does not have a choice because the employer has to approve the comp time. He has to approve when they can take it. They can spend their overtime anytime they want to. They cannot spend their comp time anytime they want to, only when the employer allows it. Preferential allocation of overtime already occurs. There are complaints about that now.

My colleagues better believe that if we have this comp time option, those who will take comp time will get comp time. Those who want overtime will be out of luck. That is what is wrong with this bill.

There is a lot of rhetoric here about how we want to help people, but the fact of the matter is in the private sector, there is a fundamental profit motive, and that is to reduce the amount of overtime pay. That being the case, there is a strong incentive to discourage overtime and encourage comp time at the expense of the American worker. That is what we want to discourage. We believe the current system provides true flexibility but not the false rhetoric of the Republican proposal.

Ms. GREENE of Utah. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I think it is critical that we address this issue of enforcement. My colleagues on the other side of the aisle think it is necessary to track down personally the Secretary of Labor to bring a claim where an employee feels that they have been coerced. Nothing could be further from the truth. In fact, Mr. Speaker, the en-

forcement mechanisms of this legislation are identical to the enforcement mechanisms that we use to battle age discrimination, race discrimination, and gender discrimination in the workplace.

I do not hear my colleagues from the other side of the aisle saying that we should not have laws prohibiting age and race and gender discrimination because the enforcement mechanism is not going to work. Instead, we defend those laws. We enforce those laws through a mechanism that has been established under Federal law, and that same mechanism would be used to enforce this law.

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

Mr. MOAKLEY. Mr. Speaker, I think it is time for a time check to see where we are.

The SPEAKER pro tempore (Mr. KINGSTON). The gentleman from Massachusetts [Mr. MOAKLEY] has 6½ minutes remaining, and the gentlewoman from Utah [Ms. GREENE] has 5½ minutes remaining.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. ENGEL].

Mr. ENGEL. Mr. Speaker, I thank my friend for yielding me the time.

My colleagues, let us call it the way it is. The Republican majority in this Congress has spent the better part of a year and a half assaulting the rights of workers in this country. I have served on the committee, I know what is happening. They steadfastly refused the minimum wage. We had to practically pry it out of them. OSHA, safety for workers in the workplace, they want to gut OSHA laws. Davis-Bacon to pay workers prevailing wage, they want to eliminate that, too.

Mr. Speaker, they have slashed funding for the National Labor Relations Board which guarantees and safeguards workers' rights and protections. They want to bring back company unions so that the employers will control the unions, not the employees. The first thing they did when they received the majority, the Republicans removed the name "labor" from the Committee on Education and Labor to punish supposedly punish the labor unions. It is now the Committee on Economic and Educational Opportunities and the word "labor" has been purged from both the committee and subcommittee names.

The campaign finance bill which went down yesterday had an antilabor provision in it. So make no mistake about it, this is just another assault on working men and women in America by the Republican majority.

Now, Mr. Speaker, everybody understands that employers and employees are not equal and there will be coercion. Employees will be coerced into accepting these kinds of things. We do not believe that American workers

ought to continue to be assaulted by this Republican majority, but again it is consistent.

They tried to gut Medicare to give huge tax breaks for the wealthy. They want to give us the biggest education cuts in American history. They want to gut environmental laws. This is a direct assault on the middle class in this country and on working people by the Republican majority. This is just an extension.

The Democrats, in filing the dissenting views accompanying this bill said, and I quote: "This legislation encourages employers to hire fewer employees and to work them longer hours by freeing them from having to pay cash for overtime, potentially reducing both workers' incomes and employer labor costs by billions of dollars."

Let us reject this and not continue to assault American workers. The Republicans' platform is exposed by this bill.

Ms. GREENE of Utah. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina [Mr. BALLENGER].

Mr. BALLENGER. Mr. Speaker, I would just like to quote a claim by the AFL-CIO where it says the penalties for coercion are too weak. The response for that, the penalties in the bill for coercing are the same as those for unpaid overtime; that is, the amount of pay owed us, plus an equal amount of liquidated damages, plus attorneys' fees and costs. If the employee has already used and been paid for comp time, then the amount is deducted from the award since they have already received the overtime pay, but he or she may still receive the liquidated damages.

In addition, Mr. Speaker, the other remedies such as civil and criminal penalties and injunctive relief under the Fair Labor Standards Act may apply. Either the Department of Labor or the employee can file suit, and I wish somebody on the other side would read the actual bill itself so they can understand what they are really talking about.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York [Mrs. MALONEY].

Mrs. MALONEY. Mr. Speaker, last week the new majority was talking about encouraging work. Now with this bill they seem to be encouraging taking time off.

Mr. Speaker, despite strong economic indicators, millions of Americans, many of them single mothers, are working harder and longer for less money. This bill strips them of even that right. The majority of low-wage workers are women. They count on their overtime pay to feed their children and to make ends meet.

The underlying bill allows employers to offer comp time to workers instead of overtime pay. It requires a voluntary agreement with the employee, but we all know that in the real world employers may bully employees into

accepting whatever the employer wants.

The practical effect of this bill will be to allow employers to force an employee to take comp time instead of paying overtime. While that person is using comp time, the employer can pay another employee regular wages instead of time and a half. The bottom line is, employees could get paid less.

Mr. Speaker, this is not progress, it is a step in the wrong direction. I urge a "no" vote on the rule.

□ 1045

Mr. MOAKLEY. Mr. Speaker, I yield the balance of my time to the gentleman from New York [Mr. OWENS].

The SPEAKER pro tempore (Mr. KINGSTON). The gentleman from New York [Mr. OWENS] is recognized for 3½ minutes.

Mr. OWENS. Mr. Speaker, the message of this bill this morning is to the workers of America, "The Republicans want your overtime pay," from the same people who brought us streamlining, downsizing, the tremendous gap in income. The same people who have attacked the National Labor Relations Board, who have attacked OSHA, who refused to pass a minimum wage bill, they now want your overtime.

As the ranking member of the committee responsible for this legislation, I have listened to the hearings. We have debated at markups, and the bill is flawed at its center, and that is the assumption that you can have mutual consent between the employer and the employee as to whether they want overtime in terms of dollars or whether they want it in terms of comp time.

In my State, we recently passed a law which said that any female who is assaulted in a prison is automatically considered to be a rape victim. Anytime there is a sexual relationship between a female inmate and a prison guard, the prison guard is automatically charged with rape because in a relationship where all the power is on one side and the other person is powerless, automatically there is no mutual consent possibility.

There is no mutual consent possible when the employer has an incentive to keep the money. You can invest the money that you do not pay in overtime. Overtime wages that are not paid can be invested. So the great incentive will be to keep the money and to force all workers to take comp time. Ninety percent of the employers will want workers to take comp time. Any worker who does not take comp time when the employer obviously wants him to take comp time will be labeled as a bad team player. You are not a team player and sooner or later they of course will find themselves without a job. In a job market and in a situation where people are under tremendous pressure, who will choose to exercise their right to take overtime had they known the employer wants comp time?

At the heart of the bill, the assumption is wrong. This will not work. It is another attempt to make war on American workers. We have had enough of it in this Congress. We have tried to stop them from raiding the National Labor Relations Board's authority. We have stopped them from taking away the safety provisions of OSHA. Now we have to stop them where it matters most; that is, taking money out of the pockets of American workers in terms of overtime pay.

The Republicans want your overtime pay, and the Democrats are here to guarantee that we do not have more assaults on working people and working families. You need your overtime pay. The overtime pay buys shoes, it buys clothes, it buys refrigerators. It buys what workers need.

Workers, on the other hand, cannot afford to provide an investment pool for the employers. There will be no escrow accounts where you have to put all the overtime pay into an escrow account and know that it is there. No; the employers can invest that and they will. And you will have billions of dollars already that is unpaid for overtime under the present rules and regulations, where it is pretty clear that employers have to pay overtime in dollars. How are we ever going to police a situation where it is comp time, taken at the pleasure of the employer?

There can be no mutual consent. There is no mutual consent between a slave and a master or an inmate and a prison guard. There will be no mutual consent between an employer and an employee. The employee is at the mercy of the employer, and we do not need to do any more harm than we have already done to the workers in this area. This is a year where war has been declared on workers by the Republican majority. No, Mr. Speaker, it is now time to stop the war on workers.

Ms. GREENE of Utah. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, everyone agrees that the working families of this country are experiencing time crunch the likes of which we have never seen before. When President Clinton spoke in Nashville several weeks ago, he endorsed the concept of having flexibility so that workers can choose the time off they need to be able to be with their families for important events, but while President Clinton managed to grab a few headlines several weeks ago with an alternative and much more restrictive proposal, the administration never sent his proposal to Congress in legislative form, nor has any Member, to my knowledge, attempted to introduce the administration's proposal.

Now, my colleagues on the other side of the aisle have been complaining vociferously about the provisions of this bill. We are even now hearing employers and employees likened to prison

guards and prisoners, even to slaves and masters.

But in fact, Mr. Speaker, my colleagues on the other side of the aisle, the Democrats, were given the opportunity in the Committee on Rules to offer any amendment to this legislation they wanted to. We gave them the opportunity to offer an amendment in the nature of a substitute so that they could bring forward their own version of how this concept should work. And the fact is, Mr. Speaker, that the Democrats chose not to introduce any legislation, any amendment to this bill.

Mr. Speaker, the truth is this legislation does not change those fundamental worker protections of the Fair Labor Standards Act. This legislation does not change the 40-hour workweek for workers. It does not relieve employers from their obligations of paying overtime. It does not give employers the means to coerce workers. This bill does preserve the concept of time and a half for overtime. The workers choose whether to get time and a half in cash or time and a half in comp time.

This bill does provide the same kinds of enforcement mechanisms that we use today to enforce worker protections on race, age, and gender. This bill provides those same types of protections to make certain that workers are not taken advantage of.

This bill does protect employees if their company goes bankrupt by giving them first priority against any remaining assets of that business to get their overtime, their comp time cashed out.

This bill, Mr. Speaker, gives workers the flexibility that they need to be able to balance those competing considerations of work and family.

Members of Congress may not need comp time, Mr. Speaker. We make over \$130,000 a year and we control our own schedules. This is just one more example where people who are opposing this bill are out of touch, because most of the people in this country struggle to get control over their own time. They struggle to be at home when they need to take a sick child to the doctor or be with an aged parent. They struggle because they do not have the ability to get the time off that they need at the time that they need it.

This bill, Mr. Speaker, gives them that opportunity. They are allowed more control over their lives. They are given the opportunity to be able to choose for themselves, in the circumstances for each of their families, whether more money or more time off makes sense for their family.

Let us give workers that choice, Mr. Speaker. Let us respect their ability to choose for themselves what is best and not dictate it from Washington as we have for the past 60 years.

Mr. Speaker, I urge my colleagues to support the rule, and this legislation.

Mrs. COLLINS of Illinois. Mr. Speaker, I rise in opposition to this bill that is designed to

take away the rights of workers guaranteed to them under the Fair Labor Standards Act. These rights were not easily won. The Dole-Gingrich Republicans and their cohorts are always a well-funded, business oriented lobbying force—as is demonstrated by this bill. Let's be clear about one very basic false assumption about H.R. 2391: it does not provide a worker with the right to compensatory time or overtime wages on a voluntary, worker controlled basis. An employer and employee are not in level bargaining positions.

The overtime protection in the Fair Labor Standards Act both protect workers from excessive demands for overtime work and, by requiring premium pay for overtime, time and a half, provide an incentive for businesses to create additional jobs. Nowadays, millions of workers depend on overtime pay just to maintain a decent standard of living for their families. Two-thirds of the workers who earned overtime in 1994 had a total annual family income—including spousal income—of less than \$40,000. A recent poll by Peter Hart found that American workers prefer pay over compensatory time for overtime by a whopping margin of 64 to 22 percent.

The idea that there can be a truly voluntary agreement, as is heralded by the Republicans in this bill, is a cruel hoax. Any employer who wants to pay for overtime in terms of compensatory time instead of cash, will find a dubious way to encourage workers to accept compensatory time. Workers know this. Half of those in the Hart poll said they believed employers would be able to force them to take compensatory time instead of overtime pay.

Further, this bill does not in any way guarantee workers the right to use their compensatory time whenever they want it. An employer may deny the request on the grounds that it would unduly disrupt business operations, or could refuse the request for any given, specific day and instead offer a different day that is more convenient for the employer, but less so for the worker.

I oppose this bill because it would permit a severe disservice to a worker's right to choose compensatory time voluntarily instead of cash compensation for overtime work that was accomplished for the business owner. It clearly attempts to gut the protection of the Fair Labor Standards Act and undermines living standards to the detriment of workers, the economy, and the Nation.

I urge my colleagues to defeat this ill-conceived legislation.

Ms. MCKINNEY. I rise today in opposition to this rule, and in opposition to this anti-family legislation. Let's face it, the Republican record on workers' rights is hideous and this bill is the ugliest of them all.

In my 3 years in Congress, I have never seen a bill more insidious than this attempt to lengthen the work week with no corresponding increase in pay.

Contrary to what Republicans say, this bill abolishes overtime pay. Period.

The so-called Working Families Flexibility act allows employers to coerce workers into taking comp time instead of overtime pay. Employers will use this legislation to hire workers who agree to accept comp time instead of overtime pay. This bill allows employers to promote workers who acquiesce to comp time in lieu of overtime pay.

And unlike overtime pay, workers can only use their comp time when it is convenient for their employers, not their families. So much for family friendly legislation.

Moreover, Mr. Speaker, workers can be forced to work 75 hours a week and not see any comp time for 13 months. And if the company goes bankrupt in that 13 months—too bad, the worker gets no comp time and no overtime pay.

In effect, workers will be giving their employers interest-free loans until the boss feels like letting them use their comp time.

And for families who rely on overtime pay to supplement their low salaries, they will be comforted in knowing that they might get some time off in the next 13 months.

In short, Mr. Speaker, this bill legalizes the extraction of unpaid labor from workers at a time when people are working longer and harder for less money.

Finally, Mr. Speaker, employers can already give workers comp time as long as it is used in the same week in which the overtime is worked.

This bill should not be called the comp time bill, it should be called the chump time bill. I urge my colleagues to reject this rule and reject this Republican attempt to lengthen the work week with no increase in pay.

Mrs. MEEK of Florida. Mr. Speaker, I rise in strong opposition to the rule and to this bill.

There has been talk on this floor of the so-called protections for workers who may be owed compensatory time by companies that go out of business. Employees of bankrupt companies are protected, they say, because they can get what is owed them by going against the assets of these bankrupt companies.

I say these so-called protections amount to a handful of dust. We know companies that have gone out of business, leaving no assets whatsoever. What happens to these employees and their families then? They are cheated out of their wages, that's what.

This has happened time and time again in the area of retirement benefits, when companies go bankrupt and leave their retirees with no pensions. Congress would be foolish to allow this to happen to overtime pay.

Overtime pay is more than a luxury for working people—it is income that their families depend on, especially lower income working people.

Proponents of this bill say that workers are protected because the agreements must be voluntary. Who will determine if they are voluntary? The clogged Federal courts? We know that justice delayed is justice denied.

Who will pay the workers' legal fees if they lose their case? Certainly not the employers.

The idea of a truly voluntary agreement will be a cruel hoax for many workers. Many employers will find a way to force employees to accept compensatory time instead of cash because they know the employees don't have the resources to fight this coercion.

I say, protect working families—vote down this bill.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the resolution.

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

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

Mr. MOAKLEY. 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 228, nays 175, not voting 30, as follows:

[Roll No. 367]

YEAS—228

Allard	Foley	McCollum
Armey	Fowler	McCrery
Bachus	Fox	McHugh
Baker (CA)	Franks (CT)	McInnis
Ballenger	Franks (NJ)	McIntosh
Barr	Frelinghuysen	McKeon
Barrett (NE)	Funderburk	Metcalfe
Bartlett	Galleghy	Meyers
Barton	Ganske	Mica
Bass	Gekas	Miller (FL)
Bateman	Geren	Mollinari
Bereuter	Gilchrest	Montgomery
Bilbray	Gillmor	Moorehead
Bilirakis	Gilman	Morella
Bliley	Goodlatte	Myers
Blute	Goodling	Myrick
Boehert	Goss	Neumann
Boehner	Graham	Ney
Bonilla	Greene (UT)	Norwood
Bono	Greenwood	Oxley
Brewster	Gunderson	Packard
Brownback	Gutknecht	Parker
Bryant (TN)	Hall (TX)	Paxon
Bunn	Hancock	Payne (VA)
Bunning	Hansen	Petersen (MN)
Burr	Hastert	Petri
Burton	Hastings (WA)	Pickett
Buyer	Hayworth	Pombo
Callahan	Hefley	Porter
Calvert	Heineman	Portman
Camp	Henger	Pryce
Campbell	Hilleary	Radanovich
Canady	Hobson	Ramstad
Castle	Hoekstra	Regula
Chabot	Hoke	Riggs
Chambliss	Horn	Roberts
Chenoweth	Hostettler	Rogers
Christensen	Houghton	Rohrabacher
Chrysler	Hunter	Ros-Lehtinen
Clinger	Hyde	Roth
Coble	Inglis	Roukema
Coburn	Istook	Royce
Collins (GA)	Jacobs	Salmor
Combest	Johnson (CT)	Sanford
Cooley	Johnson, Sam	Saxton
Cox	Jones	Schaefer
Crane	Kasich	Schiff
Crapo	Kelly	Sensenbrenner
Creameans	Kim	Shadegg
Cubin	Kingston	Shaw
Cunningham	Klug	Shays
Davis	Knollenberg	Shuster
Deal	Kolbe	Siskisky
DeLay	LaHood	Skeen
Diaz-Balart	Largent	Smith (MI)
Dickey	Latham	Smith (NJ)
Doolittle	LaTourette	Smith (TX)
Dorman	Lazio	Smith (WA)
Dreier	Leach	Solomon
Duncan	Lewis (CA)	Souder
Dunn	Lewis (KY)	Spence
Ehlers	Lightfoot	Stearns
Ehrlich	Linder	Stenholm
English	Livingston	Stockman
Ensign	LoBiondo	Stump
Everett	Longley	Talent
Fawell	Lucas	Tate
Fields (TX)	Manzullo	Tauzin
Flanagan	Martini	

Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Upton
Vucanovich

Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weiler

White
Whitfield
Wicker
Wick
Young (AK)
Zeliff
Zimmer

NAYS—175

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Beocerra
Bellenson
Bentsen
Bishop
Bonior
Borski
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Clay
Clayton
Clement
Clyburn
Collins (MI)
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Dooley
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Forbes
Frank (MA)
Frisa
Frost
Furse
Gephardt

Gibbons
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hamilton
Harman
Hefner
Hilliard
Hinchey
Hoyer
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
King
Klecicka
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lipinski
Loftgren
Lowe
Luther
Maloney
Manton
Markey
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Millender
McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran
Nadler
Neal

Oberstar
Obey
Oliver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Pomeroy
Poshard
Quinn
Rahall
Rangel
Reed
Richardson
Rivers
Roemer
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Skaggs
Skelton
Slaughter
Spratt
Stark
Stokes
Stupak
Tanner
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torres
Townes
Trafcant
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wilson
Wise
Woolsey
Wynn
Yates

NOT VOTING—30

Archer
Baker (LA)
Berman
Bevill
Blumenauer
Boucher
Chapman
Coleman
Collins (IL)
Doggett

Ewing
Ford
Gejdenson
Hastings (FL)
Hayes
Holden
Hutchinson
Laughlin
Lincoln
Martinez

McDade
Murtha
Nethercutt
Peterson (FL)
Quillen
Scarborough
Seastrand
Studds
Torricelli
Young (FL)

□ 1113

Mr. FARR of California changed his vote from "yea" to "nay."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

A FURTHER MESSAGE FROM THE SENATE

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

H.R. 3845. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1997, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 3845) "An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1997, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JEFFORDS, Mr. CAMPBELL, Mr. HATFIELD, Mr. KOHL, and Mr. INOUE to be the conferees on the part of the Senate.

APPOINTMENT OF CONFEREES ON H.R. 3517, MILITARY CONSTRUCTION APPROPRIATIONS ACT, 1997

Mrs. VUCANOVICH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3517) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1997, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER pro tempore (Mr. TORKILDSEN). Is there objection to the request of the gentlewoman from Nevada?

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Mr. HEFNER moves that in resolving the differences between the House and Senate, the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill H.R. 3517, be instructed not to provide funding for projects which have not been authorized.

The SPEAKER pro tempore. Under rule XXVIII, the gentleman from North Carolina [Mr. HEFNER] and the gentlewoman from Nevada [Mrs. VUCANOVICH] each will control 30 minutes.

The Chair recognizes the gentleman from North Carolina [Mr. HEFNER].

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

Mr. Speaker, I offer this motion to instruct to ensure that the conferees on the military construction bill adhere to the customary practice of

agreeing to provide funding only for projects which are authorized.

Current assumptions on this bill will result in over \$800 million in projects begin added to the amount requested by the President. For years we on the Military Construction Subcommittee have emphasized funding for barracks, family housing projects, and other structures which improve the quality of life in the military. Unfortunately our colleagues in the other body have not always shared our priorities.

The Armed Services Committees are now in conference, and will, I believe end up funding a number of projects that will speed up the building of new barracks and family housing projects. Their agreement will authorize and the appropriations bill will fund these projects as well provide for projects to support operational and readiness requirements, and to meet our base closure commitments.

This total level of authorization and funding has been carefully arrived at and is the result of cooperation between the authorizing and Appropriations Committee. It has been a bipartisan exercise with a bipartisan result. Members on both sides have been treated fairly. There is no reason why the conferees on the appropriations bill should deviate from this agreement.

While I support adding funds to accelerate funding quality of life projects, I feel that adding over \$800 million to the President's request is enough in these difficult budget times given other domestic priorities.

Mr. Speaker, I urge the support of my motion to instruct.

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

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

Mr. Speaker, I rise in support of this motion to instruct conferees. We have worked in a bipartisan manner with the authorization committee to provide the many quality of life items contained in this bill. No individual project recommended in this bill may go forward without specific authorization. We are following the progress of the authorization conference closely and it is my understanding they are nearing completion. I urge my colleagues to support the gentleman's motion.

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

Mr. HEFNER. Mr. Speaker, I thank the gentlewoman from Nevada for her support.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to. A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Mrs. VUCANOVICH and Messrs. CALLAHAN, MCDADE, MYERS of Indiana, PORTER, HOBSON, WICKER, LIVINGSTON, HEFNER, FOGLIETTA, TORRES, DICKS, and OBEY.

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 3845, DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1997

Mr. WALSH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3845) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1997, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York? The Chair hears none and, without objection, appoints the following conferees: Messrs. WALSH, BONILLA, KINGSTON, FRELINGHUYSEN, NEUMANN, PARKER, LIVINGSTON, DIXON, SERRANO, Ms. KAPTUR, and Mr. OBEY.

ADJOURNMENT OF THE HOUSE FROM ANY DAY BETWEEN THURSDAY, AUGUST 1, 1996, AND SATURDAY, AUGUST 3, 1996, TO WEDNESDAY, SEPTEMBER 1, 1996 AND ADJOURNMENT OR RECESS OF THE SENATE FROM ANY DAY BETWEEN THURSDAY, AUGUST 1, 1996, AND SUNDAY, AUGUST 4, 1996, TO TUESDAY, SEPTEMBER 3, 1996

Mr. ARMEY. Mr. Speaker, I offer a privileged concurrent resolution (H. Con. Res. 203) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. CON. RES. 203

Resolved by the House of Representatives (the Senate concurring). That, in consonance with section 132(a) of the Legislative Reorganization Act of 1946, when the House adjourns on the legislative day of Thursday, August 1, 1996, Friday, August 2, 1996, or Saturday, August 3, 1996, pursuant to a motion made by the majority leader or his designee, it stand adjourned until noon on Wednesday, September 4, 1996, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns at the close of business on Thursday, August 1, 1996, Friday, August 2, 1996, Saturday, August 3, 1996, or Sunday, August 4, 1996, pursuant to a motion made by the majority leader

or his designee in accordance with this resolution, it stand recessed or adjourned until noon on Tuesday, September 3, 1996, or until such time on that day as may be specified by the majority leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

Sec. 2. The Speaker of the House and the majority leader of the Senate, acting jointly after consultation with the minority leader of the House and the minority leader of the Senate, shall notify the Members of the House and Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

The SPEAKER pro tempore. Does the gentleman from Massachusetts [Mr. FRANK] seek recognition?

Mr. FRANK of Massachusetts. I would Mr. Speaker, if the resolution were debatable.

The SPEAKER pro tempore. The gentleman is correct, the resolution is not debatable.

The question is on the concurrent resolution.

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

Mr. FRANK of Massachusetts. 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 232, nays 167, not voting 34, as follows:

[Roll No. 368]

YEAS—232

Allard	Christensen	Franks (NJ)
Archer	Chrysler	Frelinghuysen
Arney	Clinger	Frisa
Bachus	Coble	Funderburk
Baker (CA)	Collins (GA)	Gallely
Ballenger	Combest	Ganske
Barr	Condit	Gekas
Barrett (NE)	Cooley	Gilchrest
Bartlett	Cox	Gillmor
Barton	Crane	Gilman
Bass	Crapo	Goodlatte
Bateman	Creameans	Goodling
Bereuter	Cubin	Goss
Bilbray	Cunningham	Graham
Billrakis	Davis	Greene (UT)
Bliley	de la Garza	Greenwood
Blute	Deal	Gutknecht
Boehlert	DeLay	Hancock
Boehner	Diaz-Balart	Hansen
Bonilla	Dickey	Hastert
Bono	Doolittle	Hastings (WA)
Brewster	Dorman	Hayworth
Brownback	Dreier	Hefley
Bryant (TN)	Duncan	Heineman
Bunn	Dunn	Herger
Bunning	Ehlers	Hilleary
Burr	Ehrlich	Hobson
Burton	English	Hoekstra
Buyer	Ensign	Hoke
Callahan	Everett	Horn
Calvert	Fawell	Hostettler
Camp	Fields (TX)	Houghton
Campbell	Flanagan	Hunter
Canady	Foley	Hyde
Castle	Forbes	Inglis
Chabot	Fowler	Istook
Chambliss	Fox	Jacobs
Chenoweth	Franks (CT)	Johnson (CT)

Johnson, Sam	Myers	Siskiy
Jones	Myrick	Skeen
Kasich	Neumann	Smith (MI)
Kelly	Ney	Smith (NJ)
Kim	Norwood	Smith (TX)
King	Oxley	Smith (WA)
Kingston	Packard	Solomon
Klug	Parker	Souder
Knollenberg	Paxon	Spence
Kolbe	Payne (VA)	Stearns
LaHood	Peterson (MN)	Stockman
Largent	Petri	Stump
Latham	Pickett	Talent
LaTourette	Pombo	Tate
Lazio	Porter	Tauzin
Leach	Portman	Taylor (NC)
Lewis (CA)	Pryce	Thomas
Lewis (KY)	Quinn	Thornberry
Lightfoot	Radanovich	Tiahrt
Linder	Ramstad	Torkildsen
Livingston	Rangel	Trafficant
LoBiondo	Regula	Upton
Longley	Riggs	Vucanovich
Lucas	Roberts	Walker
Manzullo	Rogers	Walsh
Martini	Rohrabacher	Wamp
McCollum	Ros-Lehtinen	Watts (OK)
McCrery	Roth	Weldon (FL)
McHugh	Roukema	Weldon (PA)
McInnis	Royce	Weller
McIntosh	Salmon	White
McKeon	Sanford	Whitfield
Metcalf	Saxton	Wicker
Meyers	Schaefer	Wilson
Mica	Schiff	Wolf
Miller (FL)	Sensenbrenner	Young (AK)
Mollinari	Shadegg	Zeliff
Montgomery	Shaw	Zimmer
Moorhead	Shays	
Morella	Shuster	

NAYS—167

Abercrombie	Frost	Millender
Ackerman	Furse	McDonald
Andrews	Gephardt	Minge
Baessler	Geren	Mink
Baldacci	Gibbons	Moakley
Barcia	Gonzalez	Mollohan
Barrett (WI)	Gordon	Moran
Becerra	Green (TX)	Nadler
Bellenson	Gutierrez	Neal
Bentsen	Hall (OH)	Oberstar
Bishop	Hall (TX)	Obey
Boniior	Hamilton	Olver
Borski	Harman	Ortiz
Browder	Hefner	Orton
Brown (CA)	Hilliard	Owens
Brown (FL)	Hincheey	Pallone
Brown (OH)	Hoyer	Pastor
Bryant (TX)	Jackson (IL)	Payne (NJ)
Cardin	Jackson-Lee	Pomeroy
Clay	(TX)	Poshard
Clayton	Jefferson	Rahall
Clement	Johnson (SD)	Reed
Clyburn	Johnson, E. B.	Richardson
Coburn	Johnston	Rivers
Collins (MI)	Kanjorski	Roemer
Conyers	Kaptur	Rose
Costello	Kennedy (MA)	Roybal-Allard
Coyne	Kennedy (RI)	Rush
Cramer	Kennelly	Sabo
Cummings	Kildee	Sanders
Danner	Kleczka	Sawyer
DeFazio	Klink	Schroeder
DeLauro	LaFalce	Schumer
Dellums	Lantos	Scott
Deutsch	Levin	Serrano
Dicks	Lewis (GA)	Skaggs
Dingell	Lipinski	Skelton
Dixon	Lofgren	Slaughter
Dooley	Lowe	Spratt
Doyle	Luther	Stark
Durbin	Maloney	Stenholm
Edwards	Manton	Stokes
Engel	Markey	Stupak
Eshoo	Mascara	Tanner
Evans	Matsui	Taylor (MS)
Farr	McCarthy	Tejeda
Fattah	McDermott	Thompson
Fazio	McHale	Thornton
Fields (LA)	McKinney	Thurman
Filner	McNulty	Torres
Flake	Meehan	Towns
Foglietta	Meek	Velazquez
Frank (MA)	Menendez	Vento

Visclosky	Watt (NC)	Wynn
Volkmer	Waxman	Yates
Ward	Wise	
Waters	Woolsey	

NOT VOTING—34

Baker (LA)	Gunderson	Nussle
Berman	Hastings (FL)	Pelosi
Bevill	Hayes	Peterson (FL)
Blumenauer	Holden	Quillen
Boucher	Hutchinson	Scarborough
Chapman	Laughlin	Seastrand
Coleman	Lincoln	Studds
Collins (IL)	Martinez	Torricelli
Doggett	McDade	Williams
Ewing	Miller (CA)	Young (FL)
Ford	Murtha	
Gejdenson	Nethercutt	

□ 1148

Mr. YATES and Mr. HALL of Ohio changed their vote from "yea" to "nay."

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON H.R. 3448, SMALL BUSINESS JOB PROTECTION ACT 1996

Mr. ARCHER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3448) to provide tax relief for small businesses, to protect jobs, to create opportunities, to increase the take home pay of workers, to amend the Portal-to-Portal Act of 1947 relating to the payment of wages to employees who use employer owned vehicles, and to amend the Fair Labor Standards Act of 1938 to increase the minimum wage rate and to prevent job loss by providing flexibility to employers in complying with minimum wage and overtime requirements under that act, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate thereon.

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

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. CLAY

Mr. CLAY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. CLAY moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendments to the bill H.R. 3448 be instructed to report as soon as possible their resolution of the differences between the Houses, because the minimum wage is at its lowest real value in 40 years and because working families deserve a raise.

The SPEAKER pro tempore. Under rule XXVIII, the gentleman from Missouri [Mr. CLAY] and the gentleman from Pennsylvania [Mr. GOODLING] each will control 30 minutes.

The Chair recognizes the gentleman from Missouri [Mr. CLAY].

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

Mr. Speaker, I rise to offer a motion to instruct conferees. We have spent this morning debating a bill that will jeopardize overtime pay for working Americans. More and more workers rely on overtime pay just to make ends meet, yet Republicans insist on passing legislation that will weaken a worker's right to time and a half pay for overtime.

The House's action today makes it even more necessary that we act quickly to enact an increase in the minimum wage. An increase to the minimum wage will provide simple justice for working men and women.

We offer talk about the importance of getting people off welfare. If we are serious about that, if we really want to get people off welfare as opposed to just talking about it, there is one simple way to do that—make work pay.

Almost two-thirds of the minimum wage workers are adults, while 4 in 10 are the sole breadwinner of their family.

Recent studies suggest that 300,000 would be lifted out of poverty if the minimum wage were raised to \$5.15 per hour. This includes 100,000 children now living in poverty.

Mr. Speaker, this is a matter of simple justice. This is a matter of promoting family values.

It is time to do something positive for the working poor. Polls show that 75 percent of Americans support raising the minimum wage.

Mr. Speaker, the time to raise the minimum wage is long overdue.

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

Mr. GOODLING. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, obviously we want to work with the minority to resolve the differences as quickly as possible.

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

Mr. CLAY. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. BONIOR].

Mr. BONIOR. Mr. Speaker, I thank the gentleman for yielding me the time, and I am glad to hear my friend from Pennsylvania say that he is interested in working with the minority to resolve this issue as quickly as possible.

Back in 1948, Harry Truman gave a speech about a do-nothing Congress, and in that speech he said that the Republicans had not created jobs, they had not raised wages, they had not protected pensions, they had not dealt with the health care issue, they had not done a single thing to help working families in America. At the end of the speech Truman looked at the audience and he said, "How many times do you have to get hit over the head before you realize what is hitting you over the head?"

Mr. Speaker, I want to believe my friend from Pennsylvania. He is a

noble, decent, hard-working Member of this body, Mr. GOODLING, but let me tell my colleagues something, I have some difficulty here because we have seen a strategy of delaying, of burying, of ducking on this issue.

Five separate times Republicans blocked an increase in the minimum wage. NEWT GINGRICH said the minimum wage should be based on the wages of workers from Mexico. DICK ARMEY said that he would fight it with every fiber of his being. TOM DELAY said that the minimum wage families do not really exist. And the chairman of the Republican conference said he would commit suicide before he would vote for raising the minimum wage.

So, after all this published pressure in the country forced them to act, the House raised the minimum wage, but only after our friends on this side of the aisle tried to repeal the minimum wage for 10 million workers in this country. So people can understand our trepidation and our fear that this is not going to get done.

Workers in this country are losing these wages on a daily basis, costing literally hundreds and hundreds of millions of dollars to these low-income workers in this country today. Twelve million Americans are working hard, they are working long hours.

These are people who are choosing work over welfare, and they cannot raise a family on \$8,800 a year. When they are in that situation, they end up working two jobs and three jobs and overtime.

When a mother is working an extra job, she is not there for her kids in the evening, she is not there to teach them right from wrong, she is not there to read them bedtime stories. When the father has to work two or three jobs or overtime, he is not there for Little League of soccer games. He is not there for dinner conversations. And the whole fabric of civil society starts to come unraveled.

This needs to be done now. It needs to be done before Labor Day. It needs to be done so we can get on with the object of giving America a raise. So I encourage my colleagues to vote for this resolution so we can do this, as the resolution says, as the instructions say, as soon as possible. We do not need to wait another month or two or three before this issue is resolved.

Mr. GOODLING. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I do that to make sure that everybody understands that nobody was trying to exempt millions of American workers from minimum wage. What we were trying to do is what the other side of the aisle thought they had done in 1989 and thought they had done later, which was to say that there is no difference between interstate and intrastate, because all those workers were already exempt less than 500,000 of them.

What we were trying to do, as I indicated, is make sure that there is no difference between interstate and intrastate, exactly what the minority thought they had done in 1989. According to the Congressional Research Service, that affected 230,000 people, not 10 million, not 16 million, 230,000, of which I grandfathered all of those so none of them was affected.

Therefore, we cannot say that somehow or other somebody was trying to take away an exemption, because the exemption was already there. All we were trying to do was make sure that we got it the way they wanted it, but it did not work out that way.

□ 1200

Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, the gentleman that spoke in the aisle a minute ago said to increase the minimum wage. If my colleagues remember the last time the minimum wage was raised before this, it was raised by Ronald Reagan and the Republicans.

Why, when the Democrats had both the House and the Senate and the White House, if the minimum wage is so important now, did they do nothing? They had control of all three of the areas in which they could have raised the minimum wage and they chose to do nothing. The President even said the minimum wage is not the way to empower people. But now it is important because it is a political year.

No, Mr. Speaker, they do not raise the minimum wage and they talk about a do-nothing Congress. Well, Democrats did a lot of things in the 103d Congress. They increased taxes the highest level ever. They promised a middle-class tax cut and they increased the marginal rate on the middle class.

Mr. Speaker, we tried to live up to that bargain and give money back to the middle class with a \$500 tax deduction to working families for every child, and my Democrat colleagues fought that. Why? Because they want the power and the ability to spend money out of Washington, DC, so they can rain it down to their liberal interest groups, so they can get reelected. That is what is cruel.

Mr. Speaker, if my colleagues want to help the American people, balance the budget and cut out the extra spending.

Let me give another classic example. In education, the liberals have cut education year after year after year. How? The President's direct lending program cost over a billion dollars more just to administer. One year in operation they have lost \$100 million and they cannot account for it. That is cutting education because those dollars are not going to the classroom.

We took the savings from that and increased Pell grants and increased

students loans 50 percent and Democrats said Republicans are cutting education. What we did is we cut their power in River City and we capped the administrative fees on direct lending.

AmeriCorps where it is \$29,000 per volunteer, and in Baltimore it was \$50,000 per volunteer; the wasteful spending that we have in Washington, DC. If my colleagues want to help American families and get them a minimum wage, then balance the budget and take off interest rates. They will have more money for schools and car loans and home loans and they will have a good life. But no, Democrats want to make it political rhetoric in an election year, when they absolutely refused to do it when they had the total House, the total Senate and they had the White House.

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

Mr. Speaker, may I remind all speakers that we are talking about the minimum wage and not some of these other issues that have been brought before us.

Mr. Speaker, I yield 2 minutes to the gentleman from Hawaii [Mrs. MINK].

Mrs. MINK of Hawaii. Mr. Speaker, I thank our ranking member for yielding me time.

Mr. Speaker, this matter of raising minimum wage is a matter of simple justice. We have heard throughout the last year and a half about how important it is for people to work. In fact, we have passed a welfare reform bill, so-called, which will require work because work is an important ethic that ought to be encouraged.

And while we talk about work, we always say work should be rewarded. So we have come now to this legislation which is an attempt to pay fair wages, to make it profitable for people to work at the lowest income in our country.

People who work at minimum wage, \$4.25 now, all they are going to receive after a year is \$5.15 an hour; not much more than what they get, but a substantial amount for those people who are in the lowest income in our society. And I have met many tens of thousands of workers who are earning minimum wage in my district.

Mr. Speaker, I was appalled when once the Labor Department issued the unemployment statistics, everywhere we had been told that the economy was down and that the tax collections were down. And yet at the same time our unemployment figures remained stable. They remained stable because in my community, people have to work three or two jobs just to keep their families together. So when they lose the third job and retain two, they are not unemployed, so it was not reflected in the unemployment statistics, but it certainly was reflected in the amount of money that they had to sustain their families.

Mr. Speaker, if we are going to consider the family and the importance of the family, the importance of rewarding work and making people self-sufficient and encouraging this idea of family responsibility, we have to have an increase in the minimum wage.

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

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentleman from West Virginia [Mr. WISE].

Mr. WISE. Mr. Speaker, the minimum wage is finally going to be a bipartisan bill, but with Republicans and Democrats alike, to my friends on the other side of the aisle who want to troop down here and talk about how Democrats did not do anything the first 2 years of the Clinton administration, I would hasten to remind them of the earned income tax credit which was part of the deficit reduction bill.

Democrats passed that and it gave every American earning under \$26,000 a year a tax cut. It gave 100,000 working West Virginians a tax cut. That was in lieu of the minimum wage and I might add not one Republican Member voted for it. Not one Republican Member voted for that middle-income and lower middle-income working person's tax cut, which, in effect, was a minimum wage increase.

But let us talk about this minimum wage, because it is time for it to go up. The minimum wage has not been raised since 1991, effectively. In West Virginia, what it has meant, failure to raise the minimum wage during the year that it has been talked about has meant \$41 million of lost wages to working West Virginians. It has meant, since July 4, the loss of about \$2 million a week to working West Virginians. That is money not only in their pockets but money that could be circulating in the economy.

Mr. Speaker, it also means that for working West Virginians it means that there are 112,000 payroll jobs that will see an increase because of this minimum wage increase over the next 2 years going from \$4.25 to \$5.15 over a 2-year period.

We talk about welfare reform; this is welfare reform, because what it says is there is value to work. I think that if workers have not had a pay increase since 1991, if they are at minimum wage, their buying power is at an all-time buying low for the last 40 years. If they are now making one-third the average nonsupervisory wage, and the minimum wage used to be one-half of that, yes, it is time for a raise.

So, Mr. Speaker, let us get this to the floor quickly. I am delighted to see there seems to be agreement among Republicans and Democrats. It is time for West Virginians to stop losing \$2 million a week and get that pay raise.

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

Mr. CLAY. Mr. Speaker, do we have the right to close on this side?

The SPEAKER pro tempore (Mr. TORKILDSEN). Yes, the gentleman is correct.

Mr. CLAY. Mr. Speaker, may I inquire of the gentleman if he intends to call additional speakers.

Mr. GOODLING. Mr. Speaker, if the gentleman will yield, whenever the gentleman from Missouri tells me he is down to his last speaker, I will get up and endorse his motion and then yield back the balance of my time.

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

Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. BECERRA].

Mr. BECERRA. Mr. Speaker, I thank the gentleman for yielding me 2 minutes. That is all it should take Members of this House to pass this bill. Two minutes. Not 2 months and certainly not 40 years. But for 40 years we have seen the minimum wage constantly have the value eroded down to the point now where we are now talking to folks who are working for minimum wage who cannot afford to exist.

Mr. Speaker, this is not a liveable wage. And it has been more than a month since this House, by a vast majority of its Members, decided to tell the American people, America you deserve a raise. But for more than a month this bill has been held in limbo because of politics. The Senate passed a raise on the wage more than a month ago and we cannot get this out so Americans can finally get their raise.

Mr. Speaker, there is not a need to wait any longer. We need not have an instruction to tell Members of Congress to finally do their work. Let us get to the business of this Congress. Let us increase the wage of American workers who earn the least amount in this country and do some of the hardest work. They have waited a long time. They have had to suffer through this. And quite honestly, it is time for us to tell them we appreciate what they do. And rather than the politics day after day, denying them the opportunity to have a 50 cent increase in their hourly pay, let us get past this political bickering and say it is time to increase the wage of America.

I urge Members to vote for this instruction and let us tell the leadership of the Congress: Fight if you wish, but do not do it on American workers' time. Let us pass this and get it over with and give America what it deserves.

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

Mr. GOODLING. Mr. Speaker, I yield myself 15 seconds.

Mr. Speaker, as soon as we cut the rhetoric, we will get this minimum wage conference over.

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

Mr. CLAY. Mr. Speaker, I yield 1½ minutes to the gentleman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, I rise in support of raising the minimum wage and I call on the Republican leadership to quit the stalling tactics on this much-needed legislation.

Mr. Speaker, 80 percent of the American public wants to see an increase in the minimum wage. Americans need a raise and the Gingrich Congress has gone to unbelievable lengths to stiff working people, including this morning voting to cut overtime pay for working people. The Republican leadership has employed every parliamentary trick in the book to deny the minimum wage to, deny workers a 90-cent increase. We are talking, friends, about 90 cents.

Under Federal law, Speaker GINGRICH takes home \$171,500 a year in taxpayers' money for his salary. In contrast, the minimum wage worker who puts in 40 hours a week for 52 weeks a year makes a grand total of \$8,840.

On April 17, Speaker GINGRICH promised to, "look at raising the minimum wage." It has been exactly 100 days since Speaker GINGRICH made that promise and the American taxpayers have paid him \$46,989 in that time. And in Connecticut, minimum wage workers lost a total of \$4.8 million in this time in terms of their wages.

Speaker GINGRICH and the Republican revolutionaries passed their Contract With America in the first 100 days of this Congress, but when it comes to working people, the Republican leadership cannot get its act together enough to enact a paltry 90-cent raise. America needs a raise now. Let us do it.

Mr. GOODLING. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I rise just to indicate that I voted for the bill when it left the House. I got some provisions in to protect the most vulnerable who normally are affected. Therefore, as soon as we stop the rhetoric, we will go on to conference and get the job done.

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

Mr. CLAY. Mr. Speaker, I yield 1 minute to the gentleman from Georgia [Mr. LEWIS].

Mr. LEWIS of Georgia. Mr. Speaker, I rise today to urge my Republican colleagues to stop blocking action on the minimum wage. I have said it before and I will say it again here today: Raising the minimum wage is not just an economic issue, it is a moral issue. It is the right thing to do. The time is always right to do right.

The Republicans in Congress will do anything to deny hard-working people a small raise. Mr. Speaker, Mr. Majority Leader, I know you vowed to fight an increase in the minimum wage with every fiber in your being but you cannot fight the will of the American people forever. Now is the time to act. Now is the time, not tomorrow, not next week, but today. One thing is for sure. Come November, working people will remember.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. OWENS].

Mr. OWENS. Mr. Speaker, America needs a raise; most of America needs a raise. Really, the CEO's are doing very well in America. The stockholders are doing very well. This is a time of prosperity and a great deal of growth. It is time to share the wealth, however.

American workers are stagnated and some are faced with decline in incomes. Here is a small step that we can take. I wish that we could have both Republicans and Democrats resolve between now and the end of this session, at least we will do no more harm to workers than has been done already this year.

□ 1215

The tiny steps that we can take is to move from \$4.25 an hour to the first step in this two-step raise which will be 45 cents a year over a 2-year period, just 90 cents, to move from \$4.25 to \$5.15. What all the economist say, if you factor in inflation and you look at the way that the cost of living has been raised over the last 20 years, we are way behind.

To really stay level with the cost of living, this minimum wage increase should go to something like \$6.30 an hour. So even after we give the two-step increase over a 2-year period, 90 cents to bring it up to \$5.15 an hour, we will still be way behind what we really had 20 years ago with the minimum wage.

This is the least we can do. The war that has been declared on workers this year, starting with the November victory in 1994 of the Republican majority, is an unprecedented war. At least we can call a halt between now and November, try to stake some small steps to communicate to the American people that we do care about working families, that when we talk about moving from welfare to work, we want to make work rewarding. We have taken the rewards out of work by having people who earn the minimum wage earning less than you get if you are on welfare, and in many cases you are better off if you are on welfare and have Medicaid because at least you have a health care plan. Let us end the war on workers and raise the minimum wage without further ado.

Mr. GOODLING. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, if we wanted to delay the process, we would not have come to the floor to ask to appoint conferees. I might remind my colleagues that it was the senior Senator from Massachusetts that held all of this up over on the Senate side, the appointing of the conferees, not because it had anything to do with the minimum wage but because he did not like something in relationship to health care. That is where the delay has been. We are trying to expedite it.

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

Mr. CLAY. Mr. Speaker, just to correct the record, I yield myself such time as I may consume.

Why do they keep adding these non-germane issues to important issues like the minimum wage? It should not have been there in the first place. That is the problem with what is happening in this 104th Congress under the leadership of the Republicans.

Mr. Speaker, I yield 2 minutes to the gentleman from Missouri [Mr. VOLKMER].

Mr. VOLKMER. Mr. Speaker, the gentleman from Pennsylvania says that they are not the cause of the delay. I can remember back early on in this year, way back, when we on this side attempted many times to bring up a minimum wage bill and to be thwarted by the votes of the majority, because why? Speaker GINGRICH did not want us to have a minimum wage bill.

Finally, because of some of their Members and some of the Members from people from the media and the public said we have to have a minimum wage, everybody knows that the minimum wage has the lowest buying power that it has had in the last 40 years, so that got to them. So then they finally came up with they want an amendment, though that would have obfuscated most of it, even denied any minimum wage to over 10 million workers. We defeated that. They tried the same thing in the Senate.

This has been a long arduous process, and all because Speaker GINGRICH and DICK ARMEY, they do not want us to have the public, the people out there that work, they do not want them to have a little increase in the minimum wage, 90 cents over a period of 2 years, a 90-cent increase.

Most of my colleagues on the majority side, that would be a hill of beans, does not amount to anything. They would throw that away in 15 minutes without any problem. To people in my district who work for a minimum wage, that 90 cents means a heck of a lot, folks. That means more bread on the table. That means maybe an extra pair of socks for the kids, maybe even a pair of shoes in due time. That is what it means. It does not mean that to the majority, to the wealthy, but it does to those who work for it.

As for me, I worked for a minimum wage at one time. I know what it is like. I do not like it. I do not think anybody on the minimum wage really likes working for the minimum wage. But to have to work for \$4.25 when you should be working for \$5 or \$5.15 makes a big difference.

Mr. GOODLING. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina [Mr. COBLE].

Mr. COBLE. Mr. Speaker, I had not planned to speak today. I have no prepared text. But I get tired of bashing.

It is easy for Democrats to bash Republicans, easy for Republicans to bash Democrats. We seem to be in the bashing game.

I was back on the rail, listening to the bashing exercise. I may be wrong, Mr. Speaker, but I think if memory serves correctly, and it does, during the 103d Congress, when my Democrat friends controlled the House, controlled the Senate, controlled the White House at the other end of Pennsylvania Avenue, not one word was mentioned about minimum wage. They were in the wheelhouse of that ship. My colleagues had control of the ship. But minimum wage was not on their radar screen, my friends. Now all of a sudden it is a hot item and it is the Republicans' fault.

I tire of it, Mr. Speaker, and I believe the American public tires of it and can see through it.

I thank the gentleman from Pennsylvania for yielding me the time.

Mr. GOODLING. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana [Mr. SOUDER].

Mr. SOUDER. Mr. Speaker, I am a little confused as to what we are debating because we mostly seem to be having a bash Republican session here as opposed to debating the substance. In other words, the House appointed conferees. I think the chairman in the House and the majority in the House are willing to move ahead.

I have differences with what the House did. I actually agree with much of what the Senate is trying to do because I believe, and I get tired of having my motives attacked, I believe that in actuality that the increase in the minimum wage will hurt those who least can afford to be hurt.

I know in inner-city Fort Wayne we have been trying to get a grocery store to relocate back there. We lost all the major downtown grocery stores. This will increase their wage rates basically 20 percent. They already made a market decision that they could not put it there and we are making the market decision more difficult.

In the small town that I grew up and other small towns, the increases in the minimum wage are helping to take very marginal businesses under. We are seeing the Wal-Martization of America because suburbs can afford, through economic growth, to afford a lot of this. We need to look at creative ways, particularly for small businesses to deal with it.

Basically I believe that what we are debating here is not the substance of the minimum wage. We voted and I lost. What we are debating is how to resolve this procedure, how to move the conferees through, how to do it. We are not really resisting the point of trying to get the conference done. The Senators have been holding up the conference.

We want to see it move. As a freshman who has voted on this issue, who

is willing to argue this issue, who unlike others have stood up and talked and tried to explain why I voted my vote, I do not retreat from my vote. I realize we have had this argument before.

I just wish that some of rhetoric would be toned down, that the motives attacks would be toned down, and we could move ahead with this process rather than continue what I believe has become malicious bashing of our side.

Mr. CLAY. Mr. Speaker, I yield 1 minute to the gentleman from Missouri [Mr. VOLKMER].

Mr. VOLKMER. Mr. Speaker, one of my many small businessmen in my rural district, he has been in business for 30 years, he has approximately 25 employees. Does the gentleman know what he said? He said, the minimum wage should be increased.

He does not pay the minimum wage. He starts people out at the minimum wage, but he says, people even starting out now at \$4.25 cannot make it.

If the gentleman wants his name, I will be glad to give it to him. His name is Pete Leukenhaus. He has a small business in Wentzville, MO. He believes that it should be increased had, not decreased, not held the same but increased.

Mr. SOUDER. Mr. Speaker, will the gentleman yield?

Mr. VOLKMER. I yield to the gentleman from Indiana.

Mr. SOUDER. Mr. Speaker, I believe every business that can pay more should absolutely pay more. There are many small businesses that are closed that used to pay less, and they cannot make it. That is really what I am talking about.

I would have liked to have seen some sort of adjustments to code to help low-income people who are just starting out, particularly young mothers who are often divorced or single and trying to make it. I would like to look at it. This is not the way.

Mr. CLAY. Mr. Speaker, since the first week of this month, when the Senate passed the minimum wage bill, Republican delay has cost the gentleman from Indiana's workers, workers in his State, \$5 million a week. I wish he would consider that when he talks about how dangerous the minimum wage is.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. Mr. Speaker, I thank the gentleman from Missouri for yielding me the time.

I have been interested in this debate because Members come in and say, I do not like the bashing, and then they proceed to bash the President, the Democrats or whatever.

Let us stop the bashing. Let us reach that challenge. Let us talk about what is at the core of this debate.

When I went to college, I went to an out of State public university, which

meant I was paying out-of-State tuition. I had a job with the minimum wage and, with that job, I made enough money to pay that tuition. Show me where you can do that today.

Let me tell my colleagues, what the real issue is is the minimum wage is lower in value than it has ever been. You are talking about a 40-year low. The minimum wage was supposed to be the floor.

Everybody wants to do welfare reform. Everybody wants to do these kinds of things. But if we cannot have a job where people can sustain themselves, we are really showing how totally coldhearted we are.

I think it is difficult for people who make \$130,000 a year to stand up here and scream about, we do not want to raise the minimum wage. Yet the leadership on the other side of the aisle has said they were going to fight it with every fiber in their body. They were not going to let it go through.

Nevertheless, when we point that out, they say, there you go, bashing. It is not bashing. This is reciting what they have said publicly.

I think it is time we lift the minimum wage. It is way overdue. That will be the biggest incentive to welfare reform.

I think we need to get on with dealing with the real people who keep this country moving. It is particularly necessary for women. A very high percentage of people on the minimum wage are young moms trying to make it for their kids. They are trying to make it for their kids because we have not given them the tough child support enforcement help that they need. Now we are trying to cut off any other kind of support.

Raise the minimum wage. Let us do this together.

Mr. GOODLING. Mr. Speaker, I yield myself 15 seconds, just to remind everyone that the core of this debate, as a matter of fact, is do we expedite or do we not expedite the conference. That is the only core of this debate. If we stop talking, we will expedite it.

I would just mention that, to the best of my knowledge, to my friend from Missouri, the senior Senator from Massachusetts, I think, is still a Democrat.

Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. RIGGS].

Mr. RIGGS. Mr. Speaker, I want to point out to my Democratic colleagues, as the person who actually offered the minimum wage amendment on this floor, that I was joined by 92 other Republicans in voting for that legislation on final passage. The difference is that us 93 Republicans also support meaningful welfare reform. So while on the one hand we do believe that the Federal minimum wage ought to be increased, if not to keep pace with inflation to at least restore some of the purchasing power to the minimum wage that has been lost or eroded due to in-

flation and to try to reverse this sort of perverse incentive in American society where welfare benefits in the aggregate pay more than the minimum wage job, that is to say, trying to make work more attractive than welfare, trying to make work pay more than welfare, the difference again is that we support raising the minimum wage and reforming welfare.

□ 1230

And I do not believe a single Democratic speaker who has come down to the floor and has been talking on this particular subject, this relatively innocuous motion to instruct conferees, supported welfare reform when they had the opportunity in this Chamber.

Now, the history is quite clear, colleagues. In 1992, candidate Clinton promised to end welfare as we know it. In 1995 and again in 1996 President Clinton vetoed welfare reform. Empty rhetoric spoken with the greatest of sincerity, followed by another broken promise. This cycle repeats itself all too often with President Clinton.

So even though his party, the Democratic Party, controlled the White House and the Congress for the first 2 years of his Presidency, President Clinton did nothing about welfare. He even admitted that when he finally got around to introducing welfare reform legislation, or suggesting welfare reform legislation to this body, it was quite watered down, and as previous speakers have already pointed out, when one controls the House and the Senate, they fail to offer legislation to increase the minimum wage, which seems to sort of undermine their credibility on this particular issue, it has taken a Republican-led Congress to pass legislation to reform welfare as President Clinton promised to do and to increase the minimum wage.

Now, last Thursday we made it possible for President Clinton to again sign on to a serious commonsense welfare reform package. He can either keep his word to end welfare as we know it, and my colleagues can help him do that, or he can do as usual break his word and prove yet again he means little or nothing of what he says. In order, though, for him to keep his word, he is going to have to stand up against the opposition of his party in the House of Representatives and most of the people who have spoken here on this floor today in the last few minutes to the idea of genuine welfare reform. The choice is his.

I ask all of my colleagues on the Democratic side of the aisle to join us in raising the minimum wage and reforming welfare.

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

The diversion is becoming an art in this House. The subject today is minimum wage; it is not welfare reform, or capital gains, or a host of other non-

germane issues. The gentleman from California who just spoke, workers in his district have lost \$25 million a week since the beginning of this month because of the delay in this bill becoming law.

Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. ENGEL].

Mr. ENGEL. Mr. Speaker, I thank my friend for yielding this time to me. As my colleagues know, this is not Republican bashing or any other kind of bashing. This is simply setting the record straight.

The American people are not fools. They understand that the Democrats in Congress all Congress long have been pushing for an increase in the minimum wage. We could not even get a procedural vote to bring the minimum wage to the floor for months upon months upon months.

The Republican leadership did not want this bill. They finally are here kicking and screaming every inch of the way because they know that 80 percent of the American people support the minimum wage increase and they were on the wrong side of the issue. So they are cutting their losses, and they are reluctantly coming to the table.

But the American people, again, are not fools. They know that the Democratic Party has been pushing it in this Congress.

I do not need history about what happened in previous Congresses. Let us talk about this Congress. This is the Congress that the Republicans have the majority, and this has been to do nothing Republican Congress because it took us so long to finally get the minimum wage to the floor, and we are finally about to pass the minimum wage, but again with 90 Republicans or 92 Republicans in this Chamber, voted against raising the minimum wage, and a majority of Democrats overwhelmingly supported and voted for the minimum wage. So the American people should understand that. That is what has happened.

We talk about welfare reform. Well, no one is going to get off the minimum wage, get off a minimum wage job or get into a minimum wage job and get off welfare if the minimum wage is not worthwhile, if there is no child care, if there is inadequate health care, and that is the problem with the welfare bill. But we are discussing minimum wage, and it is very clear, very simple. The American people know the Democrats in this Congress have been for increasing the minimum wage time and time again, and Republicans have dragged their feet every step of the way, and again it is consistent with the Republicans attacking working people in this country, being against the minimum wage, being for gutting OSHA and gutting all kinds of rights for workers.

So let us get on and let us pass the minimum wage. This is a victory for the American people.

Mr. GOODLING. Mr. Speaker, I yield myself 15 seconds just to remind the gentleman from New York again he had 2 years, complete majority in the House, complete majority in the Senate, had the White House, never even mentioned in my committee for 2 years when they had total majority anything about the minimum wage.

But again I say, the senior Senator from Massachusetts delayed appointing in conferees over there, we delayed now about 45 minutes appointing them here. We could get on with the job. All we have to do is name the conferees.

Mr. CLAY. Mr. Speaker, I yield 1½ minutes to the gentleman from Montana [Mr. WILLIAMS].

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

Perhaps the most interesting element in this debate is how one-sided it is. As my colleagues here and I, similar viewers, know, the reason our good friend from Pennsylvania has to stand up and keep granting himself 15 seconds and half a minute is because he cannot get any Republicans to come over here and support him on this, or very, very few, and some who have come over and supported him on it are actually against the minimum wage and have said so.

Look, the American people understand this. This is a very partisan issue. It has been for almost 60 years. Republicans have been against the minimum wage since it was first created in the late 1930's, and they have been against it each time it has come up since. Oh, if we bring the bill publicly out on the floor, as we have done this afternoon, the Republicans are back in the cloakroom, and if they finally have to vote on it, usually enough of them will join Democrats that we can get it passed.

But Americans are not fooled on this issue. They know that Republicans are against the minimum wage and Democrats are for it. There is another way to put that:

My colleagues remember the economics of the 1980's called trickle-down economics, the new Republican-designed economics called trickle-down. Of course what that was, it is if we can deny income to lower-middle-income and middle-income folks and we can increase the income to the rich and the well-to-do, eventually it will trickle down and help the low-income workers. Democrats are not for that. We are for an economics which we like to call percolate-up. This bill is part of percolate-up: increase the minimum wage so that at the end of the month the workers in this country have a little jingle in their pocket, they go out and spend it, and that is what helps the American economy. It is called percolate-up. It is

far different than trickle-down, and there is an enormous difference between Republicans and Democrats on this issue.

Mr. GOODLING. Mr. Speaker, I yield 3 minutes to the gentleman from Connecticut [Mr. SHAYS].

Mr. SHAYS. Mr. Speaker, this has been an amazing experience because this is a time in the history of Congress where two-thirds of Congress believes we should move forward in a certain direction where two-thirds of the majority party for very valid reasons disagrees, and this was a test of this Republican Party on whether a minority within the party could have some opportunity to pursue with the minority party on the other side.

I am absolutely convinced that we have been dealing in good faith on this issue. There were other issues in the Senate, like some Member holding up the health care bill, and it seemed logical that that was a bill we wanted because we wanted to deal with the issue of transportability and preexisting condition and the health care fraud positions there and the medical savings accounts and so on, and that bill was being held up by the minority party there, and there were some on our side who said, "Well, if that's the case, then the minimum wage, we're just going to wait on the conference report." But both have been resolved, and we are having a debate now that is somewhat academic because I understand as soon as the debate is over we will have individuals appointed to the conference committee.

But I just want to, one, thank my leadership for their willingness in my conference and particularly the Members who strongly disagreed because they thought it would and still believe that jobs would be at risk and that profits will be at risk and that prices would be at risk. We disagree, those of us who support raising the minimum wage.

We have a very good debate on the floor of the House. I believe people on both sides of the aisle were dealing in good faith. Two-thirds of this conference wants to move forward on the minimum wage. I think that will happen, and to the credit of this majority party we just did not vote out a minimum-wage package, we voted out a package of economic stimulus tax credits for those individuals who are hiring the least employable. So I think we got a better bill through the synergies that exist.

I recognize that the Democrat Party has been pushing the minimum wage, that they cut a clear majority on their side, they had a role to play in this process. But this side of the aisle, and I do make the point, as has been illustrated, but they did have 2 years when they were in power they could have brought this bill up. And we do understand that there is a lot of politics involved in this process, as well.

But to the credit, we are moving forward, we will see Members appointed to the conference committee, and I urge adoption of this conference effort.

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

Mr. Speaker, I merely say again we are here to appoint conferees, which that means we want to move ahead, we do not want to delay, but we have lost 50 minutes now. We probably could have solved it all in 50 minutes if we could have just named the conferees and sat down and got in conference, and it may be all over by this time.

But again I know it is a political year. And I yield back the balance of my time.

Mr. CLAY. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas [Ms. JACKSON-LEE].

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank my good friend for yielding this time to me. And I might say to the gentleman from Pennsylvania in fact this is an important debate. It is 50 minutes, but I would say to the American people it has been a long time since the Senate passed the minimum wage. I would ask my Republican colleagues, why so long? Why not then, on July 1, and certainly before July 4? Why not recognize that since the Senate passed the minimum-wage increase, American workers, some 5 million of them who earn less than \$4.70, would have already gotten a raise?

According to the Labor Department, if we had gone ahead on July 1, we would have provided the American people 3½ months of groceries, or 4½ months of utility bills or 2 months of rent. My own State of Texas, the workers there have lost \$19 million a week because we did not increase the minimum wage when this House voted for it and the Senate voted for it. Workers have lost nearly \$4 billion because of the Republican delay.

That is why we are debating this on the floor of the House.

And might I take on my colleagues on the issue of welfare reform? I do not mind discussing it, because we are so eager to talk about welfare reform, which I agree with, but at the same time we do not want to give the American workers a decent working wage. I support welfare reform with job training, with child care, with health care and jobs. But I recognize that the fact that we have had a minimum wage that was less than a minimum wage in 1962 in terms of buying power, we are not doing anything to suggest to people get off welfare but yet do not have the jobs or the income to be able to survive, for when one gets off welfare they do still need health care.

This is an important step. I am just so sorry that we did not move more sooner so that the billions of dollars that have been lost already by the American worker could have been corrected, so that more families could buy

groceries, so more could pay utility bills, and, yes, those who maybe were without homes could be in apartments now paying rent.

That is really the cause of the ire of those of us on this side of the aisle. We did not need to be voting on this today. We could have been voting for the American worker on July 4, really celebrating this holiday of independence and celebration.

And so, Mr. Speaker, I think it is extremely important that we do move forward. I hope the conferees will spend more time in discussing how we can help the American worker. I hope it will spend time listening to economists who will say that increasing the minimum wage a mere 95 cents does not hurt small businesses, it does help the economy, it does help circulate dollars into the economy so that consumers will have more money. And we recognize that those individuals with the least amount of money are our greater consumers. Give them the opportunity to get a fair day's wage for a fair day's work. Vote for this minimum-wage conference so that we can stand with the Americans. I am sorry it is so late.

Mr. PAYNE of New Jersey. Mr. Speaker, today I rise in support of American workers and in support of an increase in the national minimum wage. Every day, we hear how the living standards of Americans are steadily eroding. And finally, we are looking at a bipartisan effort to increase the living standards for millions of Americans who are looking to take personal responsibility and keep them and their families off welfare.

Consider that since the early 1970's, the benefits of economic growth have unevenly distributed among workers. Raising the minimum wage would help ameliorate this trend.

The positive effects of the minimum wage are not felt solely by low-income households, but minimum wage workers are overrepresented in poor and moderate-income households.

Consequently, the minimum wage is an important component of a broad-based policy to help low-wage workers, particularly in households that are working hard to keep themselves and their families in self-sufficiency.

With wages stagnant, people are spending less money. As a result, companies profits are way up and inflation adjusted wages and benefits are climbing at less than half the pace of previous economic expansions.

And with growth in consumer spending down, that means that per capita GDP growth is way below projected trend.

So what does all this mean for you? As many of my colleagues on the other side are seriously considering reductions in the earned income tax credit, workers who are impacted by a stagnant minimum wage are in large part the same people who would be hurt by cuts in the tax credit.

And in this age of personal responsibility, here's the incentive to move out of poverty.

I know that my colleagues vote in favor of this small effort to help hard-working Americans struggle to keep themselves and their families out of poverty. I urge my colleagues to support this bill.

□ 1245

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

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

The Speaker pro tempore (Mr. TORKILDSEN). Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Pennsylvania [Mr. GOODLING].

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

Mr. CLAY. 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 365, nays 26, not voting 42, as follows:

[Roll No. 369]

YEAS—365

Abercrombie	Clyburn	Fowler
Allard	Coble	Fox
Andrews	Coburn	Frank (MA)
Archer	Collins (GA)	Franks (CT)
Bachus	Collins (MI)	Franks (NJ)
Baesler	Condit	Frelinghuysen
Baker (CA)	Conyers	Frisa
Baldacci	Cooley	Frost
Balenger	Costello	Funderburk
Barcia	Cox	Furse
Barrett (NE)	Coyne	Galleghy
Barrett (WI)	Crapo	Ganske
Bartlett	Cubin	Gekas
Bass	Cummings	Gephardt
Bateman	Cunningham	Gibbons
Becerra	Danner	Gilchrist
Bellenson	Davis	Gillmor
Bentsen	de la Garza	Gilman
Bereuter	Deal	Gonzalez
Billray	DeFazio	Goodlatte
Billrakis	DeLauro	Goodling
Bishop	Dellums	Gordon
Bliley	Deutsch	Graham
Blute	Diaz-Balart	Green (TX)
Boehert	Dickey	Greene (UT)
Boehner	Dicks	Greenwood
Bonilla	Dingell	Gunderson
Bonior	Dixon	Gutierrez
Bono	Dooley	Gutknecht
Borski	Dorman	Hall (OH)
Brewster	Doyle	Hall (TX)
Browder	Dreier	Hamilton
Brown (CA)	Duncan	Hansen
Brown (FL)	Dunn	Harman
Brown (OH)	Durbin	Hastert
Brownback	Edwards	Hastings (WA)
Bryant (TN)	Ehlers	Hayworth
Bryant (TX)	Engel	Hefley
Bunn	English	Hefner
Bunning	Ensign	Heineman
Burr	Eshoo	Heger
Burton	Evans	Hilleary
Buyer	Everett	Hilliard
Callahan	Ewing	Hinchesy
Calvert	Farr	Hobson
Camp	Fattah	Hoke
Canady	Fawell	Horn
Cardin	Fazio	Hostettler
Castle	Fields (LA)	Houghton
Chabot	Fields (TX)	Hoyer
Christensen	Filner	Hunter
Chrysler	Flake	Hyde
Clay	Flanagan	Istook
Clayton	Foglietta	Jackson (IL)
Clement	Foley	Jackson-Lee
Clinger	Forbes	(TX)

Jacobs	Moakley	Sensenbrenner
Jefferson	Molinar	Serrano
Johnson (CT)	Mollohan	Shaw
Johnson (SD)	Montgomery	Shays
Johnson, E. B.	Moorhead	Shuster
Johnson, Sam	Moran	Sisisky
Johnston	Morella	Skaggs
Jones	Murtha	Skeen
Kanjorski	Myers	Skelton
Kaptur	Myrick	Slaughter
Kasich	Nadler	Smith (MI)
Kelly	Neal	Smith (NJ)
Kennedy (MA)	Neumann	Smith (TX)
Kennedy (RI)	Ney	Smith (WA)
Kennelly	Norwood	Solomon
Kildee	Nussle	Spence
Kim	Oberstar	Spratt
King	Obey	Stark
Kiecicka	Olver	Stearns
Klink	Ortiz	Stenholm
Klug	Orton	Stockman
Knollenberg	Owens	Stokes
LaFalce	Oxley	Stupak
Lantos	Packard	Talent
Largent	Pallone	Tanner
Latham	Parker	Tate
LaTourrette	Pastor	Tauzin
Lazio	Paxon	Taylor (MS)
Leach	Payne (VA)	Taylor (NC)
Levin	Peterson (MN)	Tejeda
Lewis (GA)	Petri	Thomas
Lewis (KY)	Pickett	Thompson
Lightfoot	Pombo	Thornton
Linder	Pomeroy	Thurman
Lipinski	Porter	Torkildsen
Livingston	Portman	Torres
LoBlundo	Poshard	Towns
Lofgren	Pryce	Trafficant
Longley	Quinn	Upton
Lowey	Radanovich	Velazquez
Lucas	Rahall	Vento
Luther	Ramstad	Visclosky
Maloney	Rangel	Volkmer
Manton	Reed	Vucanovich
Manzullo	Regula	Walsh
Markey	Richardson	Wamp
Martini	Riggs	Ward
Mascara	Rivers	Watt (NC)
Matsui	Roemer	Watts (OK)
McCarthy	Rogers	Waxman
McCollum	Rohrabacher	Weldon (FL)
McCrery	Ros-Lehtinen	Weldon (PA)
McDermott	Rose	Weller
McHale	Roth	White
McHugh	Roukema	Whitfield
McInnis	Roybal-Allard	Williams
McKeon	Rush	Wilson
McKinney	Sabo	Wise
McNulty	Salmon	Wolf
Meek	Sanders	Woolsey
Menendez	Sawyer	Wynn
Metcalfe	Saxton	Yates
Meyers	Schaefer	Young (AK)
Millender	Schiff	Zeliff
McDonald	Schroeder	Zimmer
Minge	Schumer	
Mink	Scott	

NAYS—26

Armey	Doolittle	Sanford
Barr	Ehrlich	Shadegg
Barton	Goss	Souder
Campbell	Hoekstra	Stump
Chambliss	Inglis	Thornberry
Chenoweth	Kingston	Tiahrt
Combest	Kolbe	Walker
Crane	McIntosh	Wicker
DeLay	Royce	

NOT VOTING—42

Ackerman	Geren	Miller (CA)
Baker (LA)	Hancock	Miller (FL)
Berman	Hastings (FL)	Nethercutt
Bevill	Hayes	Payne (NJ)
Blumenauer	Holden	Pelosi
Boucher	Hutchinson	Peterson (FL)
Chapman	LaHood	Quillen
Coleman	Laughlin	Roberts
Collins (IL)	Lewis (CA)	Scarborough
Cramer	Lincoln	Seastrand
Cremeans	Martinez	Studds
Doggett	McDade	Torricelli
Ford	Meehan	Waters
Gejdenson	Mica	Young (FL)

□ 1304

Messrs. TIAHRT, STUMP ARMEY, DELAY, COMBEST, EHRLICH, INGLIS of South Carolina, DOOLITTLE, WALKER, SANFORD, and GOSS, Mrs. CHENOWETH, and Messrs. ROYCE, WICKER, CHAMBLISS, BARTON of Texas, and KOLBE changed their vote from "yea" to "nay."

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. SEASTRAND. Mr. Speaker, on rollcall Nos. 366, 367, 368, and 369, I was unavoidably detained. Had I been present I would have voted "yea" on all four votes.

The SPEAKER pro tempore (Mr. TORKILDSEN). Without objection, the Chair appoints the following conferees:

From the Committee on Ways and Means, for consideration of the House bill, except for title II, and the Senate amendment numbered 1, and modifications committed to conference: Messrs. ARCHER, CRANE, THOMAS, GIBBONS, and RANGEL.

As additional conferees from the Committee on Economic and Educational Opportunities, for consideration of sections 1704(h)(1)(B) and 1704(l) of the House bill and sections 1421(d), 1442(b), 1442(c), 1451, 1457, 1460(b), 1460(c), 1461, 1465, and 1704(h)(1)(B) of the Senate amendment numbered 1, and modifications committed to conference: Messrs. GOODLING, FAWELL, BALLENGER, CLAY, and OWENS.

As additional conferees from the Committee on Economic and Educational Opportunities, for consideration of title II of the House bill and the Senate amendments numbered 2-6, and modifications committed to conference: Messrs. GOODLING, FAWELL, BALLENGER, RIGGS, CLAY, OWENS, and HINCHEY.

There was no objection.

LEGISLATIVE PROGRAM

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

Mrs. KENNELLY. Mr. Speaker, I yield to the gentleman from Texas [Mr. DELAY], the distinguished majority whip, for the purpose of asking the schedule for the remainder of this week and for next week.

Mr. DELAY. I thank the distinguished vice chairman of the Democratic Caucus for yielding.

Mr. Speaker, I am pleased to announce that the House has concluded its legislative business for the week.

We will next meet on Monday, July 29, at 12:30 p.m. for morning hour and at 2 p.m. to consider a slew of suspen-

sions. Members should be advised that any recorded votes ordered will be postponed until Tuesday, July 30, at 2 p.m. Please note that there is a possibility that votes could occur later than 2 p.m., although we cannot guarantee it.

On Tuesday, July 30, the House will meet at 9 a.m. for morning hour and at 10 a.m. for legislative business. The House will continue consideration of suspensions before turning to H.R. 2391, the Working Families Flexibility Act.

For Wednesday, July 31 and the balance of the week, the House will debate the following measures, both of which will be subject to rules: H.R. 2823, the International Dolphin Conservation Program Act; and H.R. 123, English as the Common Language of Government Act.

Mr. Speaker, it is my belief that a number of conference reports may be ready next week. Among the possibilities the House may consider are welfare reform, health care reform, safe drinking water and, of course, any appropriations bills that are ready.

Mr. Speaker, the House should finish its business and commence the August district work period by 2 p.m. on Friday, August 2.

Mrs. KENNELLY. I thank the gentleman.

Mr. Speaker, I would like to further ask, does the gentleman expect the minimum wage conference report to be considered next week?

Mr. DELAY. If the gentlewoman will yield further, as the gentlewoman knows, the minimum wage portion of the bill is the same in both Houses. We hope after vigorous consultations and negotiations with the Senate through the conference committee that the tax provisions will be worked out and we have every intention of bringing that conference report back to this House for a vote, hopefully in the next week. But the gentlewoman knows as well as I do, conference committees can slow down.

Mrs. KENNELLY. I thank the gentleman.

Mr. Speaker, I would just like to ask a few further questions. Does the gentleman think we will complete the comp time bill next week?

Mr. DELAY. That is certainly our hope and our intention.

Mrs. KENNELLY. Mr. Speaker, I have noticed we do have a great deal on the plate obviously because we are going to finish and go on August break next week.

We have heard that the DOD, the Agriculture, the foreign operations, the legislative branch and the immigration conferences might also come up. Could the gentleman address the possibility of those conference reports?

Mr. DELAY. If the gentlewoman will yield further, certainly the Committee on Appropriations of the House is working as hard as they can to see that

that happens. We are trying to get as many appropriations bills to the President as quickly as possible in anticipation of adjourning on October 4.

Mrs. KENNELLY. So the above mentioned will be going to conference, or the gentleman is going to try to see if they will go to conference?

Mr. DELAY. If the gentlewoman will continue to yield, we certainly want to go to conference on those bills any way that we can next week so that we can stay on our schedule.

Mrs. KENNELLY. I thank the distinguished majority whip.

ADJOURNMENT TO MONDAY, JULY 29, 1996

Mr. DELAY. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 12:30 p.m. on Monday next for morning hour debates.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. DELAY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

AGRICULTURAL MARKET TRANSITION ACT AMENDMENTS

Mr. COMBEST. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture be discharged from further consideration of the bill (H.R. 3900) to amend the Agricultural Market Transition Act to provide greater planting flexibility, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

Mr. DE LA GARZA. Mr. Speaker, reserving the right to object, I yield to the gentleman from Texas [Mr. COMBEST] for an explanation of the bill.

Mr. COMBEST. I appreciate the gentleman yielding.

Mr. Speaker, H.R. 3900 is a short and simple bill to address two problems related to the implementation of the 1996 farm bill, or the Federal Agriculture Improvement and Reform Act. This bill has been the subject of many staff discussions between Republicans and Democrats on the House Agriculture Committee and with staff of the Department of Agriculture. I have personally visited with my good friend, Secretary Dan Glickman, about the first

part of this bill and he supports making this change.

The first part of the bill simply allows farmers to plant a secondary crop of fruits or vegetables on their farm program acreage following a crop which has failed earlier in the year. This practice, referred to as ghost acres, has been allowed for several years but is being disallowed this year due to the interpretation of the new farm bill by USDA. Allowing this practice clarifies the intent of Congress and does not violate the spirit of any agreements made on the issue of planting flexibility under the new farm bill.

It is unfortunate that the passage of this legislation has become necessary and many of us believe that this problem could have been more easily resolved by a more appropriate interpretation of this provision by USDA. Language very similar to this was recently inserted into the Agriculture appropriations bill on the Senator floor. However, enactment of this change is needed now to allow farmers to get their crops into the field immediately.

The second provision of H.R. 3900 requires the issuance of new regulations by the Department of Agriculture for the Conservation Reserve Program by September 15. This requirement is needed because rural Americans have already waited too long to hear what the details of the new CRP program will be and need to make decisions as to the future use of their land.

Mr. Speaker, this bill has bipartisan support in both Houses of Congress and I urge its immediate adoption.

Mr. DE LA GARZA. I thank the gentleman.

Mr. Speaker, further reserving the right to object, I yield to the gentleman from Texas [Mr. STENHOLM].

Mr. STENHOLM. I thank the gentleman for yielding.

Mr. Speaker, I strongly support this unanimous-consent request.

Mr. Speaker, as you know, the Federal Agricultural Improvement and Reform Act of 1996 contains a provision under section 118 which prohibits the planting of most fruit and vegetable crops on contract acreage, with three narrow exceptions. The primary intent of this provision is to prevent the subsidization of fruit and vegetable production in competition with traditionally nonsubsidized producers of these crops, yet allow for the same flexibility to plant fruits, vegetables, or other commodities as was allowed in the last farm bill, the Food, Agriculture, Conservation, and Trade Act of 1990. Rather than leave the issue open for interpretation, this bill more clearly defines the parameters under which farmers can plant a second crop without incurring an acre-for-acre reduction in their market transition payment.

In Texas, blackeyed peas are historically grown on failed cotton acreage. They make for an excellent followup crop to cotton compared to other crops, because they more readily adapt to the herbicides used in cotton planting. More importantly, blackeyed peas allow producers an opportunity to grow a crop that:

First, requires considerably less water during times of drought; second, serves as an excellent ground cover, even if they only get a few weeks growth; third, assists with fertilization for next year's crop by contributing nitrogen to the soil, and fourth, provides lenders additional incentive to work with difficult credit situations like many farmers are experiencing now. Most States have similar cropping substitutes. Maybe it goes without saying, but every true Texan knows that any good luck throughout the year can easily be traced back to those traditional servings of blackeyed peas on New Year's Day. If this year's farm bill is really about flexibility, it is important that producers who operate outside those counties currently designated as double cropping regions, but who have traditionally been able to plant a commodity in lieu of a failed program crop, continue to have that opportunity. I am confident that it was not the plan by the authors of this farm bill to prohibit or restrict planting options relative to the past, and I feel certain that their aim was, at a bare minimum, to maintain the producer's freedom to farm his land at 1990 levels.

With the passing of this bill, we also encourage the Secretary of Agriculture to provide specific guidance to those producers who are considering bringing their land back into production from the Conservation Reserve Program. I understand the excessive workload that the Department is facing in issuing all the rules and regulations associated with this farm bill's implementation and the staffs of all those agencies involved should be commended for the long hours and headaches they have endured this summer—but it is very important that the eligibility requirements be determined and announced as soon as is reasonably possible so that CRP contract holders can know what to expect.

I support this bill and urge my colleagues to do the same.

Mr. DE LA GARZA. Mr. Speaker, I rise in support of H.R. 3900.

This bill will give the U.S. Department of Agriculture much needed direction in the interpretation of the Federal Agriculture Improvement and Reform Act of 1996—FAIR Act—which we passed earlier this year.

H.R. 3900 is very simple. First, it reaffirms the Department's ability to continue the practice of ghost acres. Under prior farm bills, producers who suffered a natural disaster could plant a second crop of their choosing without having any impact on their participation in commodity programs. This practice allowed producers the ability to try to recoup some of their losses when Mother Nature was in an unkind mood.

The second provision in H.R. 3900 will require the Department to issue regulations by September 15, 1996 to implement the Conservation Reserve Program which was amended by the FAIR Act. Producers and landowners in many parts of the country are wondering what the parameters of the new program will be and this provision will spur the Department on to work out the new regulations in a timely fashion.

Mr. ROBERTS. Mr. Speaker, I rise in support of H.R. 3900 which requires the USDA to publish its regulations governing the Conservation Reserve Program by September 1,

1996. Since its inception in 1985, the CRP has been a valuable tool for America's farmers. The CRP allows producers to protect fragile, highly erodible land from further deterioration by signing contracts to remove the land from production and place it under a managed conservation practice in exchange for fixed annual payments. While the CRP has achieved considerable reductions in wind erosion, it also provides excellent wildlife habitat for pheasants, quail, and other animals that inhabit the American plains.

Mr. Speaker, I am concerned that the regulations governing the future of the CRP have been repeatedly delayed by the USDA. Farmers need to know all of the details of the Federal agricultural policies that affect their ability to make commonsense farm management and production decisions. For weeks I have been hopeful that the USDA would issue its policy guidelines regarding the future of the CRP so that farmers could have full knowledge of the rules that will govern their program participation before they signed up for the 7-year farm program.

Unfortunately, in the more than 3 months that have passed since the new farm bill was enacted, USDA has provided only the barest of details. While the USDA has allowed CRP contract holders to extend their contracts for an additional year, farmers have no certainty regarding the long-term future of the CRP. With the world currently experiencing a grain supply shortage, many farmers worry that the CRP will be abandoned completely. At the same time, others worry that continuing to extend the CRP on a year-to-year basis discourages farmers from doing what they do best—feed a hungry and troubled world.

Mr. Speaker, farmers need long-term guidance from the USDA so they can make crucial production decisions. The new farm bill required that the USDA publish its CRP regulations within 90 days of passage—they are already 2 weeks past that deadline. With farmers already preparing to plant next year's wheat crop this fall, it is important that they know what the CRP rules will be both for next year and for the years to come.

The CRP debate has dragged on for long enough. America's farmers deserved an answer long before now. They should not have to wait any longer.

Mr. DE LA GARZA. Mr. Speaker, I withdraw my reservation of objection.

□ 1315

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 3900

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

Sec. 1 Increased Planting Flexibility.—Section 118 of the Agricultural Market Transition Act (7 U.S.C. 7218) is amended by adding the following new paragraph to subsection (b)(2):

“(D) by a producer on contract acreage following a crop that fails due to conditions beyond the producer's control.”

Sec. 2. Conforming Amendment.—Subsection 118(b)(2) is amended:

(a) in paragraph (B), by striking "or"; and (b) in clause (ii) of paragraph (C), by striking "vegetable." and inserting "vegetable; or".

Sec. 3. Conservation Reserve Program Regulations.—Not later than September 15, 1996, the Secretary shall issue regulations to implement the Conservation Reserve Program (16 U.S.C. 3831 et seq.), as amended by section 332 of the Federal Agriculture Improvement and Reform Act of 1996 (Pub. L. 104-127, April 4, 1996).

AMENDMENT OFFERED BY MR. COMBEST

Mr. COMBEST. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore (Mr. TORKILDSEN). The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. COMBEST:

On page 2 Line 7 strike "in" and insert "at the end of".

Mr. COMBEST. Mr. Speaker, I would just mention this is strictly technical. It is to further clarify in the amendment a misinterpretation that had been earlier made, and it is purely technical and clarifying in nature.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Texas [Mr. COMBEST].

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. COMBEST. 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. 3900.

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

There was no objection.

GENERAL LEAVE

Mr. WHITE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Res. 488.

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

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of May

12, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

STATUS REPORT ON THE CURRENT LEVELS OF ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 1997 AND FOR THE 5-YEAR PERIOD FISCAL YEAR 1997 THRU FISCAL YEAR 2001

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

Mr. KASICH. Mr. Speaker, to facilitate application of sections 302 and 311 of the Congressional Budget Act, I am transmitting a status report on the current levels of on-budget spending and revenues for fiscal year 1997 and for the 5-year period fiscal year 1997 through fiscal year 2001.

The term "current level" refers to the amounts of spending and revenues estimated for each fiscal year based on laws enacted or awaiting the President's signature as of July 22, 1996.

The first table in the report compares the current level of total budget authority, outlays, and revenues with the aggregate levels set by House Concurrent Resolution 178, the concurrent resolution on the budget for fiscal year 1997. These levels are consistent with the recent revisions made pursuant to section 606(e) of the Congressional Budget Act of 1974 as amended by the Contract with America Advancement Act—Public Law 204-121—which provides additional new budget authority and outlays to pay for continuing disability reviews. This comparison is needed to implement section 311(a) of the Budget Act, which creates a point of order against measures that would breach the budget resolution's aggregate levels. The table does not show budget authority and outlays for years after fiscal year 1997 because appropriations for those years have not yet been considered.

The second table compares the current levels of budget authority, outlays, and new entitlement authority of each direct spending committee with the section 602(a) allocations for discretionary action made under House Concurrent Resolution 178 for fiscal year 1997 and for fiscal years 1997 through 2001. Discretionary action refers to legislation enacted after adoption of the budget resolution. This comparison is needed to implement section 302(f) of the Budget Act, which creates a point of order against measures that would breach the section 602(a) discretionary action allocation of new budget authority or entitlement authority for the committee that reported the measure. It is also needed to implement section 311(b), which exempts committees that comply with their allocations from the point of order under section 311(a).

The third table compares the current levels of discretionary appropriations for fiscal year 1996 with the revised section 602(b) suballocations of discretionary budget authority and outlays among appropriations subcommittees. This comparison is also needed to implement section 302(f) of the Budget Act, because the point of order under that section also applies to measures that would breach the applicable section 602(b) suballocation. The revised section 602(b) suballocations were filed by the Appropriations Committee on July 12, 1996.

REPORT TO THE SPEAKER FROM THE COMMITTEE ON THE BUDGET

STATUS OF THE FISCAL YEAR 1997 CONGRESSIONAL BUDGET ADOPTED IN HOUSE CONCURRENT RESOLUTION 178

REFLECTING ACTION COMPLETED AS OF JULY 22, 1996
(On-budget amounts, in millions of dollars)

	Fiscal year 1997	Fiscal year 1997-2001
Appropriate level (as set by H. Con. Res. 178):		
Budget authority	1,314,785	6,956,507
Outlays	1,311,171	6,898,627
Revenues	1,083,728	5,913,303
Current level:		
Budget authority	833,332	NA
Outlays	1,024,830	NA
Revenues	1,100,340	5,970,883
Current level over (+)/ under (-) appropriate level:		
Budget Authority	-481,453	NA
Outlays	-286,341	NA
Revenues	16,612	57,580

NA=Not applicable because annual appropriations act for fiscal years 1998 through 2001 will not be considered until future sessions of Congress.

BUDGET AUTHORITY

Enactment of measures providing any new budget authority for FY 1997 in excess of \$481,453,000,000 (if not already included in the current level estimate) would cause FY 1997 budget authority to exceed the appropriate level set by H. Con. Res. 178.

OUTLAYS

Enactment of measures providing any new budget or entitlement authority that would increase FY 1997 outlays in excess of \$286,341,000,000 (if not already included in the current level estimate) would cause FY 1997 outlays to exceed the appropriate level set by H. Con. Res. 178.

REVENUES

Enactment of any measure that would result in a revenue loss in excess of \$16,612,000,000 in FY 1997 (if not already included in the current level estimate) or in excess of \$57,580,000,000 for FY 1997 through 2001 (if not already included in the current level estimate) would cause revenues to be less than the recommended levels of revenue set by H. Con. Res. 178.

DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 1997—COMPARISON OF CURRENT LEVEL WITH SUBALLOCATIONS PURSUANT TO BUDGET ACT SECTION 602(b)

(In millions of dollars)

	Revised 602(b) suballocations (July 12, 1996)				Current level reflecting action completed July 22, 1996				Difference			
	General purpose		Violent crime		General purpose		Violent crime		General purpose		Violent crime	
	BA	O	BA	O	BA	O	BA	O	BA	O	BA	O
Agriculture, Rural Development	12,802	13,349	0	0	0	3,853	0	0	12,802	9,496	0	0
Commerce, Justice, State	24,493	24,939	4,525	2,951	0	6,451	0	1,477	24,493	18,488	4,525	1,474
Defense	245,065	243,372	0	0	0	80,745	0	0	245,065	162,627	0	0
District of Columbia	718	718	0	0	0	0	0	0	718	718	0	0
Energy & Water Development	19,418	19,652	0	0	0	6,833	0	0	19,418	12,819	0	0

DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 1997—COMPARISON OF CURRENT LEVEL WITH SUBALLOCATIONS PURSUANT TO BUDGET ACT SECTION 602(b)—Continued
[In millions of dollars]

	Revised 602(b) suballocations (July 12, 1996)				Current level reflecting action completed (July 22, 1996)				Difference			
	General purpose		Violent crime		General purpose		Violent crime		General purpose		Violent crime	
	BA	O	BA	O	BA	O	BA	O	BA	O	BA	O
Foreign Operations	11,950	13,311	0	0	72	8,253	0	0	11,878	5,058	0	0
Interior	12,118	12,920	0	0	138	4,855	0	0	11,980	8,065	0	0
Labor, HHS & Education	65,625	69,502	61	38	1,858	40,615	0	20	63,767	28,987	61	18
Legislative Branch	2,188	2,179	0	0	0	214	0	0	2,188	1,965	0	0
Military Construction	10,033	10,430	0	0	0	7,204	0	0	10,033	3,225	0	0
Transportation	12,190	35,453	0	0	0	23,785	0	0	12,190	11,668	0	0
Treasury-Postal Service	11,016	10,971	97	84	0	2,381	0	9	11,016	8,590	97	75
VA-HUD-Independent Agencies	64,354	78,803	0	0	365	47,492	0	0	63,989	31,311	0	0
Reserve	722	0	0	0	0	0	0	0	722	0	0	0
Grand total	492,692	535,699	4,683	3,073	2,433	232,681	0	1,506	490,259	303,018	4,683	1,567

DIRECT SPENDING LEGISLATION—COMPARISON OF CURRENT LEVEL WITH COMMITTEE ALLOCATIONS PURSUANT TO BUDGET ACT SECTION 602(a) REFLECTING ACTION COMPLETED AS OF JULY 22, 1996

[Fiscal years, in millions of dollars]

House committee	1997			1997-2001		
	BA	Outlays	NEA	BA	Outlays	NEA
Agriculture:						
Allocation	0	0	0	0	0	4,996
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	-4,996
National Security:						
Allocation	-1,579	-1,579	0	-664	-664	0
Current Level	0	0	0	0	0	0
Difference	1,579	1,579	0	664	664	0
Banking, Finance and Urban Affairs:						
Allocation	-128	-3,700	0	-711	-4,004	0
Current Level	0	0	0	0	0	0
Difference	128	3,700	0	711	4,004	0
Economic and Educational Opportunities:						
Allocation	-912	-800	-152	-3,465	-3,153	7,669
Current Level	0	0	0	0	0	0
Difference	912	800	152	3,465	3,153	-7,669
Commerce:						
Allocation	0	0	370	-14,540	-14,540	-41,710
Current Level	0	0	0	0	0	0
Difference	0	0	-370	14,540	14,540	41,710
International Relations:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Government Reform and Oversight:						
Allocation	-1,078	-1,078	-289	-4,605	-4,605	-1,668
Current Level	0	0	0	0	0	0
Difference	1,078	1,078	289	4,605	4,605	1,668
House Oversight:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Resources:						
Allocation	-91	-90	-12	-1,401	-1,460	-59
Current Level	0	0	0	0	0	0
Difference	91	90	12	1,401	1,460	59
Judiciary:						
Allocation	0	0	0	-357	-357	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	357	357	0
Transportation and Infrastructure:						
Allocation	2,280	0	0	125,989	521	2
Current Level	0	0	0	0	0	0
Difference	-2,280	0	0	-125,989	-521	-2
Science:						
Allocation	0	0	0	-13	-13	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	13	13	0
Small Business:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Veterans' Affairs:						
Allocation	-90	-90	224	-919	-919	3,475
Current Level	0	0	0	0	0	0
Difference	90	90	-224	919	919	-3,475
Ways and Means:						
Allocation	-8,973	-9,132	-2,057	-134,211	-134,618	-10,743
Current Level	0	0	0	0	0	0
Difference	8,973	9,132	2,057	134,211	134,618	10,743
Unassigned:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Total authorized:						
Allocation	-10,571	-16,469	-1,916	-34,897	-168,812	-38,038
Current Level	0	0	0	0	0	0
Difference	10,571	16,469	1,916	34,897	163,812	38,038

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 22, 1996.

Hon. JOHN KASICH,
Chairman, Committee on the Budget,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended, this letter and supporting detail provide an up-to-date tabulation of the on-budget current levels of new budget authority, estimated outlays, and estimated revenues for fiscal year 1997. These estimates are compared to the appropriate levels for those items contained in the 1997 Concurrent Resolution on the Budget (H. Con. Res. 178), and are current through July 18, 1996. A summary of this tabulation, my first for fiscal year 1997, follows:

[In millions of dollars]

	House current level	Budget resolution (H. Con. Res. 178)	Current level +/- resolution
Budget authority	833,322	1,314,785	-481,453
Outlays	1,024,830	1,311,171	-286,341
Revenues:			
1997	1,110,340	1,083,728	+16,612
1997-2001	5,970,883	5,913,303	+57,580

Sincerely,

JUNE E. O'NEILL,
Director.

PARLIAMENTARIAN STATUS REPORT, 104TH CONGRESS, 2D SESSION, HOUSE ON-BUDGET SUPPORTING DETAIL FOR FISCAL YEAR 1997—AS OF CLOSE OF BUSINESS JULY 18, 1996

[In millions of dollars]

	Budget authority	outlays	revenues
Previously enacted			
Revenues			1,100,355
Permanents and other spending legislation	843,212	804,226	
Appropriation legislation		238,523	
Offsetting receipts	-199,772	-199,772	
Total previously enacted	643,440	842,977	1,100,355
Enacted this session			
Taxpayer Bill of Rights 2 (H.R. 2337)			-15
Appropriated entitlements and mandates			
Budget resolution baseline estimates of appropriated entitlements and other mandatory programs not yet enacted	189,892	181,853	
Total current level ¹	833,332	1,024,830	1,100,340
Total budget resolution	1,314,785	1,311,171	1,083,728
Amount remaining:			
Under budget resolution	481,453	286,341	
Over budget resolution			-16,612

¹ In accordance with the Budget Enforcement Act, the total does not include \$34 million in outlays for funding of emergencies that have been designated as such by the President and the Congress.

CAMPAIGN REFORM

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

Mr. WISE. Mr. Speaker, I rise to speak today in the more dispassionate time of special orders, and one day following the vote on campaign finance reform, to talk about campaign finance reform and what the future is. I am not particularly interested in getting into a partisan dispute today.

I think that it was worthwhile defeating the bill yesterday which put more money into politics, it did not

take money out, but that was yesterday. Let us talk about some of the very real factors that are affecting campaign finance reform, and some of the difficulties in crafting a bill that deals not only with candidates but the overall issue of campaign finance reform.

First of all we had the Buckley versus Valles decision by the U.S. Supreme Court in the 1970's, which began a trail of decisions or started a line of decisions which effectively says that expenditure of money is the equivalent of speech; that as someone has the ability to say anything they want, if money enhances or permits them to say that, they can then expend that money.

So free speech and expenditure of money begin to be equated as the same. That is, I think, a disturbing trend, but that is a judicial decision.

So first of all we have that case, and what that then did effectively say, that we could not limit how much an individual could spend in their own campaign. If we have a billionaire, that billionaire can spend a billion dollars, if they want, of their own money for their own campaign. We can limit how much somebody can contribute to that person. We cannot limit how much that person can spend themselves.

The second major decision occurred only a couple of weeks ago, in which the U.S. Supreme Court ruled that political parties cannot be limited in how much they can spend for independent expenditures on behalf of their candidates. Let me give my colleagues an example:

John Jones, hypothetical candidate, is running, and his political party decides they want to make an independent expenditure, that is, without communication with John Jones, in his behalf. They were previously limited in how much they could spend. Now they can spend hundreds of thousands of dollars running a negative ad campaign against John Jones' opponent, leaving John Jones then free to run positive ads and not have his fingerprints attached to negative campaigning.

Incidentally, four of the Justices suggested at that time that that doctrine ought to be able to carry over to making direct expenditures on behalf of the candidate, so that firewall may be following shortly.

So now we have a situation with the Supreme Court where we cannot limit how much a candidate can spend on behalf of himself or herself out of their own individual funds, and we cannot limit how much a political party, Democrat or Republican, can spend on behalf of a candidate as long as it is independent.

The third factor we have in today's elections are independent expenditures, whether it is the Chamber of Commerce, the National Association of Manufacturers, the AFL-CIO, the Christian Coalition, or whomever, that

they can spend in behalf of a candidate as long as it is an independent expenditure. Once again, an outside group can come in, run hundreds of thousands of dollars of political advertising, as long as theoretically it is not done in coordination with the candidate. Once again, we can pass all the legislation we want affecting a candidate, but if we have independent expenditures it really does not make any point.

The fourth is one that both parties abuse, I feel, and that is soft money, the ability to funnel lots of money, unlimited amounts, in effect, to political party committees in States, effectively for organization. Soft money is becoming a bigger and bigger loophole.

A fifth element of great concern, both Presidential candidates in both parties are circumventing or getting around as much as they possibly can the present limitation on campaign financing. The only area, incidentally, where there is some public financing of campaigns is in Presidential campaigns. It is supposed to be limited, but both parties are getting around that as aggressively as possible.

Finally, the watchdog of campaigns, the Federal Elections Commission, is not adequately funded, and so in effect we have got a watchdog that has been defanged or the watchdog is not being given much of a leash to go do its job.

What we may ultimately have to consider in this country and I just suggest this for discussion purposes, is if there is ever going to be a serious limitation of money, if we are going to be able effectively to control how much individuals or individual groups put into campaigns, we may have to talk about a constitutional amendment that overcomes the Supreme Court decisions. But until that happens, then I think the public is going to have to be prepared to take control of this process and demand that the Congress do the same thing.

I use the retail, parking lot test. A lot of people are concerned that political campaigns are turning into retail contests. Then use the retail principles to combat it. The parking lot test for me is when I am standing in a parking lot campaigning and somebody comes up and says, "BOB WISE, I don't think that this should be happening" or "Are you involved in this?" So that way political candidates, whether incumbents or challengers, soon get an idea of what the public will accept.

It may be that the public is going to have to say what it would not accept in campaigns. The public or perhaps outside groups are going to have to devise a voluntary code, and thus get some campaign reform and force Congress to act.

THE FACTS ABOUT THE CAMPAIGN FINANCE REFORM BILL

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

Mr. HOKE. Mr. Speaker, I also want to speak about the campaign finance reform bill that we defeated yesterday, as well as just campaign finance reform generally, because the one thing that has been said repeatedly is that it was a good thing that this bill was defeated because it would do nothing to limit campaign spending. That is simply factually untrue, and I am going to explain why that is untrue.

I will preface that by saying that I did not think it was a perfect bill. There were a lot of things about the bill I was not particularly happy with but at least it moved in the right direction, and I did vote for it.

As we could see, though, from yesterday's vote, Mr. Speaker, unfortunately it was soundly defeated in this House because apparently when it comes to campaign finance reform, people hide behind perfection being the utter enemy of the good, instead of making the incremental reforms that apparently are the only way that we can get anything accomplished with respect to reforming the institution itself or the way that candidates are supported and their campaigns are financed.

Let me tell my colleagues specifically why yesterday's bill, from bottom-up as opposed to top-down philosophy, would have limited spending. It did two things that would have limited spending. It did two things that would have had an immediate impact on reducing the number of dollars in congressional campaigns.

No. 1, it reduced the amount of money that could be contributed by a political action committee, that is, a special interest PAC. Most of them, as we know, Mr. Speaker, are located here in Washington and represent Washington's values, lobbyists' values, special interests' values, as opposed to America's values.

It would have reduced the amount that those PACs could have spent from \$5,000 to \$2,500 or reduced the amount of money from PACs by 50 percent, reduced them in half. At least that is what it purported to do. Unfortunately, the devil is always in the details and who knows that it might have only spawned twice as many PACs with different hats.

But let us forget that for a second. Let us assume in fact it would have done what it was intended to do, and that was to reduce the amount of money that a PAC could give by 50 percent. That would have reduced by 50 percent all of the money that PACs contributed to congressional campaigns in the last cycle or in the next cycle. If the average amount that a candidate is receiving from a PAC is

\$300,000 or \$400,000, it would have reduced it by half. Clearly, that has an immediate impact on reducing the amount of money that is being spent in political campaigns.

Second, the bill also provided that 51 percent of all contributions must come from individuals who live in the district that the candidate wants to have the honor of representing in the United States House of Representatives; 51 percent. That immediately would have also had the impact of reducing the total number of dollars spent on a political campaign.

Why? Because if 51 percent has to come from in-district, that means that in all of those districts where candidates are in fact raising more than 51 percent from out-of-district, which is in fact for those people who accept political action committee contributions, the majority of candidates, it would have also had the immediate impact of reducing the amount of money being spent in those campaigns, as well.

So as my colleagues can see, this bogey that is being thrown up that this did nothing to reduce the amount of money in political campaigns is absolutely false and it is false because, No. 1, the amount of money spent by PACs would have been reduced. No. 2, there would have been an overall reduction because of the 51 percent in-district requirement.

Now that is a consequence of otherwise good policies. I would go a step further and say this: If we are going to in fact make this body more representative of the districts of America, not of Washington's values but of America's values, then we have to completely eliminate the political action committee contributions.

□ 1330

The reason that we need to do that is that something very, very insidious happens when a person makes a contribution to a PAC. In other words, if you are a member of a labor union or if you work for a bank and you make a contribution to a bank PAC, or let us say that you are an individual who makes a contribution to a particular other PAC, what happens is that the character of that contribution changes from being complex and subtle and intelligent to being stupid and narrow and ugly, with only one or two specific political agendas for that term of Congress.

ADMINISTRATION SHOULD ADVISE CONGRESS REGARDING CURRENT HAITI SITUATION

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

Mr. GOSS. Mr. Speaker, I will not use the 5 minutes. Mr. Speaker, I took the well last evening because we had

received a surprise from Haiti. We were getting ground reports that the 82d Airborne had arrived in that country, at least in company strength, and was very visible on Humvee vehicles with machine guns and battle gear going around the capital city and elsewhere in the country.

The people were puzzled about what was going on, so we asked for an explanation from the administration. Today is another day and today is another day we have had more silence from the administration on exactly what are our increased American troops doing in Haiti and what, in fact, is going on in Haiti.

Many people who do not follow what goes on in that friendly neighboring country just to the south of Florida, which is my district, are not aware that they have just had the equivalent of their O.J. Simpson trial there over the death of a respected man named Guy Mallory who was assassinated a few years ago, among many assassinations that have regrettably taken place in that country. That trial came out that they acquitted two suspects that they felt they had pretty good evidence. And now the President of the country has come along and said there was something, quote, suspicious about the verdict.

The judicial system does not work very well in Haiti. It is a country where passions tend to run very quickly and very intensely. We have now got people in the streets saying that this jury contained people who were enemies of the people. "Enemies of the people" in Haiti is code word and it usually precludes trouble.

We have got now a situation where we have got obviously a bad situation in the country and a lot of agitation and feeling going on. And apparently we have now sent the 82d Airborne, at least part of it. We do not know exactly what they are doing. We do not send the 82d Airborne just anywhere. They are a crack American outfit. We reserve them for our most difficult problems and hot spots. I would suggest that Bujumbura, Burundi, today is a place where the human rights violations and the black-on-black genocide is so atrocious that if there were a need to put our troops some place to make peace and stability and protect human rights, it might rise to a larger order of things to be looking at Bujumbura than Haiti.

But some have suggested that the reason that we have sent the 82d to Haiti is to perhaps try to keep the lid on things there because we know that the Clinton administration has claimed Haiti as a foreign policy success story, and I know that they are anxious to try and keep proving that right up to the election, at least in this country.

I think that the time has come for the Clinton administration to try and reduce the candor gap with the American people on so many issues. But

when it comes to foreign policy and when it comes to committing our troops who are actually in harm's way in a situation as explosive as the one in Port-au-Prince and Haiti today, it seems that they ought to be discussing it with Members of Congress who have legitimate oversight and legitimate concerns about how our taxpayers' dollars are spent, and legitimate concerns about how our foreign policy is executed and when it is executed.

So I am still hopeful that the administration will take advantage of this and the White House will share with the American people and the news networks what exactly is going on in Haiti and why we have more soldiers there.

WHO REALLY SPEAKS FOR THE CHILDREN?

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

Mr. WHITE. Thank you very much, Mr. Speaker. Today I want to spend just a few minutes on a subject that is very important to me that is the subject of children.

I have four children and, as luck would have it, I have one of them here on the floor with me today. My 10-year-old daughter Emily is visiting Washington, DC, with me this week, and she has a 12-year-old sister, a 7-year-old sister and a 4-year-old brother, in our household children are very important. I hope they are very important to every Member of this body because just about everything we do here will have an impact on our country's children.

Mr. Speaker, I am new to this body. I have been here only a year and a half, but I have noticed there is a significant difference between our two parties when we talk about children.

The Democrats tend to talk about Government programs, Government spending, and Government bureaucrats, and I recognize that is an approach that they have taken. They think that is what it takes to raise a child, and I have to tell you, Mr. Speaker, I disagree.

We have spent billions and billions and billions of dollars over the last 30 years on Government run welfare, and our problems have only gotten worse. I think it is time for Republicans and Democrats to call for a new approach or, Mr. Speaker, maybe it is a very old approach. This approach is called responsible parents. That is what it takes to raise a child in America today, responsible parents.

We should not be asking ourselves what should the Government do for children. What we should be asking is how can we help parents do more for their children? What children need is not more Government spending, it is compassion. It is help from their parents. That is something the Government cannot provide.

When we talk about children, Republicans begin with three principles: First, that the moral health of our Nation is at least as important as the economic health or the military health of our country. The fact is you cannot raise children in the proper environment when 12-year-olds are having babies, 15-year-olds are killing each other, 17-year-olds are dying of AIDS and 18-year-olds are graduating with diplomas that they cannot read. If we are going to take care of our children, we have to restore the moral health of our country.

Second, it is results, not rhetoric, that count. Anyone can sound compassionate. Anyone can say what people want to hear. But we have got to go out there and do things that will actually help our children.

Third, we really have to look ourselves in the mirror and admit to ourselves and to the American people that the system we have in place right now is a failure. We have spent billions and billions of dollars over the past 30 years on a system that has not worked, and it is time to try something new.

Mr. Speaker, 30 years ago the Government started out with the best intentions but instead of solving the problem the Government created a welfare trap in this country. We have trapped a generation of Americans on Government assistance. We have deprived them of hope, of opportunity, and in many cases we have destroyed the lives of many precious children.

Take a look at what is happening in our cities. You will see a generation that is fed on food stamps, but starved on nurturing and hope and parental care. You will see second graders who do not know their ABC's, fourth graders who cannot add or subtract. You will see sixth graders who do not know the number of inches in a foot because they have never seen a ruler.

Yet every year, as we have done for the past 30 years, the Government spends more money on programs because it thinks that is the compassionate way to help people. Instead of helping people, Government in expanding the welfare trap from one community to another, from one child to another, from one generation to another. The welfare trap and Government spending makes us think we have done something, makes us feel good about ourselves, when really we have not even begun to solve the problem.

As I say, the Government bureaucracy is well-intentioned, but what Government has failed to understand is that raising more taxes to hire more bureaucrats to expand a welfare system that does not work is only going to make matters worse. We have got to try a different approach.

The fact is welfare is not the only problem that is affecting our children. We recently passed a welfare reform bill in this House that takes a new ap-

proach and maybe that will have some positive affects. We need a new approach because at the start of this decade we had the most murders, the worst schools, the most abortions, the highest infant mortality rate, the most illegitimacy, the most one-parent families, the most children in jail, and the most children on Government aid in the world.

We are first only in the numbers of lawyers and lawsuits. That is the situation that has to change. The fact is a government-based policy to help children just does not work. It tends to destroy them, as we have seen over the past 30 years. It does not keep families together. It tends to drive them apart and instead of turning our cities into shining cities on the hill, it has made them into war zones where no one dares to go out at night and sometimes they do not dare to go out in the daytime as well.

So let me describe two competing visions of how we take care of our children in this country. There is the Government-based vision that we have talked about, but there is also a family based vision where parents like me, and like all of us who have children, are empowered to make decisions, where communities can decide for themselves how to fight crime and drugs and educate their children and where local school officials are given the ability to develop a curriculum that fits the needs of their students. That is the sort of approach we need to take.

Too often politicians use children as props. We should use them instead as a reminder that we have got a responsibility to the next generation. We need to help them with compassion and nurturing, not with Government hand-outs.

Too often politicians simply talk the talk because that is the easy way. It is easy to sound compassionate. But we need to work to reform the system that currently has failed our children, and I think that work begins with reforming welfare.

Let me state this clearly so there is no confusion. We have spent \$5 trillion since the midsixties on Government run welfare programs and yet we have more poverty, more crime, more drug addiction, more broken families, and more immoral behavior today than we had at that time. The Government system is broken. It does not work. It needs to be shut down, period.

But we have some alternatives. We have some things that might actually work, and let me give a couple of examples. Why does Habitat for Humanity work? It works because it requires recipients to do their own work, to learn the lessons themselves. Why does Earning for Learning work? It works because it pays young children to read. It educates many more than the Department of Education can ever do.

Let me say, Mr. Speaker, in closing, our children are the future of our country. They are something we have to take very, very seriously. It is not enough to say that we care and not do the work to fix the system so it really does take care of our children.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The gallery will maintain order. Under the rules of the House, expressions of approbation or disapprobation are not in order.

EFFECT OF WELFARE SYSTEM ON OUR CHILDREN

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

Mr. GUTKNECHT. I thank you, Mr. Speaker, and I would like to pursue the discussion that my freshman colleague from Washington [Mr. WHITE] has been talking about. His daughter Emily reminds me a lot of my daughter Emily, who is now 16 years old, and we are having driving lessons. But I want to talk about children in America as well, and I want to talk about the welfare system and what we are doing to children.

Is there anything more cruel to children than consigning them to a lifetime of poverty and dependency? Cannot we do better than the welfare system we have in place now?

Almost everyone agrees that the welfare system has failed. It needs to be replaced. That is why I am encouraged that the House and the Senate have passed welfare reform legislation in the last couple of weeks on a bipartisan basis. This legislation will soon go to the President for his signature.

The war on poverty was begun in the mid-1960's with good intentions. President Lyndon Johnson and others argued that America needed to provide a nationwide safety net to catch those who had fallen on hard time. Some have said that the safety net has become a hammock, but that is not quite fair. In some respects it is more like a gill net, trapping and inflicting damage upon generations of Americans, and one does not have to look far to see its victims.

Out inner cities have become war zones. Out-of-wedlock births have quadrupled in the last 30 years, spawning a generation of fatherless young men and women perpetuating a cycle of illegitimacy, violence, dependency, and despair.

□ 1345

Most Americans now see that the basic flaw with our war on poverty is that it has created a culture of entitlement to benefits through a Washing-

ton-dictated, one-size-fits-all system. It set up the wrong kinds of incentives, paying people not to work and penalizing them if they do. It hurts the very people it was designed to help. We are literally killing people with kindness.

Almost no one disagrees that we need fundamental change in our welfare policy. The administration boasts that it has approved a record number of waivers of Federal regulations to allow States to experiment with welfare reform. But that just shows how excessively bureaucratic and tangled the current system is.

For example, the President went out to Wisconsin and he praised the Wisconsin Works welfare reform plan, but the United States Department of Health and Human Services has not yet approved the waivers that would let the plan go forward.

Any reform plan must emphasize work and personal responsibility. The House-passed welfare reform plan will greatly increase States' abilities to design their own solutions aimed at moving people from dependency to work. It combines four Federal poverty programs, including Aid to Families with Dependent Children, the WIC nutrition program and child care, into block grants that give States flexibility to use scarce resources more efficiently. The House bill limits able-bodied adults to 2 years of assistance without work. With a lifetime maximum of 5 years of benefits, States could still grant hardship exceptions to 20 percent of their case load.

It requires people that bring immigrants into our country to live up to their sponsorship support commitments instead of passing them off to the taxpayers. And speaking of living up to their responsibilities, it also creates a nationwide tracking system for enforcing child support payments from deadbeat dads. It only makes common sense to require people to develop habits for working to support themselves. Work is more than the way you earn a living. It helps to define your very life. The great majority of Americans do it every day.

This is common sense. It is a consensus about both the need and the direction we should take in terms of welfare reform and has moved us to a truly historic opportunity to replace the faulty foundation of the welfare state.

The Senate bill, which passed on a bipartisan basis of 74 to 24, had almost all of the Republicans supporting it and over half of the Democrats. The House and Senate are resolving differences between the two bills, and we are hopeful that we can have a bill on the President's desk for his signature early in August. The President promised to end welfare as we know it but has vetoed two previous welfare reform bills.

We have accommodated his objections by separating Medicaid reform

from the welfare reform. Now it is time to seize the opportunity to replace the welfare system with work, to replace dependency with responsibility. We are not simply trying to save money here, we are trying to save people, especially kids, from a lifetime of poverty.

Carpe diem, Mr. President. Seize the day.

BOOKS ON BILL CLINTON

The SPEAKER pro tempore (Mr. PETRI). Under the Speaker's announced policy of May 12, 1995, the gentleman from California [Mr. DORNAN] is recognized for 60 minutes as the designee of the majority leader.

Mr. DORNAN. Mr. Speaker, good afternoon. This is not my bag to go to the airport. This is a show and tell special order.

It is 10 minutes to 1 in Chicago. It is 10 minutes to noon in Denver. It is only 10 minutes to 11 in Orange County, in Los Angeles and Seattle. Still the shank of the morning in Hawaii. And in Guam it is tomorrow. I have people that write to me from Guam where America's day begins. I just spoke to a whole bunch of students outside. They said: Why does the news media still persist in saying that those of us on both sides of the aisle who do special orders, 5 minutes or 1 hour or 1 minute, why do they persist in saying that we are speaking to an empty Chamber? I see 10 people, I see 10, 20, 30, 40 in the gallery. A few more over here. I see some more staffers and chief staffers back there. There are 1,300,000 people watching.

Is that not right, Mr. GUTKNECHT, who is going to be elected by a landslide in his great district. And may I do radio spots for you, as many as you want. May you put them all on Rush Limbaugh's show. A million people are listening to me right now.

Let me get serious. This case is what I am taking on the road as head of a Bob Dole peace task force. I am not going to read the titles until I get them in chronological order here. This is turning into a cottage industry of books on Bill Clinton.

And respecting rule XVIII of the House, which I intend to change after the election, if we are in the majority, and I will explain rule XVIII. It keeps us from going for one another's throats around here. It implores us to say, will the distinguished and honorable and wonderful Member yield. And if you just cannot get that out of your throat, you at least have to say, will the Member from Massachusetts yield. That is as mean as we can get.

We get our words taken down if it gets too rough and if we start to talk about something they are doing in the Chamber that likes to call itself the upper Chamber, which I sometimes love to call the House of Lords, but it certainly is coequal with us. Superior

in foreign affairs and ratifying treaties, but we are superior, and it was by design, on issues like money, taxation, raising taxes. And all spending bills originate in the House.

So that rule XVIII is to protect the camaraderie, what we call comity. I do not use that word very much because, no matter how hard you hit the T, it sounds like you are saying comedy to the average American. But comity means goodwill and camaraderie and it keeps us sane with one another in the two Chambers when we have to come together in conference, which we will be doing for the next 2 or 3 months on the major 13 major appropriations bills.

We are way ahead of the Senate, as usual, because the money bills start here. But we cranked into this protective rule XVIII the Vice President, AL GORE, and whoever is sitting in the White House. I watched my friend of fifty-eight, combat Navy hero, and a grandfather of 14 children and a wonderful, trustworthy friend, George Bush. I watched that President of the United States, as he was sitting President, trashed in the well regularly from the Democratic lectern.

I watched Ronald Reagan hit sometimes over the edge with words taken down and withdrawn. But we have a tripartite system of Government here, checks and balances. As I said on this floor a few days ago, I can just tear into any one of the Supreme Court Justice. I can shred Hazel O'Leary's terrible stewardship and horrible squandering of taxpayers' dollars renting a Madonna luxury jet that Madonna had used to party around the world to take hundreds of staffers around the world in expensive hotel suites and all running up credit cards.

I can do anything I want to show that I do not think she or Bruce Babbitt or anybody should have a Cabinet seat. I thought Janet Reno, and this would have definitely happened in Great Britain, I thought Janet Reno, a very nice lady, should have resigned after 20 children and several pregnant mothers were suffocated to death. Hopefully they were not burned to death. But as far as I know, they were all suffocated to death, little faces could not have a gas mask, in the Waco government tragedy.

I would never, ever have had them come out of my mouth, and I resented it, to call any good law enforcement person who is poorly led any kind of a thug, let alone use military terms that would harken up the image of the Gestapo, but that was a disaster and heads rolled. People were fired, then rehired. A lot of agents quit in disgust. A lot of those guys tried to join the FBI first, and the FBI did not do much better at Ruby Ridge. Besides, the DEA mess, my favorite agency of all law enforcement agencies, firearms, Alcohol, Tobacco and Firearms, ATF.

DEA, fantastic since its inception, which was since I have been a Congressman. The ATF, a lot of those people wanted to join the FBI first. So when the FBI came in, I had ATF agents call me on the quiet and they said, we thought the FBI was going to come in and rescue us, and they made it even worse. By that time we did not want a fire in the compound or to press religious zealots to the breaking point where a few men destroy their women and children on their ego.

She should have resigned over that. I still believe that. I still believe her presence cripples the agencies under her, including the FBI. I think what is so tragic here is that she was not in command of the agency at that time. We all know that she had to answer, even though she did not know it, to Webster Hubbell. He, the man who is? Jail now, No. 2 at Justice. He created a title for himself. That is in some of these books I am about to show you.

Pressing rule XVIII to the outer limits.

I will try to put these in order. And the newest one, Unlimited Access, by an FBI agent, has a bibliography in the back with books I never even heard of. I hope I did not forget some. My wife is reading Blood Sport, by James T. Stewart.

So, let us see, what is the first book I read on Bill Clinton? On the Make. That title alone might push rule XVIII. Before the Parliamentarian thinks about it, it means seducing the voters with a smooth line. All politicians like to think about that. It is by a lady journalist without peer in the great State of Arkansas. A great State, 23 Medal of Honor winners. I campaigned in seven towns last year for one of our great Congressmen down there, one of our two, soon to be three, Republicans. And this book, On the Make, by Meredith Oakley, the Rise of Bill Clinton, is the subtitle, takes you back to one of the only two Federal races Mr. Clinton has been in, and he lost it.

He tried to take on a combat veteran who flew the gooney bird over the hump in the China-Burma-India theater, a great Congressman. I served with him over a decade, J. P. Hammerschmidt, in 1974. He did not wipe out that World War II great veteran. But it put him on the map. And 2 years later in 1976—I cannot go to surgery; pardon me, I had my beeper on—2 years later, he was the Attorney General at 30 years of age. And 2 years after that, he was the Governor of the great State of Arkansas, at 32 years of age. And 2 years after that, he was defeated Governor at 34 years of age.

Then the other books pick up the story. But this takes him from his first race and before his involvement in the McGovern campaign with Betsy Wright, chief cook and bottle washer and suppressor of scandals and hirer of Jack Palladino, who had thousands of

dollars of campaign money, intimidated and shut up people on the campaign trail to grease the path for Clinton to the White House.

On the Make by Meredith Oakley.

The next one that came out that I came across was the incomparable Pulitzer Prize-winning Bob Woodward's book, The Agenda. In this book he talks about Clinton having volcanic eruptions where lava flows out of the top of his head and that he treated George Stephanopoulos like an abused spouse. Number 2.

I find out that there are books in between here that I did not know about.

Then I come across, and in this book it has Mr. Clinton in an argument with a friend of mine who is a Democratic Senator, BOB KERREY, Medal of Honor recipient, chastised me in the hall the other day and told me to lose 10 pounds. These ex-Navy Seals are tough, Mr. Speaker. And started pulling on my coat. BOB KERREY is yelled at by the President with the ultimate, by Mr. Clinton with the ultimate Anglo-Saxon obscenity on page 267, I think. And I turned the page, expecting a Navy Seal to fire back at him. Instead, he keeps his cool and says that his responsibility is to the voters of Nebraska before anything else.

Blank you, Clinton yelled. Senator KERREY always tried to be respectful of the Commander in Chief, but he also wanted to defend himself. And he continued shouting back. Clinton pressed on two themes. He just had to have KERREY's vote.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The gentleman will suspend.

The Chair thinks the gentleman referred to the rules of the House several times and knows that it is not in order to refer to the President's personal character even if one is reading material.

The Chair thinks the gentleman is getting pretty close to, if not over, the line as far as being personally offensive to the Chief Executive of the country.

Mr. DORNAN. We have 103 days to change American history, Mr. Speaker. I will ask the Chair to refer to the Parliamentarians.

These are books out there on the marketplace. I know there are probably some favorable books out there. I have never heard of them.

□ 1400

These books are either objective, and that is certainly what the Woodward book is, or very critical. But it is important to our country's future, and I am going to press on and have you and the Parliamentarians listen closely. I will speed it up and go through titles. I am already past the roughest title, "On the Make." "The Agenda" is the simple title, and I will lay out the titles.

Not selling books; these are books that I own and I have read.

The next one has a positive title that I read. It is called "First in his Class." But that does not mean he graduated first in his class, ever. It is by David Maraniss, also the winner of a Pulitzer Prize, a top Washington Post reporter, one of America's three prominent liberal papers of record, and there are no conservative national papers, just our great Washington Times inside the Beltway, which is in the top eight, but the New York Times, the Washington Post, and the L.A. Times, arguably in that order; I put the L.A. Times first, they have more foreign correspondents, and it is an easier to read paper with better print; it does not come off on your hands like the Post.

But this book was serialized on the front page of the Washington Post: "First in his Class," by David Maraniss. And I read this and could not believe some of the stories in there. I will not discuss them until I think more about pushing the envelope here.

The next book I read was "Inside the White House." Now, this did not include just Mr. Clinton. This included several Presidents. It is by the best-selling author of "The FBI," that is on my bookshelves, and I skip read it, and "Inside the CIA," which I slowly read. Those are Ronald Kessler's two other books, "FBI," "Inside the CIA." It says has a subtitle, this is "Inside the White House: The Hidden Lives of the Modern Presidents and the Secrets of the Worlds Most Powerful Institution." He interviewed cooks in the White House. I think we should call them chefs. He interviewed valets, a term that Presidents do not like to hear, but Roosevelt, President Franklin Roosevelt, needed a valet. The man was in a wheelchair, was overcoming, as he said at the lectern just below you, Mr. Speaker:

"I'm sorry I'm late to a State of the Union Message. But you will recall I have 10 pounds of iron on my legs," the only reference he ever made publicly to his polio wounds that kept him in a wheelchair all of his life.

So when you talk to the valets, the housekeepers, the cooks and get the inside story, I cannot quote anything from this book about both the Clintons in the White House, although I could do it to Hillary, and as I said, and the Parliamentarians know this, I choose not to attack Mrs. Hillary on this House floor. Her power all comes from her husband. She was elected to nothing, and he warned us, he said you will get two for one if you elect me. She will have power. There must have been deals cut because after the "60 Minutes" show on January 26, 1992, everybody knew that his entire future career to ever get elected dog catcher and Governor again was in the palm of her hand. Whatever she did on that show or from that moment forward would determine if he would ever hold elective office again, because he had already

broken his promise he would not run again as Governor.

So I could quote Mrs. Clinton in this book, but I will not, because if I quoted her in the context of being his wife, I cannot quote anything on him because it absolutely would go over the line on rule XVIII.

But the title, and since there are other Presidents in here, "Inside The White House," from another award-winning author.

Then there was a slight gap, and I got hold of "Clinton Confidential" by a terrific writer, George Carpozi, Jr., bigger than the prior three, equal in size to Meredith Oakley's "On the Make." I told him after the fact I did not like his title, "Clinton Confidential: The Climb to Power." I said "confidential" is a tabloid-type name. I said why did you not just name it, George, "Clinton: The Climb to Power"? but in here he broke the code on the trip to Moscow that I, as an U.S. Congressman under a Republican President, George Bush, talking to FBI and Foreign Service people, no one had the information that he found in this book on why Clinton went to Copenhagen, to Stockholm, Sweden, to Helsinki, to Leninograd, to Moscow, and stayed with the founding member's family of the Communist Party in Prague, Czechoslovakia. George Carpozi does it. He has written fantastic books on Senators, and on past Presidents, on the Kennedys. I think he lives on Long Island. And his may be coming out in pocket book. That one my wife grabbed for me and finished before I was able to read it.

Then there is a long gap, and I was not aware of some other books coming out until I got hold of "Unlimited Access" until "Blood Sport" comes out. "Blood Sport" is by James B. Stewart. He was brought into the White House. The subtitle is "The President and his Adversaries." He was brought into the White House; let me give his credentials. Author of "Den of Thieves" and winner of the Pulitzer Prize.

Now, if I am pushing the rule here, Mr. Speaker, I have got three out of six are Pulitzer Prize winners, and Meredith's is the winner of other awards. All of them have been best-sellers.

James T. Stewart comes into the White House, by Hillary Clinton staffers, to clear up the Whitewater confusion and to write a good book, as a Pulitzer Prize winner, establishing their innocence. He starts doing research, and when he starts getting close to the truth, the door starts slamming in his face, and finally he did the same thing that the author of the book on the Green Beret; his name will come to me, Joe McGuinness; the Green Beret doctor who had murdered his wife and children and is still in prison for it, he started to write a book declaring the innocence of that Army doctor. I am

not going to use that Army doctor's name because he is in prison and his family has changed their name, and they have a life, and it has been a movie, been a TV movie. Same guy, Gary something, that played Custer, played him very effectively.

In the middle of researching the book, Joe McGuinness breaks off with the doctor who already has been found guilty and is in prison, and writes the definitive book that this guy did it trying to blame it on imaginary hippies, and he is still in jail, and that was so much for hiring Joe McGuinness, another, I think, Joseph Pulitzer Prize winner to try and clear you.

I would suggest to guilty people in prison, if you ever want to get out after 30 or 40 years, do not hire honest reporters like James B. Stewart and expect them not to find the truth and to write lies and cover you up.

So James T. Stewart writes the definitive book on Whitewater, called "Blood Sport," and I am going to make, not a confession, but an admission that I am only that far because my wife took it away from me, and Whitewater is complex, like the early days of Watergate. It is not a fast read. It is not exciting stuff. It does not have much to read in the airport in here, it does not have much of the Thomases or the other Thomasson or the guy who was running cocaine to everybody in the structure, cut it off right under Clinton. Everybody below Clinton and all of his best friends were into some kind of cocaine scam here, and the guy that was doing it was pardoned by Clinton and put in a halfway house, and he paid off—I cannot remove this one—or I am allowed to tariff Roger Clinton—he paid off Roger Clinton's drug debt, and I underlined that once in the L.A. Times and passed it to my wife to read, and she said you should have pointed this out to me. Why? She said, Roger Clinton's cocaine debt. And I said, why? It says this friend of Clinton that he pardoned paid off his drug debt, and she says—Lassiter is his name—and she says, well, to whom was that debt owed? To the FBI? Was he paying off his court trial costs? No, we taxpayers pay that, or in this case, State case, the good taxpayers and the families of those 23 Medal of Honor winners in the State of Arkansas and my friend, Carl Eugene Holmes and his wife, Irene, their tax dollars. That is the colonel that was deceived and trampled upon his honor, the Bataan death march survivor and was nominated for the Congressional Medal of Honor, not enough witnesses, so he gets the most guy getting it, the Distinguished Service Cross. It was Colonel Holmes and Irene Holmes who had to pay the tax bill for Roger Clinton's cocaine trial. So to whom was the debt owed? And my wife said it was owed to drug dealers?

That is worthy of a big long pause: Sally Dornan says to me, did David

Lassiter pay off Roger Clinton, the President's only brother? He has no sisters. Well, he has got half brothers around, and he called them on the phone and then would not even invite him to the White House. He denies them in this essence: his only brother, and that is a half brother. And I said, Sally, I am going to check this out.

Guess what? David Lassiter and Patsy Thomasson, who is head of personnel at the White House or something, or head of the administration at the White House, testified on the Senate several times, faulty memory like everybody who has testified here or at the Senate from the White House, she ran the office while he went to prison for a few minutes until Clinton pardoned him for cocaine. It appears David Lassiter paid off the President's half brother's cocaine debts to organized crime.

If someone has a different take on that, call me here at the capital.

Blood Sport, James B. Stewart, best seller, has not come out in paper back yet.

And then I get, well, these two books came out the same week: Unlimited Access by an FBI agent, subtitle: "A FBI Agent Inside The Clinton White House," Gary Aldrich. I read the reviews on that. A few days later "The Choice," Bob Woodward; so of these eight books Woodward has two, Woodward's book, "The Choice," comes out. I send for them both, and they arrive the same day. I am just starting "The Choice." Cannot give you a review on that one, but I hear it is very fair to Bob Dole and not all that subjective on Clinton, that it is objective on both, and somebody told me if the whole Nation read this book and disregarded polemical skills, disregarded crying in public—I have cried in public; so has Bob Dole; but we do not make a habit of it like somebody else I am looking at.

If they disregarded all of the surface television imagery the way Democrats used to beg us to look aside from Ronald Reagan's just commanding demeanor; they did not know about his heart, that it matched his intellect. His heart and his communication skill were a match. They synched up; what you saw was what you got, an anti-Communist, ex-Democrat who believed in smaller government and paying your debts, and when somebody kills two American sergeants, Goines and Ford, two Specialist Fifth Class, in the LaBelle disco April 5, 1986. The planes were in the air to Libya 9 days later.

Ronald Reagan said you cannot hide. There was a man of his word who, although he had not seen combat because he was the father of three kids and was over 30 years of age, had turned 30 a month, a year before Pearl Harbor, turned 31 on February 6 of 1942. So people, Democrats say, well, Reagan did not serve. No, Reagan was not at Ox-

ford in his early twenties getting the third request from Uncle Sam: I want you. Reagan volunteered and did wear the uniform. How many times did I hear in that well or on television? At least Jeff Greenfield corrected himself, that Reagan never wore the uniform. He served in the Army Air Corps and was a National Guard cavalry officer before that. If we had gone to war in 1934, 1935 or 1936, Ronald Reagan could have been killed in combat. He was a loyal son of Dixon, Illinois.

Now, "The Choice," to come back to my first thought on this, if everybody in America read this book, people tell me Bob Dole would win in a landslide. So there is much material in here on Hillary and Elizabeth that would confirm the victory for the Doles, and Bob Dole nor Elizabeth have been running around saying you get two for one.

There are seven of them. Here comes "Unlimited Access: An FBI agent inside the Clinton White House." Mr. Speaker, if I knew Gary Aldrich, and I will meet him one of these days, I would say, FBI Agent Aldrich, did you succumb to your publisher's request to put in a unsubstantiated wild rumor about a certain U.S. President hiding in automobiles under blankets when there was nothing to substantiate it or to involve the newest and maybe the biggest hotel in the core of Washington, DC., the flagship of the great father and son—father now gone to heaven—Marriott line of hotels, the J.W. Marriott Hotel, named after the founder?

□ 1415

He apparently started putting sandwiches on airplanes out here from a little restaurant next to National Airport, and turned it into a worldwide Marriott classy hotel operation. Why involve the J.W. Marriott in a lot of rumors when it was not substantiated?

Because that mistake, and I will bet he knows it was a mistake, and I will bet the publishers know it was a mistake, that mistake caused a lot of liberal journalists who I like and a lot of conservative journalists who were fair, like George Will, they had to trash the book, because everybody focused in on the excitement of a U.S. President evading the Secret Service and slipping out.

I had read that there are people who—the Secret Service has an expression, hogs in the tunnel. It does not mean anything mean about people's eating habits, it means Razorbacks, Arkansas Razorbacks in the tunnel, the tunnel between the White House and the Treasury Department built in World War II. It means cover them, protect them. Do not let them get away.

The people who told me this firsthand did not necessarily mean, they just smiled, that there was anybody near the top, at the very top. They just

said hogs in the tunnel means the tunnel is being used between the White House and the Treasury Department.

If Mr. Gary Aldrich, an honorable FBI agent, and I will tell you somebody else who succumbed to this; a friend of mine, Lt. Col. Ollie North. His publishers told him, your book will boom over the top if you say that Ronald Reagan knew all about the Contra arms deal with Iran.

Ollie's book came out. It was a best-seller. It was very exciting. But Nancy Reagan, my friend, knew that her husband did not know the details of the Contra arms deal. She knew he called the Contras freedom fighters and he was trying to break the code in Iran, and end the deadly growth of religious, notice I am not saying Islamic, I have a lot of Islamic friends, religious fanaticism; it happens in every faith. It happened in my faith in Spain, at one period.

He was trying to deal, at the Commander-in-Chief level, with some very tough problems, including the aforementioned bombing of terrorist camps outside of Benghazi, Tripoli. But when my pal Ollie succumbed, in the non-military, he had never done this in uniform, Ronald Reagan probably knew, he said, about the Contra arms deal, to sell books, it enraged, properly, Nancy Reagan; all wives are protective. Nancy set the standard for that kind of loyalty.

And when Ollie went to run for the Senate, at the worst possible time, about 10 days out, in a hot primary between Ollie North and the incumbent, Chuck Robb, two Marines duking it out, Nancy Reagan, and she did not initiate it, she was in a hotel lobby, I remember, or a hotel ballroom that was empty, being interviewed by somebody for PBS or one of the networks, and she said, used tough words, I believe she said "That's a lie." Bingo, it just brought Ollie's campaign to a screeching halt.

All writers must stay on the truth, confirm their facts, like all of these seven books here. Gary Aldrich may be able to recover in paperback. This is growing slowly. It is published by a very honorable house. I have even talked to them about putting down some thoughts with hard covers, Regnery. This, it is my favorite publishing house in the world.

The rest of the book, this is my point, is filled with such deadly information about, talking now from the top down, not covered by rule XVIII, talking about all the people going to jail and coming up here with total memory losses, this is a corrupt administration. They are wrecking the youth of our country on drugs.

When I leave here, I have to call my pal, a great hero, Barry McCaffrey, two distinguished service crosses, two silver stars, three purple hearts, and he carries his wounds proudly on his arms,

when he is in a short-sleeved shirt; the point of the spear in Desert Storm, the ave in the Hail Mary left hook around Kuwait into the center of Iraq to liberate Kuwait and win a 4-day land war; in other words, the Commander of the 24th Infantry Division, Mechanized; hero from Vietnam, a two-star general, Barry McCaffrey, who retired as a four-star SYNC, Commander-in-Chief of southern command in Panama, and who learned down there the enormity of the drug war. It is not a war; it will be a war under him, maybe. But in today's paper, because he is a friend and a solid American patriot, I have to give him the benefit of the doubt that it is out of context, he said "Prior drug use should not stop anybody from serving in government."

I know some reporter clipped that one, because you cannot serve in the FBI, you cannot serve as an officer and NCO in the military if you have touched cocaine once, as far as I know. You cannot be an LAPD street cop. I cannot speak for New York, where I was born, but you cannot touch cocaine and serve in the DEA, the FBI, the CIA, or the aforementioned Alcohol, Tobacco, and Firearms, but you can serve in the White House and be in a drug rehab program.

Now guess who is involved in this drug use and in the rehab program? Scott Livingstone. And I am hearing today that he lobbied to control the nuclear weapons systems code briefcase, affectionately called "the football," or in Hollywood parlance, the red button, which does not make much sense.

The White House drug scandal is a nightmare. It is all in here. And how do liberal talk shows hosts dismiss the 95 percent of this book that is dynamite and valuable, and most of it confirmable? They first deflect you with the silliness of putting in this rumor about the President's sneaking out under blankets in cars and Bruce Lindsey at the wheel, they dismiss it with that, "unsubstantiated rumor"; a wild rumor, I guess.

Then they say that all the rest is that Gary Aldrich was an older man and did not like ex-hippies and baby boomers running around the White House in jeans using foul language and having the domestic help report people having sex in some of the showers. And when the person said, well, it has happened before; no, sir, no, sir, these are both of the same sex. When all of that was reported in here, they said, he just does not like hippies, and then Gary Aldrich gives his birthday. Lo and behold, it turns out he is a baby boomer, and younger than the Clintons. So it is not a generational thing. His honor was offended because he served 2 years under the Bushes and 2 years under the Clintons, and never the twain would meet.

I would recommend, skip over the part about the automobiles and the

midnight sojourns, and read this first. And maybe, because there are only 103 days left, 100 days in the campaign, and when we wake up Monday morning, I just found out we have no votes on Monday. So when we are next voting, Mr. Speaker, we are inside the 99-yard line. The count is on.

I had Ronald Reagan tell me that is the most important 100 days in your life, but particularly in your first race. He was endorsing me, helping me in 1976. I was his congressman. I had helped him try to overtake another great naval officer, Jerry Ford, because I was a Californian. Ronald Reagan, as I say, endorsed me.

I drove up to his house once. There he was watering, in a red bathing suit. He told me he liked red because he was a life guard. I said, gee, why can't I look good in a bathing suit? He was tan, he was healthy, he was vigorous, and he was 65 years old, and he was 4 years away from winning the Presidency.

I said, I have the John Birch Society on my case, and all these people, parties trying to force Rockefeller on me. He said, BOB, Rockefeller and I worked together on this committee, me as Governor, and he was a Governor in New York; two Governors, the biggest States, I overtook him with the biggest State during that period. He said, we worked together on this committee to analyze the CIA. He was terrific on the intelligence issues, and he helped save the honor of the CIA.

I said, what does that do to my core base? I am not a country club Republican. He said, that is your call, and that is the end of the good things I can say about my pal Rocky. The next thing I know, the Republican party says, if you are not enthusiastic about having him, then we will not send him. He did not come to campaign for me.

My staff did not revolt. They are not extremists, just good solid fiscal Republicans that were looking at the fiscal mess in New York, so he never came out for me. But Ronald Reagan was as astute, and I will bet he still is, on most days, a political analyst and a good loyal guy.

Maybe he would say, since we are inside the 100-day mark on Monday and time is of the essence, then read these books backward. If anybody lays any pretension to being a scholar, read Unlimited Access first, by Gary Aldrich. Then, The Choice, to get a fair profile of the two competitors that will be inside the 100-day mark on Monday. Then read Blood Sport, and realize why I am allowed to stand here on this floor and say this is a corrupt administration.

Then read why Clinton raped the truth on his road to the White House in 1992. Then read Inside the White House, and hear it from the hired help.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (Mr. PETRI). The gentleman is out of order with his comment about the truth.

Mr. DORNAN. Yes, over the line, Mr. Speaker. When I first said it, he was only the Governor of Arkansas.

Mr. Speaker, I remove my verb "rape" and replace it with "had trouble with the truth." No, let me go back.

Clinton Confidential. Decline to Power, the incredible problem that the news media had getting candidate to answer direct questions, like the New York Times on Whitewater, who wrote that story on March 8, 1992; 60 Minutes on January 27; Ted Koppel, on General Holmes and all the draft problems, on Lincoln's birthday, February 12, 1992; and on and on and on. It is in Clinton Confidential.

Then read Inside the White House, and here what the hired help has to say about the foul speech ricocheting off the walls. Then First in his Class, which takes you back through the whole life. You should now be into October, and you will get to The Agenda, with Bob Woodward, and the volcanic eruptions and the wife abuse of George Stephanopolous. By then you ought to be ready to be a scholar and read On the Make, and go back to the early days. By then you ought to be ready to write your own book.

I talked about the bibliography in the back of "Unlimited Access." Mr. Speaker, guess what I left out? I thought I had it. Somebody swiped my book. That is not it, that is "POW," the definitive book on the torturing to death of Americans by people who are now giving, fighting for the torture masters to get most-favored-nation status.

I left out "Primary Colors," anonymous, by anonymous; no long anonymous. Random House, Joe Klein. Maybe it is good that that is not in here, because that is fiction, or Joe Klein will tell you, fiction based on fact.

I understand that some news organization has told Joe Klein to go on what we Catholics call a retreat, a spiritual, prayerful, reflective retreat, and think about his period of direct denying to his friends that he was not anonymous.

Since he has now made \$6 million on "Primary Colors," and I just remember where it is, my wife has it upstairs and she is reading it. She is staying busy, getting ready to write her own book on Clinton. Joe Klein's book, "Primary Colors." It will say anonymous on the cover, but believe me, it is Joe Klein. He and I had some long talks in 1992 and in the 1988 convention. I withheld my judgment whether a reporter has a right, for public relations reasons, to advance a back without laying claim to it when it is fiction.

I guess it is tough when you are writing tough columns in one of America's three major news magazines, dailies. I cannot find a time to read them because I am reading three others: National Review, the Weekly Standard,

and Crisis, and First Things. Those are the four I read, so I am not reading much Time, Newsweek, and U.S. News anymore, because there are too many good conservative, factual, truthful magazines out that take a more global, I mean, a more theological and broader, metaphysical view of the world than the news magazines that when I was a young man in college, or when I was a child and first started to read them, at my mother and father's encouragement, and heroes were on the cover, like Roosevelt, Churchill, and fake heroes who were despots, like Stalin and, evil personified, like Adolph Hitler; those magazines, with not as many ads, and thoughtful essays. But of course Henry Luce was around, the guy name that named that and Fortune and other things.

□ 1430

Now, he gives books that are not necessarily just related to the Clintons. I see he has got this "Unlimited Access," FBI agent Gary Aldrich. He has Saul Alinsky's book here, "Rules for Radicals." He has Bill Clinton: "Comeback Kid." That is not here. I always thought that was a book that was just a puff piece because of that title.

He has John Barron's book that I have read, "Operation Solo," inspiring story of an enormously successful FBI operation involving two heroic brothers, Jewish brothers who had escaped Stalin's wrath and went back under harrowing circumstances to operate openly as member of the U.S. Communist Party. And all this time, seconds away from death sometimes in the Kremlin itself, pretending to be loyal Communists when they both dumped out of the Communist Party because of the antisemitism, murder of millions of farmers and the purges of military officers by Stalin, the only man in history bloodier than Adolf Hitler except for possibly Mao. So he has got all sorts of books.

He has got Lee Brown's book, "National Drug Control Strategy." And of course Lee's office was gutted by Clinton.

He has Califano's book, "The Triumph and Tragedy of Lyndon Johnson." So he goes way far afield there, but has got "Clinton Confidential." He has got Hillary's "It Takes A village."

He goes way back to one of my school heroes, Alexis de Tocqueville. Remember that quote.

New chairman in the chair, once a marine, always a marine.

Remember Alexis de Tocqueville's most famous quote: "As long as America is good, she will be great. When America has ceased being good, she will cease being great."

Then he has DeLoach's book on Hoover. Elizabeth Drew's book is not here. I have got to get it. She is excellent, a fair liberal, hard to find. Not sounding so liberal lately. Her book is called "On

The Edge." Clinton always on the razor's edge. Simon & Schuster. It has been out 2 years. How did I miss that? I am busy, Elizabeth. I am a double chairman, intelligence, military personnel, conference committee.

He says, the FBI agent, one of the better books on Clinton—my gosh, I am running out of time.

Tip O'Neill's book here, "Man Of The House," great book. He has got "The Ruling Class," Regnery, favorite publishing house, 1993. "The Dysfunctional President." Now there is a title that is pushing rule XVIII. One of the possible explanations for Bill Clinton's aberrant behavior, by Paul Flick. I never heard of it.

He has got a book I do not recommend because it is semipornography, "Passion and Betrayal." Jennifer Flowers.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PETRI). Remarks in debate may include criticisms of the President's official actions or policies, they may not include criticism on a personal level.

The gentleman may proceed.

Mr. DORNAN. Mr. Speaker, I understand.

The title of the book was "The Dysfunctional President." I never heard of it. That could mean politically dysfunctional. I read the subtitle. I accept that because it discussed behavior. Jennifer Flowers.

I had a discussion with the Parliamentarians here whether I could ever say her name on the floor. I disagree with him so let us try this. Emery Dalton books, do not read it, it is stupid. It comes under the heading—I cannot read the subtitle because it involves cocaine. But Jennifer Flowers wrote a book called "Passion and Betrayal." Tough, she deserved to be betrayed.

Now, here is one, "The Sixties: Years of Hope, Days of Rage." That is a book from the 1980's, Bantam, captures the essence of the new left. That is a fabulous book that I have read. "The Sixties: Years of Hope, Days of Rage." But it is about 80 percent puffery; 20 percent lets you know the modus operandi of people who were stoned most of the time.

The Glazers, husband and wife, Myron and Penina, "Whistleblowers: Exposing Corruption In Government and Industry." Well, that is bipartisan. That takes place everywhere.

"Reporting the Counterculture," Richard Goldstein. Sounds good.

I know the next one is good, Mr. Speaker, "The Federalist Papers," by Alexander Hamilton. James Madison. We finally passed his 27th amendment that we cannot give ourselves pay raises while we are sitting here. I do not think we deserve pay raises for a long time to come, sitting or even in the next Congress. John Jay, great Justice, "In Defense of Elitism." That does not sound like a good title. A good

pocketbook on American society from a liberal perspective. "In Defense of Elitism."

Elitism stinks. In the Republican Party it is called country clubism. In that party it is called limousine liberalism. Pass on it.

AL GORE, "His Life and Career." A puff piece written by a former FBI agent. It might be good.

Alice had a great career, we are classmates, 1976.

"Hill Rats," this was by one of our staffers. Great depiction of shenanigans at the other end of Pennsylvania Avenue. Fair enough. "Hill Rats." I am not calling it the Hill anymore.

I have got a bumper sticker on the back of my window, my Bronco sitting out there, I own a Bronco. I have owned three of them 10 years before double-throat-slashing O.J. Simpson. I got a big sticker, Mr. Speaker, on the back window. It says "cutthroat island." That is what I am calling this place until further notice, not the Hill. This is an island up here, old Jenkins Hill, cutthroat island. That is what we got going here until further notice. That sticker's great on the back of by Bronc.

Here is one, "Hill Rat, Inside the FBI"; I already mentioned that by Kessler. Kessler wrote the book "Inside The White House." He mentions, remember this is an FBI agent, so he likes all these FBI books.

Then "The Secret World of American Communism." I got to start going fast here. "The Adult Children of Alcoholic Syndrome." Whoa, that ought to be interesting given some backgrounds we know about.

"Whistleblowers In The Soviet Union," complaints and abuses under state socialism.

"Doing Time." Well, that applies to a lot of people that Mr. Clinton put on the job. Gordon Libby's book, "Will."

I see Bob the actor, what is his name, strapped to the front of something in a prison where Gordon Liddy was inside reforming prisons. He is quite a guy. No fear, that is his middle name, the G-man.

Rush Limbaugh, "See, I Told You So." Boy, do they hate it when Rush keeps bragging about all the things he predicted.

"The Way Things Ought To Be." Well, Rush went positive there and was not quite as painful as, "See, I Told You So," because he was right on most things.

Here is David Maraniss, "First In His Class," recommended by—see, if you get "Unlimited Access" and buy it first, it is an easy read. Forget the stuff that is rumor. And then you get this bibliography in the back. "Healing For Adult Children of Alcoholics" by Sara Hines Martin. That book has been out 7 months, probably good.

Mary Matalin and James Carville, I have got that at home. Mary is my buddy. Cannot say much about the

other Catholic for abortion, but "All's Fair," Simon and Schuster. That was a big hit and they are great on a show. But to get the Cajun off message, you have to, I guess, dunk him in ice water or something because he is like a broken record. He just keeps saying, cocaine, so what? Scandals, so what? Whitewater, so what? Webster Hubbell, so what? Vince Foster, so what? So what, so what, so what? Have a shrimp, have a catfish. Mary, keep an eye on that guy. I guess he is cute.

"Unraveling of America: History of Liberalism in the 1960's." This one I know of, excellent description of new left infiltration of academia, the media. And they are still all around us here in Government. I will read that one again, Allen Matusow, M-A-T-U-S-O-W, "Unraveling of America: History of Liberalism in the 1960's."

Peggy Noonan, I got that one at home, "What I Saw at the Revolution." But that only brings you up to 1989. Ollie North and William Novak, "Under Fire"; good book. "On the Make," thank you, agent Gary Aldrich. You have got all my books here, "On the Make."

Regnery again, 1994, Tip O'Neill, I already said that is a great book, "Man of the House." Tom Pauken, "The Thirty Years War," best book on this page. Tom Pauken, terrific Vietnam vet, decorated, wounded, President Republican State chairman of Texas State, "The Thirty Years War." He sent me the book. This is a confession, I have never read it. Why? Is there a pocket book? Thomas, send it to me, I hope, Mr. Speaker.

Personal experience of the new left with which agent Aldrich says he could readily identify. John Podhoretz, fast read, great book, "A Hell of a Ride," it is called. John Podhoretz, great family, intellectual family, "Hell of a Ride," Simon and Schuster, 1993. Is it a pocket book?

Gail Sheehy, oh, I want to stay on her good side. She writes for Vanity Fair occasionally, and, boy, it is a rough ride. Her book is called "Character." This is 1990. A good book from a liberal perspective, useful on AL GORE. I bet she is fair to him because AL GORE is a man of character. Gail Sheehy, "Character."

James Stewart, "Blood Sport." I got it covered, Aldrich.

Michael John Sullivan, "Presidential Passions," up through 1990, so it is probably talking about overall White House years. "See How They Run," November publishing, that is also 1990. Pane Taylor, P-A-N-E.

Cal Thomas, my buddy. This one is like going to church, "The Things That Matter Most," HarperCollins, 1994. Great man, great book. Cal Thomas, "The Things That Matter Most."

Gregory Walden, "On Best Behavior." Who does that apply to?

"The Hudson Institute." Great institute. Al Haig was last up there running

that, great four-star general, my pal. Good Secretary of State. Should have hung around a whole term, the whole 8 years of Reagan. A good book but written mainly for lawyers about ethical lapses in the Clinton administration. I say administration, it is OK.

"Whitewater," the Wall Street Journal, highly recommended. Wait a minute, better than "Blood Sport"? Better than Robert James B. Stewart's "Blood Sport"? The Wall Street Journal's book "Whitewater," and it has been out 2 years? I will accept the FBI's analysis. Get "Whitewater" and read it before "Blood Sport," but read "Blood Sport," too.

"The Agenda," got it covered, agent Aldrich. "The Agenda," Simon and Schuster, now 2 years old, a book with its own agenda. It is inaccurate, uh-oh, and this misses most of the salient characteristics of this Clinton administration. Well, then read it last, read "The Choice" first. Read Woodward's book "The Agenda" last. I just like those temper tantrums in it, that is all.

Here is the last one, oh, my gosh, agent Aldrich, let us have lunch. Mr. Speaker, let us, you and I, have lunch with agent Aldrich. Listen to his last recommendation. George Washington, the most prolific writing President in American history. They still have handwritten journals of the Father of our Country, first in war, first in peace, first in the hearts of his countrymen. Ninety journals have not yet been updated, ended and published. The most prolific writer. Everybody thinks Jefferson is the scholar and he is the warrior Statesman. This is an intellect, George Washington.

Listen to what he says: His book, "George Washington's Rules of Civility and Decent Behavior in Company and Conversation," Applewood Books, 1988. I want that book, Mr. Speaker. You know why? George Washington, when he was 16 years of age, wrote down and published "Rules of Civility and Behavior for Children" at 16, 35 points of behavior.

When I was an aviation cadet, I was asked not so politely, ordered to memorize the following on words like hell and damn and filthy speech, not in front of women but in front of combat veterans like yourself in combat in Vietnam. George Washington wrote to his men at Valley Forge under a general order; that is where we get the name for these special orders. There are special orders in the military and general orders. The general orders come from the general, and General George Washington, Commander in Chief, rotten record-breaking winter at Valley Forge, a third of his men dying from the inclement weather and the snow, half of them without shoes, gripping at the weather, looking up to God for assistance, far enough outside Philadelphia so as not to be attacked

by the British but close enough to keep the pressure on.

And he says to them, general order: The general, Washington, is sorry to be informed that the foolish and wicked practice of profane cursing and swearing is growing into fashion. He hopes the officers will endeavor to check it. And he meant NCO's, too. He hopes the officer will endeavor to check it and that both they and the men will reflect that they can have little hope of the blessing of heaven upon our arms if we insult heaven by our impiety and folly. Added to this, it is a vice so mean and so low without any temptation that every man of sense and character detests and despises it.

They ought to clean up their mouths at the White House, get George Washington's book and read it.

□ 1445

Now, Michael McCurry, who is not protected by Rule 18, I assume. He is Irish. He may be Catholic with that name. That was a disgraceful performance of his to stand before this Nation and say: When I was a kid, I used marijuana. A New York Times reporter told me he swore the next line out of his mouth was going to be, And I snorted coke a little bit. Thank heavens he did not say that. But he was cavalier about that.

What did I do? I checked his birthday. October 27 of a year that made him, in the 1970's, 15 to 25. Now, is a 15-year-old kid on September 2, the fiftieth anniversary of World War II, I was with five people who were in combat at 12 and 13 and 14 and 15 years of age.

But, yes, when people are slaughtered like a school in Israel, they were seniors in high school, a bomb was thrown in, we called them children. Okay. They are adults to have sex and get condoms and be lectured to about homosexuality when they are 10, 11, and 12. But I have got a 15-year-old grandchild and, yes, he is a kid sometimes and other times he is a top A scholar and a student.

But if he is talking about his high school years, what a disgrace. But what I meant, let me jump to the other end. Does McCurry mean he smoked pot at 25? I had been out of the Air Force 2 years at 25 and I was an F-100 element leader at 23 years of age, a supersonic fighter. And if I had smoked pot, I would have been betraying my officer's oath and military oath and if I had been an enlisted man I would have been kicked out of the Air Force. You cannot be an FBI agent like Gary Aldrich if you are cavalier about drug use. You still cannot touch it at West Point.

Who does Michael McCurry think he is to say: I smoked pot in the 1970's and here I am now. If you do not inhale, you get to be President? If you smoke it and you are cavalier, you get to be press secretary? It is unbelievable.

Why did not he say and it was wrong and I broke the law? Smoking marijuana is 40 times worse for your lungs in carcinogenic effect than a cigarette. This is unbelievable. I will do an hour next week on drug use in the White House, as I did an hour press conference out there today with my classmate, BOB WALKER.

Mr. Speaker, we are in a war for the soul of our country. Read these books, and vote for Bob Dole.

NEED TO END PARTIAL-BIRTH ABORTION

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

Mr. STOCKMAN. Mr. Speaker, I want to say to the gentleman from California, it is always a joy to hear my good friend from California speak as he speaks from the heart and he speaks the truth. And if there is one thing that the gentleman has taught me, is that speaking the truth does not make you popular, but it is for the record and for the people to hear, and I want to thank my good friend from California.

Mr. DORNAN. Mr. Speaker, will the gentleman yield?

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

Mr. DORNAN. Mr. Speaker, I think I scare some liberals when I get passionate. Have you ever seen me carry that passion or any ill will in the Speaker's lobby or in the Cloakroom or anywhere in the Halls of this place?

Mr. STOCKMAN. No, absolutely not. I think you are respected for your passion toward both sides of the aisle.

Mr. DORNAN. You are a freshman. When I was a freshman, I hit the ground running like you, like your whole wonderful nonextremist mainline class. And I loved Tip O'Neill, the Speaker of the House. He sat with me alone in his office for 1 hour with my uncle, Jack Haley, the Tin Man in the Wizard of Oz, and that Irish actor and that Irish politician were dealing in first names about friends and people they had not seen in 40 and 50 years.

But Tip O'Neill indicated to me, for speaking out in the well on the Panama Canal and the B-1 bomber, and on three issues he told me he disliked, this is Tip O'Neill, "Man of the House," I just mentioned his book, abortion, busing, and Koreagate. Koreagate, if you recall, way before your time, was a scandal with people going around here with bags of money corrupting Congressmen and, of course, it was uncomfortable to him. But to not talk about it would have been blindsiding the American people. Busing was a cultural issue that was tearing communities apart.

Mr. STOCKMAN. Which now we realized we spent more money on busing

and we should have been spending it on schools.

Mr. DORNAN. Right, and how could a good Irish Catholic politician tell me not to talk about abortion, the chief moral issue? And now we are debating homosexual sodomy marriage and killing a baby by puncturing his head and taking its brains out when his arms and legs are out in the world moving and it is four-fifths born. That, as the Pope says and Billy Graham says, is infanticide.

Mr. STOCKMAN. That is exactly why I came to the well to day to talk about. BOB, are you getting these little green cards from your constituents? They are put out by the Catholic Church and Mr. Speaker they are putting them in—

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GILCREST). The gentleman from Texas [Mr. STOCKMAN] will suspend for a moment. The gentleman will address his remarks to the Chair.

Mr. DORNAN. Mr. Speaker, would the gentleman yield?

Mr. STOCKMAN. Let me do this real quick.

Mr. DORNAN. Ask for unanimous consent to engage in a colloquy.

The SPEAKER pro tempore. The gentleman has 5 minutes and cannot have additional time. This is a 5-minute special order. The gentleman has 2½ minutes remaining.

Mr. STOCKMAN. I just want to say to the Sepaker, we got thousands of these little cards talking about a baby that was born halfway and coming out of the mother's birth canal. And what they do is they go in the back with the forceps and puncture the back of the head and suck it out. And I am in a district in which I was written by the Catholic diocese.

Mr. DORNAN. Would the gentleman yield? It is not forceps. They do not even have an instrument of death for this. They use Mendelson's scissors and they shove them in and open them up to tear the back of the skull to take the brains out. They had to adapt a tool to do that.

Mr. STOCKMAN. And I want to point out to the Speaker that we have received, and I am holding in my hand a letter which I will submit for the RECORD, we have in my district a good Catholic diocese, and the staff from there have signed this petition asking that the Congress override the President's veto.

We had even PATRICK KENNEDY voting with us on this issue. It was a bipartisan vote, and I cannot believe that we have to override the President on it. They are going to be holding candlelight vigils all across America in September and I think once people find out about this issue and get educated on this issue, like my good friend from California has so articulately explained to the American people, they will unanimously support the Congress' ef-

fort to stop this sad tragedy in America today.

Mr. Speaker, I yield 1 minute to my good friend from California.

Mr. DORNAN. Get this on Michael McCurry. I ask unanimous consent to put in the information my staff has gotten me. I did not give the year he was born. October 27, 1954. I first flew in a jet 6 days before that. He attended Princeton from 1972 to 1976. Was he a kid, for God's sake? He graduated magna cum laude smoking pot. Do you know what that does? It tells kids you can use drugs and graduate cum laude.

Mr. STOCKMAN. Mr. Speaker, the fact that Congress is still debating the legality of partial-birth abortion shows the decline of our Nation's moral and spiritual health. The truth is that this cruel and morbid procedure should end. My hope is that our Nation will soon legally recognize that the unborn must be protected from this immoral procedure.

There is widespread consensus on this issue from Members of both parties. Our opposition to partial-birth abortion is rooted as much from our spiritual beliefs as from common sense. This procedure could hardly be more brutal in its execution and deserves to be outlawed.

My constituents have overwhelmingly condemned this so-called medical procedure. For example, 24 staff members from the Catholic Diocese of Beaumont, TX, signed a letter urging me to vote in favor of overriding President Clinton's veto of H.R. 1833, the Partial Birth Abortion Ban Act.

I insert this letter into the RECORD at this time.

DIOCESAN PASTORAL OFFICE,
DIOCESE OF BEAUMONT,
Beaumont, TX, May 24, 1996.

Rep. STEVE STOCKMAN,
9th District, Cannon House Office Building,
Washington, DC.

DEAR REP. STOCKMAN: Our staff here at the Catholic Diocese of Beaumont write to urge you to vote to override President Clinton's veto of HR 1833, the Partial-Birth Abortion Ban Act.

Signed:
Father Michael Jamall, Colleen Vice,
Gail Hernandez, Anne Steinman, Nancy Fontenot, Gertrude Morrison, Sandra Borel, Deede Covington, Father Richard de Stefano, Rita Frederick, Carolyn Koch, Rosalind Sanchez, Father James Vanderbilt, Joyce Borque, Mary Cooke, Marilyn Vollmer, Evelyn E. Kummer, Marilyn Price, Karen Gilmer, Father Stephen T. Smithers, Beverly Escamilla, Addie Weems, S. Janice Matthews, Carol M. Duhon.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HOLDEN (at the request of Mr. GEPHARDT), for today, on account of medical reasons.

Mr. DOGGETT (at the request of Mr. GEPHARDT), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. MONTGOMERY) to revise and extend their remarks and include extraneous material:)

Ms. DELAURO, for 5 minutes, today.
Mrs. SCHROEDER, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. WISE, for 5 minutes, today.

(The following Members (at the request of Mr. WHITE) to revise and extend their remarks and include extraneous material:)

Mr. JONES, for 5 minutes, on July 29.
Mr. STOCKMAN, for 5 minutes, today.
Mr. GOSS, for 5 minutes, today.

Mr. REGULA, for 5 minutes, on July 30.

Mr. HANSEN, for 5 minutes, on July 30.

Mr. WHITE, for 5 minutes, today.
Mr. KASICH, for 5 minutes, today.
Mr. GUTKNECHT, for 5 minutes, today.
Mr. SAXTON, for 5 minutes each day, on July 30 and 31 and August 1.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. MONTGOMERY) and to include extraneous matter:)

Ms. DELAURO.
Mr. MILLER of California.

(The following Members (at the request of Mr. WHITE) and to include extraneous matter:)

Mr. EHLERS.
Mr. CANADY of Florida.
Mr. DUNCAN.
Mr. WAMP.
Mr. BURTON of Indiana.
Mr. MANZULLO.

(The following Members (at the request of Mr. STOCKMAN) and to include extraneous matter:)

Mrs. FOWLER in two instances.
Mr. STENHOLM in two instances.
Mr. LEVIN.
Mr. COYNE.
Ms. MCCARTHY.
Mr. FORBES.
Mr. MANZULLO.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1675. An act to provide for the nationwide tracking of convicted sexual predators, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 1784. An act to amend the Small Business Investment Act of 1958, and for other purposes; to the Committee on Small Business.

ENROLLED BILL SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that that committee had examined and found truly an enrolled bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1114. An act to authorize minors who are under the child labor provisions of the Fair Labor Standards Act of 1938 and who are under 18 years of age to load materials into bailers and compactors that meet appropriate American National Standards Institute design safety standards.

BILLS PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Oversight, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 1627. An act to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Food, Drug, and Cosmetic Act, and for other purposes; and

H.R. 3235. An act to amend the Ethics in Government Act of 1978, to extend the authorization of appropriations for the Office of Government Ethics for 3 years, and for other purposes.

ADJOURNMENT

Mr. STOCKMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 55 minutes p.m.), under its previous order, the House adjourned until Monday, July 29, 1996, at 12:30 p.m. for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

4383. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Sweet Onions Grown in the Walla Walla Valley of Southeast Washington and Northeast Oregon; Assessment Rate [Docket No. FV96-956-2 FIR] received July 26, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4384. A letter from the Acting Under Secretary for Food Safety, Food and Safety Inspection Service Agency, transmitting the Service's final rule—Use of Trisodium Phosphate on Raw, Chilled Poultry Carcasses [Docket No. 92-026F] (RIN: 0583-AB65) received July 25, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4385. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—International Banking Operations [Regulation K; Docket No. R-0916] received July 25, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

4386. A letter from the Administrator of National Banks, Comptroller of the Currency, transmitting the Office's final rule—Management Official Interlocks [Docket No. 96-15] (RIN: 1557-AB39) received July 25, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

4387. A letter from the General Counsel, Department of Housing and Urban Development, transmitting the Department's final rule—Single Family Mortgage Insurance—Loss Mitigation Procedures [Docket No. FR-4032-I-01] (RIN: 2502-AG72) received July 25, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

4388. A letter from the Acting Director, Office of Management and Budget, transmitting OMB's estimate of the amount of change in outlays or receipts, as the case may be, in each fiscal year through fiscal year 2002 resulting from passage of H.R. 2853, pursuant to Public Law 101-508, section 1310(a) (104 Stat. 1388-582); to the Committee on the Budget.

4389. A letter from the Acting Director, Office of Management and Budget, transmitting OMB's estimate of the amount of change in outlays or receipts, as the case may be, in each fiscal year through fiscal year 2002 resulting from passage of H.R. 1508 and H.R. 3121, pursuant to Public Law 101-508, section 1310(a) (104 Stat. 1388-582); to the Committee on the Budget.

4390. A letter from the Secretary of Energy, transmitting the Department's report entitled, "Summary of Expenditures of Rebates from the Low-Level Radioactive Waste Surcharge Escrow Account for Calendar Year 1995," pursuant to 42 U.S.C. 2120e(d)(2)(E)(ii)(II); to the Committee on Commerce.

4391. A letter from the Director, Office of Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Fenpropathrin; Pesticide Tolerance [PP 4F427/R2253; FRL-5385-1] (RIN: 2070-AB78) received July 25, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4392. A letter from the Director, Office of Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Diethyl Phthalate; Toxic Chemical Release Reporting; Community Right-to-Know [OPPTS-400096A; FRL-5372-6] received July 25, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4393. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Revocation of Pesticide Food Additive Regulations [OPP-300360B; FRL-5388-2] (RIN: 2070-AB78) received July 25, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4394. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Cyfluthrin; Pesticide Tolerance [PP 2F4137/R2259; FRL-5387-2] (RIN: 2070-AF78) received July 25, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4395. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Norflurazon;

Pesticide Tolerance [PP 9F3766/R2254; FRL-5385-3] (RIN: 2070-AB78) received July 25, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4396. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—1,1-Difluoroethane; Tolerance Exemption [PP5E04443/R2258; FRL-5386-8] (RIN: 2070-AB78) received July 25, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4397. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—IM Program Requirement—On Board Diagnostic Checks [FRL-5543-7] (RIN: 2060-AE19) received July 25, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4398. 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 Tennessee: Approval of Revisions to the Tennessee State Implementation Plan Regarding Prevention of Significant Deterioration [TN 119-1-6379a; TN 172-1-9639a; FRL-5539-9] received July 25, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4399. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Reclassification; Arizona-Phoenix Area; Carbon Monoxide [AZR91-003; FRL-5543-6] received July 25, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4400. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Final Full Approval of Operating Permits Program; Final Approval of Operating Permit and Plan Approval Programs Under Section 112(1); Final Approval of State Implementation Plan Revision for the Issuance of Federally Enforceable State Plan Approvals and Operating Permits Under Section 110; Commonwealth of Pennsylvania [PA065-4025; AD FRL-5535-3] received July 25, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4401. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; General Operating Permit and Plan Approval Program [PA065-4026; FRL-5535-2] received July 25, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4402. A letter from the Managing Director, Federal Communications Commission, transmitting the Commission's final rule—Policies and Rules Governing Interstate Pay-Per-Call and Other Information Services Pursuant to the Telecommunications Act of 1996 [CC Docket No. 96-146; FCC 96-289] received July 26, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4403. A letter from the Managing Director, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Fredericksburg, Helotes and Castroville, Texas) [MM Docket No. 94-125] received July 26, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4404. A letter from the Director, Regulations Policy Management Staff, Office of

Policy, Food and Drug Administration, transmitting the Administration's final rule—Revocation of Certain Device Regulations [Docket No. 95N-310R] (RIN: 0910-AA54) received July 26, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4405. A letter from the Director, Regulations Policy Management Staff, Office of Policy, Food and Drug Administration, transmitting the Administration's final rule—Current Good Manufacturing Practice in Manufacturing, Processing, Packing, or Holding of Drugs; Revisions of Certain Labeling Controls; Partial Extension of Compliance Date [Docket No. 88N-0320] received July 26, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4406. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Decommissioning of Nuclear Power Reactors (RIN: 3150-AE96) received July 26, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4407. A letter from the Executive Director, Committee for Purchase from People Who Are Blind or Severely Disabled, transmitting the Committee's final rule—Additions to the Procurement List (41 U.S.C. Sec. 47(a)(2) received July 25, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee Reform and Oversight.

4408. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pratt & Whitney Wasp Series and R-1340 Series (Military) Reciprocating Engines (Federal Aviation Administration) [Docket No. 95-ANE-26; Amendment 39-9693; AD 96-15-02] (RIN: 2120-AA64) received July 25, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4409. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—CFR Chapter Name Change (Federal Aviation Administration) [Docket No. 28636] (RIN: 2120-ZZ02) received July 25, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4410. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fairchild Aircraft SA226 and SA227 Series Airplanes (Federal Aviation Administration) [Docket No. 93-CE-35-AD; Amendment 39-9689; AD 93-15-02 R2] (RIN: 2120-AA64) received July 25, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4411. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Part-Time Career Employment Program (RIN: 2900-AH75) received July 25, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

4412. A letter from the Chief, Foreign Trade Division, Bureau of the Census, transmitting the Bureau's final rule—Collection of Canadian Province of Manufacture Information for Softwood Lumber on Customs Entry Records (15 CFR Part 30) received July 26, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4413. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rulings and Determination Letters (Revenue Procedure 96-39) received July 25, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

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. YOUNG of Alaska: Committee on Resources. H.R. 2636. A bill to transfer jurisdiction over certain parcels of Federal real property located in the District of Columbia, and for other purposes; with amendment (Rept. 104-368, Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 3006. A bill to provide for disposal of public lands in support of the Manzanar Historic Site in the State of California, and for other purposes; with amendments (Rept. 104-709). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMAS: Committee on House Oversight. H.R. 3491. A bill to repeal the American Folklife Preservation Act; with an amendment (Rept. 104-710). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 3579. A bill to direct the Secretary of the Interior to convey certain property containing a fish and wildlife facility to the State of Wyoming, and for other purposes; with an amendment (Rept. 104-711). Referred to the Committee of the Whole House on the State of the Union.

Mr. BLILEY: Committee on Commerce. H.R. 3868. A bill to extend certain programs under the Energy Policy and Conservation Act through September 30, 1996 (Rept. 104-712). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 3024. A bill to provide a process leading to full self-government for Puerto Rico; with an amendment (Rept. 104-713, Pt. 1). Ordered to be printed.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 3539. A bill to amend title 49, United States Code, to reauthorize programs of the Federal Aviation Administration, and for other purposes; with an amendment (Rept. 104-714, Pt. 1). Ordered to be printed.

DISCHARGE OF COMMITTEE

Pursuant to clause 5 of rule X the Committee on Government Reform and Oversight discharged from further consideration. H.R. 2636 referred to the Committee of the Whole House on the State of the Union.

Pursuant to clause 5 of rule X the Committee on Rules discharged from further consideration of H.R. 3539.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 3024. Referral to the Committee on Rules extended for a period ending not later than September 18, 1996.

H.R. 3539. Referral to the Committee on Ways and Means extended for a period ending not later than July 29, 1996.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HANSEN (for himself and Mr. MARTINI):

H.R. 3907. A bill to facilitate the 2002 Winter Olympic Games in the State of Utah at the Snowbasin Ski Area, to provide for the acquisition of lands within the Sterling Forest Reserve, and for other purposes; to the Committee on Resources.

By Mr. FAZIO of California:

H.R. 3908. A bill to prevent the illegal manufacturing and use of methamphetamine; to the Committee on the Judiciary, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NADLER:

H.R. 3909. A bill to improve aviation security by requiring the installation of certain explosive detection equipment at certain airports, by requiring the installation of explosive resistant cargo containers on aircraft, to provide assistance for the acquisition of such equipment, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ORTIZ (for himself and Mr. THORNBERRY):

H.R. 3910. A bill to provide emergency drought relief to the city of Corpus Christi, TX, and the Canadian River Municipal Water Authority, TX, and for other purposes; to the Committee on Resources.

By Mr. PALLONE:

H.R. 3911. A bill to establish the Great Falls Historic District in the State of New Jersey, and for other purposes; to the Committee on Resources.

By Mr. PORTER:

H.R. 3912. A bill to amend the Federal Election Campaign Act of 1971 to encourage compliance with spending limits on elections for the House of Representatives and enhance the importance of individual contributions and contributions originating within congressional districts; to the Committee on House Oversight.

By Mr. ARMEY:

H. Con. Res. 203. Concurrent resolution providing for an adjournment of both Houses; considered and agreed to.

By Mr. FORBES (for himself, Mr. MCDADE, Mr. CRAMER, Mr. LAZIO of New York, Mr. FRISA, Mr. KING, and Mr. ACKERMAN):

H. Con. Res. 204. Concurrent resolution expressing the sense of Congress concerning the tragic crash of Trans World Airlines flight 800; to the Committee on Transportation and Infrastructure.

By Mr. COX (for himself, Mr. BONO, Mr. BROWN of Ohio, Mr. FUNDERBURK, Mr. LANTOS, Ms. PELOSI, Mr. ROYCE, Mr. SCARBOROUGH, Mr. SMITH of New Jersey, Mr. SOLOMON, Mr. TORRICELLI, and Mr. DORNAN):

H. Res. 490. Resolution expressing the sense of the House of Representatives that Taiwan should be admitted to the World Trade Organization without making such admission conditional on the previous or simultaneous admission of the People's Republic of China to the WTO; to the Committee on Ways and Means.

By Mr. PAYNE of New Jersey (for himself, Mr. PORTER, Mr. LANTOS, Mr. BEREUTER, Ms. PELOSI, Mr. HASTINGS

of Florida, Mr. ACKERMAN, Mr. WOLF, Mr. FATTAH, Mr. TORRICELLI, Mrs. CLAYTON, Mr. OLVER, Mr. EVANS, Ms. WATERS, Mr. CONYERS, and Mr. CUMMINGS):

H. Res. 491. Resolution expressing the sense of the House of Representatives that criminals from the genocide in Rwanda should be brought to justice by the International Criminal Tribunal for Rwanda; to the Committee on International Relations.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 1127: Mr. HOLDEN.
 H.R. 1281: Mrs. MORELLA.
 H.R. 1920: Mr. FRANKS of New Jersey.
 H.R. 2167: Mr. VOLKMER.
 H.R. 2400: Mr. TORRICELLI and Mr. WALSH.
 H.R. 2434: Mr. EDWARDS.
 H.R. 2480: Mr. BUYER.
 H.R. 2807: Mr. WICKER.
 H.R. 2892: Mr. GUTIERREZ, Ms. SLAUGHTER, and Ms. FURSE.
 H.R. 2976: Mr. GILLMOR, Mr. TORRICELLI, and Mr. WATT of North Carolina.
 H.R. 3123: Mr. WELDON of Florida.
 H.R. 3195: Mr. SALMON.
 H.R. 3244: Ms. DUNN of Washington, Mr. JEFFERSON, Mr. JACOBS, Mr. LEWIS of California, Mr. FOX, and Mr. HAYES.
 H.R. 3283: Mr. HOYER.
 H.R. 3294: Mrs. THURMAN.
 H.R. 3427: Mr. DOOLITTLE and Mr. NEY.
 H.R. 3515: Ms. KAPTUR, Mr. BRYANT of Texas, Mr. EVANS, and Mr. LEVIN.
 H.R. 3556: Ms. FURSE and Mr. SAWYER.
 H.R. 3590: Mr. FRAZER, Mr. MCDERMOTT, and Mr. ACKERMAN.
 H.R. 3609: Mr. HOUGHTON, Mr. OLVER, Mr. MCDERMOTT, Mr. DELLUMS, Ms. MCKINNEY, Mr. BELLENSON, and Mrs. MORELLA.
 H.R. 3618: Ms. WOOLSEY, Mr. OWENS, and Mr. HYDE.
 H.R. 3687: Mr. INGLIS of South Carolina.
 H.R. 3710: Ms. ROYBAL-ALLARD, Mr. MAS-CARA, and Mrs. FOWLER.
 H.R. 3724: Mr. CLINGER and Mr. GALLEGLY.
 H.R. 3753: Mr. HAYWORTH and Mr. LAHOOD.
 H.R. 3766: Mr. STARK, Mr. OWENS, Mrs. LOWEY, and Mr. WOLF.
 H.R. 3775: Ms. GREENE of Utah and Mr. SEN-SENBRENNER.
 H.R. 3783: Mr. HOLDEN, Mr. CAMP, Mr. NEY, Mr. SENSENBRENNER, Mr. FOX, and Mr. SHUSTER.
 H.R. 3807: Mr. KENNEDY of Massachusetts, Mr. SPRATT, and Mr. BENTSEN.
 H.R. 3821: Mr. KENNEDY of Massachusetts, Mr. MEEHAN, Mr. DURBIN, Mr. EHLERS, and Mr. GREEN of Texas.
 H.R. 3830: Mr. WATT of North Carolina and Mr. CUMMINGS.
 H.R. 3839: Mr. COSTELLO.
 H.R. 3863: Mr. KNOLLENBERG, Mr. FOX, Mr. ENGLISH of Pennsylvania, Mr. MCHUGH, Mr. WELDON of Pennsylvania, Mr. BORSKI, and Mr. ZIMMER.
 H.R. 3879: Mr. ABERCROMBIE, Mr. FRAZER, Mr. RAHALL, Mr. ROMERO-BARCELO, and Mr. HAMILTON.
 H.J. Res. 114: Mr. DINGELL.
 H.J. Res. 176: Mr. HEFLEY.
 H. Con. Res. 151: Miss COLLINS of Michigan, Ms. FURSE, Ms. KAPTUR, and Mr. MATSUI.
 H. Con. Res. 202: Mr. TRAFICANT.
 H. Res. 423: Mr. ENGLISH of Pennsylvania.
 H. Res. 470: Mr. RAMSTAD and Ms. MOLINARI.

DISCHARGE PETITIONS—
ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 13 by Mr. CONDIT on House Resolution 443: David M. McIntosh.

Petition 15 by Mr. BONILLA on House Resolution 466: Steve Stockman, David M. McIntosh, Sonny Bono, John J. Duncan, Jr., Charles H. Taylor, Walter B. Jones, Jr., J.D. Hayworth, Solomon P. Ortiz, J.C. Watts, Jr., Pete Geren, Chet Edwards, and Helen Chenoweth.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 123

OFFERED BY: MR. CUNNINGHAM

(Amendment in the Nature of a Substitute)

AMENDMENT NO. 1: Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "English Language Empowerment Act of 1996".

TITLE I—ENGLISH LANGUAGE
EMPOWERMENT

SEC. 101. FINDINGS.

The Congress finds and declares the following:

(1) The United States is comprised of individuals and groups from diverse ethnic, cultural, and linguistic backgrounds.

(2) The United States has benefited and continues to benefit from this rich diversity.

(3) Throughout the history of the United States, the common thread binding individuals of differing backgrounds has been a common language.

(4) In order to preserve unity in diversity, and to prevent division along linguistic lines, the Federal Government should maintain a language common to all people.

(5) English has historically been the common language and the language of opportunity in the United States.

(6) The purpose of this title is to help immigrants better assimilate and take full advantage of economic and occupational opportunities in the United States.

(7) By learning the English language, immigrants will be empowered with the language skills and literacy necessary to become responsible citizens and productive workers in the United States.

(8) The use of a single common language in conducting official business of the Federal Government will promote efficiency and fairness to all people.

(9) English should be recognized in law as the language of official business of the Federal Government.

(10) Any monetary savings derived from the enactment of this title should be used for the teaching of the English language to non-English speaking immigrants.

SEC. 102. ENGLISH AS THE OFFICIAL LANGUAGE
OF FEDERAL GOVERNMENT.

(a) IN GENERAL.—Title 4, United States Code, is amended by adding at the end the following new chapter:

"CHAPTER 6—LANGUAGE OF THE
FEDERAL GOVERNMENT

"Sec.

"161. Declaration of official language of Federal Government

"162. Preserving and enhancing the role of the official language

"163. Official Federal Government activities in English

"164. Standing

"165. Reform of naturalization requirements

"166. Application

"167. Rule of construction

"168. Affirmation of constitutional protections

"169. Definitions

"§ 161. Declaration of official language of Federal Government

"The official language of the Federal Government is English.

"§ 162. Preserving and enhancing the role of the official language

"Representatives of the Federal Government shall have an affirmative obligation to preserve and enhance the role of English as the official language of the Federal Government. Such obligation shall include encouraging greater opportunities for individuals to learn the English language.

"§ 163. Official Federal Government activities in English

"(a) CONDUCT OF BUSINESS.—Representatives of the Federal Government shall conduct its official business in English.

"(b) DENIAL OF SERVICES.—No person shall be denied services, assistance, or facilities, directly or indirectly provided by the Federal Government solely because the person communicates in English.

"(c) ENTITLEMENT.—Every person in the United States is entitled—

"(1) to communicate with representatives of the Federal Government in English;

"(2) to receive information from or contribute information to the Federal Government in English; and

"(3) to be informed of or be subject to official orders in English.

"§ 164. Standing

"A person injured by a violation of this chapter may in a civil action (including an action under chapter 151 of title 28) obtain appropriate relief.

"§ 165. Reform of naturalization requirements

"(a) FLUENCY.—It has been the longstanding national belief that full citizenship in the United States requires fluency in English. English is the language of opportunity for all immigrants to take their rightful place in society in the United States.

"(b) CEREMONIES.—All authorized officials shall conduct all naturalization ceremonies entirely in English.

"§ 166. Application

"Except as otherwise provided in this chapter, the provisions of this chapter shall supersede any existing Federal law that contravenes such provisions (such as by requiring the use of a language other than English for official business of the Federal Government).

"§ 167. Rule of construction

"Nothing in this chapter shall be construed—

"(1) to prohibit a Member of Congress or an employee or official of the Federal Government, while performing official business, from communicating orally with another person in a language other than English;

"(2) to discriminate against or restrict the rights of any individual in the country; and

"(3) to discourage or prevent the use of languages other than English in any nonofficial capacity.

"§ 168. Affirmation of constitutional protections

"Nothing in this chapter shall be construed to be inconsistent with the Constitution of the United States.

"§ 169. Definitions

"For purposes of this chapter:

"(1) FEDERAL GOVERNMENT.—The term 'Federal Government' means all branches of the national Government and all employees and officials of the national Government while performing official business.

"(2) OFFICIAL BUSINESS.—The term 'official business' means governmental actions, documents, or policies which are enforceable with the full weight and authority of the Federal Government, and includes publications, income tax forms, and informational materials, but does not include—

"(A) teaching of languages;

"(B) actions, documents, or policies necessary for—

"(i) national security issues; or

"(ii) international relations, trade, or commerce;

"(C) actions or documents that protect the public health and safety;

"(D) actions or documents that facilitate the activities of the Bureau of the Census in compiling any census of population;

"(E) actions, documents, or policies that are not enforceable in the United States;

"(F) actions that protect the rights of victims of crimes or criminal defendants;

"(G) actions in which the United States has initiated a civil lawsuit; or

"(H) documents that utilize terms of art or phrases from languages other than English.

"(3) UNITED STATES.—The term 'United States' means the several States and the District of Columbia."

(b) CONFORMING AMENDMENT.—The table of chapters for title 4, United States Code, is amended by adding at the end the following new item:

"6. Language of the Federal Government 161".

SEC. 103. PREEMPTION.

This title (and the amendments made by this title) shall not preempt any law of any State.

SEC. 104. EFFECTIVE DATE.

The amendments made by section 102 shall take effect on the date that is 180 days after the date of enactment of this Act.

TITLE II—REPEAL OF BILINGUAL VOTING REQUIREMENTS

SEC. 201. REPEAL OF BILINGUAL VOTING REQUIREMENTS.

(a) BILINGUAL ELECTION REQUIREMENTS.—Section 203 of the Voting Rights Act of 1965 (42 U.S.C. 1973aa-1a) is repealed.

(b) VOTING RIGHTS.—Section 4 of the Voting Rights Act of 1965 (42 U.S.C. 1973b) is amended by striking subsection (f).

SEC. 202. CONFORMING AMENDMENTS.

(a) REFERENCES TO SECTION 203.—The Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.) is amended—

(1) in section 204, by striking "or 203,"; and

(2) in section 205, by striking ", 202, or 203" and inserting "or 202".

(b) REFERENCES TO SECTION 4.—The Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.) is amended—

(1) in sections 2(a), 3(a), 3(b), 3(c), 4(d), 5, 6, and 13, by striking "or in contravention of the guarantees set forth in section 4(f)(2)";

(2) in paragraphs (1)(A) and (3) of section 4(a), by striking "or (in the case of a State or subdivision seeking a declaratory judgment under the second sentence of this subsection) in contravention of the guarantees of subsection (f)(2)";

(3) in paragraph (1)(B) of section 4(a), by striking "or (in the case of a State or subdivision seeking a declaratory judgment under the second sentence of this subsection) that denials or abridgements of the right to vote in contravention of the guarantees of subsection (f)(2) have occurred anywhere in the territory of such State or subdivision"; and

(4) in paragraph (5) of section 4(a), by striking "or (in the case of a State or subdivision which sought a declaratory judgment under the second sentence of this subsection) that denials or abridgements of the right to vote in contravention of the guarantees of subsection (f)(2) have occurred anywhere in the territory of such State or subdivision".

H.R. 2391

OFFERED BY: MS. MCKINNEY

AMENDMENT NO. 2: Page 2, insert after the period in line 15 the following: "An employer which provides compensatory time shall provide that an employee may use the compensatory time within 7 days of the date on which the employee earned overtime compensation."

H.R. 2391

OFFERED BY: MS. MCKINNEY

AMENDMENT NO. 3: Page 4, line 22, strike "240" and insert "222".

Page 5, line 23, strike "480" and insert "444".

Page 6, line 1, strike "240" and insert "222".

Page 6, line 3, strike "480 or 240" and insert "444 or 222".

Page 8, insert after line 15 the following:

SEC. 4. OVERTIME.

(a) AMENDMENT.—Section 7(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 207(a)(1)) is amended by striking "forty" and inserting "thirty-seven".

(b) REVISIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Labor shall report to the Committee on Economic and Educational Opportunities of the House of Representatives the revisions required to be made in the employment hours specified in section 7 of the Fair Labor Standards Act of 1938 to conform to the amendment made by subsection (a).

H.R. 2391

OFFERED BY: MS. MCKINNEY

AMENDMENT NO. 4: Page 8, insert after line 15 the following:

SEC. 4. VOLUNTARY OVERTIME.

Section 7(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 207(a)(1)) is amended by striking the period at the end and inserting the following: "and such employee has agreed to be employed in excess of such hours. No other provision of this subsection may be construed to authorize the employment of employees for a workweek longer than 40 hours unless such employees have agreed to such employment."