

## HOUSE OF REPRESENTATIVES—Friday, August 2, 1996

The House met at 9 a.m. and was called to order by the Speaker pro tempore [Mr. COLLINS of Georgia].

### DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
August 2, 1996.

I hereby designate the Honorable MAC COLLINS to act as Speaker pro tempore on this day.

NEWT GINGRICH,  
Speaker of the House of Representatives.

### PRAYER

The Reverend Dr. Ronald F. Christian, Office of the Bishop, Evangelical Lutheran Church of America, Washington, DC, offered the following prayer:

The Psalmist prays:  
*The heavens declare the glory of God,  
And the firmament shows his handiwork.*

Oh God, we can recognize Your presence in that which is about us; intricacies of nature in flowers and in fragrance; diversity in people in size and shape; variety of animals in habits and habitats; and beauty of the night skies in the Southern Cross and the dippers, large and small.

Oh God, as we recognize Your presence, so let us honor that presence, by taking care of all that in nature we so glibly call our own; by protecting that which we have dominion over; by giving consideration to people's differences of both opinion and interests; and by offering our thanks for both Your grace and Your mercy as we, each one, seek justice for all.

Oh God, dispose our days and our deeds in Your peace. Amen.

### THE JOURNAL

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

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

### PLEDGE OF ALLEGIANCE

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

Mr. BALLENGER led the Pledge of Allegiance as follows:

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

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3734) "An act to provide for reconciliation pursuant to section 201(a)(1) of the concurrent resolution on the budget for fiscal year 1997."

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

### CONGRESSMAN BUNN OF OREGON DESERVES APOLOGY FROM SECRETARY OF THE INTERIOR BABBITT

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

Mr. REGULA. Mr. Speaker, the Associated Press on July 30 of this year quoted Secretary of the Interior Babbitt as follows:

There are a lot of people, like Congressman Bunn, who want to shut down the national park system, dissolve the national forest lands, and convey away all the public land.

I just want to say for the record that the gentleman from Oregon, Congressman BUNN, serves with me on the subcommittee on appropriations responsible for funding national parks, for funding national forests, and for funding Federal public lands.

The facts are as follows: Congressman BUNN has supported, as a member of this subcommittee, increased funding for all of these functions: parks, forests, and public lands. At no time has he suggested that we close parks or that we dissolve national forest lands into private ownership, or that we convey away the public lands owned by the people of this Nation.

Statements such as the one made by Secretary Babbitt do a great disservice to truth and facts. Congressman BUNN deserves an apology.

### GAIL DEVERS; SAN DIEGO'S OLYMPIC HERO

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

Mr. FILNER. Mr. Speaker, Americans in every corner of this great Nation let out a collective cheer last Saturday as Gail Devers won her second straight Olympic gold medal in the 100 meters.

Everyone in San Diego County, CA, is familiar with Gail's achievements. A graduate of Sweetwater High School in National City, Devers became only the second woman in history to win consecutive gold medals in the 100 meters.

Even without this impressive accomplishment, Gail Devers would be a modern day hero. She won 10 area track titles in various events for Sweetwater High while setting seven section records and winning three State titles. She was so widely known in San Diego's South Bay that Sweetwater High named its stadium after her.

Her high school yearbook inscription read, "follow your dreams wherever they may lead." Little did she know that those dreams might never have been fulfilled on the track. In 1988, she developed Graves' disease and could not run for almost 2 years. She suffered through radiation therapy to counter the disease, which nearly forced the amputation of her feet in 1991. Only a year later, she won the first of her two 100 meter gold medals at the Barcelona Olympics.

Despite consecutive disappointing finishes in the 100 meter hurdles, including a fall over the final hurdle to surrender the lead at the Barcelona Olympics, Gail Devers has been a model champion with her bright smile and uplifting demeanor.

Gail led the San Diego County contingent of athletes at the Atlanta games—a contingent that numbers 98 strong. Many of these athletes, and others from across the Nation and around the world, trained prior to the games at the ARCO Olympic Training Center in Chula Vista in my district.

The San Diego community deserves to be proud of its athletes and its support of the American Olympic effort through the Olympic Training Center. We are especially proud of Gail Devers, who has overcome life-threatening adversity to become an heroic Olympic champion.

□ 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.

**THE CRY FOR CHANGE AND REFORM HAS NOT GONE UNHEARD IN THE 104TH CONGRESS**

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

Mr. BALLENGER. Mr. Speaker, in 1994, the American people delivered to this Congress a message of frustration and hope that a new legislature with fresh faces and a fresh commitment to honor the voice of the people that would radically alter the political landscape.

Their cry for change and reform did not go unheard.

In this Congress, we have changed the way Washington works and given the power back from where it came—the people in the States and cities and towns with real problems and real answers.

In this Congress, we passed real welfare reform, giving hope and opportunity to those who were trapped in a system that robs people of their dreams and dignity.

In this Congress, we forced this very body to live under the same laws and rules as those who elected us. We are no longer accountable to ourselves, but to the American people.

There is still a long road ahead of us to accomplish everything that the American people set before us. But we will remain faithful to their message and continue in the right direction.

**DEMOCRATS DECLARE VICTORY FOR GETTING MINIMUM WAGE BILL TO FLOOR OF HOUSE**

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

Mr. PALLONE. Mr. Speaker, the Democrats can declare victory again today, once the minimum wage bill is brought up on the House floor, but I just wanted to point out two things: First, to remind my colleagues that the Republicans fought against this minimum wage bill tooth and nail over the last 2 years; and, second, to point out that this affects real people.

Too many times on the other side of the aisle, particularly last Monday when the House Republican leader, the gentleman from Texas, DICK ARMEY, once again blasted the minimum wage and said that it was not important to real people, it was somehow an inside-the-beltway issue. Well, that is simply not true.

There are probably about 10 million Americans that are affected by a minimum wage increase, and they are people that have to go out every day and work to bring home the bread, to raise families, to pay for their mortgages, to pay for heat, to pay for their rent, whatever it happens to be. By delaying this minimum wage increase over 18

months, the Republican leadership has made it very difficult for those real people.

I am pleased today that it is finally being brought up. It is a victory not only for the Democrats but it is a victory for the real people in this country who only earn a minimum wage.

**A THREEEFER**

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

Mr. HOKE. Mr. Speaker, I guess if the gentleman from New Jersey thinks that we delayed it for 18 months, he obviously agrees the Democrats delayed it for 5 years.

Mr. Speaker, we did a threefer this week. A threefer. First of all, we passed welfare reform that fundamentally changes the welfare system, and it ways no more something for nothing. We are not going to condemn people to a cycle of dependency. We will not rip off their dignity and their self-worth. Great bill.

Second, health care reform says that health insurance can be kept when individuals leave or change their jobs. It provides for long-term care insurance deductions, fights fraud and abuse, allows self-employed health care deductions, and it establishes for the first time the one thing that is going to put consumers, patients, back in the driver's seat and take the power away from bureaucracies and insurance companies: medical savings accounts. We passed that.

Today we are going to pass another bill that will make our airports safer, that will crack down on terrorism and that is going to make this country a safer place to live.

A threefer for this Congress, Mr. Speaker.

**NIKE: RICH BOSSES, SWEAT SHOP SLAVES**

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

Mr. TRAFICANT. Mr. Speaker, the Olympics is great for fans, athletes, and sponsors. Especially sponsors. Take Nike. Please, someone take Nike.

Nike pays Indonesian and Vietnamese workers an average of 15 cents an hour. They then sell those shoes for \$140 a pair. And then, if Members think that is highway robbery, their chief executive officer, Phillip Knight, made \$6.5 million in 1995.

I say a Nike ad should read, "Rich Bosses, Sweat Shop Slaves." And if we want to talk about sneakers, Nike is not joking.

Mr. Speaker, I say it is time for the American consumers to tell Nike to take a hikey and buy some American

shoes before, so help me God, we are all working in some sweat shop.

With that, I yield back all the sweat and pain.

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

Mr. TRAFICANT. I yield to the gentleman from Massachusetts.

Mr. MOAKLEY. Mr. Speaker, I am sure that the gentleman is aware that Reebok has ceased buying soccer balls from anybody that hires children.

Mr. TRAFICANT. Mr. Speaker, reclaiming my time, last I heard, Reebok was not an American operation either.

**REPUBLICAN CONGRESS KEEPS COMMITMENTS TO AMERICAN PEOPLE**

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

Mr. GUTKNECHT. Mr. Speaker, in November 1994 the American people sent a very clear message and Republicans were elected to restore the bonds of trust between the American people and their Government.

We have cut spending and are continuing on the path to a balanced budget. We are returning power and decisionmaking ability to States and local governments. We are eliminating the failed welfare state that has entrapped fellow Americans in poverty and despair. We passed health care reform legislation to make it easier for people to have insurance.

Rather than impose government mandates and create more bureaucracy, Republicans are getting government out of Americans' lives so they can do more for their families, children, and communities.

This Republican Congress is historic because we are keeping our commitments to the American people to end business as usual in Washington.

**DEMOCRATS STAND WITH LAW ENFORCEMENT; REPUBLICANS RUN AWAY FROM IT**

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

Mr. SCHUMER. Mr. Speaker, evidently today we will vote on an antiterrorism bill. No one knows what is in it. The Committee on Rules passed a blank check bill. It has not even been printed, but we know one thing for sure.

Mr. SOLOMON. Mr. Speaker, if the gentleman will yield, I will be glad to tell him what is in it.

Mr. SCHUMER. Mr. Speaker, I will yield only on the gentleman's time. I am going to say what I think, and he can tell everyone what is in it.

We know what will not be in it: the two things law enforcement requested,

roving multipoint wiretaps and taggants to trace black powder explosives. These are the two things that law enforcement wanted. These are the two things the Republican majority will not put in this bill.

It is a rerun of the last antiterrorism bill, where they could not bring themselves to do what the law enforcement people wanted. There has been a big reversal, my fellow Americans. Democrats stand with law enforcement, Republicans are running away from it.

The bill today will be a weak Milque-toast bill just like the one we passed 3 months ago, and the only people who will suffer will be the American people.

**GENETIC PRIVACY IS A VERY IMPORTANT ISSUE**

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

Mr. STEARNS. Mr. Speaker, I believe the issue of genetic privacy is of the utmost importance. With new forms of genetic testing, we will be able to test an individual's likelihood of contracting a number of diseases. The possibilities that arise that employers and health insurance can use this information to discriminate is out there.

This is a civil rights issue and a civil rights issue we should be concerned with. People who are already at risk due to their genetic makeup should not have to worry about the additional hardship of losing their job or health insurance.

The Republican Congress and the bill we passed yesterday included for the first time in human history the words "genetic information." That is part of the bill that the gentleman from Illinois, DENNIS HASTERT, prepared as special task master to bring health care to the House floor, and we now have the words "genetic information" so that no one can be discriminated against because of genetic information.

□ 0915

And I think all of our colleagues and all of the people across this country should realize for the first time in human history, we now have those words in the bill and we are making a start.

**MINIMUM WAGE INCREASE FINALLY COMES TO HOUSE FLOOR**

(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, as I prepare to retire I understand there are some wags around here who keep saying that will be a big mouth to fill. But this is a day when I am very proud of my big mouth and I am very proud of the results that we have seen, because

the Republicans kept fiddling while the average working American got burned. There was no way they wanted to deal with the minimum wage, absolutely no way. And for 18 months they stalled.

Well, big mouths like myself went to work, and today we get to put out the fire. Today we get to finally get the minimum wage up here, which is so terribly important for so many mothers who are out there working on it. The majority of the people and more than a majority under minimum wage are women.

This is indeed a good day, and I wish everybody would put their big mouth to work on the right thing. When they finally do, they finally cave.

**CONFERENCE REPORT ON H.R. 3448, SMALL BUSINESS JOB PROTECTION ACT OF 1996**

(Mr. SOLOMON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 503 and ask for its immediate consideration.)

The Clerk read the resolution, as follows:

**H. RES. 503**

*Resolved*, That upon adoption of this resolution it shall be in order to consider the conference report to accompany 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. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore (Mr. COLLINS of Georgia). The gentleman from New York [Mr. SOLOMON] is recognized for 1 hour.

Mr. SOLOMON. Mr. Speaker, I see the distinguished gentleman from Boston, MA [Mr. MOAKLEY] sitting over there. It seems like only yesterday that we spent all day together, and all night too. I yield him the customary 30 minutes, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for debate purposes only.

Mr. Speaker, House Resolution 503 is a typical rule for a conference report. It waives all points of order against the conference report, and it provides that the conference report shall be considered as read as usual.

Mr. Speaker, I am so pleased that the House and Senate conferees were able to put together this bipartisan bill. They put partisanship behind them and reported a bill that raises the minimum wage in a responsible way by offsetting the additional costs to small

business through tax relief, and is so important.

As one who ran a small business before coming to this body, I am particularly pleased that we are making a much needed effort to give some tax relief to hard working people who run these small businesses and provide most of the new jobs.

The small business provisions included in the conference report include an increase in the amount small businesses can expense, which will make it easier to start up and expand a small business. The provisions also include modifications of the rules governing subchapter S corporations, which is the way that many small businesses get along, and raise capital.

For example, it will increase from 35 to 75 the number of shareholders an S corporation may have, and the bill would permit S corporations to have wholly owned subsidiaries as well.

The small business relief also include much-needed pension simplification provisions, which are intended to strengthen and to encourage retirement plans for employees of small businesses. There are several other provisions designed to encourage and protect jobs as well.

Mr. Speaker, I represent a rural district that has many, many small businesses. They are an important part of the economy in my district just like some of the large Fortune 500's are an important part of the economy of the country. I know how difficult it is to start up and maintain a small business. Many small businesses fail before the first year is even over, and that is why they need to be able to utilize all of their operating capital early.

But even with all the difficulties, small businesses create more jobs than any other type of business in America. In fact, small businesses account for almost 75 percent of all new jobs created every single year in this country. That means jobs for kids coming out of high school, and for young men and women coming out of college. So, Mr. Speaker, these tax provisions do not just help small businesses, they help everyone by encouraging job growth.

But, Mr. Speaker, that is not all. This conference report also includes provisions that increase the availability of spousal IRA's to help families plan for their retirement. And the bill includes needed extensions of several expiring tax provisions. One of those provisions is the employer-provided educational assistance tax credit, which allows employers to deduct up to \$5,250 for educational expenses for their employees. This is a tax credit that helps the employer, and it certainly helps those employees that are struggling to advance up the promotion ladder in life.

This conference report also would replace the expired targeted tax job credit with a new work opportunity tax

credit. This credit will encourage businesses to hire individuals who are long-term welfare recipients that might otherwise not be employed. It is going to help them. It is going to help lift them up by the bootstraps. Certain disabled workers are going to have the same opportunity. That is why this is such an important bill.

Finally, Mr. Speaker, this bill contains something I have advocated and encouraged for so long: An adoption tax credit. The conference report provides a tax credit for up to \$5,000 of qualified adoption expenses. The gentlewoman from Ohio [Ms. PRYCE] is going to speak about this in a few minutes because this includes her language, and I commend her for the great job she has done in getting this written into this bill, which is going to become the law of the land.

Now, I know that this provision is not germane to a bill that raises the minimum wage and offers small business tax deductions to protect jobs, but the adoption tax credit has gotten bogged down in politics in the Senate and probably would not have passed Congress this year unless the gentlewoman from Ohio [Ms. PRYCE] and others had not been able to work it into this legislation. So I feel that this provision is so important that I am very glad that the conferees decided to include it.

In conclusion, Mr. Speaker, I would urge support of the rule we are considering now, and I urge support of the conference report so that the President can sign this important piece of legislation.

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

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume and I thank my colleague and dear friend from New York, Mr. SOLOMON, the honorable chairman of the Committee on Rules, for yielding me this time.

Mr. MOAKLEY. Mr. Speaker, on behalf of the 4.2 million Americans who work for the minimum wage, I want to say: it's about time.

The minimum wage in the United States has not been raised in more than 6 years.

For that reason, I congratulate my Republican colleagues for recognizing the importance of this increase today and I am proud to stand in support of this rule, making the bill in order.

Mr. Speaker, the value of minimum wage is at a 40-year low. A 40-year low.

Today, people who work for minimum wage, people who work very hard to support their families and try to stay off of welfare, earn only \$8,500 a year. That is not enough, Mr. Speaker, to support a family.

In fact it is \$3,800 below the poverty line for a family of three. That's right, Mr. Speaker. People who work very hard in full time minimum wage jobs

earn almost \$4,000 less than people at the poverty level.

Yesterday we voted on a Republican welfare bill which President Clinton has said he will sign. That bill made significant changes in our Nation's welfare system. But I would argue, Mr. Speaker, that this bill we are doing today is the real of welfare reform.

Because, Mr. Speaker, instead of haggling over which benefits the Federal Government should provide to support children, as we were yesterday, we are working on making it easier for parents to support children themselves without the Federal Government. And that's the way it should be.

With this increase in the minimum wage, working parents will come closer to having jobs that enable them to support their families.

Instead of working full time for only \$8,500 a year, these parents will get a 90-cent-an-hour raise. It may not sound like much but to these 4.2 million people, it's a very good start.

It used to be, Mr. Speaker, that only one parent had to work to support a family. A father could go to work and earn a good living which would provide food and shelter and clothing for his family. But not anymore.

The earning power of a lower income worker in the United States has declined to the point that a person working full time for the minimum wage earns below the poverty level.

A lot of families whose welfare over work because it is absolutely impossible to make ends meet otherwise.

That's why this bill, this small increase in the minimum wage, is so important. Because it will make it just a little bit easier for lower income families to make those ends meet.

It will bring the minimum wage closer to what it should be: A safety net for primary earners and the best kind of welfare reform this Congress can enact.

I want to add, Mr. Speaker, that my home State of Massachusetts already has a minimum wage of \$4.75. I think we did the right thing by raising the minimum wage in Massachusetts and we are doing the right thing today by raising it even further for the entire country.

Mr. Speaker, for the last year and a half my Democratic colleagues and I have been fighting for a minimum wage increase—if my Republican colleagues had listened to us earlier—12 million Americans would have gotten a raise by now.

But Mr. Speaker, they have joined us now. I am pleased to welcome them to this side of the issue and I urge my colleagues to support this rule to give hard working Americans a long overdue raise.

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

Mr. SOLOMON. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Columbus, OH. [Ms.

PRYCE], one of the very, very valuable members of the Committee on Rules. She has a major role in this legislation.

Ms. PRYCE. Mr. Speaker, I thank the gentleman from New York [Mr. SOLOMON], my friend and the distinguished chairman of the Committee on Rules, for yielding me this time, and I appreciate having the opportunity to work with him on some of the underlying legislation and in managing this important rule.

Mr. Speaker, as the chairman described, House Resolution 503 has the customary 1 hour granted for debating conference rules in the House, and I urge all my colleagues to give it their full support.

Mr. Speaker, the conference report on the Small Business Job Protection Act contains many very important elements. First, we provide for an increase in the minimum wage, a provision fought so hard and passionately for by the gentleman from New York, Mr. QUINN, my Republican colleague from New York, Mr. QUINN.

The report also provides for a series of tax incentives designed to make it easier to start up and then expand small businesses, and also the numerous provisions outlined by the gentleman from New York [Mr. SOLOMON] at the outset of his remarks.

Our Nation's economic health depends in large part on the success of America's small businesses. They are the engine of economic growth, creating nearly 75 percent of all new jobs in the United States in any given year, but we cannot expect them to survive, much less prosper given the regulatory and tax burdens imposed on them under current laws. That is why the tax incentives contained in the conference agreement are so important to the future of small business and jobs in this country. Together, they will provide small business owners and entrepreneurs alike with the financial tools they need to grow and compete and to create the kind of stable and lasting jobs that the American people need.

Mr. Speaker, the third, and to me the most personally significant, element of the bill is made up of the provisions designed to remove barriers that currently discourage hundreds and hundreds of caring families each year from seeking to adopt children.

□ 0930

As many of my colleagues know, I am an adoptive parent myself. Since coming to this body, I have worked hard to find ways to make it easier for parents to adopt, especially young parents with moderate incomes. While progress is being made, the high costs associated with the adoption process, which can be as much as \$15,000 or more in many cases, still pose very significant obstacles.

To help families defray these costs, the conference report provides a valuable tax credit of up to \$5,000 for qualified adoption expenses, and it recommends the necessary offsets to pay for the credit.

In addition, the conference report seeks to remove barriers to interracial adoptions by prohibiting a State or any other entity that receives Federal assistance from denying or delaying a child's adoption because of the race, color, or national origin of the child or the prospective parents.

Hopefully, this change will make it possible for more children to find their way into loving, permanent homes regardless of the race of the family seeking to adopt.

Mr. Speaker, these pro-adoption provisions were originally included in legislation passed by the House earlier this year, but unfortunately the other body has not acted as quickly on this important measure. I congratulate the gentleman from Texas, Chairman ARCHER, and the conferees for ensuring that these beneficial pro-family provisions are enacted into law this year.

Mr. Speaker, this week we have passed major legislation to reform welfare and to expand access to affordable health care coverage. With this legislation, we will add to those victories by easing the financial burden on small businesses, by lifting the barriers that discourage more families from seeking to adopt. I urge my colleagues to support this fair rule and to vote for the conference report.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey [Mr. PALLONE], a very active Member dealing with this matter.

Mr. PALLONE. Mr. Speaker, once again I want to point out that the Democrats can truly declare victory this morning with this minimum wage bill finally being brought to the floor. But two points need to be made. One is that the Republicans consistently over the last 2 years have opposed this minimum wage increase and, second, that this really does impact a lot of real people. It is not something that is pie in the sky that we are just talking about here that does not mean anything to the average Americans.

Democrats have been trying to pass this minimum wage increase since February 1995, when President Clinton first proposed the bill and Democratic leader GEPHARDT introduced it into the House. But it took over a year to force the Republicans into acting. The Republican leadership remained strongly opposed to the minimum wage bill, and Republicans marched in lockstep behind them voting five separate times to kill Democratic efforts to bring it up.

Many of us were here many times trying to bring this up but we were opposed by the Republican leadership. Even when the moderate Republicans finally started to cave in, faced with

polls showing that over 80 percent of the Americans supported this bill, Republican leaders continued to try to kill the bill. They offered amendments that would have gutted the bill in a failed attempt to appease the business lobby and blunt the Democratic initiative.

Mr. Speaker, let me just say we are talking about real people, over 10 million Americans that are going to be positively impacted by this legislation. Most minimum wage earners are not teenage children of the affluent. According to the Bureau of Labor Statistics, of current minimum wage earners, two-thirds are adults, with over 50 percent being 26 or older, while 62 percent are women.

These workers have to work almost twice as many hours just to live near the poverty level for a family of four. They work hard, they provide what they can for their family and they deserve the opportunity to earn a livable wage.

Mr. Speaker, yesterday and this past week both parties have been talking about welfare reform. We passed a good welfare bill. But reform is useless if we do not do something to improve wages. We need to reward hard work and make it less enticing to collect welfare. This bill will accomplish that. I urge support for the conference report.

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

I have been around here a long time. It is not that politics is wonderful. It is no wonder that the American people hold us in such low esteem when they see that in every other speech we get up here and engage in partisan attacks. I long for the old days when maybe there was no television coverage, and we came on this floor and we hammered out the issues and we did not have this partisan bickering.

The man I am going to introduce right now is a man I have never heard utter one single partisan word on this floor. He is a standup Congressman. If it were not for him, this legislation would not be on the floor today. His name is JACK QUINN from Buffalo, NY.

Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. QUINN].

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

Mr. Speaker, I rise in support today of the rule and also rise in support of the Small Business Job Protection Act. I also rise as a Republican Member of this body for almost 2 terms now who has never opposed the minimum wage and was pleased to join a number of Republican colleagues of mine to finally get this bill to a vote on the floor.

This has been a historic week in our House and in Congress. On Wednesday, the House voted to end welfare as we know it, and just last night we passed legislation to make health insurance

more accessible to Americans who get sick or lose their jobs.

Today the House is considering legislation to raise the minimum wage and at the same time provide necessary tax incentives to small businesses. Mr. Speaker, in April, about the middle of April, I was proud to begin this process by submitting the bringing a bill to the floor that would have raised the minimum wage. Today, now as we take another historic step in raising the minimum wage for over 4 million Americans, it is an opportunity for me to thank the people who worked so hard in this effort.

I want to thank those sometimes-courageous 23 other Republican Members who joined me in my minimum wage increase bill. I also wanted to thank the Republican leadership who continued to meet with me and the others, who continued to work with us, our group, as we found ways to bring the bill in an acceptable manner to this floor.

Time after time during that often heated debate, there were times when it was not acceptable to one group or another; but in the end, leadership worked with Members who felt a need to bring this bill to a vote and we did. What we found out was that we thought was going to happen all along, the minimum wage increase in the House passed overwhelmingly with bipartisan support.

Mr. Speaker, it is also an opportunity for me today to thank my Democrat colleagues on the other side of the aisle who also, once we had the bill in acceptable form on the floor, joined in that bipartisan fashion to pass the bill and, at the same time, I believe, sent a message to the Senate, our colleagues across the building, that this was important legislation and that the House was prepared to act in a bipartisan way to get them a bill, to get a bill that the American people needed, the American people who had not seen the minimum wage increase in almost 7 years. I think we need to thank all of those Members who helped us get to this day today.

I believe, Mr. Speaker, that Americans who work a 40-hour work week ought to make a wage that they can live on. A lot of rhetoric has taken place in the well, a lot of rhetoric has taken place back and forth in these past 3 months since my bill was introduced. I think we are here today, again, on an historic event, to say that we are going to give those workers, the men and women of this country, a raise. Today America will get the raise it deserves.

It is through the hard work of a lot of Members in this Chamber and in the Senate. I stand here before all of our colleagues today asking support for the rule, support for the conference report and also urge the President to sign this bill as quickly as possible to give Americans the raise they deserve.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. TRAFICANT], the Garrison Keillor of the House of Representatives.

Mr. TRAFICANT. Mr. Speaker, everybody is declaring victory. I would like to declare a few facts today.

I am bipartisan, nonpartisan type of guy. I rise to indict both parties for subsidizing China and Japan, Mexico, and Canada with another continuing record trade deficit. Japan is over 60 million; China is approaching 40. And the analysts say in 5 years China will surpass Japan.

Anyway, I do not know, I do not think anybody is listening, but there is an old saying, God loves poor people. They say God must love poor people, he made so many poor people, and there are so many working poor people. They deserve a minimum wage increase. I support the rule. I support the bill. I want to commend Mr. MOAKLEY and Mr. SOLOMON, great job they have done over the years. Mr. QUINN fought hard from the Republican side. I want to commend him.

I just want to remind Members, between 1991 and 1993, 13 million Americans lost their jobs. As I speak today, 36 percent are still unemployed; 18 percent took pay cuts less than 50 percent of what they previously made; 10 percent are working for 75 percent less pay than they had 5 years ago. If you do your math, 60 percent of those 13 million people, 7.8 million people are worse off today than they were 5 years ago. So, yes, I support a minimum wage increase. But my colleagues, a minimum wage job is still the bottom rung of the ladder.

If we do not resolve our trade deficits, we will not balance our budget deficits. By God, we are going to have a Communist party fund raiser on the east lawn of this White House.

I thank the gentleman for the time.

Mr. SOLOMON. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. FAWELL].

Mr. FAWELL. Mr. Speaker, I thank the gentleman for yielding me the time.

I rise in support of the rule and I rise in support of the legislation, although with some doubts in reference to the minimum wage question. I have supported it before. I plan to support it again. There are many other fine provisions in the bill: the portal-to-portal provisions, for instance; a lot of tax matters that are of importance to small business people.

I do, however, want to also apprise my colleagues of the fact that unfortunately there was a provision that was added in the Senate involving a Supreme Court case called the Harris Trust case back in December 1993, which involves the ERISA statute, involves pensions and indeed is, I think, one of the bad features of this bill.

As editorial in the Chicago Tribune of last week, entitled Reckless Attack

on Pension Plans, tells the story. There are about anywhere from \$300 to \$700 billion held by the life insurance industry in this Nation for the benefit of pension plans. That is, they are deemed to be under the ERISA statute.

That statute requires that those assets are held exclusively for the benefit of the private pensions of America. But there has been a big argument about this and the life insurance industry has said they have a right to commingle those funds with their own assets so they did so for 20 years. Then the Supreme Court said, no, you are wrong. You cannot do that. You have to have separate accounts for these funds that belong to the pension plans.

This legislation unfortunately, which is a part of this minimum wage bill that is not germane at all, basically eliminates the U.S. Supreme Court case entirely and immunizes, the life insurance industry for all past misconduct in violation of ERISA going back to 1975. If that is not bad enough, it also goes into the future, and immunizes the life insurance industry for any wrongs it may do, including even civil fraud and self-dealing up to July 1, 1999.

Then, on the basis of some changes that we were able to effect in conference, then the traditional fiduciary standards of ERISA will be reinstated but only in the future, on July 1, 1999. So, this is still a very, very unfortunate piece of legislation. I think a lot of us are going to consider that we will have to introduce legislation to rectify it, to repeal it.

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We cannot allow something like this, when you are talking about something like \$700 billion of pension funds which are going to be continually commingled in the assets of the life insurance industry in this Nation. That is not right. I simply wanted my colleagues to know about this.

Mr. Speaker, I rise to support this legislation overall. I support raising the minimum wage, with the conditions included in the legislation, and I support the small business simplification provisions of the bill. Thus, I will vote "yes" on the conference report, and, as a House conferee on the bill, I signed the conference report on title II.

I, however, continue to object to one provision that was originally added to title I by the Senate which will shield the insurance industry from suits arising from the Supreme Court *Harris trust* case, and seriously weaken the integrity of ERISA which has protected pension for more than 20 years. While through intense negotiations, Mr. Goodling and I were able to make some improvements to the Senate-passed Harris Trust language—and our amendment was adopted by the conference—I still must object to this language being included in this bill. For the record, I would like to explain why this provision should not be included in this bill.

Those who manage and invest retirement funds have been subject to the wise fiduciary

standards of ERISA—the Employee Retirement Income Security Act—for more than two decades. ERISA overhauled Federal pension law in 1973 after Congress found many loyal, long-term employees weren't getting the retirement money they were promised under their pension plans. Most important, ERISA makes sure those in control of your money are held to the highest standard of conduct—that they manage and invest your money under a duty of complete loyalty to you.

Incredibly, this crucial standard of conduct—the backbone of our pension system—would be eroded by the legislation we are passing today as it applies to hundreds of billions of retirement dollars held by insurance companies. When the Senate passed their version of the minimum wage and small business tax bill, tucked within the bill was a provision exempting from ERISA's fiduciary standards the at least \$300 billion the industry holds in its general account contracts sold to pension plans. I can only assume the Senate, in passing this legislation, did not understand the implications for our retirement system.

The Senate bill overturns a 1993 Supreme Court decision, *John Hancock Mutual Life Insurance versus Harris Trust*, which conformed what the insurance industry has known for years—that these funds are in fact subject to the ERISA fiduciary standards put in place to protect America's retirees. Before the Court's decision, insurance companies had mistakenly relied upon an unrelated Department of Labor pronouncement which they claimed exempted these general account contracts from the traditional protections of ERISA. The insurance industry has been lobbying Congress for 20 years for the sort of change they're getting—clear evidence they knew ERISA applies to these assets.

Not only would this bill give the insurance industry a retroactive pardon for all past misconduct in handling these retirement dollars—even willful violations—it would create a new, prospective, until 1999, fiduciary standard weaker than ERISA, and prevent pension plans and participants—you—from suing under Federal law to recover your money.

As chairman of the employer-employee relations subcommittee with responsibility for ERISA matters, I strongly oppose letting this provision become law. As groups outside Congress become aware of this bill, opposition and outraged gelled.

The American Association of Retired Persons, acting on behalf of the Nation's retirees, voiced its opposition, as has the Financial Executives Institute, a group of pension plan sponsors with more than \$900 billion in assets—including BellSouth, Coca-Cola, Ford Motor Co., Motorola, and Procter & Gamble. Significantly, both the AFL-CIO and the Teamsters have also sent letters to Congress opposing this insurance industry bailout.

Ironically, President Clinton is out campaigning telling you how much he wants to improve your pension system while his Department of Labor is at the same time supporting this serious weakening of pension protection. Is the President unaware that this bill would excuse any misconduct, however egregious, that's taken place over the past two decades, and would weaken the protections retirees have under ERISA? And the Department of Labor,

which is supposed to be America's pension watchdog, is selling out the retirement security of American workers. That anyone who cares about the integrity of our retirement system could support his unprecedented move to excuse past and future abuses to retirees defies logic.

Perhaps most disturbing is the fact this provision has been attached to the unrelated minimum wage bill and is being passed without a single legislative hearing in the House or Senate. It has never been voted on by any Member of the House and was not included in the House-passed bill.

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

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in support of the rule and the bill.

Mr. Speaker, today is a good day for our Nation's working people, both men and women. What a difference a year makes. This Republican majority Congress passes a minimum wage increase. The world has definitely turned upside down. With the passage of this conference committee report, working Americans will finally see an increase in their wages. To again quote the late Senator from Texas, U.S. Senator Ralph Yarborough, we are putting the jam on the lower shelf for the little people to reach it. This is a day to celebrate.

But we should not forget the Republican attempts to stonewall, derail, and defeat the increase. The American people brought the Republican majority to this point, in some cases kicking and screaming, with a few exceptions. My colleague, the gentleman from New York [Mr. JACK QUINN], is to be commended for his leadership on this effort.

The credit should go to the American people, who made it absolutely clear to the Republican leadership that they expected an increase in the minimum wage. Eighty percent expected that. American workers understand that the purchasing power of the minimum wage will soon be the lowest in 40 years, and now they will make an additional \$1,800 a year in their pocket to spend. Let us stop talking about it. Let us give the American people what they want and deserve, an increase in the minimum wage. The best welfare reform is a job that pays a decent wage.

Mr. MOAKLEY. Mr. Speaker, it gives me great pleasure to yield 2 minutes to the gentleman from California [Mr. MILLER], ranking minority member of the Committee on Resources.

Mr. MILLER of California. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise in strong support of this legislation. It has been a long time coming, Mr. Speaker, to give the people of this country a minimum wage increase, to give those who work so very hard, sometimes at the lowest wages, with long hours and in difficult jobs, to finally give them a pay raise.

Let us remember, though, that this minimum wage increase has been fought tooth and nail by the Republican leadership. We had to have over a dozen procedural votes before we could finally get the attention of the Republican leadership on this legislation.

In the Senate they did everything they could to stifle the consideration of this legislation. It was only because of the tenacious nature of Senator KENNEDY and Senator DASCHLE to bring the Senate to a stall, to a stop, to a complete ending of business, before they could get consideration. Only after the Senate did that did we see the Republican leadership here concede that America was entitled to a minimum wage increase.

Mr. Speaker, the fact is, these Americans have been entitled to this minimum wage increase for many years. I want to commend our colleague, the gentleman from Michigan [DAVE BONIOR], who came to this floor on one vote after another and tried to force this issue. I want to commend our colleague, the gentleman from New York [JACK QUINN], who finally showed courage and separated from that leadership, and recognized the need of people to have this increase in the minimum wage.

I also want to remember the gentleman from Texas [Mr. ARMEY], the majority leader, who said he would fight this with every fiber of his body, he would fight this and never allow this to happen. The American people are about to win, and because of the persistence of the Democratic leadership in the House and Senate, an increase is going to happen for the minimum wage.

This is going to be an improvement for people's lives. This is going to allow people to leave welfare. This is going to reduce our food stamp contributions, our housing contributions, our other welfare payments, because now employers will have to start paying people a liveable wage and no longer have to subsidize unemployment.

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

Mr. WISE. Mr. Speaker, let me just say hallelujah, because when this Congress started a year and a half ago, I would not have predicted this day. There are a lot of things that I would have predicted would have happened in this session of Congress, but an increase in the minimum wage, the first legislated increase since 1989, I would not have predicted.

The good news is that miracles do happen. The good news is that those who say that they are going to fight a minimum wage increase with every fiber of their being can often be proved wrong. This is a very important day for West Virginians as well as Americans.

There are 112,000 payroll jobs in West Virginia that will see an increase be-

cause of this minimum wage increase, going from \$4.25 to \$5.15. That is roughly 17 percent of the payroll jobs in our State. It means that the delay that people have been facing, in which \$2 million a week in payroll has been lost because there has not been a minimum wage increase, that will no longer take place.

Yes, Mr. Speaker, I have heard the complaints of small business. I appreciate them. I know many of our small businesses are struggling. But there are also tax provisions that will assist them and that will prove beneficial.

Additionally, Mr. Speaker, I think it has to be recognized that while the minimum wage has stayed the same since 1991, the last increase, all other costs of business have gone up. What about that minimum wage recipient? Nobody has said anything at the grocery store about keeping prices low because their wages have not gone up. Nobody said anything at the utility about keeping prices low because their wages have not gone up. Nobody said anything, when they have to go out and try and find an automobile to get to work, about keeping the price low because their minimum wage has not gone up.

The fact of the matter is, if we want people to be able to make it in today's society, we have to occasionally give them a minimum wage increase. This House yesterday passed a welfare reform bill. It stresses work. I supported that bill. If we are going to stress work, we have to make sure that people can make a livable wage when they get that work. The minimum wage increase today brings that a little closer to reality.

Mr. MOAKLEY. Mr. Speaker, it gives me great pleasure to yield 2 minutes to the gentleman from New Jersey [Mr. ANDREWS].

Mr. ANDREWS. Mr. Speaker, I thank the gentleman from Massachusetts [Mr. MOAKLEY] for yielding time to me.

Mr. Speaker, sometimes the measure of a legislative body is who it listens to. The majority this year listened to a certain elite group of citizens who said they wanted to renounce their citizenship in order to avoid paying taxes, and they got what they wanted.

The majority this year listened to corporate America that wanted to continue to flood our campaigns with political contributions, and they got what they wanted. The majority this year listened to the huge agribusiness that get billions and billions of dollars of welfare checks from the public Treasury, and they got what they wanted.

Today a bipartisan majority of Republicans and Democrats is going to listen to the people who sweep our floors, wash our dishes, take care of our children, and do the hard work of America, and finally they are going to

get what they rightfully deserve, an increase in the minimum wage of this country.

We have had a lot of talk on this floor this week about the desirability of work. Talk is cheap. What is more important about the desirability of work is to say to someone who washes dishes or sweeps floors or works in a child care center, your work counts, too.

By rising today in support of this rule and this bill, we are finally going to say to the Americans that no one ever listens to, thank you for a job well done. America does need a raise. Today the most deserving Americans are going to get one.

Mr. SOLOMON. Mr. Speaker, yield 3 minutes to the distinguished gentleman from Stamford, CT, CHRIS SHAYS.

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

Mr. Speaker, this is an historic day I am thrilled to be able to celebrate. This is, in fact, a bipartisan effort. Republicans wanted a tax cut, and some Democrats wanted a minimum wage, and some Republicans. We united in a common goal to do both. We have \$8 billion of tax cuts for businesses who are going to hire the most unemployable in our society. We have a minimum wage for those who work for the least amount.

As my colleagues, the gentleman from New York [Mr. QUINN], a leader in this effort pointed out, this is not just an historic day, it is an historic week, because we passed welfare reform. We want to get people off of welfare and onto work. It is very important that we have a minimum wage that is competitive with welfare.

Welfare recipients will have a minimum wage that will not pay them 20 percent more. In a 40-hour workweek they were making \$8,000. They will now receive \$10,000. This was an effort that would not have passed had it not been bipartisan.

I might just express one slight concern with the bill. We are kind of distorting the concept of how we classify workers, and this is an issue we are going to have to find a way to address, because we have too many workers who work as outside consultants who then are not paid certain benefits. I just want to lay that on the table for the record. We have to find a way to make sure that workers are properly classified.

But this bill does two things it needs to do. It provides tax cuts and it provides a livable minimum wage. No one can live, in my judgment, on a minimum wage if they only work 40 hours a week. But tell me, what people in society only work 40 hours a week and succeed? This, to me, is truly an historic day. I congratulate both Republicans and Democrats on their combined effort to provide a minimum wage and tax cut for those businesses that need it.

Mr. MOAKLEY. Mr. Speaker, it gives me great pleasure to yield 1 minute to my colleague, the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Speaker, I congratulate all of those who helped bring forward this increase in the minimum wage, a small but important step toward social equity which we very much need.

I also want to express my appreciation within this bill to the U.S. Treasury Department, to the Committee on Ways and Means, the chairman, the gentleman from Texas, and the ranking member. My colleague, the gentleman from Massachusetts, and I approached them on behalf of fishermen in the greater New Bedford area who were caught up unfairly in a tax dispute. They found themselves, in effect, retroactively taxed, I believe. We made our case. These are very hardworking people, already facing great difficulties because of conservation-imposed restrictions.

I am very appreciative of the willingness of the Committee on Ways and Means, on a bipartisan basis, to entertain our requests; the Treasury Department, to make a rare exception and say retroactively would be acceptable in this case; and I am pleased that as part of this bill, some very hardworking people in the greater New Bedford area will get the tax relief they are entitled to. They are getting nothing they should not have had in the first place. They have been through a lot of expense and aggravation to get here, but at least from now on they will not have this burden.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. MARTINEZ].

Mr. MARTINEZ. Mr. Speaker, I thank the gentleman very much for yielding time to me.

Mr. Speaker, I rise, on a rare occasion that I take the well, to congratulate all those people whose persistence paid off in bringing us this minimum wage bill. It truly is a bipartisan bill. I know there were people in the leadership on one side of the aisle that had made comments, I think very drastic comments, about withholding this piece of legislation. Eventually, better minds prevailed and this is being brought to the floor now.

On behalf of my constituents, I very sincerely thank you. I do not care whether you make \$100,000 or \$10,000, you actually want a raise, because the cost of living continues to go up. Finally, the people that were persisting in this made people realize that we need to have a minimum wage increase.

Let me tell the Members that in California, though, we have an initiative on the ballot, and every poll has indicated that that particular ballot proposition will pass overwhelmingly. It will pass overwhelmingly, for the reason I just stated.

If we need to be vindicated in what we do today, just watch that California vote, because I can guarantee the Members that it will be a landslide. It will be people from all walks of life, from both sides of the aisle, Republicans and Democrats alike, and even Libertarians, that will vote for that particular initiative. I guarantee the Members, we are in the right ball field in the right ball game.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Vermont, the Honorable BERNIE SANDERS.

Mr. SANDERS. Mr. Speaker, ever since my first day in Congress I have been fighting to raise the minimum wage. The simple truth is that the purchasing power of the minimum wage today is 26 percent less than it was in 1970, which means that our minimum wage workers today are much, much poorer and harder pressed than they were in the past.

The fact of the matter is that millions and millions of American workers cannot survive, cannot live in dignity on \$4.25 an hour, and I am glad now today, finally, we are going to be raising the minimum wage to \$5.15 an hour, although in truth, we should be raising it higher than that.

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The reality of the American economy is that more and more of the new jobs that are being created are low-wage jobs, they are part-time jobs, they are temporary jobs without benefits. Today we are saying to those workers that at least you are going to be getting \$5.15 an hour and that is long overdue.

The second part of this bill, which is also a positive step forward, is that we are saying to small businesses in Vermont and all over this country that we understand that you and not corporate America who are taking our jobs to China and Mexico but you, small businesses, are the people who are creating the new jobs in Vermont and in California and all over this country, and that you and not big business are entitled to the tax breaks that you desperately need so that you can reinvest in our communities and create more jobs.

So this bill ultimately does two very important things: It says to every worker in America that you are going to make at least \$5.15 an hour and it says to the small businesses of this country who are creating the new jobs that this Congress hears what your problems are and we are going to give you some tax breaks so you can reinvest and create more jobs.

Mr. SOLOMON. Mr. Speaker, Addison, MI, is very fortunate to have an outstanding representative by the name of NICK SMITH.

I yield 2 minutes to the gentleman from Michigan [Mr. SMITH].

Mr. SMITH of Michigan. Mr. Speaker, I thank the chairman for yielding

me this time and certainly for that introduction.

It is so frustrating listening to the debate, pretending that Congress can somehow create more wealth by passing a law saying you increase wages. Do we think \$5.15 an hour is that great of an income? Do we think that is the correct rate for people to survive? If anybody thought Congress could do it, why in the world are we not raising it to \$10 or \$12 or a respectable living for an American family of \$14, \$16? It is because Government cannot set prices. That is not the way our system works.

Let me tell my colleagues how I think it works. I think competition is just as important in the labor force as it is in the total economy of this country. The free market with competition is what has made us so great.

If we want to improve the chances of people to increase their salaries, then one thing we need is to have competition in the labor market with better mobility of labor. The bill that we passed yesterday that allows a person working to be assured that their health care can go with them as they go looking for a better job is a good step toward improving mobility of labor.

Another area that needs attention if we really wanted to help mobility, to help assure the highest possible wage would be to allow accrued pension benefits earned to go with the worker to the next job. Another thing we could do would be to provide better information regarding jobs and job skills that are and will be in high demand.

The pretense by liberals that we can somehow magically pass a law and set prices and wages to improve our standard of living is ridiculous, and is contrary to the economic system that made this country great.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina [Mrs. CLAYTON].

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

We are going to do something for workers today, and I am delighted. I am delighted at last we will have a final vote on the minimum wage increase today. The American people wanted this, 8 out of 10, and I am pleased that both Democrats and Republicans also will make this a reality. Twelve million workers certainly deserve better than to be working at their current level. Yes, the minimum wage that we are raising is not sufficient, but indeed the minimum wage increase will raise that to a level which will be a livable wage.

The minimum wage worker now earns about 50 percent less if you equate the value of the raise now to the cost and the value some years ago. It means that the minimum wage we are increasing then is still not sufficient, but nevertheless this is an important first step. At least 117,000 or

more persons who live in my State will have the benefit of this increase.

What will this mean to them? Obviously it will mean 90 cents over 2 years, for a 2-year period, but that increase will mean \$1,800 a year. That means it will make a difference in their lives and their families, their ability to provide for their families food and shelter, clothing and education. While indeed the cost of bread and eggs and a place to sleep and clothes to wear, a bus ride or even a ride to the doctor has increased, this minimum wage is beginning to approach that increase in the cost of living.

We are now at the threshold, I think an important threshold, of saying that the American workers also need to have some of the abundance of our economy. Just as our corporate structure has great profits and our executives have great increases in their salary, we are saying to the average worker, they too can have a benefit. I am delighted that we are going to pass this. This is a historic day.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland [Mr. CARDIN].

Mr. CARDIN. First let me thank my friend, the gentleman from Massachusetts [Mr. MOAKLEY], for yielding me this time.

Mr. Speaker, there are many reasons to support this rule and the conference report. It contains very important provisions increasing the minimum wage and extending some very important tax credit provisions that will help create more jobs and investment in our community.

I would like to just mention one provision in the conference report that I take pride that we are finally going to get enacted, that is, pension simplification that will help many businesses in this country and many small businesses particularly. I started working on this issue 5 years ago when I filed legislation in this area. I did it because the savings ratios of this country indicate very clearly that we must encourage more private sector investment and savings.

Retirement plans, particularly for small companies, were on the decline because of the red tape and difficulty in establishing a pension plan for small businesses. In 1992 many of the provisions that are included in this conference report were passed by a Democratic Congress and vetoed by a Republican President for reasons totally unrelated to the retirement provisions, because they were included in an omnibus bill. Then again on 1995 these provisions were passed by a Republican Congress, vetoed by a Democratic President, again for reasons totally unrelated to the retirement provisions.

The third time is the charm. It looks like we are finally going to get these provisions enacted into law. I particu-

larly want to thank the gentleman from Ohio [Mr. PORTMAN] for the work that he has done on pension simplification. I want to thank the gentleman from Texas [Mr. ARCHER], chairman of the Committee on Ways and Means, and the gentleman from Florida [Mr. GIBBONS], the ranking member, for making sure that these provisions were included in this very important legislation.

This is a very important provision for the small businesses in our country. It will allow them to expand and set up retirement 401(K) plans that will encourage more people to be able to plan for their retirement. I congratulate the committees for including this in the legislation.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi [Mr. TAYLOR].

Mr. TAYLOR of Mississippi. Mr. Speaker, I want to compliment the Rules Committee for bringing this bill forward today.

One of my friends spoke a little earlier and said that Congress cannot determine wealth or it cannot set wages. Yet every year for the 7 years that we have both been here, Congress has given our senior citizens a COLA, cost of living increase, on their Social Security check. For each of those 7 years, we have given retired Federal employees a cost of living adjustment on their check. For each of those 7 years, we have given our military retirees a cost of living adjustment on their check, not for what they are doing but for what they have done. And no one stood up and said we should not do this, because everyone realized that the cost of living has gone up.

This week speaker after speaker came to the podium and said that people should value work, and I agree. But if people should value work, then work must have value. And so, yes, the least fortunate in our society, those who by and large have the toughest jobs, they deserve a wage increase. I want to compliment the gentleman from New York [Mr. SOLOMON], and I want to compliment the gentleman from Massachusetts [Mr. MOAKLEY] for bringing this bill to the floor today. It is long overdue. Let us help those people out.

Mr. MOAKLEY. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

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

Mr. Speaker, I think it was the gentleman from West Virginia that stood up a few minutes ago and said, "Hallelujah. I never thought this day would come when we would have this bill on the floor." He was talking about raising the minimum wage. I guess I would have to turn around and say, hallelujah. I thought this day would never come, either, because for the last 2 years we have been trying to give some tax relief to working men and women,

to small businesses in this country, and, yes, it is so terribly important that we do raise the minimum wage like the gentleman from Mississippi said. That is important. But just as important, Mr. Speaker, is the fact that we have to give some tax relief to small businesses to help offset the cost of the minimum wage increase.

I could go down through this list. There is \$22 billion in tax relief for the American people in this bill: Increases in expensing for small businesses. That is terribly important. Home office deductions so that people can run their businesses out of their home, particularly women who have to stay home with children and still want to operate a business. There is tax relief in there. To expand eligibility for first-time farmers. Industrial development bonds. This is more for first-time farmers. I could go through this whole list. Employer-provided educational assistance. Contributions for stock to private foundations to help the charities in this Nation. It goes on and on and on.

Mr. Speaker, this is a good piece of legislation, it does provide for the increase in the minimum wage, but it also provides for \$22 billion in tax relief for the American people. That is why we should all come over here, vote for this rule, and vote for the outstanding bill that the gentleman from Texas [Mr. ARCHER] will be bringing to the floor in just a few minutes.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. ARCHER. Mr. Speaker, pursuant to House Resolution 503, I call up the conference report on 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.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. LATOURETTE). Pursuant to House Resolution 503, the conference report is considered read.

(For conference report and statement, see proceedings of the House of Thursday, August 1, 1996, at page 21032.)

The SPEAKER pro tempore. The gentleman from Texas [Mr. ARCHER] and the gentleman from Florida [Mr. GIBBONS] will each be recognized for 30 minutes.

The chair recognizes the gentleman from Texas [Mr. ARCHER].

## GENERAL LEAVE

Mr. ARCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the conference report on H.R. 3448.

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

There was no objection.

Mr. ARCHER. Mr. Speaker, I ask unanimous consent that I allot 15 minutes to myself for distribution and, subsequent to the conclusion of that, 15 minutes to the gentleman from Pennsylvania [Mr. GOODLING], chairman of the Committee on Economic and Educational Opportunities, so that he may distribute that time according to his discretion.

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

There was no objection.

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

Mr. Speaker, today the House is on the verge of enacting the first major tax bill of this new historic did-something Congress. It is great to report to the American people that this bill provides tax relief and not tax increases. What a difference this new Congress is making in the lives of the American people.

This bill actually is three bills: We have combined many of the items in the Small Business Relief Act with the adoption tax credit and with the trade bill renewing the generalized system of preferences, also known as GSP. I am really not sure what to call this new bill, except to call it a helping hand for millions of Americans struggling to make ends meet.

□ 1015

This bill awards three gold medals to the American people. The first gold medal goes to millions of small businessmen and women so that their companies can grow, prosper and create jobs.

The second gold medal goes to hundreds of thousands of loving families who seek the joy of adoption and the children who will benefit from that love.

The third gold medal goes to millions of Americans who worry about their ability to retire with comfort and security. The two dozen pension changes in this bill will make it easier for people to save for retirement and protect their retirement nest eggs so that these savings will be secure.

I especially want to note that this bill will end the discrimination against homemakers, usually women, that stay in the home to take care of children and to do what is so important to our society, and in doing so that has stopped them from getting the same individual retirement deduction allowed

to those who work outside the home. So we have a new homemaker IRA that is a great addition to this bill. It is a part of this bill that also helps people retire with comfort and security.

Let me add one other thing. This bill, together with the health bill that we passed last night, updates and closes several corporate tax loopholes, particularly the section 936 tax break for companies doing business in Puerto Rico and a big loophole that benefitted insurance companies.

I am pleased to note that we are taking action to close tax loopholes just as we said we would at the beginning of the Congress last year. I am proud that the new Republican Congress is getting the job done.

Mr. Speaker, as I said earlier, by giving tax relief and pension security to the American people, this Congress is doing the people's business and doing it right. Democrats and Republicans, on a bipartisan basis, are working together, and that is good government.

Mr. Speaker, this new Congress is moving America in the right direction, and I am pleased that President Clinton is going to join with us by signing this bill. It has been a great week for the Republican Congress and it has been a great 2 years of accomplishment for our efforts to reform Congress and change America.

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

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent to yield 15 minutes of my time to the gentleman from Missouri [Mr. CLAY], and that he may further yield that time.

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

There was no objection.

Mr. GIBBONS. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, this is a very important piece of legislation, particularly the minimum wage part, but I shall dwell on the part that is germane to the Committee on Ways and Means and talk about that.

As best I have been able to tell, from all search and research and participation, this bill is a fair bill. It contains little if nothing that was not in either the House bill or the Senate bill and it stays within the germaneness of the topic that we are dealing with.

There are many fine adjustments in here that are perhaps warranted. I believe they are warranted because the Internal Revenue Code is probably the most complex document that exists on the face of this Earth and it, from time to time, needs adjusting.

The adjustments here were done with the help of a very competent staff and under the direction of, I think, a very conscientious chairman of the Committee on Ways and Means. The gentleman from Texas [Mr. ARCHER] was fair, he was principled, and he did a good job of

putting this bill together and controlling it through conference.

I urge the Members to support this bill. It is extremely thick and complex. The conference report is about six inches thick. It will probably take a week to print, but I believe it is an important and well-produced document. I urge favorable consideration and passage of this bill.

Mr. CLAY. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I am pleased that at long last a Congress will provide hard-working wage earners a well-deserved raise. I commend the 93 Republicans, the 1 Independent, and the 187 Democrats who made this increase possible with their vote to raise the minimum wage.

Mr. Speaker, I cannot resist expressing my disappointment with the Republican leadership that attempted to sabotage this badly needed increase for our workers. The Republican leadership has fought this effort with every fiber of their beings. For months the Republican leadership refused even to allow the committee of jurisdiction to hold a hearing on the minimum wage.

When forced to bring the bill to the floor, the Republican leadership tried to gut the legislation, tried to exempt most employers from the obligation to pay the minimum wage.

In this conference report the Republican leadership has needlessly postponed the minimum wage increase by 1 month in 1996 and, incredibly, by 2 months in 1997. At every turn the Republicans have felt compelled to nickel and dime low-wage workers and their families. Now some to them want the American workers to believe that the leadership of the Republican Party are giving them a raise.

Mr. Speaker, I am also extremely disappointed that the conferees included a special interest provision, the so-called Harris Trust provision, that weakens the protection for pension participants and beneficiaries. The final conference report moderates that provision somewhat by providing that ERISA shall be fully applicable to pension plan contracts with life insurance companies issued after 1998. However, the Harris Trust provision should never have been included in the first place.

Despite serious misgivings, Mr. Speaker, I support the conference report. American workers deserve a fair day's pay for a fair day's work and we cannot afford to delay an increase any longer.

Mr. ARCHER. Mr. Speaker, I yield myself 1 minute. I do so to thank my colleague, the ranking Democrat on the Committee on Ways and Means, the gentleman from Florida [Mr. GIBBONS], who will be retiring at the end of this Congress, for his kind comments about how we put this bill together.

We did it, Mr. Speaker, on a bipartisan basis, the way the Committee on

Ways and Means should operate. Members from both sides of the aisle had a chance to make an input. I do agree with the gentleman from Florida, naturally, that I think we have a good bill, but I am grateful for his comments and I want to compliment him for his input in making this bill the good bill that it is.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Connecticut [Mrs. JOHNSON], the distinguished chairman of the Subcommittee on Oversight of the Committee on Ways and Means.

Mrs. JOHNSON of Connecticut. Mr. Speaker, this is truly a great day for the American people. This is a good bill but it is a result of outstanding leadership.

Let me make plain that as one of those who supports increasing the minimum wage, I feel honored to stand here today in support of a bill that not only does that but recognizes the ramifications of increasing the minimum wage on our society and protects, for example, job opportunities for teenagers in the summer, and protects small businesses by giving them a series of preferred tax treatments to lower their costs of doing business.

This bill opens up pension opportunities for employees of small businesses. It dramatically helps women. For the first time it puts in the law the legislation we need to give women who stay home and take care of the children the same IRA rights as anyone else in America.

This is a sea change. This is good legislation. This is about equality for all of us. This is about building a strong future for the families of our Nation.

Mr. Speaker, there is also a very important provision that we have worked on for many years, giving our small businesses greater expensing rights so that they can expense out the costs of machinery and equipment, computers and so on, and add more jobs, grow more rapidly.

In a society where small business is driving job growth, the kind of help this bill gives to small business is indeed critical and key to leading our Nation to enjoy a more rapid rate of economic growth, job growth, and job opportunities for career advancement for our people.

Last, I want to mention the R&D tax credit in this bill. I regret we could not do it retroactively, I regret we could not do it many more years out to the future, but we have reformed it in a way that small, inventive little companies, our future, those companies will be able to take advantage of it.

We have also restructured it in a way that the old defense companies that we need to be able to turn around, we need to be able to do new product research, we need to be strong in 10 years, will also benefit from the R&D tax credit for the first time in many years.

This bill before us helps families in numerous ways, not only increasing

the minimum wage but also increasing pension opportunities, saving opportunities, job opportunities, and it strengthens the very sector on which our future growth, job expansion, and well-being depends, the small business sector.

Mr. Speaker, I thank the chairman for his extraordinary leadership and for the work of both sides on this bill.

Mr. ARCHER. Mr. Speaker, will the gentlewoman yield?

Mrs. JOHNSON of Connecticut. I yield to the gentleman from Texas.

Mr. ARCHER. Mr. Speaker, I want to compliment the gentlewoman for driving the expensing for small business. She was the one who pushed and pushed and pushed to get this in the bill.

Mr. GIBBONS. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. NEAL].

Mr. NEAL of Massachusetts. Mr. Speaker, I thank the gentleman from Florida, and, like the gentleman from Texas [Mr. ARCHER], I want to thank him for the many remarkable years of service in this institution, and for those of us on the minority side of the Committee on Ways and Means, we want to thank him for the leadership he has provided during the past 18 months.

I also want to thank Chairman ARCHER for the provision in this legislation that deals with the New Bedford fishermen, which was a contentious issue for many years. I am grateful we were able to resolve this issue in an amicable manner.

I want to ask the following rhetorical question, if I can, for just a second. Last year in this House we voted more than 1,000 times. Here we are now, in the middle of the Olympics, with a tangible accomplishment for the American people in this piece of legislation. Why do we not ask ourselves this: What did we accomplish in this institution last year with 1,000 votes?

Well, we certainly satisfied the psychology of an element that got elected. We made them happy that they were able to go home and point to some headline-grabbing news that really had little consequence for the American people, but we spent 5 days a week and sometimes 5 nights a week on this floor and in this institution talking about things, again, that had little relevance to the American people.

So here we are on the day before the House recesses, with a tangible piece of legislation, and it is in the middle of the summer Olympics, so we cannot report back to the American people on what we have done during the last week.

We have a good increase in the minimum wage. What did the majority leader of the Republican Party say? He was going to do everything he could to stop that bill from ever happening. That is what we did last year.

There is an improvement here in spousal IRA's, which I have sponsored and pushed hard for. That should have been done last year. We, in fact, should have done a more expansive individual retirement account piece of legislation that we all could have taken satisfaction from its passage having occurred.

One thousand votes last year. We should ask ourselves, what did we accomplish?

□ 1030

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

Mr. OWENS. Mr. Speaker, I agree with the gentlewoman from Connecticut [Mrs. JOHNSON], my classmate, my Republican colleague, that this is a "see" change. This is a very important change. This Congress should congratulate itself. We did in a bipartisan way finally come to grips with the common sense of the American people. The common sense of the American people came home to us.

The polls showed that almost 90 percent of the American people wanted a minimum-wage increase. This is important for people at the very bottom of the rung. It does not seem like much, an increase of 90 cents over a 2-year period. But it will buy shoes, it will buy beans, it will buy rice. This is very important to these other people that have been left out while prosperity soared in America. It is very important that we begin to reward work.

There are a lot of very powerful people who have spoken loudly about moving from welfare to work in the last few weeks. Well, the burden of proof is on them. Will there be work or jobs? In my district you mention a job, and people line up in long lines and hundreds of people go away disappointed because there are only a few jobs.

So let us create the jobs first, and let us make the jobs pay minimum wage. There is a lot of work to be done, but work is not a job unless it is paid properly. We need the minimum wage plus a health care package. A real job is minimum wage plus a health care package. It is up to us to try to create that. Start with the minimum wage.

We also want those health care packages for everybody. People on welfare find they are better off not going to work because they lose their health care. Let us finish the job, but begin with the minimum wage. We want work. The tremendous economic gap exists, with the top 5 percent of the American people, income earners, earning huge profits while at the very bottom they have found their wages have gone down in the past 20 years. If we really increase the minimum wage to a level where it would keep pace with inflation, we would be talking about a \$6.25 increase.

Mr. Speaker, let us reward work and pay what it is worth so that people will go to work.

MR. ARCHER. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota [Mr. RAMSTAD], a distinguished member of the Committee on Ways and Means.

Mr. RAMSTAD. Mr. Speaker, I thank the chairman for yielding, and I rise today to enter into a brief colloquy with the gentleman from Texas [Mr. ARCHER]. First of all, I want to commend the gentleman for his outstanding leadership in bringing this legislation to the floor.

I am concerned, however, about regulations that were just issued by the IRS in May regarding the section 936 possession tax credit therein. I believe these regulations will have an unfair impact on companies during the phase-out of section 936 because they cast aside regulatory rules upon which companies have relied for many years permitting arm's-length pricing in the purchase of components. They produce a discriminatory result that an arm's-length third party price can be used to value outbound sales of components but not inbound purchases by the possession company for purposes of the section 936 calculation.

Mr. Speaker, I believe that a fair and workable solution can be developed to address these concerns, and I would ask that the chairman join me in strongly encouraging the Treasury Department to seek such a solution.

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

Mr. RAMSTAD. I yield to the gentleman from Texas.

Mr. ARCHER. Mr. Speaker, I am happy to join the gentleman from Minnesota [Mr. RAMSTAD] in strongly encouraging the Treasury Department to do that.

Mr. RAMSTAD. Mr. Speaker, I thank the gentleman for his agreement and also for his leadership.

Mr. ARCHER. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. PORTMAN], a distinguished member of the Committee on Ways and Means.

Mr. PORTMAN. Mr. Speaker, I thank the gentleman from Texas [Mr. ARCHER] for the time. This is a guy who has had his own legislative marathon this week during the Olympics, and he deserves a medal because he has achieved a lot of good legislation for America.

Mr. Speaker, I want to talk about a gem hidden in this bill, and I do not want it to be lost. It is simplification of our pension laws and strengthening of retirement savings for all Americans.

My friend from Maryland [Mr. CARDIN] and I have pushed this legislation, because we want to expand retirement security for all Americans. It is in this bill and something very important for America and for American workers.

These days 401(k)'s profit-sharing plans, and other pension plans are

being used less and less because, frankly, they are overregulated. Today small businesses, for the most part, do not offer any kind of retirement savings at all. Of those companies under 20 employees, fewer than 20 percent of them offer any pension savings plans at all.

Since 1980, Congress has passed an average of one law per year affecting private sector pensions. Congress has increasingly complicated this area, and as these rules and regulations have multiplied, retirement savings plans have become less and less attractive. They are too costly to set up and too costly and burdensome to maintain, particularly for small businesses that cannot afford either the inside or outside professional help to make their way through the bureaucratic maze.

As a result, these days pension plans are being terminated around this country faster than they are being established. The bottom line is that if this legislation is enacted, which I think it will be now, it will encourage private savings, it will help the economy because we need to increase our savings rate, and, most importantly, it will allow more people to plan for their future.

Mr. Speaker, I applaud the gentleman from Maryland [Mr. CARDIN] and the gentleman from Texas [Mr. ARCHER], as well as the other conferees, for including this legislation in this report, and I hope that this legislation receives the support of all Members of the House.

Despite the fact that these important pension simplification provisions are included in the conference report, I am concerned that this bill will also raise the minimum wage. In my view, this is a misguided and regrettable effort, because I fear it will hurt the very working people we are trying to help. Thankfully, because of Chairman ARCHER'S leadership, we added the pension reform and other provisions that will help to mollify the effect of his legislation on small business. For that reason, I will vote in favor of this bill, despite my deep concerns about the effects of the minimum-wage increase on working people at the low end of the economic ladder, on small businesses and on local and State governments.

Mr. ARCHER. Mr. Speaker, I yield myself 15 seconds in order to compliment the gentleman from Ohio [Mr. PORTMAN] and the gentleman from Maryland [Mr. CARDIN] because it was their efforts that put this pension simplification provision in the bill.

Mr. GIBBONS. Mr. Speaker, I yield 2 minutes to the gentleman from North Dakota [Mr. POMEROY].

Mr. POMEROY. Mr. Speaker, I thank the gentleman for yielding. This is vital legislation, and I applaud those on the majority caucus that broke away from their leadership that was doing everything possible to stop a minimum wage increase and joined with us in the minority to reach the critical mass necessary to pass the minimum wage and get these workers

at the lowest levels of earning power the raise they so desperately needed. It took guts to buck your own leadership and those of you who did that I applaud you.

While we address the immediate earning needs of those at the lowest level, this legislation should also be commended for what it does to advance pension and retirement savings policy. Our Nation has a looming crisis because Americans are not saving adequately for their retirement.

Three aspects of this bill advance pension retirement savings policy. The first is straightening out and clarifying how the pension administration occurring in the life insurance industry will proceed in the wake of the Harris trust ruling. Unlike previous comments made on this floor, I believe that the Harris trust language is very positive and helpful in clarifying this situation and should be in this bill.

Second, pension simplification: at a point when only 24 percent of employees and employers under 100 have the opportunity to save for retirement at the workplace, this simplifies pensions. This is going to make small employers more willing to offer pension and retirement savings opportunity for their employees. It is a vital part of the bill.

Third, the spousal IRA. Representing a rural area, I cannot think of a more unfair part of the Tax Code relative to retirement policy than the present provision which limits to \$250 a contribution by a spouse not employed in the workplace.

In a farm family where you have the husband and wife pitching in to make that farm go, it is just desperately unfair to limit to \$250 the contribution of the second spouse. By allowing the full contribution in the spousal IRA we have improved this law a lot.

Mr. CLAY. Mr. Speaker, I yield 1 minute to the gentleman from California [Ms. WOOLSEY].

Ms. WOOLSEY. Mr. Speaker, it is about time. It is about time to make work pay more than welfare.

When I was on welfare 28 years ago, I had to go for aid for dependent children because my wages were so low that I could not afford the health care, the child care and the food that my three small children needed. Too many American workers face that same situation today. In fact, many minimum wage earners look like I did 28 years ago.

Sixty percent of minimum wage earners are woman; one-fifth are single parents. Increasing the minimum wage will mean that these parents and others can depend on work rather than welfare to support their children.

Increasing the minimum wage will prevent the need for welfare in the first place. Increasing the minimum wage is the right thing to do, it is the smart thing to do, and it makes work pay. It is about time, Mr. Speaker.

Mr. ARCHER. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. ENGLISH], a distinguished member of the Committee on Ways and Means.

Mr. ENGLISH of Pennsylvania. Mr. Speaker, I would like to start by joining my colleagues in complimenting the distinguished chair of the House Committee on Ways and Means, who in my view has done a superb job of bringing to the floor a balanced conference report that not only addresses the needs of minimum wage workers, but also the needs of small business.

I particularly want to acknowledge his role in addressing a pension provision which is included in this package which addresses an inequity in the law that would have otherwise destroyed 1,100 jobs, including 150 jobs in Erie, PA, at Erie Forge & Steel, and I salute him for doing that.

Mr. Speaker, I am proud to rise in support of this conference report that will increase the minimum wage for the first time in 5 years and at the same time provide significant tax relief to America's small businesses. This is a balanced approach, and this legislation is long overdue.

I remember last year when I was the first member of my party to introduce minimum wage legislation in the House. Since then, I joined some of my colleagues and ultimately supported the Riggs-Quinn-English-Martini amendment that increased the minimum wage and included it in this package of legislation. I am proud to see and very pleased to see that it has earned massive, bipartisan support.

In my congressional district in northwestern Pennsylvania, I have seen far too many families supported by one or more members working in minimum wage jobs. These hard-working people could very easily surrender to the welfare system, but they do not. Instead of taking tax money, they pay it, and I think they deserve more.

At the same time, I know of many small business people who are struggling to get by, who are struggling to grow their businesses, and they are finding it difficult because of the Tax Code. This legislation provides incentives for them to grow jobs, to create more jobs and at the same time bring part of the bounty back to minimum wage workers.

Mr. Speaker, this legislation, as has been noted before, includes important expensing liberalization in the Tax Code. It includes a home office deduction, subchapter S reforms and much-needed pension simplification. In addition, it extends some critical expiring tax provisions, including the work opportunity tax credit and employer-provided educational assistance.

In my view, Mr. Speaker, this is a balanced package that merits the support of every Member of this House. I am happy to endorse it. It is a great

day for American workers and American small businesses.

Mr. ARCHER. Mr. Speaker, I ask unanimous consent to yield the balance of my time to the gentleman from Pennsylvania [Mr. GOODLING] to add to his original 15 minutes, and ask that he be allowed to control that time.

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

There was no objection.

Mr. CLAY. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. BECERRA].

Mr. BECERRA. Mr. Speaker, about a year and a half ago, January 1995, the gentleman from Texas [Mr. ARMEY], the majority leader, said, "I will resist an increase in the minimum wage with every fiber in my being."

Well, sure enough, on more than five occasions on this floor, Democrats tried to pass a minimum wage bill and each time it was defeated. The result, about 12 million Americans had no chance to see their wages increased. The result of that, well, about \$5.6 billion in lost earnings for these people. What does that mean? About 3½ months of groceries for an individual on the minimum wage or maybe 6 months of health care insurance payments or about 4½ months of payments of utility bills or about 2 months of housing for that particular worker were lost as a result of 18 months of delays.

□ 1045

It is about time, Mr. Speaker, that we got a message here in Congress, the message that America has known for a long time. American workers deserve a raise. I am pleased that we are finally going to get the message here in Congress.

Mr. GOODLING. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. THOMAS].

Mr. THOMAS. Mr. Speaker, I thank the chairman for yielding me the time.

I just want to take a minute because very often we forget that the legislation in front of us, although worked out in general by Members, is always finalized, structured, coordinated and made correct by staff.

Chief of staff on the Committee on Ways and Means, Phil Moseley, and those competent staff under him on our side, Jim Clark, Paul Auster, Tim Hanford, John Harrington, and Norah Moseley, and the Joint Committee on Taxation under Ken Kies, have worked a number of hours, along with minority staff, to make sure that what is in front of us is done accurately.

I want to make sure that they got credit because they certainly put in the hours.

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

Mr. RANGEL. Mr. Speaker, I would like to join the gentleman from California [Mr. THOMAS] in expressing our

appreciation for staff, both Democrat and Republican, because it was they that guided us when we were not actually in session for the conference. And the conference was a bipartisan conference inasmuch as we had very strong disagreements, but the issues were resolved at least in a civil manner.

I think it is a successful conference because I think we emphasize how important it is for people to have jobs. We are obsessed with the problems we get from immigrants, from unwanted children, from drugs, from crime and from violence. Yet education, job training and the opportunity to have hope for the future seems to have in great measure reduced these problems.

The minimum wage just makes a lot of sense, and I am glad the American people just did not say no but insisted that at least we move this far forward.

I also wanted to thank the Republicans for extending the targeted jobs credit, which means disabled people, veterans, those that come from poor families, those that are on welfare will be provided with incentives to get jobs by giving credits to employers who take this risk and who hire people.

It is unfortunate that most of the moneys in this bill were raised just by cutting off economic development in Puerto Rico. I think it will take a long time before this country and especially this Congress would recognize these are citizens who fight and die for the United States of America and, if we want to change the support that we are giving them, I would think that you could put me first on the list to review it.

I think that it is insulting just to cut off economic assistance and job creation without hearing, without even thinking about the impact that this will have not only to people in Puerto Rico but those who will leave to come to the mainland because of lack of opportunity on the island.

I would hope, too, that those of us that intend to work together would realize that working together with civility makes a heck of a lot more sense than attacking each other in a partisan way.

Mr. GOODLING. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, throughout the sometimes fractious debate on the minimum wage over the past few months, it has been my observation that we were concentrating on our areas of disagreement. However, I think there was a fundamental thing on which Republicans and Democrats, liberals and conservatives seemed to agree, and that was that America needs a raise. But as most of my colleagues know, simply raising the minimum wage without making other reforms may do more harm than good. Economists and experts have let us know in no uncertain terms that raising the minimum wage

will in fact hinder job growth, particularly for those in the lowest rungs of the economic ladder.

That is why a series of reforms and changes must occur before Americans truly see the economic situation improved overall so that everyone can benefit. Small business tax breaks proposed in our bill will help our Nation's mom and pop businesses better afford the minimum wage hike that they are receiving. We are past due in fixing the IRA system so that the spouse who works at home as the homemaker can enjoy IRA retirement savings and benefits similar to that enjoyed by the spouse who works outside the home.

We have also simplified and strengthened retirement plans through a number of reforms, including permitting a simplified plan for small businesses which will encourage pension plan growth for workers who currently do not enjoy those benefits.

The report also provides incentives for employers to provide their employees with educational assistance. These reforms and others contained in the bill will help all Americans receive a raise.

With respect to the minimum wage itself, I supported the increase after modifying it to protect the most vulnerable workers. Many studies support the conclusion that a mandated increase in the minimum wage would jeopardize disadvantaged Americans, those least educated, senior citizens, young Americans looking for their first job. These people are the last hired, the first fired, and least likely to be hired with a higher wage. As we mandate an increase in the minimum wage, we must protect the most vulnerable Americans.

While some low wage earners reap the benefits of an increase in the minimum wage, other low wage workers would bear the brunt of the destructive effects of the minimum wage. The additional protection which we have included in this legislation helps to eliminate the negative effects. The opportunity wage allows employers to pay new hires under the age of 20 not less than \$4.25 per hour for the first 90 calendar days of employment. This will encourage employers to hire new workers and in turn help low skilled and entry level workers gain a foothold in the job market.

The current law cash wage paid by employers to tipped employees is maintained by the conference reports. Tipped employees typically receive wages of \$7 to \$8 an hour, so this modification will help to soften the negative impact of a wage increase on these types of workers. If tips are insufficient to earn the new minimum wage, the employer must pay the difference.

The conference agreement also maintains the current law requirements for the computer professional exemption, ensuring that the minimum wage increase will go to those most in need.

The conference report changed the effective date of the minimum wage increase to allow employers an opportunity to be notified of the new wage and to adjust for the wage increase.

I would like to note that the conference agreement will clarify the Portal-to-Portal Act of 1947 to allow employees and employees to agree on the use of employer-provided vehicles to commute between work and home without travel time having to be treated as hours of work.

Turning to section 1461 of the conference report, I want to briefly discuss the improvements in the bill that we were able to achieve through the House amendment concerning the Harris Trust decision:

Under the conference agreement, future general account contracts sold to pension plans will have to fully comply with the fiduciary standards of the Employee Retirement Income Security Act, ERISA. Under the Senate-passed language, these pensioners would never have received the protections of ERISA.

Under the new agreement, existing general account contracts, and new contracts sold until full ERISA protection takes effect, now will have to be managed prudently and will have to meet reporting and disclosure requirements, requirements not imposed by the Senate-passed provision.

Insurers will now have to mention pension assets held in insurance company general accounts with a prudent man's level of care, skill, prudence, and diligence. The Senate version would have offered pensioners a significantly lower level of protection.

With respect to existing contracts, insurers will now have to meet stringent new reporting and disclosure rules. The insurer will have to provide periodic reports to the policyholder disclosing the allocation of general account income and expenses to the policy, and disclosing the effect of such allocation on the return to the plan under the policy.

While these improvements are important, compromises were made, and compromises by the very nature are not perfect. I do believe that this matter would have been better addressed in another area and not in this legislation.

Mr. GIBBONS. Mr. Speaker, I yield 1 minute to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Speaker, we are about to go home; 1995 was about the principles of the majority, and 1996 is about the politics of the majority. The Contract With America, does anybody remember that? It has not been mentioned much; unremembered, unhonored and not inclusive of what this bill does, because the central part of this bill is the minimum wage.

Yesterday we did something to try to do a little bit for health care for Americans: preexisting conditions, portability. It is not in the contract.

Today we do minimum wage; not in the contract. The contract has been forgotten. Why? Because it is not what the American public wanted. But this minimum wage bill is. It is the right thing to do.

DICK ARMEY was wrong to say that he would fight it until his last breath. I am pleased that we move today on America's agenda.

Mr. GOODLING. Mr. Speaker, I yield 3 minutes and 30 seconds to the gentleman from New Jersey [Mrs. ROUKEMA], a member of the committee.

Mrs. ROUKEMA. Mr. Speaker, I rise in strong support of the Small Business Job Protection Act and ask consent to revise and extend my remarks.

It's long past due that we raise the minimum wage and extend many of the tax provisions that are so beneficial to small business nationwide.

But Mr. Speaker, I rise this morning to address provisions of this bill that are designed to clarify uncertainties raised by the John Hancock versus Harris Trust Supreme Court decision in 1993. Earlier this year, I introduced legislation that would address problems raised by the Court's holding that an insurance company's general account may contain plan assets because of the purchase by a plan of certain contracts issued from such accounts.

I want you to know that my legislation was cosponsored by a strong bipartisan majority of the Members of the Opportunities Committee and I am pleased that compromise language on this issue is contained in this conference report.

The specific provision we are debating is a modified version of the legislation I introduced in March. I believe it is a good compromise that balances the interests of plan participants and beneficiaries, plan sponsors, the Department of Labor and the insurance industry.

There are some who wrongly believe and I must stress this legislation eliminates essential Federal protections from billions of dollars of pension assets. In fact, the legislation requires any policy issued from an insurance company general account after December 31, 1998, that is not a guaranteed benefit policy to meet ERISA's standards.

With respect to contracts issued before that date, the legislation requires the Department of Labor to issue regulations which Secretary of Labor Reich states, "will hold the insurance companies to as high a level of fiduciary responsibility as any pension plan." In testimony before our committee the Actuarial Association assured us of the high judiciary compliance that is not violated.

There are those who are also concerned with the relief the legislation gives to insurers for lawsuits with respect to past transactions.

I am here to say that relief is appropriate. During this period, the insur-

ance industry, along with the parties with which it did business, including employee benefit plans, relied on the Department of Labor guidance on how it was to act. In other words, Labor Department set the rules and the industry followed them. There is no dispute on this point.

I must add that during this period it has never been established that an insurance company violated any of ERISA's fiduciary responsibility provisions or caused harm to any plan participants.

Moreover, insurers still remain liable for violations of any Federal criminal law or for fiduciary breaches that also rise to the level of a Federal or State criminal violation.

Finally, the legislation does not affect any lawsuit brought prior to November 7, 1995.

Mr. Speaker, I recognize that this legislation has been controversial to some people and there are different points of view regarding its efficacy. However, this provision is a good compromise that will avoid undue disruption to the pension community while assuring that the rights and interests of participants are protected.

Again this is supported by a strong bipartisan majority of the committee.

Mr. Speaker, I urge support for this important legislation.

□ 1100

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

Mr. HINCHEY. Mr. Speaker, first I want to express my thanks to the gentleman from Missouri [Mr. CLAY] for his tireless and dedicated leadership on behalf of working Americans and to strongly support this legislation, H.R. 3448.

At long last this body today has the opportunity to provide some relief to working families in my district in New York and across the country. A 90-cent increase in the minimum wage will raise the earnings of a full-time minimum worker by \$1,872 a year. If we had raised the minimum wage last year as we advocated, in New York alone minimum wage workers would have earned an additional \$181 million last year. Nevertheless, this now will help thousands of families work themselves out of poverty and raise their standard of living.

While I would have preferred to see the minimum wage increased higher than \$5.15 an hour and put into effect sooner than October 1, I support this bill in its current form recognizing that it is the best we are going to get. In addition to raising wages, the tax relief contained in the bill will help small businesses hire more workers, invest in new equipment and create more jobs.

Finally the expansion of the availability of IRA deductions to home-

makers is a good idea and one that I advocated since the beginning of this Congress. I am glad to see it finally enacted.

Mr. Speaker, this conference report is an example of how this Congress can overcome the objections of the leadership of this House and finally work in a dedicated and productive way on behalf of American families.

Mr. GOODLING. Mr. Speaker, I yield myself 5 seconds first just to remind everyone on that side that they had 2 years when I was a minority Member in the committee, and the words "minimum wage" were never raised.

Mr. Speaker, I yield 4 minutes to the gentleman from California [Mr. RIGGS], who added the amendment to the portal-to-portal bill, which brought about the minimum wage.

Mr. RIGGS. Mr. Speaker, I thank the gentleman for yielding me time to speak during what has, I think, truly been a remarkable and historic week and the most productive and significant Congress in modern history. In the last 72 hours we have enacted truly historic changes which will better the lives of millions of our fellow Americans.

We have made it easier to move from welfare to work, arguably a very difficult transition especially for single mothers. We are making work pay more than welfare by raising the Federal minimum wage, if not to keep pace with inflation at least to restore some of the purchasing power of the minimum wage that has been eroded by inflation, and we are making it easier for American workers in the workplace to get and keep accessible affordable health insurance.

Welfare reform, which we enacted earlier this week, fundamentally changes a system that, in my view, over time had come to replace compassion with a system of political patronage, and it is estimated that our welfare reform will help move 1.3 million of our fellow Americans into productive jobs by the year 2002.

Health insurance reform, which we enacted yesterday on this floor, will end job lock. For many of our fellow Americans, it will make it, as I said earlier, easier to get and keep health insurance. It will make it easier for people to move from job to job without the risk of losing their health insurance due to a pre-existing medical condition, and it will eliminate the longstanding insurance practice of excluding Americans from health insurance based on a pre-existing health condition.

And today we take up the minimum wage package, which is coupled with some very necessary and important small business tax incentives. I was proud to offer the minimum wage increase when that legislation first came to the House floor, and the minimum wage increase will help roughly 10 million of our fellow Americans, and it

will reverse this perverse incentive where welfare is more attractive than work.

I think many of us recognize, and this is truly on a bipartisan basis, that we must in America, if we want to move people from welfare to work, make work pay more than welfare. We must make work more attractive than welfare.

Now, this stands in stark contrast to the last Congress, and I am not going to get real partisan for a moment, but I could not help but notice how many speakers on the Democratic side of the aisle have come down to the well during the debate on the rule and during this general debate on the legislation and have made extremely partisan remarks. I think that is unfair.

I think the record speaks for itself. The last Congress, the Democratically controlled Congress, did not pursue welfare reform legislation, did not pursue an increase in the Federal minimum wage, and, of course, did pursue a dramatic overhaul of the American health care delivery system, a 13,000-page bill that would have nationalized and arguably led to a big government takeover of the private health care delivery system in America.

But that partisanship aside, I think it is very important to look at the fact that we have on a bipartisan basis in this Republican-led Congress been able to enact these very important and historic reforms that emphasize work, families, and personal responsibility while leaving in place a very strong safety net for the genuinely indigent and the desperately poor in our society.

We are, and I think we can all take pride in this as we prepare to go home and report to our bosses, our constituents, back home in our congressional districts, we are building a better America with more hope and more opportunity for millions of our fellow citizens and that is, again, why I say this is the most productive and significant and historic Congress in modern history.

Mr. GIBBONS. Mr. Speaker, I yield 2 minutes to the gentlewoman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding this time and thank him for his great leadership in this Congress. I know that we will continue to be well-served by him until the last day of this Congress and we will be the beneficiaries of his legacy for a long time to come. I thank him again for yielding.

Mr. Speaker, today is a good day, not a great day but a good day for the American worker. It is a day that the Republican leadership has finally been dragged kicking and screaming in support of raising the minimum wage.

Democrats can be proud that at long last the pressure that we have brought to bear on Republicans has finally pro-

duced real results for 12 million working Americans. The Republicans have finally caved after months of staunch opposition-voting five times to defeat Democratic efforts to bring up an increase in the minimum wage.

Even with polls showing over 80 percent of the American people support increasing the minimum wage, the extreme Republican majority tried to kill the bill or gut the bill and blunt its impact. These delaying tactics cost American workers \$5.6 billion. Faced with the failure of their extreme agenda, moderate Republicans finally have embraced this Democratic initiative, but in the meantime the American worker has paid the price for Republican extremism.

By refusing to take action on the minimum wage sooner, Republicans have cost American workers, as I have said, \$5.6 billion in lost wages. That increase in the minimum wage would have paid for 3½ months of groceries, 6 months of health care, 4½ months of utility bills or 2 months of housing. Too bad it took 18 months to shame Republicans into doing the right thing and raising the minimum wage from a 40-year low in purchasing power.

House Republican leader, the gentleman from Texas [Mr. ARMEY], has said, and we have quoted him many times, that he would fight an increase in the minimum wage with every fiber of his being. That was an earlier statement. As recently as Monday he blasted the minimum wage increase yet again saying that it was not a matter of importance to real people and dismissing it as an inside-the-beltway issue.

I urge our colleagues to recognize the importance of the Democratic effort and increase the minimum wage.

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

Mr. VOLKMER. Mr. Speaker, Members of the House, yes, it is a great day for the people of this country who are the working poor. That is right, they are the working poor. They are the lowest level in the financial status that we have, but they work just as hard as my colleagues and I do and everybody else does.

This should have been done a year ago. That meant that those people would have been able to buy shoes for the kids. Not at the retail store, but no, at the yard sale, at the Salvation Army secondhand store.

I challenge all of my colleagues to realize that these people who work every day for the minimum wage are not able to live like my colleagues and I. My colleagues must realize that these people scrape and save to just make ends meet every day.

I challenge those that are going to vote against this bill to take this month of August and go out and visit with some of the people in their home

areas that earn the minimum wage and find out how they have to live and how my colleagues wanted them not to have that minimum wage increase.

Mr. GOODLING. Mr. Speaker, I reserve the balance of my time until they are all finished.

Mr. GIBBONS. Mr. Speaker, I yield 1 minute to the gentlewoman from Hawaii [Mrs. MINK].

Mrs. MINK of Hawaii. Mr. Speaker, I thank the gentleman for yielding this time to me.

Mr. Speaker, it is very important for this body and the country to realize that the vast majority of workers in this country working for the minimum wage are women, and it is these hard-working women who are supporting their families that we need to celebrate today because they are finally going to get 90 cents an hour more, not a whole lot, but it is \$36 week, \$1,800 a year, something which they should have been getting many, many months ago. They are finally getting it. We have been preached at about the importance of work, so today finally they are getting a pay raise to help support their families.

Under welfare we are forcing single mothers to go to work. With this minimum wage they will have a chance to lift their families out of poverty. Not a single person in this body ought to regret the fact of minimum wage going up today.

Mr. GIBBONS. Mr. Speaker, I yield 1 minute to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, this is a great day that almost never came. America needs a raise. It is a tribute to the dignity and to the hard work of those Americans who get up every morning and go to work for the minimum wage that we are here today about to pass legislation raising the minimum wage by 90 cents.

The American people's overwhelming support for a minimum wage increase has won the day today, but we had to overcome the steadfast opposition of a Republican leadership who vowed to stop it and even denied that minimum wage workers exist in this country.

I know different. I have a letter from Janis Venditto, a working mother in Hamden, CT, whose husband fought in the Persian Gulf war. They are struggling to feed their kids and to pay their bills and my constituent says:

I really wish someone out there can really listen to me for once. Raise the minimum wage. I know I am not the only person in this situation. It is a shame that the most wonderful country in the world cannot give us moms a small break.

That is what this is all about. We need to pass the minimum wage.

Mr. GIBBONS. Mr. Speaker, I yield 1 minute to the gentlewoman from New York [Mrs. MALONEY].

Mrs. MALONEY. Mr. Speaker, there is a crisis of fairness in this country.

The rich are getting richer and the poor are getting poorer. In real terms, the minimum wage is at its lowest level in 40 years. Where I come from if one earns the minimum wage and work full-time, they live in extreme poverty. More than 600,000 New Yorkers will benefit from this increase.

This is also a woman's issue; 5.7 million women earn the minimum wage. That is 59 percent of all minimum wage earners.

Raising the minimum wage promotes families. If we want to encourage work and make it pay, we need to do this for the American people. Unfortunately, it took a Democratic uproar in Congress and 80 percent of the American people to get the Republican Congress to give in and do the right thing.

The current minimum wage is indefensible, it discourages work, it demoralizes workers, and it makes a mockery of fairness.

Mr. GIBBONS. Mr. Speaker, I yield my remaining 1 minute to the gentleman from Maryland [Mr. CARDIN] to close debate on our particular part of this.

□ 1115

Mr. CARDIN. Mr. Speaker, once again let me thank the gentleman from Florida [Mr. GIBBONS] for his leadership on this legislation.

Mr. Speaker, we are going to be able to enact this legislation. Why we are going to be able to do it, it is because it is the right mix. We have a well-balanced bill. It is good for small businesses and it is also good for those people who work for small businesses.

It provides real help to small businesses by extending tax credit provisions for work opportunity tax credits; employer-provided educational assistance; the R&D credit; retirement simplification that I talked about before, and which the gentleman from Ohio [Mr. PORTMAN] has talked about; the small business expensing, where it helps small businesses because it increases the minimum wage.

Mr. Speaker, I hope we will use this formula in the future in considering legislation, and rather than looking at extreme legislation, let us look at well-balanced legislation. It is in the interests of our constituents, and I urge my colleagues to support the conference report.

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

Mr. BONIOR. Mr. Speaker, House Majority Leader DICK ARMEY loves to quote country music lyrics.

Well, the Republican strategy on the minimum wage reminds me of another old country song. It's called, "Walk out Backwards Slowly So I'll Think You're Walking In."

Republicans have been walking up to the podium today to take credit for raising the minimum wage. But we all

know that beyond a few people like the gentleman from New York, JACK QUINN, and a few others over there, they have been running away from this issue for months.

Five separate times, this Republican Congress blocked an increase in the minimum wage. NEWT GINGRICH implied that the minimum wage should be based on Mexican wages. TOM DELAY said that minimum wage families don't really exist. JOHN BOEHNER said he would commit suicide before voting to raise the minimum wage.

DICK ARMEY said he would fight a minimum wage increase with every fiber in his being. And just last week, he said the real people don't care about the minimum wage.

Well, I think they've found out the past few months that real people do care about the minimum wage. The American people understand that if we want to move people from welfare to work, we have to make work pay. You can't raise a family on \$4.25 an hour.

These are people who work hard—and work long hours—to give their kids a better life. They deserve to be treated with dignity and respect.

Mr. Speaker, it's sad that it took 18 months for Democrats to browbeat the Republicans into doing the right thing for America's families. But thanks to public pressure, and the hard work of people like Senator TED KENNEDY, an increase in the minimum wage will be signed into law by Labor Day.

Mr. Speaker, the Republican leadership can quote all the country songs they want. This is one song that has a happy ending for America's families.

Mr. CLAY. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Missouri [Mr. GEPHARDT], the minority leader, who will be the majority leader.

Mr. GEPHARDT. Mr. Speaker, in a few short moments I believe this House of Representatives will vote to raise the minimum wage, which is at a 40-year low. It is severely impacting, in a negative way, American families.

I realize that for many of my colleagues on the other side of the aisle this is a difficult vote to cast. Even for some who will support this increase, this is a vote of resignation, not one of joy. But while this might not be an easy vote for some of you, I believe with all my heart that this is the right vote and probably the most important vote of this Congress.

Let us put aside this morning all the ideology, all the partisan differences, all of the political argument, and let us put one thing and one thing only in our mind today, which is what the gentleman from Michigan [Mr. BONIOR] talked about: That is American families that are living day-by-day today on the minimum wage.

I had a woman in my district recently, as I went door-to-door, tell me that she had two minimum wage jobs,

worked 16 hours a day, two children. She said, "Congressman, I cannot pay my bills. But that is not what I am worried about. That is my problem." She said, "What I am worried about is that I am never home to raise my children." She wailed up as she talked about her failure of responsibility to raise her children to be productive citizens. She said, "I am not worried that they will be victims of crime, I am even worried they will commit crimes."

It went through me like a knife. We had women out here the other day who talked about living on the minimum wage, what it means to raise a family on \$8,500 a year. We had a woman go through her bills. She had her bills: How much she paid for rent, how much she paid for health care, how much she paid for groceries.

She said, "You know, at the end of the month I always have to put three bills aside because I cannot pay them." She said, "My son hurt his hand in football. We went to the emergency room. They gave me a bill for \$1,500 after he was treated." She said, "I will never pay that bill."

The people of this country are responsible. They want to work. They want most desperately to raise their children to be productive citizens. This bill, more than anything we will do in this Congress, gives those American families and those parents and those children the ability to do what they desperately want to do. Two years from now, \$1,800 more than they are able to earn today will make their lives better, and allow them to meet their most important and fundamental human responsibility, which is to raise their children to be productive citizens.

Mr. Speaker, Republican or Democrat, conservative, liberal, or moderate, please vote for this bill for the American people.

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

Mr. Speaker, is it not amazing? I hope the American people have been listening to this discussion. We have heard from the other side today that yesterday we had welfare reform that was a bipartisan effort because 98 Democrats supported it, but the last speaker did not support it. Then on this side we had 93 who supported minimum wage, but that is a Democrat program. Is that not amazing?

What I want to remind the American people is that for 2 years this minority was in the majority, they had the majority in the House, they had the majority in the Senate, and they had the White House. Not one word in committee was ever mentioned about minimum wage, not one word. Oh, but thanks for the conversion: An election year conversion. We are happy to have you converted. It is good to have you with us.

But nevertheless, we realized from day one, as the President said, because

he is the only one who mentioned minimum wage during the 2 years when they had this big majority, and what did the President say? "Hiking the minimum wage is the wrong way to raise the incomes of low-wage workers." That is what the President said, the only thing mentioned about minimum wage.

We knew on our side that we had to do more than just raise the minimum wage if we were going to help American workers, if we were going to help those most in need. We knew that just raising the minimum wage could be devastating if we did not do the other things that are now in this package, which makes it a good package.

We knew that changes would be necessary in the tax program. We knew that including spousal IRA's was important. We knew educational tax assistance to workers was important. So when we got the whole package together, we then had this wonderful election year conversation.

Mr. Speaker, I yield the balance of my time to the gentleman from Ohio [Mr. KASICH].

The SPEAKER pro tempore. The gentleman from Ohio [Mr. KASICH] is recognized for one and three-quarters minutes.

Mr. KASICH. I just wanted to rise and make the point, Mr. Speaker, that was raised by the delegate, the gentleman from Puerto Rico [Mr. ROMERO-BARCELO], regarding the 936 program that currently exists, where we try to create incentives for companies to create jobs. We believe that that whole 936 had a very big element of corporate welfare, where companies were able to get significant tax reductions without providing the kind of jobs and income levels that we had anticipated.

A lot of folks in Puerto Rico and a lot of economists would argue that we should be very careful as we work our way through the wage credit, where we more approximately give a tax incentive based on what you have actually done for an individual in Puerto Rico to get a job. I understand that over the course of the next 10 years we are going to phase this out.

I have to tell the Members, I have been thrilled with the work of the chairman of the committee, the gentleman from Texas [Mr. ARCHER], to close loopholes in the Tax Code that have been given to folks that do not represent strong economic incentives to create growth. What I would say, through, as we move through this period in the next few years, we should take our time to make sure that that wage credit is viewed carefully. There may be a way to reform that program where we in fact can help people in Puerto Rico and provide economic growth, but yet not have tax loopholes that represent giveaways to large corporations.

Mr. Speaker, I appreciate the chairman of the committee yielding to me.

I think he made an outstanding statement on this bill.

Mr. GIBBONS. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Texas [Ms. JACKSON-LEE].

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to support the Democratic-led fight to raise the minimum wage.

Mr. Speaker, I rise today to voice my reluctant support for the conference report on H.R. 3448, the Small Business Job Protection Act and minimum wage increase.

It was my hope that we would not turn the issue of raising the minimum wage into a political football. The weight of public opinion is squarely on the side of raising the minimum wage, but the Republican leadership of both Houses of Congress could not provide a clear victory for the working poor of this country.

This conference report would eliminate the existing provision which requires employers of tipped employees to pay at least 50 percent of the statutory minimum wage in case, and replaces it with a provision which locks the cash wage at the current standard of \$2.13 an hour. It would also deny any automatic future increases in the minimum wage to those who work and earn tips as a part of their income.

To further add insult to hard working Americans, this conference report delays the initial start of the 45 cents an hour increase to the minimum wage from July of this year until October 1.

The conference report also eliminates the existing provision exempting certain computer professionals from requirements that they receive overtime pay. This would mean that no additional computer professionals will be protected by the Fair Labor Standards Act's time and one-half overtime requirements.

In my Houston, TX district that would mean a real income drop for computer professionals who would no longer be subject to this protection.

This conference report would make permanent a failed experiment contained in the 1989 Amendment to the Fair Labor Standards Act that expired in 1993. Where employers were allowed on a temporary basis to pay a rate lower than the minimum wage. This change if widely used would create an incentive to displace older workers.

Paying this lower wage to workers under age 20 for 90 days presumes that it must cost them less to live than you or me. This sub-minimum wage workers will not get a corresponding break in the cost of living. They will still have to care for their children and families just as they are required to do today. This change in the Fair Labor Standards Act would restrict these worker's freedom to seek other employment opportunities that may be presented to them for fear of taking lower pay for a quarter of their first year of employment.

Some would argue that a raise in the minimum wage would result in high unemployment so the idea to limit the number of workers who would qualify for the increase is a good idea. If the proposal was more than a mere 90 cents divided between 2 years their might be some merit to that position. The real discussion should be about supporting those poor families that choose work over welfare.

The first step to moving people from poverty to self sustenance is to raise the minimum wage for all workers with malice toward none. I will support this bill to raise the minimum wage because this is consistent with the long-standing fight we have waged to help hard-working Americans, of which some 69 percent are women with children, get a fair wage for a days work.

This is long overdue.

Mrs. MINK of Hawaii. Mr. Speaker, today is a great day for American workers and their families—not only because we are raising the minimum wage, but because the voice of the American people was heard by the Congress of the United States.

This bill is a true example of how government and this Congress can work together for the people of this Nation. Despite opposition to raising the minimum wage from the major party, the workers and families all across the country rose up and made their voices heard in support for an increase in the minimum wage. And today we are finally responding to their cry for a decent wage for an honest day's work.

The people of this Nation know they are working harder today for less, struggling to make ends meet, and barely getting by even in a strong economy. Over the last decade they have watched as the salaries of CEOs and their corporate bosses skyrocket, as the value of the minimum wage decreased—falling 50 cents since the last increase in 1991.

Mr. Speaker, this increase is even more critical today because of the passage of the welfare reform bill which will soon become law. The new welfare bill will force many women into the work force. It is fine to emphasize work, but we must assure that work pays a living wage.

Many women currently on welfare work at minimum wage jobs. One of the biggest misconceptions about welfare is that welfare mothers stay at home and collect welfare check. In most cases this is simply not true. Forty percent of women on welfare combine their income from work and welfare in order to care for their children. A minimum wage income is not enough to support the basic needs of a family, so women must continue to receive welfare assistance while they work in order to care for their families.

This bill moves us in the right direction for many women in the work force. Ninety cents an hour, \$36 a week, \$144 a month. It's not much, but it could mean the ability to buy a desperately needed pair of children's shoes or to pay the extra cost of heating in the winter. Raising the minimum wage means women—those on welfare and many who are not—will now be able to better care and provide for their families. Women make up 64 percent of the minimum wage work force. It is for the women of this country that we must pass this bill today.

In addition, Mr. Speaker, I would like to note the small business tax relief provisions and the assistance we are providing to this important sector of our economy. Also, I want to express my support for the provision which allows women who work at home—home makers to invest in IRAs. This is an important step for the economic self-sufficiency and economic security of women in this Nation.

Mr. Speaker, I urge my colleagues to support this conference report.

Mr. POSHARD. Mr. Speaker, today this body can be proud to be passing legislation that will directly impact the lives of millions of American workers. I wholeheartedly support this legislation, and while we have met our goal of providing a more livable wage for those hard-working, citizens who desperately need it, this bill also provides tax incentives to help our small businesses as well. Provisions such as the Work Opportunity Tax Credit will allow our small business owners to claim substantial tax relief at the same time they are giving vital opportunities to new workers.

This measure also rewards the invaluable efforts of housewives across the Nation by allowing nonworking spouses to contribute \$2,000 annually tax free to an IRA, finally according the raising of children and other home-related activities the respect they deserve in regard to the tax code. Many more pension reform provisions are included which will help empower the American people to save for their own retirements, which in time will help to take the load off of Federal entitlement programs. At the same time, we have taken strides toward curbing corporate welfare, and have provided incentives in the tax code for the adoption of children.

Perhaps it has taken too long to reach this goal, but we have truly given hope to legions of citizens with this bill. This legislation is all about rewarding work, and it, combined with the welfare reform legislation of earlier this week, goes a long way toward giving incentives to individuals and families to gain economic independence and self-sufficiency through viable work opportunities and wage rates. I urge all of my colleagues to vote in favor of the conference report.

Mrs. COLLINS of Illinois. Mr. Speaker, I would like to say that I am pleased that the Democrats and the Republicans have come to an agreement on raising the minimum wage. It should have been simple: No one can support a family working in a job that pays the current minimum wage. But because the Democrats stayed on task and on track, we were able to convince the Congress that this was the right thing to do for the American economy and for the American family.

For the minimum wage worker, a 90 cents an hour increase means a lot. It could mean the difference between having a roof over your head or living in substandard housing. It could mean the difference between providing a healthy, balanced diet for your family or waiting in line at a soup kitchen so your children can have a square meal. It could mean the difference between having a telephone or being isolated. It could mean the difference between a car or relying on expensive public transportation to get to your job, the doctors, or the grocery. With the increase in the minimum wage, after the 2-year phase in, the American worker will have about \$36 a week extra.

In Illinois, nearly 11 percent of the wage earners are paid the minimum wage, currently only \$4.25 an hour. There are over 12 million Americans currently working in jobs that pay the minimum wage, and with that, the average wage and salary paid per hour for employee compensation in the private, nonfarm labor sector in 1995 was \$12.25 per hour.

According to the Bureau of the Census, women make up 46 percent of the work force, and 40 percent of those women are working mothers. A single mother cannot work at a minimum wage job if she has to pay for non-family child care because she can't afford it. When President Clinton declared a "National Pay Inequity Awareness Day" his statement provided the information that last year American women earned only 75 cents for every \$1 a man brought home, with African-American women and Hispanic women collecting just 66 cents and 57 cents, respectively, when compared to the male wage earner. Raising the minimum wage will help women achieve a better payday.

Students are a large proportion of minimum wage earners. Students who are supplementing their family's income by working are not a thing of the past; they are the foundation of many communities. In 1980, the minimum wage was raised from \$2.90 to a whopping \$3.10, and since then it has only gone up to \$4.25 where it has stayed since 1991. Since 1980, the cost of college has gone up 260 percent, but the minimum wage for earners trying to pay their way through school only went up by about 30 percent.

Raising the minimum wage will not fill anybody's wallet or bank account, but it will help change lives.

I urge my colleagues to support this conference report and put a little more in the pockets of the American worker by raising the minimum wage.

I yield back the balance of my time.

Mr. STOKES. Mr. Speaker, I rise in strong support of the conference report to H.R. 3448, the Small Business Job Protection/Minimum Wage Increase Act. After months of staunch opposition from our Republican leadership, I am pleased that my colleagues on the other side are finally able to join in support of a minimum wage increase.

At a time when wage inequality has widened dramatically in the United States, this piece of legislation would give over 21 million hard-working Americans a well-deserved wage increase. In addition, a higher minimum wage will serve to benefit families with the least income, those families which have been the target of many of this Republican led Congress' pernicious legislative efforts—low-income and lower middle class families.

Mr. Speaker, research has demonstrated that at least 10 million Americans working at minimum wage would take home an additional \$1,800 a year when this legislation becomes law. There can be no doubt that this modest increase in the minimum wage will make a substantial difference for thousands of minimum wage earners in my district in addition to millions of other workers across the Nation who, despite working hard every day, still find themselves in the midst of poverty.

According to the Department of Health and Human Services, with this 90 cent wage increase, as many as 300,000 families could be lifted above the poverty line, including more than 100,000 children.

Mr. Speaker, in my congressional district, 22 percent of my constituents live below the poverty line. There is no doubt in my mind that our Government must do all that it can to provide wage equity for the thousands of working

families who work hard but most still live in poverty.

It's been 5 long years since America's minimum wage workers got a raise. The proposed minimum wage is a logical step in our efforts to enable families to be productive and self-supporting.

Mr. Speaker, H.R. 3448 is an historic effort toward economic justice. I urge my colleagues to support this vital legislation.

Mr. BENTSEN. Mr. Speaker, I rise in support of H.R. 3448, the Small Business Job Protection Act of 1996, and in strong support for America's working families who are finally getting the raise they deserve.

Increasing the minimum wage will help ensure that holding a job pays more than being on welfare and it will help lower-income families struggling to make ends meet, it puts our values of work, family, and responsibility ahead of partisan gain or bottom line accounting. This increase will restore not just the purchasing power that has eroded to nearly a 40 year low, but the self-esteem and pride that can't be scored by the CBO or OMB.

Mr. Speaker, families living on the minimum wage do exist and a living wage is integral for workers to provide for themselves and their families in dignity. These are not families seeking a handout, or special provision in a nonrelated tax bill, or line item in an appropriation bill. What they are seeking is the opportunity to provide for themselves and this Congress should not frustrate their determination to pursue this better, dignified life.

Mr. Speaker, we may disagree on a number of social economic theories. However, this disagreement cannot overshadow the pressing concern that families of goodwill are entitled to pursue a living wage.

I also support the provisions in this legislation to help small businesses provide retirement security for their workers and their families. While there are a number of measures not included in this legislation that should have been, I strongly support the SIMPLE plan and the increase in the contribution to an Individual Retirement account for nonworking spouses. These provisions will allow more families to save for their retirement and not penalize parents who choose to stay home and raise their children.

However, I am disappointed that we didn't do more to help families provide for their retirement. This conference agreement should have further expanded IRA eligibility and allowed penalty-free withdrawals from an IRA for a first home purchase, tuition, major medical expenses, or during long-term unemployment, but doesn't. That being said, I do support this conference report and pledge to pursue these changes in future legislation.

Mr. FRANKS of Connecticut. Mr. Speaker, I rise today in strong support of the conference report for H.R. 3448, the Small Business Job Protection Act.

Mr. Chairman, I voted against the original House bill which increased the minimum wage by 90 cents because I firmly believe that losing one American's job is not worth 90 cents. Statistics prove that eight of the last nine increases in the minimum wage have resulted in either a loss of jobs or an increase in the inflation rate. In fact, President Clinton said that raising the minimum wage is not the way to

improve the economic well-being of the lower class. I believed that we must include tax reforms for small business. Unfortunately, the House chose not to combine the minimum wage bill and the small business tax reforms. The Senate bill did combine the two initiatives.

Had the Senate bill been considered in the House, I would have unequivocally voted in favor of the bill. The wage increase and the small business tax reforms will prevent the loss of jobs and the raising of product prices.

Mr. Chairman, I proudly rise in support of the conference report Small Business Job Protection Act.

Mr. SABO. Mr. Speaker, today is a great day for American workers who will get a pay raise on October 1 because the Republican majority finally allowed a vote to increase the minimum wage. While \$.90 an hour is not a total solution to the growing income gap that plagues our society, it will make a big difference to the 12 million workers who will receive this boost in pay.

American working families have been forced to sit on the sideline while congressional leaders went through legislative maneuvers, made empty promises, and generally used dilatory tactics. By refusing to take action on the minimum wage sooner, Republicans have cost American workers \$5.6 billion in lost wages. Had the increase taken place when it was first proposed in this Congress, it would have paid for 3½ months of groceries, 6 months of health care, or 2 months of housing. Today, however, the majority realized they could no longer stall and the minimum wage will increase from a level that left it at a 40-year low in purchasing power.

For many years, I have been speaking about the growing income gap in America. Several months ago, due in large part to the Republican Presidential race, this issue finally catapulted to the forefront of the Nation's consciousness. In fact, it has been hard to open a newspaper op-ed page or turn on a television news program without hearing something about declining worker wages, increased layoffs, and increasing corporate profits and CEO pay.

Thanks in part to the deficit reduction measures we passed in 1993, the American economy today is in good shape. We enjoy strong growth combined with low unemployment and low inflation. The stock market has reached record highs, as have profits of many American companies. This should have all seemed like good news for the average American family; for, in the past, Americans at all income levels shared in our Nation's prosperity. However, in recent years while we have seen stock prices and corporate profits rise, the incomes of most middle-class American families have stagnated or dropped.

If stagnating wages were the only problem that working Americans had to face, things might not be so bad. But, in recent years our Nation has also seen unprecedented worker layoffs in corporate America. Of course, it is understandable that such upheavals may occur as our economy becomes more technology-based and integrated into global markets. What is difficult to understand, however, are the tremendous bonuses and pay increases enjoyed by the very CEO's who lay off thousands of workers.

The United States has prided itself on being a nation of the middle class—one in which if you work hard and follow the rules, you can expect to do well enough to support yourself and your family. Alarming, this is no longer true for an increasing number of Americans.

In the decades following World War II, all American workers shared in the Nation's prosperity. Over the past 20 years, however, only high-income Americans have moved ahead economically. Between 1977 and 1990, for instance, the average after-tax income of the wealthiest 1 percent of our population increased by 67 percent, after adjusting for inflation. During this same period, the average after-tax income of the bottom fifth decreased by nearly 27 percent.

This is not a problem that affects only the poor. Every year, thousands of Americans are laid off from well-paying middle-class jobs, to be left with a choice between a new job that pays less or the unemployment line. Clearly, this trend cannot continue.

America's level of income inequality is already higher than that of any industrialized nation. Our middle class is evaporating, and we are well on the road to becoming a Nation divided between a few very rich and many who simply struggle to get by. None of us, in the words of Labor Secretary Robert Reich, will "want to live in a society sharply divided between winners and losers."

The widening income gap lays before us the question of what kind of country we want to be: One sharply divided between the rich and poor, or one in which all citizens can benefit from a strong economy. I believe that our choice is clear. America has always been the land of opportunity. We should work together for policies that do not favor any income group, but enable all Americans to share in our Nation's strength and prosperity.

Today we take a small step in the right direction for those at the very bottom of the income ladder by passing this increase to our Nation's minimum wage. The bill increases the Federal minimum wage from its current \$4.25 an hour to \$5.15 per hour. I applaud this action and the victory for American workers.

The American people should feel good today because they forced NEWT GINGRICH and the Republican leadership to sit up, listen, and act. The public said that America needs a raise, and on October 1, millions of working Americans will get that raise and find it just a little easier to provide for their families.

Mr. BLUMENAUER. Mr. Speaker, providing for their families is a daily struggle for the working poor. Basics like food, shelter and healthcare are out of reach for too many full-time employees and their children.

Congress, so far, has not chosen to improve upon this sad situation. What we have seen is welfare reform which threatens the little assistance available for those with low-paying jobs. I fear, Mr. Speaker, that poverty may continue to be the reward many receive for their work.

There are solutions to these problems—the proposed minimum wage increase being the most obvious. This simple act will do more to create self-sufficiency than any government program or bureaucracy. I am pleased to be a part of this long overdue adjustment.

Mr. FAZIO of California. Mr. Speaker, I am very pleased to rise in support of H.R. 3448,

a bill to increase the minimum wage and provide various tax incentives.

After a long, hard battle, we can be proud of passing a bill that will produce real results for 12 million working Americans.

This increase will pay for an extra 3½ months of groceries, 6 months of health care, 4½ months of utility bills, or 2 months of housing. America's working families are finally getting the raise that they deserve.

This bill, like the health insurance reform bill that was passed yesterday, isn't an "inside the Beltway" issue like some in the Republican leadership have claimed. It's common-sense, pro-family legislation that many of us in Congress have been championing from the beginning.

In addition to the minimum wage increase, this bill also contains some important tax provisions for Americans and small businesses.

The conference agreement includes a pension provision to allow spouses who do not work outside the home to contribute \$2,000 annually to an IRA. Now couples living on one income can save the same amount as two-income couples. Not only does this provision encourage saving for thousands of households across the country, it reinforces a feeling that we have started to lose: staying at home to raise a family is one of the most important jobs in America. It is a full-time job which should be rewarded with the opportunity to save for the future.

Along the same family-strengthening lines, H.R. 3448 includes a tax credit up to \$5,000 for parents who adopt children. Also included is a \$6,000 credit for parents who adopt children with special needs. This provision is a powerful one. It encourages the union of couples who long to be parents with children who might not otherwise belong to a loving family.

Finally, while reinforcing our nation's family structure, H.R. 3448 also strengthens our Nation's economic structure by extending the research and development [R&D] tax credit. Federal support for R&D is the quintessential investment in our Nation's future. R&D is responsible for approximately one-half of the productivity in the Nation's economy and is the single most important source of long-term economic growth.

In my home State of California, R&D has been particularly important to the growth of the State's economy. California received about \$722 million in energy R&D funding in 1995. We are heavily involved in programs like energy conservation research and research on fusion energy development. These programs would have suffered severe setbacks under the original bill the house passed in May. Fortunately, an extension of the R&D tax credit is included in the bill before us today.

All of these measures will strengthen the economic foundations of our families and will allow them to invest in themselves and their futures. I urge my colleagues to support the conference agreement for H.R. 3448.

Mr. COSTELLO. Mr. Speaker, I rise in strong support of an increase in the minimum wage. The 90-cent increase that is being considered today by the House of Representatives will begin to address the erosion in American workers' purchasing power. If the minimum wage is not increased, it will fall to its lowest level in 40 years.

Mr. Speaker, this is essential legislation that directly impacts millions of American workers. Over 500,000 of these workers are in Illinois. Because the majority of American workers who are paid the minimum wage are over 20 years old, the increase will aid these workers in supporting themselves and their families. As we encourage people to find jobs instead of relying on public welfare, we must work to ensure that the minimum wage is a living wage. Receiving a living wage makes workers more productive for society and more willing to work. As a result of the reduction in turnover, the employer's costs of recruiting and retraining are lower.

Raising the minimum wage is expected to immediately lift it 300,000 families out of poverty. My colleagues who charge that a 90-cent increase is nominal and unnecessary probably are not aware that a 90-cent increase in the minimum wage could pay for seven months of groceries, rent or mortgage payments for 4 months, or a full year of health costs. These are real expenses that working people have and that can be addressed by a minimum wage increase.

Many of my colleagues also charge that the minimum wage increase will result in lost jobs. However, many economists dispute this claim. In addition, according to the Bureau of Labor Statistics, 10 million jobs have been created since the last increase in the minimum wage.

These are among the reasons why I strongly support a 90-cent increase in the minimum wage and urge my colleagues to join me in voting for the increase.

Mrs. MORELLA. Mr. Speaker, I rise in strong support of the conference report on H.R. 3448, the Small Business Job Protection Act. I commend the members of the Conference Committee for their diligence in sending to the House floor a bill that will provide tax relief for small businesses, equal individual retirement account [IRA] treatment for spouses who work at home, and will raise the minimum wage for our Nation's workers.

I have long supported a so-called Home-maker IRA, which is part of the Women's Economic Equity Act (H.R. 3857) which I introduced last month in my role as co-chair of the Congressional Caucus for Women's Issues. Current law penalizes one-income families by limiting the tax deduction that spouses who work at home can take for money put aside for retirement. Presently, spouses who stay at home to raise children or to take care of an elderly parent can only save \$250 above the \$2,000 allowed for the spouse who works outside of the home.

Women face a number of barriers when it comes to saving for their retirement. They live longer, earn less than their male counterparts, and receive less from Social Security. The spousal IRA, included in this bill, will go a long way toward helping American women during their retirement years.

This conference report also extends, until June 30 of this year, the tax exclusion for graduate level education assistance provided by an employer. I have supported, since coming to Congress, legislation that would restore and make permanent the exclusion from gross income of employer-provided education assistance. This partnership between employer and employee has enabled millions of Americans

to upgrade their work skills in order to improve their productivity and better support themselves and their families.

I am also pleased that the adoption tax credit is part of this package. The provision is similar to the tax credit approved in the Adoption Promotion and Stability Act, which passed the House in May, and which I strongly support. The conference report allows individuals with adjusted gross incomes below a certain level to deduct, over 5 years, up to \$5,000 per eligible child—\$6,000 for the adoption of hard-to-place children—from their income tax liability. This adoption tax credit will help ease the expenses of adoption, allowing more families to adopt.

Recently, I introduced a resolution regarding tuition prepayment plans by States to allow families to save for their children's college education at a fixed rate. I am very pleased that this conference report includes an amendment which would prohibit the Internal Revenue Service from taxing State-sponsored pre-paid college tuition plans until the funds are distributed. These State-sponsored plans have allowed more than 500,000 American families to save years in advance for their children's college tuition. The provision regarding pre-paid tuition plans will make it possible for more States to adopt similar programs, affording more families the opportunity to save for their children's education.

From raising the minimum wage to providing tax relief for small businesses, this conference report is an example of bipartisan cooperation for the benefit of all Americans. Again, I commend the conferees, and I urge my colleagues to support this fine legislative effort to promote economic prosperity.

Mr. CAMP. Mr. Speaker, I rise to strongly support H.R. 3448, the Small Business Job Protection Act and congratulate and thank the chairman of the Ways and Means Committee, Mr. ARCHER, for his leadership and success in this matter.

I am very pleased that the bill includes the Tax Fairness for Agriculture Act which I sponsored with bipartisan support from many of our colleagues. The Tax Fairness for Agriculture Act will help State and county farm bureaus across the country continue to serve the farm families which are their members.

I am particularly pleased that the conferees agreed with the Senate to make this proposal effective for taxable years beginning after December 31, 1986, and to provide transitional relief for organizations that had a reasonable basis for not treating amounts received prior to January 1, 1987, as unrelated business income. This is consistent with, and an improvement upon, my original bill.

For these purposes, as I have said many times, reasonable basis includes the long-standing recognized practice by agricultural and horticultural organizations of relying upon the 1983 IRS position that associate member dues are not taxable.

With the passage of my legislation, these unfortunate controversies should be put to an end once and for all. Accordingly, I thank the many Members of this and the other body who have supported me in this important effort.

Mr. CRANE. Mr. Speaker, today I regret that I must speak in opposition to H.R. 3448, the Small Business Job Protection Act. Despite

the fact that as one of the conferees on this bill I worked to incorporate, and support, many of the tax provisions contained in the legislation, and despite the fact that as chairman of the Trade Subcommittee I support a key trade provision contained in the bill, I must oppose this bill because of the minimum-wage increase it contains.

Increasing the minimum wage will not protect jobs as the title of this legislation implies, but will do just the opposite—it will destroy jobs. Although I do not intend to dwell entirely on this issue in my statement, as I do not intend to dwell entirely on this issue in my statement, as I do want to discuss the tax and trade portion of the bill as well, I do want to include in the RECORD following my statement, the testimony from someone who certainly knows something about the impact of the minimum wage on a business. Herman Cain, president of Godfather's Pizza testified before the Joint Economic Committee on the subject of a minimum-wage increase, and I must say that his incisive comments are indicative of conversations I have had over the years on this subject with economists and employers. I would urge my colleagues to review his testimony because he makes clear that this feel good legislation is for people with blinders or rose colored glasses who do not care to acknowledge the real economic consequences or raising the minimum wage.

Supporters of the minimum wage, while they might be well intentioned and might receive an award from the media establishment for being politically correct, are hurting the very people they purport to help—the young, poor, unskilled individual who wants to work. Raising the minimum wage raises the costs for businesses that operate on a thin margin—such as those in the food industry—and leaves them with the choice of marginally raising prices in a highly competitive sector of our economy or cutting costs—i.e. jobs. All too many companies must choose the later, and estimates I have seen indicate that this minimum-wage increase will cost Americans 200,000 jobs. So how does increasing the minimum wage help the young, poor unskilled worker? Good question.

While I oppose the minimum-wage increase, as vice chairman of the Ways and Means Committee and as one of five House conferees on the tax portion of this bill, I would be remiss if I did not comment on the tax provision of H.R. 3448. The tax provisions of the bill, for the most part, will make a positive economic contribution and will hopefully blunt, to some degree, the negative impact of the minimum wage. While this is by no means an all inclusive list, some of the highlights of the bill include the expansion of the expensing provisions for small businesses, the package of S corporation reforms, pension simplification items including critical spousal IRA provisions, the employer provided educational assistance exclusion, the extension of the research and experimentation credit, the clarification of worker classification language relating to independent contractors, and the 6-month delay of the IRS' electric payment system. Also included in the bill was an adoption credit which had passed the House of Representatives by a substantial margin earlier. As I indicated, there are many other positive tax proposals

contained in this legislation too numerous to mention here. If signed into law, these provisions will help blunt to some degree the negative fallout from the minimum-wage increase.

Although the overwhelming number of tax provisions in the bill are positive, I must also express my concern, as I did when the bill first passed the House, with regard to that portion of this bill which would phase to section 936 of the Tax Code over a 10-year period. Section 936 of the Tax Code provides tax incentives to companies that locate production facilities in Puerto Rico. I must say that it is most likely that the vast majority of members in this House do not fully appreciate the negative impact that eliminating section 936 will have with regard to the economic vitality of Puerto Rico and what the decline in that regard will mean to our Federal budget in the long run.

Having served on the committee with jurisdiction over this issue for the past 20 years, the Ways and Means Committee, I can unequivocally state that section 936 has been one of the most successful provisions in our entire Tax Code. Section 936 has spurred economic development in Puerto Rico which has in turn created thousands of jobs—American jobs—dramatically reducing the unemployment rate in Puerto Rico. Sadly, all too many people view Puerto Rico as a foreign country rather than as the American territory that it is. Jobs created in Puerto Rico are U.S. jobs. Moreover contrary to what many critics contend, the majority of jobs created in Puerto Rico through section 936 would not have been created on the mainland absent section 936. The production facilities in Puerto Rico would likely have been located in a foreign country if not in Puerto Rico. In short, don't expect a wave of new production facilities opening on the mainland United States because section 936 is being phased out.

By removing this incentive for companies to locate in Puerto Rico, an economic vacuum will be created which I do not see being filled any time soon. This void will bring on increased unemployment, and hope and opportunity, which has been on the rise over the last 20 years in Puerto Rico, will decline steadily. As the economy declines there will be an increased dependency—dependency on Uncle Sam to help those that no longer have jobs. Just what form this dependency will take, whether it be statehood or some other arrangement, remains to be seen, but mark my words, it will mean greater expenditures by the U.S. Treasury. So I would say to those that think they are saving taxpayers dollars when they vote to eliminate this so-called corporate welfare in the Tax Code, that you can either pay now by encouraging economic growth and opportunity, or you can pay later by increasing Federal outlays for welfare and creating a dependency which I don't think the American citizens—either on the mainland or in Puerto Rico—will appreciate. It is my urgent hope that the Ways and Means Committee will revisit this issue at a later date—and sooner rather than later.

Having discussed the minimum-wage provisions and the tax provisions, I must finally comment on the lone trade provision contained in H.R. 3448. As chairman of the Trade Subcommittee, I am very pleased to report

that this conference report extends the Generalized System of Preferences [GSP] Program through May 31, 1997. The extension of GSP is critical to our free trade efforts, and I have included a more detailed and separate statement on this subject later in the RECORD.

Mr. Chairman, again I would say that I am disappointed with the minimum-wage portion of this bill. And while I am extremely pleased with the extension of GSP and the long overdue tax provisions contained therein, I must still oppose this bill because of the loss of jobs that will result from the minimum wage provision.

[From the American Enterprise, July/Aug. 1996]

**BAD SOLUTION FOR THE WRONG PROBLEM—  
HOW FORCING UP THE MINIMUM WAGE HURTS  
THOSE WHO NEED HELP MOST**

My name is Herman Cain. I am President of Godfather's Pizza, Inc., a 525-unit pizza restaurant chain headquartered in Omaha, Nebraska. I am also President of the National Restaurant Association.

There are nearly 740,000 food service units in this country, including everything from fast-food chains to fine-dining restaurants. We are an industry dominated by small businesses, and we employ a diverse workforce of over nine million people. Our employees are white, African-American, Hispanic-American, Asian-American, and more. We expect to employ 12.5 million by the year 2005, with the fastest growth coming in the category of food service managers. More than 30 percent of Americans under age 35 had their first job in the restaurant industry. Restaurants offer an important boost into the job market for millions, as well as a clearly defined career path for those willing to work hard and stay in the business.

There are numerous reasons why I firmly believe a minimum-wage increase is attacking the wrong problem. Allow me to list the three reasons I believe to be most important.

First, mandated wage increases reduce entry-level job opportunities.

A few weeks ago, a colleague in Oregon told me about a homeless 17-year-old he hired in the mid-1980s. He gave the teenager a job chopping lettuce, deveining shrimp, and sweeping floors. That 17-year-old has worked his way up: He's now the executive chef at the restaurant. But the job that brought him into the business no longer exists. When Oregon raised its minimum wage a few years ago and the restaurant owner looked for ways to cut costs, this job was one of the first to go. Now, my colleague buys lettuce already chopped from a nearby automated facility.

It's a good example of the split personality of the minimum wage. When you make it more expensive to hire people who lack basic work skills and experience, you risk shutting them out of the workforce.

My second point: A minimum-wage increase jeopardizes existing jobs by threatening businesses that may be marginally profitable. In my case, for example, Godfather's Pizza, Inc., has nearly 150 company owned and operated units, and a few of them are either marginally profitable or not profitable at all. If you raise costs for the many thousands of enterprises like these, you risk shutting their doors permanently.

When you're running a restaurant that's on the edge, you're scrutinizing every penny. Can ninety cents an hour put me under? It could. Maybe not by itself—but when labor accounts for about 30 percent of my expenses, second only to my food costs, a man-

dated wage increase is one more factor tipping the balance. A mandated wage increase triggers wage inflation by rippling up through the entire wage spectrum and by causing increases in payroll-related expenses like FICA taxes.

Some people would say "Just raise your prices." It doesn't work that way. In a competitive market, that's the fastest way to drive away customers with limited discretionary income. That can close a business fast.

My third point: A minimum-wage increase is an ineffective way to raise someone out of poverty. Most minimum-wage earners are part-time workers under age 25—mostly first-time workers, students, people holding down second jobs or supplementing the income of their household's primary earner. In my restaurants, for example, nine out of ten of my hourly employees choose to work less than 35 hours a week—even though fulltime work is available. These are not the poor people policymakers most want to help. By shooting wide and hoping to hit the right target, you're taking a gamble with harmful side effects.

The best way to lift a family out of poverty is to get people into the job market and give them a chance to acquire skills. I think of my father, who worked three jobs until he was skilled enough to cut back to two jobs, and who kept going until his skills were good enough that he could support us on one hourly job.

There are other dangers with a minimum-wage increase. Like the fact that a federal mandate prescribes the same wage for a mom-and-pop restaurant in rural Nebraska as it does for a restaurant located in a high-cost-of-living metro area. It's not a good idea to try to overrule the laws of supply and demand that do a pretty good job of setting local wages according to the specific conditions of specific markets.

Congress has recently been playing close attention to the state and local officials—Democrats and Republicans alike—who say "enough is enough" when it comes to picking up the tab for unfunded federal mandates. Please give businesses the same hearing: An increase in the minimum wage is also an unfunded federal mandate. Someone has to pay—and it's usually the entry-level employee.

I urge you to look deeper for solutions. Some people lack the skills to make them competitive for entry-level employment. This is why we have tax credits to encourage businesses to hire employees who typically have a hard time gaining a foothold in the job market. This is why politicians are setting up empowerment zones to help businesses hire in impoverished areas. These programs rightly recognize that some workers may be overlooked if it gets too expensive for a business to hire them. Congress should be looking for ways to encourage people to work, and businesses to hire, instead of making it more expensive for employers to give the low-skilled a job.

You're getting a good dose of information lately on the theories behind successful welfare reform. In businesses like ours, real life crowds out theory. While our main expertise is in getting out good meals at good prices, as entry-level employers we've also become fairly expert at finding ways to help millions of troubled teens and troubled adults get beyond some daunting barriers to employment. We see that real entry-level jobs provide training in the fundamentals—reliability and teamwork, to name just two—and thereby field long-term social payoffs that don't come in any other way.

Right now we have more than four million people earning the minimum wage in this country, 7½ million unemployed persons, and nine million adults receiving welfare payments. Tackle the right problems first. Focus on creating more jobs, not on raising the cost of entry-level employment and eliminating existing jobs. A minimum-wage increase doesn't attack the right problem. I urge you to reject it.

#### FACT AND FICTION ON THE MINIMUM WAGE

Minimum-wage workers are the most vulnerable Americans, right? Actually, more adults who earn the minimum wage live in families with over \$30,000 in annual income than live in families making under \$10,000. Over all, 22 percent of minimum wage earners are poor. The majority of poor Americans don't work at all, at any wage.

Minimum-wage work is undignified. Fifty-five percent of minimum-wage workers are youths age 16-24. Many of these live with their parents. Only 2 percent of workers age 25 or older are paid the minimum wage.

You can't raise a family on the minimum wage. Few have to: 89 percent of all workers now making less than the proposed minimum have no spouse or child depending on them as sole breadwinner. Of these, 44 percent are single individuals living with their parents or other family member, 22 percent are single individuals living alone, and 23 percent have a spouse with a paying job.

Minimum-wage jobs are a dead end. Sixty-three percent of minimum-wage workers earn higher wages within 12 months. Seventy percent of the restaurant managers at McDonald's, plus a majority of the firm's middle and senior management, began in hourly positions. (This includes CEO Ed Rensi, who started at 85 cents an hour in 1965.)

Sources: U.S. Bureau of Labor Statistics; Employment Policy Foundation; Wall Street Journal; Industrial Relations and Labor Review.

Mr. CRANE. Mr. Speaker, as chairman of the Trade Subcommittee, I want to highlight that the conference report on H.R. 3448, the Small Business Jobs Protection Act, contains provisions that extend the Generalized System of Preferences [GSP] Program, through May 31, 1997.

The GSP Program promotes three broad policy goals: First, to help maintain U.S. international competitiveness by lowering costs for U.S. businesses, as well as lowering prices for American consumers; second, to foster economic development in developing countries and economies in transition through increased trade, rather than foreign aid; and third, to promote U.S. Trade interests by encouraging beneficiaries to open their markets and comply more fully with international trading rules.

This important legislation will help American businesses across the country, both small and large, by eliminating unnecessary tariffs on certain imported products. Extension of GSP will expand trade and prevent job losses in a wide variety of U.S. industries currently suffering increased tariff costs as a result of the expiration of GSP.

Reauthorization of GSP, in this difficult budget environment, should be viewed by our trading partners as indicative of our continued commitment to the expansion of international trade and economic opportunity. H.R. 3448 is important trade legislation, which, I believe, will be followed next year by an extension of fast-track trade negotiating authority, and legislation to expand trade with Caribbean Basin region.

H.R., 3448 makes modest reforms and technical changes to title V of the Trade Act of 1974, which are intended to simplify and improve the administration of the GSP Program. For example, the bill recodifies a 3-year rule whereby specific products may only be considered for addition to the GSP Program every third year. The bill would exclude high-income countries from GSP, and would have the effect of reducing the per capita gross-national-product [GNP] limit from \$11,800 to \$8,600, a number which would be indexed. Beneficiary countries that exceed the per capita GNP limit will be removed from the GSP Program.

The bill would reduce the competitive need limit [CNL] in the expired law from about \$108 million to \$75 million, to be increased by \$5 million annually, but would retain the competitive need waiver authority. Also, a beneficiary country that exceeds the CNL on a particular product would lose GSP on that product. Under certain circumstances, however, the President could waive the CNL and restore the product to GSP status for that country.

The bill also contains new authority, which was requested by the Administration, to designate any article from a least developed developing country [LDDC], if the President determines that the article is not import-sensitive in the context of imports from LDDC's.

Designed to promote economic development through increased trade, rather than foreign aid, GSP is a valuable program, both for beneficiary countries, and for U.S. businesses and consumers. I urge my colleagues to support its inclusion in H.R. 3448.

Mr. RAMSTAD. Mr. Speaker, I rise in strong support of the Small Business Job Protection Act and to discuss a related issue regarding the tax treatment of independent contractors.

The Ways and Means Oversight Subcommittee, on which I serve, has been aggressively working to rationalize the tax laws governing independent contractors. As we learned from the White House Conference on Small Business and through testimony before the subcommittee, sound rules covering employee classification are sorely needed. I commend Chairman ARCHER for the improvements in the bill before us, as they are an important first step in achieving this goal.

I do, however, want to speak to one improvement that is needed to ensure the proper balance between consumer protection and appropriate application of employee classification laws.

I was pleased to see that in the recently issued IRS Worker Classification Training Manual, the Service acknowledged the importance of balancing competing regulatory demands—those designed for consumer protection purposes and those driven by tax considerations. The training manual made significant progress by stating that rules imposed by a business on its workers in order to comply with Governmental agency requirements should be given little weight in determining a worker's status.

Unfortunately, the manual goes on to state that if the business develops more stringent guidelines for a worker in addition to those imposed by a third party, more weight should be given to these instructions in determining whether the business has retained a right to control the worker. As you know, the amount

of control exercised over a worker is indicative of that employee's status with respect to classifying workers as independent contractors. It is this second portion of the rule that could unintentionally compromise consumer protection.

For example, in the securities industry, the Securities and Exchange Commission [SEC], the National Association of Securities Dealers [NASD] and State regulatory agencies' regulations are broad in scope and require securities dealers to exercise significant discretion in their implementation. I am concerned that this ambiguity may force businesses to comply with only the most minimal standards in order to avoid potential conflict with the tax laws. It makes no sense to place companies that exercise higher standards of due care in meeting their regulatory obligations at a greater tax risk than more lax competitors. I do not believe this was the intention of Congress.

I urge the IRS to revise its guidelines so that no weight is given to any business policies or procedures that are reasonably designed to achieve compliance with applicable laws and regulations of Government or self-regulatory organizations, including the supervision of activities of workers and associated person to ensure compliance thereto.

I would like to thank both Chairman ARCHER and Subcommittee Chairwoman JOHNSON for their leadership in this area. I look forward to working with them to develop rational employee classification tax rules in general, and also to ensure that our Nation's complex regulatory laws are not undermined by the Tax Code.

Mr. MARTINI. Mr. Speaker, I rise today in support of the American worker and in strong support of raising the minimum wage. To me, this has never been an issue of politics, but rather a simple issue of fairness. Too often Americans are working long hours and even taking second jobs, yet they feel like they are running in place. If we really want people to move from welfare to work, we have to make work worthwhile. Americans deserve a fair wage for a hard day's work.

Raising the minimum wage will reward those able bodied individuals who chose work over welfare by improving their quality of life. Ultimately, that's what this is all about. Mr. Speaker, people want to support their families without Government help, but we have to make work worthwhile. I believe one way to do that is to raise the minimum wage. It just comes down to basic fairness.

Congress has not raised the minimum wage in over 7 years. In comparison to other wages, the minimum wage is now at a 40-year low. I don't think that is fair. I believe people deserve a fair return on a hard day's labor. My record reflects a strong commitment to working people's issues and that is why I joined JACK QUINN and 21 other Republicans to introduce legislation to increase the minimum wage back in April.

It's time to help people earn more and keep more of what they earn. Raising the minimum wage is just one aspect of the kind of economic growth and opportunity package this country desperately needs. In 1 week this historic Congress has done more to advance the agenda of working Americans than any legislative session in recent memory.

We have successfully passed comprehensive welfare reform, the most significant health insurance reform legislation in a generation, and today we will finally give low wage earners a much needed raise. Mr. Speaker, the verdict's out. The 104th Congress has been a champion for working Americans. This Congress has stood up for fairness.

Mr. Speaker, I believe in raising the minimum wage, but I also believe that we have an obligation to our small businesses and mom and pop shops to ease the Federal tax and regulatory burden placed on them. True small businesses are often the most vulnerable and have extremely high rates of failure. Today we are increasing the minimum wage and providing necessary tax relief to our small businesses.

Mr. Speaker, I am proud to have helped introduce a minimum wage increase bill and I am also proud to have cast my vote for the successful tax relief, welfare reform, and immigration reform bills. We need a responsible and fair government for a change, and this Congress is on the right course.

This legislation is a victory for low wage earners, a victory for small business, and a victory for the American people. I strongly urge my colleagues to support the conference report on H.R. 3448.

Mr. ROTH. Mr. Speaker, I rise in strong opposition to this conference report.

While this legislation has some strong points—increased expensing and pension simplification for small businesses—it would also impose a massive unfunded mandate on American businesses, and it would destroy Puerto Rico's enterprise zone status.

Both are grave mistakes with real consequences for real people.

The minimum wage increase will kill 600,000 jobs for low-skilled workers. These are the people who can least afford to lose their jobs. Without work, what will they do?

Phasing out section 936 and immediately repealing QPSII would have a devastating impact on the economy and people of Puerto Rico.

Today, section 936 businesses employ one-third of Puerto Rico's entire work force. They produce 40 percent of Puerto Rico's annual economic output. They are responsible for 200,000 mainland jobs.

Section 936/QPSII has also attracted \$15 billion in additional capital to the island—capital that would otherwise have gone elsewhere.

As a result, more entrepreneurs can start new businesses, more consumers can buy household appliances, and more families can purchase homes.

Mr. Speaker, let's not abandon the people of Puerto Rico. Let's not cripple our Nation's job creators with needless unfunded mandates.

Vote for opportunity. Defeat this conference report.

Ms. VELÁZQUEZ. Mr. Speaker, I rise today in support of the conference report.

Legislation to increase the minimum wage is long over due. For months, Democrats have been calling for a raise for the American people, but that wasn't enough. Even when 85 percent of the American people voiced their support for an increase, that wasn't enough.

I'm glad to see that the Republican majority is finally starting to get it.

The increase in the minimum wage will help to lift millions of Americans out of poverty. For years, single mothers have been struggling to feed their families on a poverty wage. This takes on even more importance, now that this Congress has shredded the safety net of welfare. We must make work pay, and make the pay a living wage.

Although I support this conference report, I also want to express my great anger over the price that some will have to pay for the adoption of this legislation. In classic Republican style, they give a helping hand to the needy while using the other hand to stab someone in the back. By removing the 936 tax credit, Republicans are taking the lifeforce that keeps Puerto Rico alive.

I urge my colleagues to support the conference report. But keep in mind the 300,000 U.S. citizens that live in Puerto Rico, who will not gain but lose under this legislation.

Mrs. THURMAN. Mr. Speaker, I rise today to support the conference report on H.R. 3448. I am particularly happy about a provision that protects the tax exempt status of State-sponsored prepaid tuition programs, which mirrors, H.R. 3842, legislation that I introduced. This provision is of great importance to working parents and their children across this Nation.

For years, parents have been looking for a financially sound way to fund their children's education. In this era of continually rising costs and reduced Federal aid, that desire appears even more unattainable. In response, 16 States, including my home State Florida, have formed innovative partnerships known as prepaid college tuition programs. In fact, Representative ROS-LEHTINEN and I worked on this issue in the Florida State Senate.

Prepaid tuition programs allow individuals to purchase contracts that provide for the cost of college tuition in the future, locking in today's tuition rates. As a result, more than 500,000 mostly middle-class families are taking part nationwide in these programs.

Earlier this year, the IRS announced its intention to tax these programs. This makes no sense because the contributors of this fund have no access to it. As a result, I introduced H.R. 3842, which would clarify that prepaid tuition programs are tax exempt. I was happy then to get 60 bipartisan cosponsor of this bill. But I am even happier today that the conferees included this valuable and meritorious provision in this bill.

Mr. Chairman, the conference report on H.R. 3448 is good policy because it guarantees American workers a higher wage and a better standard of living. But it is even better policy because it guarantees that a good number of our children, our future workers, would be educated and not have to struggle with the notion of a minimum wage. I urge my colleagues to support the report.

Mr. NEAL of Massachusetts. Mr. Speaker, today we are voting on a piece of legislation that is long overdue. We are increasing the minimum wage by 90 cents over 2 years. The value of the minimum wage has dropped to a 40-year low.

Today, by increasing the minimum wage we are doing something tangible for the American worker.

Two days ago on this floor we passed a tough welfare bill. The major goal of this bill is to move individuals off of welfare and to work. Increasing the minimum wage goes hand in hand with welfare reform. To encourage individuals to work we have to make work more attractive. Increasing the minimum wage is a step in making work a better alternative.

By earning more there will be less of a need for Federal assistance such as food stamps. We are helping workers become more self-sufficient.

The Small Business Job Protection Act includes many tax provisions that many of us have been working on the past few years. Many of these provisions have been long awaited.

The tax provisions do not include everything I would have liked, but I believe it's a good package that will go along with helping small businesses.

This bill includes a provision which would assist the fishermen of New Bedford, MA. I cannot think of a better example of a small business.

I am a strong supporter of IRA's and believe we should provide tax incentives to encourage savings. This legislation includes a provision which increases the availability for spousal IRA's. The provisions permit deductible IRA contributions of up to \$2,000 to be made for each spouse, including those who do not work outside the home. This will help women to increase savings for their retirement. It corrects an inequity that existed in our Tax Code.

This legislation extends the exclusion for employer provided educational assistance. This provision allows for exclusion from income up to \$5,250 for tuition paid for by an employer. As a former professor, I have seen how helpful this provision can be. Unfortunately, the exclusion only applies to graduate-level education until June 30, 1996. I plan on continuing to work on including graduate education. Education is important to increasing our competitiveness in this global economy. We are creating more high wage jobs and we need education workers. The exclusion for education workers helps more than lawyers and doctors.

This legislation provides an extension of the R&D credit. The credit is reinstated for July 1, 1996 to May 31, 1997. This is the first time the credit has not been extended retroactively. I am pleased the credit has been extended and I will continue toward making the R&D credit permanent. We need to assist corporations with research and development. R&D is necessary for global competitiveness. The R&D credit will help keep high wage jobs in the United States.

This legislation contains a package of S corporation reform provisions. The package includes a provision I have worked on the last couple of years. This package will help small businesses that are organized as Subchapter S corporations.

The legislation includes pension simplification provisions. The purpose of this package is to strengthen and simplify the pension provisions of the Tax Code. The package includes provisions which make it easier for small businesses to offer pension plans. Church pension simplification provisions were also included in this package.

This pension package takes a step toward making retirements more secure. These provisions will help increase the access to retirement savings for many American workers. We have to continue to work to make it easier for more American workers to have pensions.

Today is a good day for the American worker and small businesses. The bill is a good compromise and it should make a difference.

Mr. MONTGOMERY. Mr. Speaker, I want to commend the conferees on this measure for including changes to the Tax Code which ensure that employers who reemploy veterans after military service are not penalized for restoring their pension benefits. Two years ago, the Congress enacted the Uniformed Services Employment and Reemployment Rights Act of 1994 [USERRA], Public Law 103-353. This law was a restatement and clarification of the existing veterans reemployment rights law, and like that law, it guarantees that reservists and other persons who go on active military duty will be restored to their civilian jobs without any loss of seniority.

This law originated in 1940 and has been the subject of a number of Supreme Court decisions. The Supreme Court has held that one of the most important benefits of seniority, the high to a pension, is a protected benefit to which a veteran is entitled.

In discussions with various pension experts over the past several years, it was pointed out that technical amendments to the Internal Revenue Code were needed. The Tax Code limits employer and employee contributions to tax-favored pension plans and thus benefits payable to reemployed veterans. Other limits on deductible contributions, and qualified plan non-discrimination, coverage, minimum participation, and top-heavy rules do not take into account the veteran returning from active duty and his right to have his pension rights restored as if he had never left.

Last year, I introduced legislation, H.R. 1469, to allow employers who reemploy veterans to comply with both USERRA and the Internal Revenue Code when they endeavor to restore veterans' pension benefits as required by USERRA. The bill would provide assurance to employers that such contributions would not in any way disqualify a tax-favored plan. I am pleased that the bill before the House today includes the text of H.R. 1469 with minor technical changes.

It is very important to note that the legislation before the House today would allow employers and pension plans to make contributions for any veteran, World War II, Korea, Vietnam, as well as Persian Gulf. In essence, this provision corrects an oversight contained in the 1974 ERISA legislation which failed to take into consideration the rights of reemployed veterans, and is a good measure for employers as well as veterans. Again, I thank the conferees for including this provision in the conference report.

Mr. FAZIO. Mr. Speaker, I am very pleased to rise in support of an increase in the minimum wage.

After a long, hard battle, we can be proud of passing a bill that will produce real results for 12 million working Americans.

This increase will pay for an extra 3½ months of groceries, 6 months of health care, 4½ months of utility bills, or 2 months of housing.

America's working families are finally getting the raise that they deserve.

This bill, like the health insurance reform bill that was passed yesterday, isn't an inside the Beltway issue like some in the Republican leadership have claimed.

It's common sense, pro-family legislation that many of us in Congress have been championing from the beginning.

In addition to the minimum wage increase, this bill also contains some important tax provisions for America's small businesses.

The bill includes an important provision that increases the amount that a small business can deduct from the costs of business-related equipment.

This will allow our Nation's small businesses to expand and contribute even more than they already do to our national economy.

It will also allow homemakers to invest up to \$2,000 a year in an individual retirement account, and provides a tax credit of up to \$5,000 for parents who adopt.

These measures will strengthen the economic foundations of our families and will allow them to invest in themselves and their futures.

This is a good bill that will help America's workers and small businesses. I urge my colleagues to support the conference agreement.

Mr. BALLENGER. Mr. Speaker, I am opposed to the conference agreement on H.R. 3448, the Small Business Job Protection Act because of my concern that the increase in the minimum wage or starting wage will make it much harder for those with few skills and training or a limited education to get a first job. Minimum wage jobs are often the first rung on the ladder of upward mobility and this increase will likely move that rung beyond reach for many workers. By raising the wage rate, we end up denying job opportunities to thousands of workers.

The conference agreement raises the Federal minimum wage from \$4.25 to \$5.15, in two increments. The first increase becomes effective on October 1, 1996 and will raise the wage rate to \$4.75. The second increase would take effect on September 1, 1997, raising the minimum wage rate to \$5.15. It is well known by economists and lawmakers that higher minimum wages lead to job losses. Dozens of studies show that raising the minimum wage costs entry-level job opportunities, and does little to help the working poor. Job loss estimates for this increase range from 100,000 to over 600,000 jobs. In my home State of North Carolina, an estimated 19,100 jobs will be lost. A 90-cent increase is meaningless for the individual who no longer has a job.

Just recently, the Washington Post featured a story on the Kiddie Junction Learning Center in Zachary, LA. The owner of the day care center indicated that an increase in the minimum wage would be bad for her business, her employees, and her customers—and that it will likely force her to let go one employee and increase prices. This is just one more example of how a minimum wage increase does more harm than good by costing some low-wage workers their jobs and raising costs for others. A copy of the article follows.

While I am voting "no" on the conference agreement to signal my concern about the ef-

fect wage increases have on job creation, I do support the final agreement to bring tax relief for small businesses and their workers and as well as the provisions bringing long overdue reform to our pension system. These changes will do much to help ease the middle class crunch and help many people make more and save more.

[From the Washington Post, July 30, 1996]

(By Gary Younge)

ZACHARY, LA.—Jeannette Boggs started her working life making \$1.25 an hour as a service representative for a utilities company in Baton Rouge in 1965. Since then, she says, she has "bettered myself in dollars and cents" to get where she is today—the proud owner of Kiddie Junction Learning Center, a day-care center 12 miles away in Zachary.

Zachary is a rural town of about 10,000 where churches outnumber banks by about three to one. Like many in the area, Boggs describes herself as religious and conservative. She believes that in America, if you work hard you will be rewarded, and she says her six employees work very hard indeed.

"It's a tough job. It's wiping noses, cleaning butts and tying shoes all day long," she said. None of her staff earns more than \$6.50 an hour. Two are paid at or around the current minimum wage of \$4.25. Many of the parents who use Kiddie Junction also are minimum-wage, or slightly better, earners.

When it comes to increasing the minimum wage, many low-paid people here are understandably eager to see it happen but recognize that, like a boomerang, that very increase may well come back and hit them in the form of higher costs. Many cannot decide whether it will spark a vicious circle that will fuel inflation or a virtuous one that will help alleviate poverty.

But Boggs has definitely made up her mind. She argues that an increase will be bad for her business, her employees and her customers. If, as appears likely to happen as early as this week, Congress passes a 90-cent increase in the minimum wage, pushing it up to \$5.15 an hour, Boggs contends it will force her to let go one staff member and increase her prices.

"When people talk about the minimum wage, all they think about are kids working in the fast-food chains. If people work hard, they should get paid well, and that's why we have labor laws to protect them," Boggs said. "But I have lots of hidden costs as well as payroll taxes and workers' compensation. All these things cost money, and if you add them up them the minimum wage is not so minimum any more. It's going to add about 12.75 percent to my cost, and I'm going to have to pass some of that on."

That would be bad news for Annette Ponthier. She started her working life at minimum wage six years ago as a driver for a medical transportation company. A few years later, she gave birth to her son, Alex, and soon after that, Alex's father left. At first Ponthier's mother looked after Alex, but she has a heart problem so Annette took Alex to Kiddie Junction, where she pays \$62 a week. She now makes \$5.50 an hour selling swimming pools and pool chemicals.

At age 23, she still lives with her parents in Zachary because, she said she cannot afford her own place. A minimum wage increase would be good, she said, although "you still couldn't live on it." But if the price of Kiddie Junction went up even by a few dollars a week, she said, she could not really afford it, and "with no child care, there's no job."

There are 4.2 million people earning the \$4.25 an hour minimum, and 7 million earning \$5.15 or less. With 19.9 percent of its

workers earning between \$4.25 and \$5.15, Louisiana has the highest proportion of working people who will be affected in the country, according to figures compiled in 1994 by the Economic Policy Institute.

During the debate that has raged in Washington over increasing the minimum, both supporters and opponents said they were arguing in the name of the poor and low-skilled.

Opponents said the raise would break small businesses like Boggs's and would price low-skilled workers out of their jobs. Supporters protested that the minimum wage level had been eroded by inflation and that an increase would help alleviate the kind of poverty that is prevalent in Louisiana. The measure passed by the House on a 288 to 144 vote would raise the minimum wage from \$4.25 to \$4.75 an hour on July 1 and to \$5.25 a year later. The Senate also has passed it, and minor differences in the two bills are being worked out in conference.

But Zachary is a long way from Capitol Hill. "It's just a little town on the go," said Norabeth Alexander, who has earned \$5.25 an hour as a cook and teacher at Kiddie Junction for the past year and a half. With a large influx of new families eager to take advantage of the local schools, which have a good reputation, Zachary is suffering some growing pains. The community is far less tightknit than it used to be, and urban evils are beginning to arrive from the metropolis. "Drugs and crime are working their way out from Baton Rouge," Alexander said.

The days when doors could be left unlocked are gone here, said Boggs, 48. Last year, Kiddie Junction was broken into twice in one month. "Parents just aren't spending enough time with their children anymore. There's too much divorce and no morals and very little discipline in the family. Kids just won't say 'Yes, ma'am' or 'Yes, sir' anymore like they used to."

Kellie Valloton is an exception, Boggs said. Valloton is 17, still in high school, and works at Kiddie Junction as part of a work experience program for \$4.50 an hour. "Kellie is mature," Boggs said. She wants to be a teacher, but her only experience working with children before she came to Kiddie Junction was baby-sitting for friends. Valloton says there is no way she could live on her own on her wage. "Sure, it would be nice to have a raise. But it would be hard for some of the adults with more experience because if I got an increase, I suppose they would want one, too. I'm just here really to learn some responsibility and hopefully have something to show for it," she said.

Boggs is certain there will be a chain reaction as high-paid workers demand that a differential be maintained between them and their minimum-wage colleagues. Brenda Dugas, co-director of Kiddie Junction, thinks that is unlikely. Dugas says that when she was raising her two children, she earned no more than minimum wage, and sometimes less. Now she makes \$6.50 an hour, on which she helps support a son working his way through college. Her daughter makes the minimum at a local Lowe's Lumber store. "Of course it's hard on the young people, but it teaches them responsibility and survival skills," Dugas said.

But Dugas is in the apparent minority here in thinking it is possible to live on the minimum wage. "I think it would be very difficult for the head of the household to live on that," Boggs said. "I do think it is morally wrong for employers to just exploit people."

She prides herself on the benefits Kiddie Junction gives its workers—a week's vaca-

tion and two annual sick days after one year; two weeks' vacation and four sick days after three years. "I used to work in personnel. I know that the best way to keep staff is to invest in people," she said.

But, federal and state law imposes tight—and often costly—restrictions on day-care centers. Boggs can have no more than 16 4-year-olds, 14 3-year-olds or 12 2-year-olds for every staff member. There must be 35 square feet inside and 75 square feet outside for each child. She must pay for fingerprinting (to help detect convicted child molesters), a physical and tuberculosis test for each new staff member, and CPR classes and an additional training day for each worker annually.

Boggs charges \$62 a week for children age 1 to 3, \$56 for those 3 or older and \$30 for school-age children who are there before or after school. With 39 children on its books and a waiting list of 11, Kiddie Junction has made a profit for the last eight years.

Boggs's husband, Louis, who build Kiddie Junction in spare time away from his job as an instrument technician for Georgia Pacific Corp., is proud of its success. Louis Boggs is a fan of conservative talk show host Rush Limbaugh and has few good words to say about President Clinton. "Every time I turn around, he's got his hand in my pockets and trying to take my money away in taxes," he said.

It is senseless to talk about poverty in Louisiana, Louis Boggs said, let alone to try to fix it with federal help. "For people at the low end of the wage scale in a state like this, a minimum wage increase is just a vicious circle. People keep talking about poverty. What's poverty? There's no such thing as poverty. There's just workers without skills."

Mr. BEREUTER. Mr. Speaker, this Member rises to express his strong support for the conference report providing an increased minimum wage. This Member supported the bill when it was originally considered by the House and believes the time is right to increase the wage of working Americans. This Member is also pleased to see that the conferees included many important reforms which are designed to offset any potential costs associated with the increased cost in wages.

The minimum wage was last increased on April 1, 1991, from \$3.80 to \$4.25 per hour. Inflation has increased 15.90 percent since April 1, 1991. At that rate, to have the same purchasing power as the minimum wage did when it was last increased, the minimum wage level today would have to be set at \$4.93 per hour. With the buying power of the minimum wage at a 40-year low, this Member has advocated a modest 45-cent-per-hour increase, which would have appropriately returned the minimum wage close to its strength following the latest increase in 1991. Although the measure goes beyond his preferred position, this Member simply could not in good conscience vote against raising the minimum wage up to the level it should be after the effect of inflation. The September 1, 1997, figure of \$5.15 per hour will only be 22 cents more than it should be to adjust to the inflation level of July 1, 1996, so the prospective increases put in place are not out of line.

This Member is very pleased that a \$5,000 tax credit for adoptions is included in this conference report. As you know, the House passed this provision several times in the past 2 years; however, each time the overall bill

was vetoed by the President. It is time that this family-friendly tax credit becomes law.

Additionally, this Member is extraordinarily pleased to see that conferees agreed to include the so-called Homemakers IRA. This Member joined 34 of his colleagues in sending a letter to the conferees requesting that they include the provision in the conference report. This Member would like to thank the gentleman from Texas [Mr. ARCHER], for his prompt response to the letter and thank the conferees for including this provision. The Homemakers IRA will allow America's middle-class families to prepare for their future by raising the tax-deductible amount nonworking spouses may contribute to individual retirement accounts. For a family which contributes the new maximum of \$2,000 for a nonworking spouse, assuming they begin when they are 30 years old and retire at 65, they would have contributed an additional \$63,000 to their retirement. This figure is strictly their contributions and does not take into account earnings on their savings.

Mr. Speaker, this Member believes the conference report should be approved and urges his colleagues to vote aye.

The SPEAKER pro tempore (Mr. LATOURETTE). All time has expired.

Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to House Resolution 440, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 354, nays 72, not voting 7, as follows:

[Roll No. 398]

YEAS—354

Abercrombie	Cardin	Dreier
Ackerman	Castle	Duncan
Andrews	Chambliss	Dunn
Bachus	Chapman	Durbin
Baessler	Christensen	Edwards
Baker (LA)	Chrysler	Ehlers
Balducci	Clay	Engel
Barcia	Clayton	English
Barrett (NE)	Clement	Ensign
Barrett (WI)	Clinger	Eshoo
Bass	Clyburn	Evans
Bateman	Coble	Everett
Becerra	Coburn	Ewing
Bellenson	Coleman	Farr
Bentsen	Collins (GA)	Fattah
Bereuter	Collins (IL)	Fawell
Berman	Collins (MI)	Fazio
Bevill	Condit	Fields (LA)
Bilbray	Conyers	Flner
Bilirakis	Costello	Flake
Bliley	Coyne	Flanagan
Blumenauer	Cramer	Foglietta
Blute	Creameans	Foley
Boehert	Cummings	Forbes
Bonior	Cunningham	Fowler
Bono	Danner	Fox
Borski	Davis	Frank (MA)
Boucher	de la Garza	Franks (CT)
Brewster	Deal	Franks (NJ)
Browder	DeFazio	Frelinghuysen
Brown (CA)	DeLauro	Frisa
Brown (FL)	Dellums	Frost
Brown (OH)	Deutsch	Furse
Bryant (TN)	Diaz-Balart	Gallely
Bryant (TX)	Dicks	Ganske
Bunn	Dingell	Gejdenson
Bunning	Dixon	Gekas
Buyer	Doggett	Gephardt
Calvert	Dooley	Gibbons
Camp	Dornan	Gilchrest
Canady	Doyle	Gillmor

Gilman  
Gonzalez  
Goodlatte  
Goodling  
Gordon  
Goss  
Graham  
Green (TX)  
Greene (UT)  
Greenwood  
Gunderson  
Gutierrez  
Gutknecht  
Hall (OH)  
Hamilton  
Harman  
Hastert  
Hastings (FL)  
Hayes  
Hayworth  
Hefer  
Heineman  
Hilleary  
Hilliard  
Hinchev  
Hobson  
Hoekstra  
Hoke  
Holden  
Horn  
Houghton  
Hoyer  
Hunter  
Hutchinson  
Hyde  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jacobs  
Jefferson  
Johnson (CT)  
Johnson (SD)  
Johnson, E. B.  
Johnston  
Kanjorski  
Kaptur  
Kasich  
Kelly  
Kennedy (MA)  
Kennedy (RI)  
Kennelly  
Kildee  
Kim  
King  
Kleczka  
Klink  
Klug  
Knollenberg  
Kolbe  
LaFalce  
LaHood  
Lantos  
Latham  
LaTourette  
Lazio  
Leach  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Lightfoot  
Linder  
Lipinski  
Livingston  
LoBiondo  
Lofgren  
Longley  
Lowey

Luther  
Maloney  
Manton  
Markey  
Martinez  
Martini  
Mascara  
Matsui  
McCarthy  
McCrery  
McDermott  
McHale  
McHugh  
McInnis  
McKeon  
McKinney  
McNulty  
Meehan  
Meek  
Menendez  
Metcaif  
Meyers  
Millender-  
McDonald  
Miller (CA)  
Minge  
Mink  
Moakley  
Mollinari  
Mollohan  
Montgomery  
Moorhead  
Moran  
Murtha  
Nadler  
Neal  
Neumann  
Ney  
Norwood  
Nussle  
Oberstar  
Obey  
Oliver  
Ortiz  
Orton  
Owens  
Oxley  
Pallone  
Parker  
Pastor  
Paxon  
Payne (NJ)  
Payne (VA)  
Pelosi  
Peterson (FL)  
Peterson (MN)  
Petri  
Pickett  
Pomeroy  
Porter  
Portman  
Poshard  
Pryce  
Quillen  
Quinn  
Rahall  
Ramstad  
Rangel  
Reed  
Regula  
Richardson  
Riggs  
Rivers  
Roberts  
Roemer  
Rogers  
Ros-Lehtinen

Rose  
Roukema  
Roybal-Allard  
Rush  
Sabo  
Sanders  
Sawyer  
Saxton  
Schiff  
Schroeder  
Schumer  
Scott  
Seastrand  
Serrano  
Shaw  
Shays  
Shuster  
Sisisky  
Skaggs  
Skeen  
Skelton  
Slaughter  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Solomon  
Spence  
Spratt  
Stark  
Stenholm  
Stockman  
Stokes  
Studds  
Stupak  
Tanner  
Tate  
Tauzin  
Taylor (MS)  
Tejeda  
Thomas  
Thompson  
Thornton  
Thurman  
Torkildsen  
Torres  
Torrice  
Towns  
Traffant  
Upton  
Velazquez  
Vento  
Visclosky  
Volker  
Vucanovich  
Walker  
Walsh  
Ward  
Waters  
Watt (NC)  
Waxman  
Weldon (FL)  
Weldon (PA)  
Weller  
White  
Whitfield  
Wicker  
Williams  
Wilson  
Wise  
Wolf  
Woolsey  
Wynn  
Yates  
Young (AK)  
Zeliff  
Zimmer

McIntosh  
Mica  
Miller (FL)  
Myers  
Myrick  
Nethercutt  
Packard  
Pombo  
Radanovich  
Rohrabacher  
Roth  
Royce  
Salmon  
Sanford  
Scarborough  
Schafer  
Sensenbrenner  
Shadegg  
Souder  
Stearns  
Stump  
Talent  
Taylor (NC)  
Thornberry  
Tiahrt  
Wamp  
Watts (OK)  
Young (FL)

NOT VOTING—7

□ 1146

Messrs. MCCOLLUM, JONES, MICA, MYERS of Indiana, and KINGSTON changed their vote from "yea" to "nay."

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

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON S. 1316, SAFE DRINKING WATER ACT AMENDMENTS OF 1996

Mr. MCINNIS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 507 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 507

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (S. 1316) to reauthorize and amend title XIV of the Public Health Service Act (commonly known as the "Safe Drinking Water Act"), and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore (Mr. LATOURETTE). The gentleman from Colorado [Mr. MCINNIS] is recognized for 1 hour.

Mr. MCINNIS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts [Mr. MOAKLEY] pending which I yield myself such time as I may consume. During the consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 507 is a simple resolution. The proposed rule merely provides that it shall be in order to consider the conference report to accompany S. 1316, a bill to reauthorize and amend the Safe Drinking Water Act. Additionally, this rule waives all points of order against the conference report and against its consideration.

Mr. Speaker, with the passage of the conference report on S. 1316 we can look the American people in the eye and say, we have come up with a good program that is going to protect the water supply for America. This is a good day's work.

The American people have called for a smaller, less costly, less intrusive government, and we have heard their calls. However, we are continuing our responsibilities of protecting the air we breathe and the water we drink. This measure, The Safe Drinking Water Act, provides this protection.

Mr. Speaker, House Resolution 507 is straightforward, and it was reported by the Committee on Rules by unanimous voice vote. I urge my colleagues to support House Resolution 507 as well as the underlying conference report.

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

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume, and I thank my dear friend and colleague, the gentleman from Colorado [Mr. MCINNIS], for yielding me the customary half-hour.

Mr. Speaker, I support this rule and I essentially support this bill.

Today's Safe Drinking Water Act is a sound improvement to our national drinking water laws. Those laws were enacted many years ago to help make our drinking water supply safe.

Although you wouldn't know it, Mr. Speaker, given what's coming out of the faucets in Washington, DC, these days, the safe drinking water regulations are a very important part of everyday life in this country.

This bill requires water systems to notify their customers annually of the contaminants found in their tap water. It helps small public water systems comply with national standards.

On the whole it's a good bill and we should pass it.

Unfortunately, the process by which this bill has come to the floor has been one more example of how my Republican colleagues are having trouble running Congress in an efficient and bipartisan way.

For example, Mr. Speaker, the authority to spend the money needed for this bill ran out 2 days ago.

That means that \$725 million that could have gone toward making drinking water systems safe all across the country is lost.

Even though the bill passed the House on June 25, the Republican leadership waited 22 days before appointing conferees.

That's right Mr. Speaker, the water systems for American cities and towns will be \$725 million poorer because my Republican colleagues didn't finish their work on time.

For example, because of Republican carelessness, my home State of Massachusetts has lost over \$7.9 million in funds to rehabilitate aging and dangerous drinking water systems.

And the 3½ million residents of my colleague's home State of Colorado have lost almost \$9.3 million.

Mr. Speaker, this is a disgrace.

And, to add insult to injury, the grant program in this bill is loaded down with 24 earmarked pork projects.

NAYS—72

Allard  
Archer  
Army  
Baker (CA)  
Ballenger  
Barr  
Bartlett  
Barton  
Boehner  
Bonilla  
Burr  
Burton  
Callahan  
Campbell  
Chabot

Chenoweth  
Combest  
Cooley  
Cox  
Crane  
Crapo  
Cubin  
DeLay  
Doolittle  
Ehrlich  
Fields (TX)  
Funderburk  
Geren  
Hall (TX)  
Hancock

Hansen  
Hastings (WA)  
Hefley  
Heger  
Hostettler  
Inglis  
Istook  
Johnson, Sam  
Jones  
Kingston  
Largent  
Laughlin  
Lucas  
Manzullo  
McCollum

Those extravagant pork projects will take much needed money away from the State revolving fund.

It's going to take \$8 billion to do all we need to do to fix our Nation's drinking water problems. We ought to get our priorities straight.

I urge my Republican colleagues to get their work done sooner because it's 1996 and American citizens should have no doubts whatsoever about how safe and clean their water is.

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

Mr. MCGINNIS. Mr. Speaker, I yield myself such time as I may consume, and I remind all my colleagues that this bill came out of the committee unanimous. It has the support of the gentleman from Massachusetts [Mr. MOAKLEY].

This is what our debate is about here on the rule, and this is one of those few times where I think everybody in the Chamber is in agreement on the rule, so I see no further need to have speakers.

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

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

Mr. MCINNIS. Mr. Speaker, I yield back the balance of my time and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. Speaker, pursuant to the House Resolution 507, I call up the conference report on the bill (S. 1316) waiving points of order against the conference report to accompany the bill (S. 1316) to reauthorize and amend title XIV of the Public Health Service Act, commonly known as the Safe Drinking Water Act, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 507, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of August 1, 1996, at page 21284).

The SPEAKER pro tempore. The gentleman from Virginia [Mr. BLILEY] and the gentleman from Michigan [Mr. DINGELL] will each be recognized for 30 minutes.

The Chair recognizes the gentleman from Virginia [Mr. BLILEY].

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

Mr. Speaker, 1 week ago today I convened the first meeting of the conference committee on this proposal, the Safe Drinking Water Act Amendments of 1996.

I noted at that time that we had a big job to do and just a short time to do it. We had two bills that, while similar in significant respects, also contained serious differences. As we all

know, we had just a small amount of time in which to accomplish our task.

I also noted that, on that occasion, the tremendous principles of both the House and the Senate in developing this legislation. First and foremost, this measure assures each of us, and our children, cleaner, safer, purer drinking water. It represents common-sense environmentalism rather than the rigid, inflexible mandates of prior law.

This measure, instead, promotes flexibility. It empowers States and local water authorities to focus their resources on those contaminants that pose the greatest risks. For the first time ever, it gives those same States and local water authorities the flexibility they need to get the job done.

I was privileged earlier in my life to serve as mayor of the city of Richmond. I have spoken with mayors about this measure and also to the Governors and to local water officials.

□ 1200

They tell me this bill is a godsend. According to the Congressional Budget Office, this conference agreement will "change the Federal drinking water program in ways that would lower the costs to public water systems of complying with existing and future requirements."

We authorize \$7.6 billion to the States to help public water systems comply with the Safe Drinking Water Act and for helping local water authorities solve the problem of source water pollution. That is on top of \$100 million for States to administer their own safe drinking water programs and \$80 million for new studies that tell us more about the health effects of arsenic, radon and cryptosporidium, and how best we can treat them.

Here in the District of Columbia we have seen in the last few weeks why this legislation is so important. Here, in the Capital of the richest, the strongest, the most technologically advanced Nation in the history of the world, people cannot trust the water that they drink. The water mains, hundreds of miles of them, are literally rotting away underneath us. This legislation helps fix the problem, not just here in the District of Columbia, but in cities and small towns from coast to coast.

But that still is not all this measure does. That is because, once this measure is signed into law, Americans will know more about the water that they drink than ever before. We provide for 24-hour notifications of violation. Today they have up to 2 weeks. We provide for community right-to-know, a detailed summary provided to every household telling them what is in the water that they drink.

Yes, this is fine legislation, legislation that reflects the kind of bipartisan spirit of compromise that we have all

ways tried to foster on the Committee on Commerce. I said so at the conference, as others did, but I said something else too. I noted then that this measure has passed the Senate by a vote of 99 to nothing. I noted that it cleared the House unanimously as well, passed by voice vote, and I predicted that none of us, Democrat or Republican, House or Senate, would easily explain to the folks back home why such a good measure, a measure that cleared both houses unanimously, should be sacrificed because we could not resolve the details. The past week we have endeavored to do just that, to put our difference aside and reach common ground, and in the week just past we did just that.

I am proud to have stood shoulder to shoulder with my Committee on Commerce colleagues, Democrat and Republican alike, to defend the integrity of the Committee on Commerce bill. We succeeded. The measure before us reflects in virtually every respect that provisions that were approved unanimously in the Committee on Commerce.

In virtually every respect, this measure echoes the provisions that were developed in large measure because of the contributions of my good friend, the gentleman from Michigan [Mr. DINGELL], and my good friend, the gentleman from California [Mr. WAXMAN]. That is why I regret that they have chosen not to sign the conference report.

Nonetheless, I submit that they will agree with me that even those minor changes that have been adopted in conference actually have improved the bill. Their argument does not focus on the core of the bill, which they themselves worked on. Their argument is with the provisions not within our jurisdiction, provisions incidentally that were approved by this House by unanimous vote. I submit to my friends on the other side respectfully that they should not let perfection be the enemy of the good.

This legislation, my colleagues, is very, very good for the American people. Together with the food safety measure now on the President's desk, it will give this Congress two major pieces of environmental legislation of which we can be proud. Indeed, it will give Bill Clinton the first environmental accomplishments of his presidency.

Let us put the interest of the American people ahead of our own differences. This measure is long overdue. Let us pass it today.

I am very pleased also to congratulate the other body, Senator CHAFEE, Senator KEMPTHORNE and, in particular, my own colleague, the senior Senator from Virginia, JOHN WARNER, whose help was very instrumental in bringing us where we are today.

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

Mr. DINGELL. Mr. Speaker, I yield myself 6 minutes.

Mr. Speaker, this conference came up a day late and \$725 million short. The old saying is, "A day late and a penny short." We are \$725 million short and 2 days late. However, the \$725 million that should have gone for paying for safe drinking water for this Nation's community water systems somehow got misplaced on the way to the floor with this bill.

That is \$725 million that should have been there to help the States pay for what are now unfunded mandates created by this bill. It should have gone for community water systems to pay for filtration and disinfection plants. It should have funded a part of the grant to the District of Columbia to restore the decrepit and unsafe water system of this Nation's Capital.

What happened? That is the interesting story.

Well, it is a tale of speed, and it is a tale of greed. The speed, or should I say the lack of it, and both occurred at unfortunate times, with which the House leadership appointed the conferees made it virtually impossible for the conference to complete its work in time to secure the \$725 million that was set aside to make the drinking water of this Nation safe.

Let me explain further. The House has known since April that the 1996 appropriation for EPA included \$725 million, which would be immediately available for a new safe drinking water revolving loan fund, if the act was authorized by July 31.

Under the leadership of my distinguished friend, and I want to pay tribute to him, the gentleman from Virginia, the chairman of the Committee on Commerce, the House passed without a dissenting vote a strong, bipartisan safe drinking water bill on June 25. That left us a total of 35 days to reconcile a Senate measure that passed that body, noted for its slow movement last year.

The Committee on Transportation and Infrastructure added to the House bill at the last minute some noteworthy porcine provisions, with the blessing of the leadership. Then, whether due to inattention or the intervention of the Speaker, the conferees on this bill were not appointed until the week the bill passed, the next week or even the next week. In fact, it took 22 days to appoint conferees. Worse, when the conferees were appointed, the leadership added layers of complexity by appointing from three committees. The Committee on Science latched on to a variety of provisions, but their success pales in comparison to their brethren at the Committee on Transportation and Infrastructure.

The Committee on Transportation and Infrastructure desperately wanted their no-priority, high-waste, who-

cares-about-State-needs, election-year, bringing-home-the-bacon, name-the-project-after-me, no shame pork fund.

Their insatiable appetite did face one hurdle. The bill included firewall provisions that provided they could not have their luau unless and until the state drinking water revolving fund was capitalized at 75 percent of its appropriation, or \$750 million.

Now, because I have dealt with the appetites of the Committee on Transportation and Infrastructure before, as have most of my colleagues, we made a motion to instruct to make sure that the House conferees would not forget this explicit commitment in the House-passed bill. That passed unanimously through this body.

But guess what? In the closing days of the conference, with the deadline staring us in the face, the conferees from the Committee on Transportation and Infrastructure announced that they would not allow the conference report to be filed unless and until the firewall was removed.

In fact, at many points, the Senate offered to recede to the House on these provisions, but the conferees on the part of the House; namely, the Committee on Transportation and Infrastructure, constantly and consistently refused. The Committee on Transportation and Infrastructure would not accept their own provisions unless and until the firewall was removed.

So yesterday, the Speaker gave in to their raid on the Treasury, and the 75 percent trigger was removed to create a \$175 million fund. Not surprisingly, and in complete disregard for the numerous claims made by the Committee on Transportation and Infrastructure porkmeisters during the debate on my motion to instruct, the statement of managers quite without shame earmarks the money for 24 projects, many of which are in freshman and marginal Republican districts. Since there is only one pot of money available for safe drinking water, the gain of my pork-loving colleagues comes at the expense of the safe drinking water revolving fund.

I would like my colleagues to know that this raid and this wonderful pork is going to cost everybody except those Members who have been able to dip their hands into this fund to come up with a wonderful little helping of pork for their district, and it is going to come up without any regard to the need of the public or to the questions of public health and safety. It is simply going to be a short-stopping of funds, a plundering of a fund which is inadequate to meet the total needs and a fund which is absolutely necessary to assure the safety of the people from unsafe, unhealthy and dangerous drinking water.

That is what is at issue. This is why it will be impossible for me to support what had been a sound and fair piece of

legislation, which is now converted into pure pork for the benefit of a few people who are happily situated.

Now, I want to make it plain that I think that taking care of districts is a good thing. I think that getting necessary projects to better the country is good. But I do not think that this kind of raid falls even within that category. It lies simply in the area of seeking special presents at the expense of all, and we will be submitting to my colleagues a list of how your State, my colleagues, will be adversely impacted by the events that have transpired previous to the bringing of this bill to the House floor.

Mr. Speaker, I include that list for the RECORD.

DRINKING WATER STATE REVOLVING FUND CAPITALIZATION GRANTS LOST BECAUSE OF REPUBLICAN LEADERSHIP'S DELAY ON S. 1316

State	Grant amount	Percent of available dollars
CA	\$41,827,400	6.03
TX	38,771,900	5.59
MI	32,984,000	4.75
NY	32,700,300	4.71
PA	29,441,200	4.24
NC	25,486,100	3.67
FL	24,943,600	3.59
OH	23,805,300	3.43
MN	23,259,900	3.35
WI	22,961,600	3.31
IL	21,279,400	3.07
WA	17,213,700	2.48
VA	16,272,200	2.34
NJ	15,445,900	2.23
AK	14,943,900	2.15
GA	14,245,400	2.05
IN	14,210,600	2.05
MO	12,080,400	1.74
CT	11,832,000	1.70
LA	11,286,000	1.63
OR	10,457,200	1.51
MD	9,749,900	1.40
OK	9,706,300	1.40
AZ	9,361,700	1.35
IA	9,316,900	1.34
CO	9,276,500	1.34
MS	9,105,200	1.31
MT	8,194,400	1.18
SC	8,191,900	1.18
MA	7,928,200	1.14
ID	7,825,000	1.13
KS	7,790,300	1.12
NH	7,602,300	1.10
NE	7,087,800	1.02
TN	7,061,400	1.02
NM	7,052,400	1.02
ME	6,993,500	1.01
RI	6,941,300	1.00
VT	6,941,300	1.00
PR	6,941,300	1.00
DC	6,941,300	1.00
DE	6,941,300	1.00
WV	6,941,300	1.00
AL	6,941,300	1.00
AR	6,941,300	1.00
ND	6,941,300	1.00
SD	6,941,300	1.00
UT	6,941,300	1.00
WY	6,941,300	1.00
HI	6,941,300	1.00
NV	6,941,300	1.00
KY	6,941,300	1.00

Mr. BLILEY. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. SHUSTER], the very able chairman of the Committee on Transportation and Infrastructure.

Mr. SHUSTER. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I certainly want to strongly support this legislation, congratulate my colleagues on both sides of the aisle, particularly the gentleman from Virginia [Mr. BLILEY], chairman of the committee, the gentleman from

Minnesota [Mr. OBERSTAR], the gentleman from New York [Mr. BOEHLERT], the gentleman from Pennsylvania [Mr. BORSKI], as well as the gentleman from Massachusetts [Mr. BLUTE], the gentleman from Tennessee [Mr. WAMP], and the gentleman from New Jersey [Mr. MENENDEZ], who were all very positive forces to help bring about the passage of this very important legislation.

Mr. Speaker, this legislation improves source water quality. Our interest in the Committee on Transportation and Infrastructure is essentially title 5, which deals with infrastructure.

I know the gentleman from Michigan [Mr. DINGELL], my dear friend, in years past when he was chairman of the committee, had an extraordinary ability to find elasticity in the jurisdiction of his committee. I guess that is still happening today. However, it is very clear title 5 is under the jurisdiction of the Committee on Transportation and Infrastructure. Indeed, those were the conferees, exclusive conferees.

Mr. Speaker, I am also quite surprised to hear the gentleman taking umbrage at what we in our committee did, those of us who had jurisdiction on both sides of the aisle, over this legislation. I am particularly surprised to see him put pictures of porkers up there and talk about specific projects, when indeed the Rouge River in his district has had over \$320 million earmarked in the past for projects, and indeed in the current appropriation bill there is \$20 million of unauthorized appropriation. I guess we should be vigorously objecting to \$20 million that is earmarked in an appropriation bill for the gentleman's congressional district when it is not even authorized.

So it seems to me fair is fair here, and I guess we better focus a little more intently on some of these unauthorized projects. The good news about this bill is that it provides a billion dollars a year in a State revolving loan fund to finance State drinking water facilities; \$350 million a year for a national program for drinking water infrastructure; a program for grants to Alaska and to the States along the United States-Mexican border; a program for grants to the New York City watershed, which is of extraordinary importance.

So, Mr. Speaker, we are very pleased that we have been able to support this. It is a national bill. It is a bill that really makes the American public a real winner because we now have an excellent new drinking water law that provides assistance, not only to specific regions, but to the Nation as a whole.

Mr. Speaker, I strongly urge my colleagues on both sides of the aisle to support this very powerful environmental legislation.

□ 1215

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

I just want to note that because the Republican leadership delayed the consideration of this bill past the Wednesday deadline to accommodate the gentleman from Pennsylvania's taste for pork, his State lost \$26.4 million which would have been used to improve the safety of the drinking water for its 12 million citizens.

Mr. Speaker, I yield 6 minutes and 30 seconds to the distinguished gentleman from California [Mr. WAXMAN].

Mr. WAXMAN. Mr. Speaker, before I focus on my substantive concerns with S. 1316, I want to recognize some of the Members and staff who have made invaluable contributions to this legislation: Congressmen JIM SAXTON, SHERWOOD BOEHLERT, and FRANK PALLONE deserve our thanks for their efforts on the right-to-know provision and NITA LOWEY, BART STUPAK, and SHERROD BROWN must be commended for their committed advocacy for the bill's estrogenic screening program. I also want to thank the House Democratic staff, Dick Frandsen and Bill Tyndall, Greg Dotson and Phil Schiliro for their work on this legislation.

In many respects, this is a good bill and one we should be proud to support. We worked hard on a bipartisan basis to resolve difficult issues. It was clear to me that both houses and both parties were committed to passing strong and balanced legislation. But I cannot support the conference report that is before us today. I will vote no for two reasons:

First, the State revolving fund, which is one of the most important provisions in this legislation, has just lost over \$700 million in guaranteed funding because Congress missed the July 31 deadline. This is only half a bill without the SRF, and half a bill will not solve our drinking water problems.

There is absolutely no reason why the guaranteed money had to be lost.

The second reason I will not support this legislation is that pork projects took priority over protecting the public health and assuring drinking water standards. The reason this bill made sense is that we took the recommendation of President Clinton to have a revolving fund that would provide money to the water systems in this country to use to make the capital expenditures so they could have drinking water that would meet health standards. That was the carrot.

The stick in this legislation was if they did not do the things that were necessary, funds would be withheld from those water systems.

The bill made sense. The revolving fund was supposed to be distributed based on priorities and merit to those systems that needed those funds. That was the legislation that came out of our Committee on Commerce.

The Committee on Transportation and Infrastructure decided that they wanted \$50 million for special projects

to be earmarked to receive their money, whether they deserved it or not. When the House bill passed, we incorporated a feature saying maybe some of these pork projects are inevitable. But let us be assured that the revolving fund is appropriated, at least 75 percent of it, before we start funding these special pork projects.

That was the House position. We had a unanimous vote of the House to support that position. And we went into meetings with the Senate and the Senate agreed with that position in conference. But then the chairman of the Transportation Committee insisted that he have his projects funded before the revolving fund would be funded. He insisted that his projects be funded in advance of the revolving fund.

Mr. Speaker, the Republican leadership should have taken the opportunity to show some leadership. They should have said if we could not do this before the deadline, let us extend the deadline, as we recommended by the gentleman from Michigan, Congressman DINGELL. The Republican leadership would not assert their role.

The second thing is that the congressional Republican leadership should have said no to the chairman of the Transportation Committee. You cannot get your pork barrel projects funded without the revolving fund being funded first. And the Republican leadership would not say no to pork.

Then the Republican leadership should have said to the Committee on Appropriations, we want to make sure that we are going to safeguard this money for the drinking water fund. And the Republican leadership would not say no.

If we are going to deal with the problems of fiscal responsibility in this country, the leadership of this House must say no to pork. And if we are going to deal with the drinking water problems in this Nation and have a revolving fund, the leadership must say that fund will be available.

So, Mr. Speaker, it is with a great deal of sadness that I have to stand here, after having worked so hard on this bill, and to announce that I will vote against this bill. I will vote against it because the bill does not work if the revolving fund is not appropriated.

I feel that a miscarriage of fairness has taken place. I will yield to the gentleman from Pennsylvania [Mr. SHUSTER]. I want to point out, before I yield to him, that one of the projects that was earmarked for special consideration was in his district and it was mandated that the Corps of Engineers carry out this project, even though the Corps of Engineers said to us they did not think it was a good project.

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

Mr. WAXMAN. I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Speaker, that is not accurate. There is no mandate that the corps carry out that provision, No. 1.

No. 2, there is nothing in this legislation that says the grants in title V will be funded first. No. 3, your commerce conferees violated the instructions of this House yourselves. You did not uphold the instructions and, most important, you sent us a letter to our committee asking us to earmark \$7 million for a Santa Monica project for yourself, for yourself, for your own project.

Mr. WAXMAN. Mr. Speaker, the gentleman does not know what he is talking about.

Mr. SHUSTER. Mr. Speaker, I have a letter right here.

Mr. WAXMAN. Mr. Speaker, the gentleman is absolutely incorrect. Maybe it is better to be on the offensive rather than the defensive, but the gentleman is being offensive when he incorrectly states the circumstances.

The House voted unanimously to insist that his project do not get funded until 75 percent of the revolving fund is appropriated. That was disregarded and it means that we have no revolving fund to make the drinking water law work. I regret it and I think that we should unfortunately vote against this bill.

Mr. BLILEY. Mr. Speaker, I yield 30 seconds to the gentleman from Pennsylvania [Mr. SHUSTER].

Mr. SHUSTER. Mr. Speaker, we have right here the proposed Committee on Commerce offer which was that you backed away from the 75-percent trigger with regard to New York City and Alaska. So you violated the instructions of the House, No. 1.

No. 2, I have a letter from my good friend from California, dated March 29 of this year, asking for us to earmark \$7.5 million for a project in his district.

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

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

Mr. WAXMAN. Is it not true that the Senate receded to the House to provide for the 75-percent funding and then the gentleman from Pennsylvania objected?

Mr. SHUSTER. Reclaiming my time, they did not yield on that simple point. They threw other provisions in as well which we could not accept.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. TAYLOR of North Carolina). The Chair would ask the gentleman from Michigan [Mr. DINGELL] if he could remove the item from the table.

Mr. DINGELL. Mr. Speaker, I would be happy to remove it, if the Chair can tell me what is objectionable here?

The SPEAKER pro tempore. The Chair believes it is a breach of decorum of the House.

Mr. DINGELL. Mr. Speaker, what is the breach? I am delighted to comply

with the wishes of the Chair, but I am trying to understand what is it, where is the breach?

The SPEAKER pro tempore. The Chair believes that displaying the pig in front of the honored ranking member of the Committee on Commerce is a breach of decorum of the House and would ask that it be removed.

Mr. DINGELL. You mean this little pig, Mr. Speaker, is a breach of decorum of the House?

Mr. SHUSTER. Mr. Speaker, I have no objection, if the gentleman wants to be identified with a pig in front of him. That is perfectly all right to me.

Mr. DINGELL. Mr. Speaker, I would like to comply with the wishes of the Chair. I just want to know what it is that the Chair is finding inconsistent with the rules of the House. I would observe that this pig would probably be more suitably displayed on the Republican committee table, but if the Chair desires that this pig be removed, I will, of course, remove it.

The SPEAKER pro tempore. The Chair appreciates the gentleman's removal of it.

The gentleman from Michigan [Mr. DINGELL] is recognized.

Mr. DINGELL. I have no desire to speak at this time, Mr. Speaker.

The SPEAKER pro tempore. Does the gentleman wish to yield time?

Mr. DINGELL. Mr. Speaker, am I instructed by the Chair to remove this pig or to keep it?

The SPEAKER pro tempore. Yes, the gentleman should remove it. Does the gentleman wish to yield time?

Mr. DINGELL. Not at this time, Mr. Speaker.

Mr. BLILEY. Mr. Speaker, I yield 3 minutes and 30 seconds to the distinguished gentleman from Florida [Mr. BILIRAKIS], distinguished chairman of the Subcommittee on Health and Environment of the Committee on Commerce.

Mr. BILIRAKIS. Mr. Speaker, let us get to the bottom line here. The conference has done its work and has produced a bill which will meet all of our objectives, every single one. First we have reformed and reauthorized one of our Nation's key environmental statutes. We have fundamentally changed the way the statute works and the way that the Safe Drinking Water Act allocates responsibilities between the Federal Government and the States.

Second, as opposed to previous mandates emanating from the ivory tower that is Washington—we are actually paying for new regulations up front. The conference agreement provides authorization for a \$7.6 billion State revolving loan fund to meet both past deficiencies and new requirements.

I think this bill makes it clear that we are no longer doing business as usual in Washington. Instead, we are producing legislation which advances the public health while making our

laws and regulations more flexible, more sensible, and more responsive to local conditions.

The old Safe Drinking Water Act simply did not work well enough. Evidence of that fact is no more than a few steps away at any drinking water tap in the U.S. Capitol. The smell of extra chlorine lets you know we have a problem.

I believe we have a large part of the solution in this bill and expect that appropriations will be made available, starting in October, to provide money to the State Revolving Loan Fund. In addition, the conference report authorizes new studies on the health effects of drinking water contaminants, the biomedical effects of contaminants in the human body and on the occurrence of waterborne disease.

These efforts should help reassure all Americans that we are taking problems, such as those experienced by the District of Columbia this year and Milwaukee in 1993 very seriously. The final legislation will enhance both our knowledge and our ability to take corrective measures.

But these efforts are only part of the solution that this conference report offers. Under the legislation, EPA will have to "right size" its regulations—identifying affordable technology which can be used by public water systems as small as 25 customers. In addition, public water systems are offered relief from requirements which only increase their costs without a resulting benefit.

We also are promoting the establishment of State programs to train public water system operators and to help ensure that both new and existing systems have the technical, financial, and managerial capacity to meet drinking water standards. Altogether, we are telling the States to develop individual solutions to their local problems and are rejecting the notion that each and every regulation must come from EPA headquarters.

But more than that—I believe this legislation will help to reassure people that the water which flows from their faucets will not cause them harm. In this legislation, we have accelerated public notice of drinking water violations and incorporated a new consumer confidence report to keep people informed, on an annual basis, of the quality of their water.

All of these things are accomplished in a bill which literally pays for itself. According to the Congressional Budget Office, and I quote, "the bill would change the Federal drinking water program in ways that would lower the costs to public water systems of complying with existing and future requirements. On balance, CBO estimates that the bill would likely result in significant net savings to State and local governments."

Mr. Speaker, this legislation passed my subcommittee on a unanimous vote

of 24 to 0. It then passed our full committee by a vote of 42-0 and was approved by the full House without dissent. This conference report represents a further refinement and improvement of the underlying statute. I urge its immediate adoption.

□ 1230

Mr. DINGELL. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Michigan [Mr. STUPAK].

Mr. STUPAK. Mr. Speaker, it should be pointed out that because of delay of the Republican leadership and consideration of this bill past the Wednesday deadline, the gentleman from Florida, his State lost \$25 million to improve the safe drinking water for its 13½ million citizens.

I was a member of the conferees on this report and my colleagues know I was very proud of the bill we have. It is a great public policy bill. But to meet our needs we need \$8.6 million to provide for all the Safe Drinking Water Act projects in this Nation. But instead, we found out that pigs do fly and there is such a thing as a pig in a poke because we have lost money because of delays, and we have also lost money because of the earmarking that went onto this bill, something we strongly objected to.

For the past 4 years some of us have tried to come to this Congress to knock off the pork-like projects. Let my colleagues' projects stand on the merit of their project and not on who sits on a committee. That is the way it should be. But no, we cannot have that.

As my colleagues know, we made a historic move this week. We did welfare reform, we did minimum wage earlier today, and we did some health care, but we just cannot seem to get away from those old bad habits we just cannot resist.

Later today we are going to do a motion to recommit. The motion to recommit is going to say let us knock off the pork projects, let us let the legislation, let our colleagues' water projects stand on the merits, project against project. I am proud to put up my district against any district here on the projects.

Let us not do this earmarking. It is wrong. It is contrary to why we came here. I hope each and every Member will look closely at our motion to recommit and knock off the earmarks. Let us break the bad habits that lead us to deficits that we struggled to get under control.

We can do it if we would work together, but to take the needs of this country and for certain Members to carve out their own exception so they can have something to go back home and campaign on is wrong.

Mr. BLILEY. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. BOEHLERT], a member of the Committee on Transportation and Infrastructure.

Mr. BOEHLERT. Mr. Speaker, it is interesting to watch some of the people who are complaining so vociferously against the enlightened action of the Committee on Transportation and Infrastructure. The same people, one after another, come before me as chairman of the Subcommittee on Water Resources and the Environment and asked for this project and this project and this project.

As for my distinguished colleague from Michigan, he is the graddaddy of them all. Do my colleagues know that little pig he had on this desk? That piggy is named River Rouge. Do my colleagues want to know why? Because he got \$325 million over 6 years earmarked for River Rouge. He is so found of that that he needs that little piggy, River Rouge. Glad to see the gentleman bring it here; good to see it once again.

Let me tell my colleagues, today we are taking a historic step toward improving the quality of the water we drink and the environment on which we all depend. The Safe Drinking Water Act Amendments of 1996 is the most significant environmental legislation since President George Bush signed the Clean Air Act Amendments of 1990 on December 11, 1990.

That historic legislation that President Bush signed, the gentleman from California [Mr. WAXMAN] and I were teamed up and we worked very hard to have an acid rain provision in that bill.

I am sorry we do not completely come eye-to-eye on this bill today but, quite frankly, my colleagues know what the drill is. It is a matter of jurisdiction, and the gentleman from Michigan, Mr. DINGELL, does not like the fact that the gentleman from Pennsylvania, Mr. SHUSTER, came up with a good idea in the Committee on Transportation and Infrastructure, and Mr. SHUSTER has designed a program that we are warmly embracing.

Now my colleagues have got to accept the fact that other people have ideas and other committees other than the Committee on Commerce have some jurisdiction. It is a reality of life that we have to accept. I have, and I think most of our conferees have.

The conference report before us today embodies most environmental aspects of the drinking water bills produced by the House and Senate, and I am proud to identify with them. The drinking water provisions before us are pro-environment, pro-State and local government and pro-business.

Every major environmental group in the Nation, the Sierra Club, the Audubon Society, the Natural Resources Defense Council, and the list goes on and on, strongly supports the Safe Drinking Water Act amendments of 1996, and do my colleagues want to know why? It is because we provide \$7.6 billion through the year 2003 for improvements to our Nation's crumbling drink-

ing water infrastructure. We provide up to \$50 million annually in grants to assist America's poorest communities in providing safe, dependable drinking water. We provide critical new information to consumers on drinking water quality through community right-to-know provisions.

This is a good bill.

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

Mr. BLILEY. I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. My friend, the gentleman from Michigan [Mr. STUPAK], who is railing against earmarks, has a request before our committee to earmark \$4 million for the Grand Maris Harbor for himself.

Mr. BOEHLERT. The gentleman from Pennsylvania proved my point.

Mr. Speaker, I tell my colleague this: If you are for a cleaner, healthier, safer environment, and I think you all are, support this important legislation.

Mr. DINGELL. Mr. Speaker, I yield 15 seconds to the distinguished gentleman from California [Mr. WAXMAN].

Mr. WAXMAN. Mr. Speaker, I only want to correct the record. The environmental groups that had supported this legislation have withdrawn their support because they know this law will not work unless we have an appropriation for that revolving fund.

Mr. DINGELL. Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from Indiana [Mr. ROEMER].

Mr. ROEMER. Mr. Speaker, I do not have a dog in this fight and I certainly do not have a pig in this bill, but I did come to this floor to hopefully argue the merits of this bill and to support this bill, and I will argue that there are three good reasons to support this bill.

However, there are two good reasons not to support this bill, and after coming along so quickly with welfare reform and health care reform it is a travesty. We have not only hit a speed bump here but we have gone down into a ravine, with \$725 million being lost because this bill was not done in a bipartisan way, and with the pork that is in here with such things as studies and multimedia programs.

I will recommend to most of my colleagues, Mr. Speaker, that we support this bill with those two big flaws in it.

First of all, this gives the EPA better flexibility and our small municipalities better flexibility for alternative and affordable water systems; second, we use risk and cost-benefit analysis, something that I have been a strong advocate for on the Committee on Science for several years. Third, we give better right-to-know for our customers. When there are contaminants in the tap water, every year the water systems must report on those problems.

Now I was a conferee on this conference, Mr. Speaker, and I am very saddened by the fact that we have lost \$725 million and the pigs have been

added into this bill. I will reluctantly encourage a "yes" vote.

Mr. BLILEY. Mr. Speaker, I yield 2 minutes to the gentleman from Idaho [Mr. CRAPO], a member of the committee.

Mr. CRAPO. Mr. Speaker, I am glad to come here and support this bipartisan bill. It has been crafted with strong support from both parties throughout the process. I am a little saddened to see the tenure of the debate today because of the issues that have been raised, but let me talk about why this bill is so important for us to move forward.

Many of my colleagues know I come from a rural State and, like many of the environmental mandates imposed on our States, the original Safe Drinking Water Act was crafted without the careful consideration of the ramifications that cookie-cutter solutions imposed by Washington will have on the States, the counties and cities across our country.

Idaho is home to about a million people, and of the 2,700 water systems in my State, all but 12 have less than 10,000 users. Again and again and again across our State people have asked me to let us use the kinds of scientifically based solutions that will make our drinking water clean without forcing us to spend so much money on the cookie-cutter solutions that do not work. This bill does that.

This bill makes it so that no longer will the EPA be forced to regulate from Washington in a way that does not make sense. We will not have to continue to look for contaminants that do not exist on our water, and we can focus on the things that will work.

The EPA has estimated that the cost of cleaning up the clean water and the systems in our country will be about \$8 billion, and this bill provides a revolving State loan fund that will give us the ability to bring those resources to bear to clean the water across our country.

It provides technical assistance for rural water systems like those found in my State, Idaho.

It provides for risk assessment and cost-benefit analysis, and it assures that the public will get clear and accurate information about the effects of contaminations in their population and subgroups and the health risks that they may face.

This is the kind of bill that we ought to be linking arms to move forward to pass, and I encourage Members from both sides of the aisle to put aside our differences. Let us again step forward in this Congress and make some significant progress for the clean drinking water of America.

Mr. DINGELL. Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from Oregon [Ms. FURSE].

Ms. FURSE. Mr. Speaker, Members of this Congress are hired to do a job.

We are not hired to get reelected. When one is in the majority, one of the jobs they have to do is, they have to get bills to the floor on time.

Now there are few things more important to Americans than the quality of the water they drink. In my hometown, Portland, OR has worked very hard to get safe drinking water, but the job of the Congress is to take care of the details. It is to see that our work gets down on time, and the devil is in the details.

Unfortunately, the Republican leadership took so long to get this bill to the floor that we have lost, we have lost \$275 million for projects. Why? Why was there this delay? Well, I would think it is politics. Oregon, my home State, has lost as a real consequence \$10.5 million.

I would say let us not worry about pork projects for people who maybe need to get reelected. Let us rather worry about clean drinking water for the people who live in this country, our American citizens.

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

Mr. DINGELL. I yield to the gentleman from Michigan.

Mr. STUPAK. Mr. Speaker, I would like to address the gentleman from Pennsylvania [Mr. SHUSTER]. He indicated that I had a Grand Maris project in this bill. Nothing could be further from the truth. He should have been honest with the American people.

Now this is a Safe Drinking Water Act. What the gentleman talked about is a break wall. Now I do not know last night if, in expending their definition of pork under Safe Drinking Water Act, they are now adding break walls.

Mr. SHUSTER. Mr. Speaker, if the gentleman would yield, I never said it was in this bill. It is in another bill the gentleman has before our committee.

Mr. STUPAK. Would the gentleman like us to take down his words so he can remember what he said?

Mr. SHUSTER. Mr. Speaker, I did not say it was in this bill.

Mr. BLILEY. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. BILBRAY], a member of the committee.

Mr. BILBRAY. Mr. Speaker, I am very impressed with my colleagues who are concerned about the effective and efficient use of taxpayers' funds. I think all of America will be very impressed with the fact that Congress is finally very, very sensitive on that issue. But let me remind my colleagues, if we defeat this bill here today we will lose over \$500 million that can be used for safeguarding our drinking water.

Mr. Speaker, what we are talking about here today is having a new Safe Drinking Water Act that fulfills the promises of the old act. One example is that there are many assumptions that the voters and the citizens of America make about their drinking water.

One of them was the fact that when one bought a bottle of water, that the Federal Government assured that it was as clean as what was coming out of the tap. Under the old act that assurance was not a reality. Under the new act that assurance will be in reality.

Now, our bottled water in America has been very good, but I think the assurance that it is, and will remain good is what the new act is all about. We are fulfilling the promises of the old act with the new act.

□ 1415

Mr. Speaker, I am privileged to live in the community of San Diego, which, according to every major environmental group that has investigated it, has some of the safest drinking water in the entire United States. It is too bad, though, that when I fly across the country every week and come to work in Washington, I cannot be assured that in Washington, here in the Nation's Capital, where the Federal Government has its greatest responsibility, our drinking water is not as safe as it is on the Pacific coast.

I would ask that my colleagues find reasons to improve on the old, to be able to move forward in a progressive way. This bill is the progressive bill, the bill that fulfills the promises of the old that never were fulfilled. Today it is time to move forward. Let us not find excuses to walk away from our responsibilities. Let us do what is right and approve this new, progressive Safe Drinking Water Act.

I rise in strong support of this progressive and bipartisan bill, which will have an enormously beneficial effect on the health and environment of the American people. As a conferee on this landmark legislation, I can tell you that this conference report on the Safe Drinking Water Act [SDWA] marks a major shift away from the regulatory status quo of placing undue value and emphasis on the regulation itself, toward what the practical effect of the regulation actually is on the public health and our natural resources. This is as it should be.

It is this kind of outcome-driven and science-based environmental policy-setting that I have been proud to be a part of in this Congress. This is the kind of process in which I was used to operating during my time in local government, and the results of this cooperative and effective policy-making which we see here today will allow us to better serve the public health needs of the American people.

It has been a privilege for me to have been able to play a close role in strengthening and improving such an important statute as the SDWA. These amendments will provide for sensible and much-needed reforms in how the SDWA is implemented.

H.R. 3604 will help to refocus EPA's priorities and resources toward those contaminants which present the greatest and most immediate threat to public health, provide EPA and local water authorities with greater flexibility in implementing the improved SDWA law, and place new emphasis on ensuring that public

water systems have the necessary technical, managerial, and financial resources available to comply with the SDWA.

Mr. Speaker, this also marks a significant achievement in our ability to recognize and address flaws or gaps in our existing environmental or public health strategies. Laws such as the SDWA were clearly well-meant at the time of their inception—in this case, the 1972-era SDWA has not been reauthorized since 1986.

However, the passage of time invariably exposes weaknesses or shortcomings in the strongest of our statutes, and we need to recognize and respond to this. In the past, it has often been easier to confront problems by simply blaming a law, instead of working together to determine whether the law in question is being properly implemented, or whether it is still effective in serving its intended purpose. These laws need to be as dynamic and flexible as the rapidly changing environments we intend for them to protect, and the people who live in them.

This means that occasionally such laws must be reexamined and renewed, in order to ensure that their original goals are still being achieved.

I have always believed that we ought not to cling to the conventional wisdom that our public health and environment laws are "set in stone", and incapable of being improved with the application of new knowledge. In order to maintain their effectiveness, we have the responsibility to see to it that when modern science and technology can be applied to improve these laws, we take the appropriate action to do so.

Many of our "crown jewel" environmental laws were written over 20 years ago, and it is incumbent upon us in to make these needed improvements when necessary. With this comprehensive reauthorization, this Congress accomplished a challenging but long-unachievable task on behalf of all of our constituents nationwide. I want to commend my chairmen, Mr. BLILEY and Mr. BILIRAKIS, and my other colleagues who worked hard together, in a bipartisan manner, to help make this happen.

In addition to the sound science-based foundation of this bill, I am particularly proud of section 305 of the bill, which addresses health standards for bottled water. Section 305 is a refinement of legislation, H.R. 2601, which I introduced earlier in this Congress. My language will simply require that any EPA regulation which sets a maximum contaminant level for tap water, and any FDA regulation setting a standard of quality for bottled water for the same contaminant, take effect at the same time. If the FDA does not promulgate a regulation within a realistic time frame as established by section 305, the regulation established by the EPA for that element in tap water will be considered the applicable regulation for the same element in bottled water. This will provide consumers with the health assurances that the water they can purchase off the shelf meets at least the same standards as their tap water. I have a letter from the International Bottled Water Association which elaborates on the benefits of this provision, which I would like entered in the RECORD.

Mr. Speaker, I'd like to conclude with an observation. In my hometown of San Diego, my

family and my constituents are very fortunate to already enjoy an extremely high standard of quality in our drinking water, in fact a recent study by a national environmental group found that water systems in the San Diego region reported zero health advisories over the last three years.

By comparison, the same study found that an alarmingly high percentage of water systems in some regions of the country—including Washington, DC—had reported health advisories or compliance failures during the same time period. The Safe Drinking Water Act amendments we will pass today, and which will soon be signed into law, will strengthen and improve the weak links in the existing statute, and in so doing will help bring these high levels of health and environmental quality which we appreciate in San Diego to other communities nationwide.

Again, and I can't emphasize it enough, this is a progressive step forward, away from a 1970's-era process which places higher value on process and regulation itself, towards a more responsible and outcome-based approach which focuses on the product that is generated.

This will help us reinforce our common goals of better serving the public health needs of the American people, and providing us with a cleaner and safer overall environment, which is something we ought to be ever mindful of, and never take for granted.

INTERNATIONAL BOTTLED  
WATER ASSOCIATION,

Alexandria, VA, June 25, 1996.

HON. BRIAN BILBRAY,  
Longworth House Office Building, House of  
Representatives, Washington, DC.

DEAR REP. BILBRAY: The International Bottled Water Association, which represents over 85 percent of all bottled water sold in the United States, would like to thank you for your help in drafting the bottled water provision of the Safe Drinking Water Act legislation. We are also grateful to the committee staff who developed this improved version of the Senate bottled water provision in cooperation with your legislative director, Dave Schroeder.

Our industry strongly supports the principal objective of this provision, i.e., to require that any EPA regulation setting a maximum contaminant level for tap water and any FDA regulation setting a standard of quality for bottled water for the same contaminant take effect at the same time.

One in six households relies on bottled water as their source of drinking water. There are 430 companies producing bottled water in the United States with annual sales estimated at \$3.4 billion, making bottled water one of the fastest growing segments of the beverage industry.

Bottled water is regulated by the FDA, the states and through IBWA's own model code. The bottled water provision will ensure that a FDA standard for a contaminant in bottled water is set in a timely manner and is no less protective of the public health than the EPA regulation for the same contaminant in tap water.

We look forward to seeing the Safe Drinking Water Act legislation signed into law this year. Thank you.

Sincerely,

SYLVIA E. SWANSON,  
Executive Vice President.

Mr. DINGELL. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California [Ms. ESHOO].

Ms. ESHOO. Mr. Speaker, I thank the ranking member of our committee for yielding time to me.

Mr. Speaker, I would like to remind our colleague, the gentleman from California [Mr. BILBRAY], that because the Republican leadership delayed consideration of this bill past the Wednesday deadline, that our great State of California, the greatest State in the Union, has lost almost \$42 million to improve the safety of the drinking water for our 31 million citizens.

Mr. Speaker, there are many that begin their remarks with, and I remember a famous politician that said, "There you go again." There goes the Congress again. We had a darned good bill that was a bipartisan bill, worked up and worked out over a period of time by the members of the Committee on Commerce. I was proud that the Committee on Commerce rose above what I thought were election year politics to craft a workable solution to a very, very important problem in our country. That was then, and this is now.

Here is a list. Here is a list of the pork. We are mixing pork with water. Here is the list. These are some of the most vulnerable Republican freshmen in the House of Representatives. Now there is a rush to mix pork with water. It is being taken out of the revolving fund, the capitalization grants for States, \$725 million, and we have mixed the pork in with it. Where are the reformers in the Congress to rush to this floor? Where are the reformers in the Congress coming to the floor and saying, "This does not belong in this bill"? It is placing at risk one of the most important issues in our Nation.

Every American should be able to travel anyplace in this country and rely on safe drinking water. Instead, this has been bollixed up with pork. So this is not a safe drinking water bill. Now because of the Speaker and the Republican leadership, they have turned it into a safe reelection bill. I urge my colleagues to vote against it. This is not what the bill should be.

Mr. BLILEY. Mr. Speaker, I yield 2 minutes and 30 seconds to the gentleman from Minnesota [Mr. OBERSTAR], a member of the Committee on Transportation and Infrastructure.

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

When all else fails, Mr. Speaker, read the bill. The findings section of the Safe Drinking Water Act says:

The Congress finds that the Federal Government commits to maintaining and improving its partnership with the States in the administration and implementation of the Safe Drinking Water Act. States play a central role in the implementation of safe drinking water programs and need increased financial resources and appropriate flexibility to ensure the prompt and effective implementation of safe drinking water programs.

Under the rubric of States come cities. Cities are entities of the States.

What we are doing here is helping cities deal with the problems of providing clean and safe drinking water for their people.

Mr. Speaker, I do not have a little friend to bring with me down here to the podium, but I do have an example. Just about 4 years ago, the people in the city of Milwaukee were frightened out of their wits by an attack that hospitalized thousands and affected 400,000 people with abdominal pain, diarrhea, dysentery, and caused 131 deaths when an attack of cryptosporidium found in the drinking water was unable to be cleansed by the drinking water treatment system of the city of Milwaukee.

If ever there were a red flag on the horizon for America to wake up and deal effectively with both the standards and the infrastructure for providing safe drinking water for our people, that was the wake-up call. This legislation originated in the 103d Congress, moved out of our Committee on Public Works and Transportation, did not make it through the Congress; but what we have today is an adaptation of that legislation.

I simply want to emphasize that, while there is a great deal of talk about specific designation of projects, that is in the report language. It is not in the bill. We do this regularly in numerous pieces of legislation. Statements of managers in conference reports make specific references. This is not law, this is an exhortation of examples of the kinds of projects that need to be done and communities that need to be helped. We have rendered that judgment. I urge my colleagues, this is a fine bipartisan piece of legislation. Support the bill.

Mr. DINGELL. Mr. Speaker, I yield 1½ minutes to the distinguished gentlewoman from Illinois [Mrs. COLLINS].

Mrs. COLLINS of Illinois. Mr. Speaker, there was a bipartisan agreement on giving EPA the authority it needs to ensure the safety of the drinking water. It would have guaranteed the public the right to know if their drinking water was safe. It would have required EPA to issue regulations to prevent deadly microbial contamination of public drinking water supplies. It would have prohibited the use of lead pipes, solder, and flux in the installation and repair of any public water system, as well as repair of any facility connected to that public water system.

Unfortunately, these are not the things my Republican colleagues care most about. Instead, at the very last minute, and despite the strong opposition of Democratic Members and the administration, they have turned the safe drinking water conference into the biggest pork barrel this House has seen in years.

In clear violation of the House's instructions to the conferees, the Republican conferees have in fact earmarked \$175 million for low-priority pork

projects. The conference report forces the EPA to fund 25, 25 earmarked projects, most of which are in the districts of Republican freshmen and other Republicans in marginal districts. What does this tell the American people about the Republican majority in this House and the environment? It tells them that the only way Republicans can support environmental legislation is if it is laden with pork that will help their politically vulnerable Members return to their seats in Congress and keep pork chops on their own tables.

They don't care whether EPA has the authority to combat deadly microbial organisms like cryptosporidium in the drinking water supplies. Last year, Republican Members voted for legislation to prohibit EPA from even working on, much less issuing a rule to keep deadly microbes, like cryptosporidium, out of drinking water.

It was on February 24, 1995, my Democratic colleagues and I offered a motion to recommit the regulatory moratorium bill. The only thing the motion to recommit would have done was to exempt the microbial prevention rule from the moratorium.

The motion was defeated by my Republican colleagues. The vote was 172 yeas and 250 nays. Two hundred and twenty-six Republican Members voted "no," while only one, I repeat, only one Republican Member voted "yes."

This is how Republicans vote when the question is simply whether or not we work for safe drinking water. They oppose it, almost unanimously.

Mr. Speaker, in 1993 an outbreak of the deadly microbe cryptosporidium poisoned the water supply of Milwaukee, WI, making 400,000 people in that city sick and killing over 100 other people. Surveys also showed that cryptosporidium was a problem in municipal water supplies all over the country, not just in Milwaukee.

In addition, last year, water here in Washington had such high levels of bacteria, including E coli, that the public had to boil their water. This year, children and the elderly were advised to refrain from drinking it.

The public is rightfully mad. They are demanding better protection from their Government—protection of their health and safety, not protection of the political careers of freshmen Republican Members.

It is time for us all to do what is right for the people we serve, simply because it is the right thing to do and not because we want some project to talk about at election time.

It is time for this Congress to get on with doing the things that matter: keeping deadly microbes out of our drinking water; keeping bacteria and pesticides out of the meat, poultry and food we eat; and keeping cancer-causing chemicals out of the air and water.

The sooner my Republican colleagues devote their attentions to these fundamental public needs, rather than election year pork, the safer and healthier all Americans will be.

Mr. DINGELL. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Pennsylvania [Mr. BORSKI] to discuss the subject of pork.

Mr. BORSKI. Mr. Speaker, I think I want to thank the distinguished gentleman for yielding me this time.

Mr. Speaker, on behalf of the Committee on Transportation and Infrastructure Democrats, I want to urge support for this bill. Our committee had sole jurisdiction over title IV, which provides grants for needy communities all over this country to meet their drinking water needs. Money for projects under this title is available for every area of the country. It is funding for drinking water projects for communities that badly need these funds.

As a conferee on this title, Mr. Speaker, I want to compliment the gentleman from Pennsylvania, Chairman SHUSTER, and the gentleman from New York, Chairman BOEHLERT, who negotiated with the Senate and carefully crafted this compromise on this section of the bill. I want to urge support for the bill and opposition to the motion to recommit.

Mr. BLILEY. Mr. Speaker, I yield such time as he may consume to the gentleman from Tennessee [Mr. WAMP].

Mr. WAMP. Mr. Speaker, I rise in strong support of the safe drinking water conference report.

Mr. Speaker, as vice chairman of the Water Resources and Environment Subcommittee of the House Transportation and Infrastructure Committee, I know that among the most important items we have considered in this 104th Congress is the Safe Drinking Water Act reauthorization. This has already been an active week, and we have seen just how productive our majority can be when we work with our colleagues across the aisle to do the Nation's business, the people's business, on behalf of all those who sent us here. If we are to see progress in our environmental laws to give us cleaner, safer, healthier water, we must work in a timely and bipartisan manner. That is what we have done, with the help of some dedicated staff from both our committees and the other body.

I have been especially interested in the area of providing safe drinking water supplies to communities in need. While we have debated some important national policy items this year in both Chambers, and I'm sure we will again in the remaining days of the 104th Congress, nothing we do is more important to the individuals residing in districts across this country than ensuring their ability to drink clean, pure, safe water. As I hear from the people in my district so often, this is "where the rubber meets the road" on our national water policy.

One last note about meeting our most pressing local needs: in communities where there is no reliable supply of water—either due to contamination of their wells from natural causes or human activity or because of other circumstances beyond local residents' control—our constituents don't think that getting help hooking up to a nearby public water system is anything more than fulfilling our responsibility to provide for their health and safety. Every community with needs like that should have a chance to look for help from this bill, and priority should be given to those in the most urgent state of need.

Finally, Mr. Speaker, Chairman SHUSTER and Chairman BLILEY, and my other fellow conferees, I appreciate being given the opportunity to work with you and everyone on this

conference committee to lend a hand to shaping this legislation. East Tennessee—and particularly Chattanooga—has a reputation for being pro-active in finding solutions to our environmental problems and working together as a community to promote sound, scientific research in many areas, but especially in the area of water. I've pledged to the people I represent to make water quality a top priority while I'm in Congress, and participating in this conference has been a great help to me in understanding these complex issues even better.

Mr. BLILEY. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. BOEHLERT].

Mr. BOEHLERT. Mr. Speaker, I wish to make four points. This is inside baseball.

Point No. 1, in response to the gentleman from California, the conference was not delayed by inaction on the part of any Republican. As has been accurately reported in National Journal's Congress Daily, the conference was delayed because two Members, the gentleman from Michigan [Mr. DINGELL] and the gentleman from California [Mr. WAXMAN], objected and refused to sign the conference agreement.

Point No. 2, this is very important, the dollars that are claimed to have been lost I am convinced will not be lost, because every Member of this body and the other body wants to make certain that that 24-hour delay does not in any way jeopardize the funding that we need for safe drinking water.

Point No. 3, the total amount in dispute is one-quarter of 1 percent of the total amount of money funded in this bill.

Point No. 4, the grants program we are talking about is to help needy communities who are striving to provide a cleaner, healthier, safer environment for their constituents by improving their water system. That is what this program is all about.

Mr. Speaker, I urge my colleagues to give this bill the support it deserves.

Mr. DINGELL. Mr. Speaker, I yield 30 seconds to the gentleman from Minnesota [Mr. MINGE].

(Mr. MINGE asked and was given permission to revise and extend his remarks.)

Mr. MINGE. Mr. Speaker, manipulation of the conference committee process and deadlines to take moneys from general funds from all States to finance specifically named projects for a select few for their political advantage is wrong. It is reprehensible.

The Pork Busters Coalition cannot object strongly enough. Leadership may change, the abuse of the process goes on.

Mr. BLILEY. Mr. Speaker, I yield 1 minute to the gentleman from Florida [Mr. BILIRAKIS].

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

Mr. Speaker, I just want to make two points here, and in a way I suppose at least one has already been made.

First, we are not losing money today here, as people on the other side are saying. It is unfortunate, we have all worked so well together on this piece of legislation, and all of a sudden we are throwing stones at each other. It is just a terrible thing to see.

We are not losing money today, because the States could not possibly have been prepared to use the money effectively yesterday, which is when this thing was supposed to go into effect. We are not talking about the States sitting there basically just waiting for this money to start putting it into effect right off the bat. It is impossible.

What we are doing today, of course, is granting the legal authority to spend the \$7.6 billion on safe drinking water. Actually providing this money, as we all know, but nobody seems to be saying it, is the job of the Committee on Appropriations, as it always is. Can we guess what the Committee on Appropriations is going to do in forthcoming years? I think not.

Second, my colleagues complained rather loudly about so-called pork. They do not talk about the 99.75 percent of the bill that they agree with. Let the record show that the funding under attack here represents less than one-quarter of 1 percent of all funds authorized.

Mr. DINGELL. Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from Pennsylvania [Mr. KLINK].

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

I have grave concerns, Mr. Speaker, about the fact that it does appear, from everything I have said, and I am just talking to counsel, now, that we have indeed lost \$725 million that could have been used to clean up the drinking water of this Nation.

When we take a look at the amounts of moneys different States have lost, California, almost \$42 million; Texas, almost \$39 million; my own State of Pennsylvania, \$28.5 million. We could use that money to clean this up. I think what they are saying on the other side is, "Trust us, we will figure out a way to fix it."

The fact of the matter is that the Speaker did not appoint the conferees in time to get this bill done. There is a pattern of this which really is very bothersome to me.

Earlier this week we brought out the fact, and I hope Members on both sides of the aisle will note, that Members are not having their bills paid in their offices. Take a look. For the first time in the history of this institution, in June, your rent payments were not made. That costs us credibility, it costs us money, it costs every Member in this office. Now we are not appointing conferees in time, so the States of this country do not in fact have tens of millions of dollars that they normally would have in order to clean up this water.

When we were doing the contract on America we were marching through, the trains were running on time. Now all of a sudden it comes time for Congress to either pay its bills, pass legislation on time, or lose three-quarters of a billion dollars, and we cannot do it on time.

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How can you run this country when you cannot run this Congress? That is the question that needs to be asked today.

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

Mr. DINGELL. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Massachusetts [Mr. MARKEY].

Mr. MARKEY. Mr. Speaker, 2 years ago the House freshmen came to Washington to carry out a revolution. They promised to balanced the budget, to slash wasteful spending, to end pork-barrel spending. Now, 2 years later, two unsuccessful Government shutdowns later, the freshmen are running scared.

The voters have said no to Medicare cuts, no to education cuts, no to mean and extreme programs dealing with the environment, no to the Gingrich revolution. So what do the freshmen do now in their desperate attempt to save their own political hides? They attach \$350 million for pork-barrel projects for themselves in a clean drinking water bill while more important programs, of course, are going to suffer in the 50 States where the money should have been spent.

So here is what we have:

One little piggy goes to Iowa; one little piggy program stays home in Ohio; one little piggy program gets money for Washington State, and other more important programs get none; and 13 vulnerable House Republicans go wee, wee all the way home with their pork.

Mr. Speaker, if this is a revolution, if this is the most important thing that we can be doing in this country for the next generation, it would be like fighting the French Revolution and not attacking the Bastille for the Republicans to have all this pork in this safe drinking water bill, and for all of them to unanimously be saying vote for it.

What a transformation for the freshman class, so proud that they are now able to stick port in for their own district while knowing that it violates the instructions of this very House, of the recession of the Senate to our position that there should be no pork, and at the same time delaying so long in figuring out how to put in the pork that an extra \$725 million are lost across this country for safe drinking water projects in every State in the Union.

Mr. BLILEY. Mr. Speaker, I yield 1½ minutes to the gentleman from Michigan [Mr. BARCIA].

Mr. BARCIA. Mr. Speaker, This bill will enhance the tools that our Government has to assure a safe drinking

water supply. The bill will also protect the taxpayer, providing more flexibility to local officials by maintaining standards, but easing excessive requirements. The public has a right to clean water and has a right to know when, and by what, their water supply is at risk. For that reason, the agreement also makes the public right to know part of the law of the land.

With flexibility and protection, we still have billions of dollars in unmet water infrastructure needs. This legislation incorporates provisions of the Water Supply Infrastructure Assistance Act of 1995, which provide for a new State revolving loan fund, which will provide loans and technical assistance to communities with drinking water quality problems.

In discussing this historic compromise, I feel compelled by misleading comments made by a few of our colleagues to discuss a provision in the bill which provides specific assistance for several communities in our Nation. One of those communities is Bad Axe in my Fifth District of Michigan. I have been working with officials in that town for years to find a solution to their problems with arsenic, barium, and visible iron. No resources have been available to address their lack of resources. Their efforts to fix the existing system have cost money, raising citizens' monthly bills. To complicate matters, the water has so much foreign matter that it necessitates the early replacement of pipes, water heaters and other home and municipal water equipment, placing another financial burden on the town and its citizens.

Yet, Mr. Speaker, the solution lies just 17 miles away in three different directions. But, because Federal and State resources are not available, and taxpayers already bear too large a tax burden for a rural farm economy to support, the attempt to connect to one of three plants in adjacent towns has not been possible. Instead, good money is thrown after bad, wasted on stop gap measures to provide enough water which may be appropriate for non-drinking uses like washing clothes. These few dollars are the only way for Bad Axe to solve its drinking water crisis. So, Mr. Speaker, when someone tells the people of Bad Axe that they are the recipients of pork, Federal Government largess, let us remember that we are talking about citizens in need; citizens in a small town which is over-extended which lies in a State which receives one of the lowest national returns on its Federal tax dollar. If this is pork, Mr. Speaker, pass the platter.

Mr. DINGELL. Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Speaker, in June we had a very good bipartisan bill passed out of the Committee on Commerce, but unfortunately the Repub-

lican leadership could not leave well enough alone. They had to take it into their back rooms and load it up with political pork. This is the same Republican leadership that claims to be for reform and for cutting unnecessary spending.

The House passed the bill on June 25, yet once again the Republican leadership still could not get it right. They delayed and they delayed. It took an astounding 3 weeks for the leadership to appoint conferees.

Now, it is August 2 and we have lost \$725 million in fiscal year 1996 funds. In my own State alone we have lost nearly \$15.5 million in grants funds. On top of that the Republican leadership has earmarked for their vulnerable Members on a political basis \$175 million of what is left.

Mr. Speaker, this is simply an outrage. They have taken legislation that was supported by the industry and environmentalists, by Democrats and Republicans, by the right and the left, and they have basically made it almost unsupportable at this point. It is a real shame. It is a tragedy. This could have been a bill that everyone would have supported and that we could have used as an example of good legislation that this House could pass this session, and instead we have this bill, loaded up with pork that is practically unsupportable at this time.

Mr. DINGELL. Mr. Speaker, I yield 30 seconds to the distinguished gentleman from California [Mr. WAXMAN].

Mr. WAXMAN. Mr. Speaker, I want to set the record straight about the delay on this conference report. The deadline for approving the fund was July 31. We did not get the conference report papers until August 1. The gentleman from New York indicated that the gentleman from Michigan [Mr. DINGELL] and I might have been responsible for that. It was the mangers of this legislation.

The last point I want to make is the House voted unanimously for one position. That was to keep these pork projects out of that revolving fund and let them stand in line later if they can claim on the merits that they should be funded, and that position was rejected.

Mr. DINGELL. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I would begin by expressing great respect and affection for my dear friend from Virginia. He worked well with me in the consideration of this legislation. He is a fine and valued Member of this Congress.

I also want to express great respect and affection for the distinguished gentleman from Pennsylvania [Mr. SHUSTER]. That may come as a surprise to the gentleman, but I do feel that way.

I want to talk a little bit about what has happened here and why we are in this mess.

The leadership, the Speaker, took about 3 weeks in which to appoint the

conferees. The deadline for money being available under the appropriations law was the last day of July. That deadline passed. It passed in good part because the Public Works Committee and my good friend from Pennsylvania, Mr. SHUSTER, did not accept the concession of the Senate in which the Senate agreed they would recede and concur with regard to the handling of the moneys within the bill.

One of the important things to note is that what is at issue here is not just pork. I have always voted, almost without exception, with the Public Works Committee and at one time I was a member of that committee and I understand the art of pork and the art of taking care of Members of this Congress. But the point that needs to be made is that we have here a fund which is too small. It is about \$725 million. That is all that is available to address the problems of clean water in all the districts in this country. The Committee on Public Works has short-stopped half of that money, \$350 million worth of it. That means that they will allocate—not on the basis of merit but on the basis of pure, raw, unadulterated politics—money which should be allocated on the basis of real need. There is not enough money. Need should be the basis on which the money is going to be allocated, but that mechanism will not be used. Rather, this money will be short-stopped.

The consequence of this is that in district after district, all around the country, in every State in the union, major projects which need to be addressed on the basis of safety and the public health will not be addressed because money has been allocated on a political basis, not on the basis of need and not on the basis of public health. That is why this is a bad action, and it should be clear in the record as we go forward in our business.

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

This has been an interesting debate. I would like first to clear up what I consider to be a few inaccuracies. First, this bill is \$7.6 billion in total. All of this fuss is over \$25 million.

I would also like to point out in this, for all of the Members, those present and those who may be watching, this is very, very important. This motion to recommit that will be offered, I understand, if it is offered, is not debatable.

What it means is that the bill would then go back to conference. It is not something that would come back immediately to the floor, which means you would go home and you would not have passed this vital piece of legislation and we would lose additional millions of dollars of money for these vitally needed projects. That is absolutely important.

Mr. Speaker, we need to pass this bill, this conference report, send it over to the other body, and have them pass

it, so that we can ensure the quality of the drinking water of the communities and the citizens of this Nation.

Mr. Speaker, I urge adoption of the conference report.

Mr. BLILEY. Mr. Speaker, I would like to praise the work of the staff: My chief of staff, J.E. Derderian; Bob Meyers; Nandan Kenkeremath; Chris Wolf; and our general counsel, Charles Ingebretson.

Mr. FRANKS of New Jersey. Mr. Speaker, I rise today in support of H.R. 3592, the Water Resources Development Act of 1996. I commend Chairman BUD SHUSTER and Chairman SHERWOOD BOEHLERT for their diligent work in drafting this important legislation.

The Water Resources Development Act of 1996 contains several provisions drawn from legislation that I introduced earlier this year to help our Nation's ports. For centuries, our ports have been the arteries that have kept our economy thriving. More than 95 percent of our Nation's commerce relies on our ports to send or receive goods and raw materials. Our ports not only provide an economical and energy-efficient means of transportation for thousands of businesses, they are also a major source of jobs. Some 15 million people work in port-related jobs across the country. In my region alone, the Port of New York and New Jersey provides jobs for 180,000 workers.

But today, the economic viability of our ports is being threatened by Government regulations that have severely curtailed the centuries-old practice of dredging berths and channels. Ports throughout the Nation, from Oakland to Duluth, Houston to Newark, are facing serious economic consequences because of their inability to dredge.

For decades, the Army Corps of Engineers and private contractors have dredged our Nation's channels and disposed of most of the dredge sediments in the ocean. But as stringent new procedures have been put in place to prohibit the dumping of contaminated materials in the ocean, an increasing amount of dredged material is no longer eligible for ocean disposal. This has led to a national debate over how to safely and economically dispose of the mud. In my State, the Port of New York and New Jersey is already losing business because of the inability to dispose of contaminated sediment.

The lack of dredging is having consequences that reach far beyond the loading and offloading of container ships. Everyone who lives or works in my State benefits from the port. For consumers, it means lower prices for the products they buy. For businesses, the port provides a convenient and inexpensive way to send or receive final products or raw materials. And for workers, the port is a source of thousands of jobs both at the port and at the thousands of businesses that rely on the port itself to transport their goods.

In 1994 alone, 409,000 automobiles passed through our port. In all, some 4,000 ships arrive at the Port of New York and New Jersey every year.

Until recently, 95 percent of the dredged sediment in the Port of New York and New Jersey passed ocean dumping standards. But now, with better testing criteria in place, nearly two-thirds of the sediment lying at the bottom

of the Port of New York and New Jersey is so contaminated that under regulations promulgated by the Environmental Protection Agency, it is considered category III and cannot be disposed of in the ocean. With no other viable dredging disposal option yet in place, dredging in the port has literally ground to a halt.

For several years, I have been working with the Port Authority of New York and New Jersey and the two States to help find workable solutions for this dredging crisis. This past March I introduced H.R. 3170, the Port Revitalization Act of 1996. Since then, this legislation has drawn the support of Republicans and Democrats from both New York and New Jersey, businesses, labor groups, and the environmental community.

H.R. 3170 addresses the root cause of the problem now facing the Port of New York and New Jersey and others in the United States, which is to develop a safe and economical means of disposing of contaminated dredged materials. The Water Resources and Environment Subcommittee held hearings on this legislation and the issue of dredging, and much of my bill is incorporated as part of H.R. 3592.

Specifically, my legislation authorized the construction of a long-term confined disposal facility for dredged sediments from the Port of New York and New Jersey. Such a facility could meet the port's dredging disposal needs well into the next century. Like the successful disposal facilities in Baltimore and Norfolk, a contained facility will provide an environmentally safe way of disposing of dredged materials that are unfit for ocean disposal.

There are a variety of types of confined disposal facilities that could be constructed under this bill, including containment islands, subaqueous pits, near-shore facilities, or upland disposal. Moving forward with a long-term disposal facility for the port is essential to assure the shipping community that this port won't be reliving this dredging nightmare every 2 or 3 years. We simply must develop a long-term facility if we are to keep the current shipping business at the port.

This section of the bill complemented New Jersey State legislation that would dedicate substantial State funds to begin dredging and the construction of short- and long-term confined disposal facilities. In fact, this November New Jerseyans will vote on a \$300 million bond issue to help with the dredging of our harbor. Together, the Federal Government and the States of New Jersey and New York can provide a permanent and long-term disposal solution to preserve the vitality of this port.

Next, H.R. 3170 opens up the Harbor Maintenance Trust Fund to allow this fund to help finance the construction of a long-term disposal facility and the search for a short-term, interim solution to our region's crisis. This fund, which is supported by a tax on shippers, established in 1986 to make sure channels are dredged regularly so they are safe and navigable. But under current law, the Harbor Maintenance Trust Fund cannot be used to help pay for the construction of new disposal facilities.

At a time when ports across the country cannot be dredged because there is no safe place to dispose of the dredged materials, it makes no sense to keep such tight restrictions

on the use of this fund. The Harbor Maintenance Trust Fund has a huge \$600 million surplus, a surplus which is expected to grow by \$100 million annually. My bill makes this trust fund a significant new funding source for a variety of containment facilities and disposal options being considered for our port.

Another provision of the bill would enable the Federal Government, through the Army Corps of Engineers, to assume 65 percent of the cost of building new confined disposal facilities for dredged sediments, regardless of where they are located. Under current law, the Federal Government is authorized to pay out of general revenue for 65 percent of the cost for only ocean disposal of dredged sediment. The Port of New York and New Jersey, and many others, can no longer rely exclusively on ocean disposal for dredged sediment, and need to find upland or other confined facilities to deposit contaminated mud. Through this provision, my bill ensures that the Federal Government remains a major financing partner in the construction of modern dredged disposal facilities.

Finally, H.R. 3170 reauthorizes the decontamination technology pilot study now underway by the Environmental Protection Agency and raises its authorization level to \$10 million annually. Congress must continue to invest in dredged sediment decontamination technology to make the dredged material environmentally safe and eligible for either beneficial upland use or ocean disposal.

I am pleased that each of these provisions in H.R. 3170 is included in the Water Resources Development Act of 1996. Mr. Speaker, each of these provisions will make a significant impact on the status of dredging projects in the ports of the United States.

In addition to these provisions, there are two additional authorizations in this legislation which directly affect the Port of New York and New Jersey.

First, H.R. 3592 provides additional funding for the deepening of the Kill Van Kull shipping channel to 45 feet. The Kill Van Kull is a channel in the Port of New York and New Jersey with a current maintained depth of 35 feet. Having the channels deepened to 45 feet will enable the largest oceangoing vessels to reach the berths of the port without fear of scraping bottom.

The Water Resources Development Act of 1986 authorized this deepening project at the level of \$325 million. However, after the completion of the first phase of this deepening project down to 40 feet, this authorization level had been exceeded and the dredging was put on hold. H.R. 3592 raises the authorization for this deepening project to \$750 million, allowing the Army Corps to continue with the second phase of the deepening project down to 45 feet.

Second, this legislation increases the authorization for a similar deepening project in the Arthur Kill, a channel between Staten Island, NY, and New Jersey. The new authorization level is \$82 million, which will cover the increased costs of deepening this section of channel. Both of these projects will provide invaluable assurance to the shipping companies that depend on the depth of the channels to safely bring their goods to port.

In closing, let me once again thank the chairman of the Transportation and Infrastructure Committee and the chairman of the Water Resources and Environment Subcommittee for their work in drafting this bipartisan, non-controversial legislation. I urge my colleagues to join me in supporting this bill.

Mr. POSHARD. Mr. Speaker, I appreciate this opportunity to comment on the Water Resources Development Act [WRDA]. This is an important, bipartisan piece of legislation that will provide the country with the resources to meet many pending infrastructure needs. I am particularly concerned with flood-control provisions in this legislation. As we continue to see on a daily basis, investing in sufficient flood-control measures protects our families and property from the devastation in floods. I am concerned that the cost-share formula for these projects is becoming prohibitive for our rural communities. This bill calls for a future formula of 65 percent Federal, 35 percent local, and this will have a significant impact on smaller localities, where this help is needed most.

We must continue to be farsighted in our approach to these problems, including cost share, and I would like to thank the chairman of the Transportation and Infrastructure Committee, Mr. SHUSTER, and the ranking minority member, Mr. OBERSTAR, as well as the chairman of the Subcommittee on Water Resources and Environment, Mr. BOEHLERT, and the ranking minority member, Mr. BORSKI, for their leadership in this regard. The committee staffs worked tirelessly in the spirit of cooperation while crafting this measure, and that attitude has clearly followed this legislation to the floor, as we are considering it as a suspension bill. I hope the rest of the legislative process in regard to WRDA moves this swiftly.

Mr. MINGE. Mr. Speaker, as a cochair of the Congressional Porkbusters Coalition and a Member interested in improving the integrity of Congress, I am strongly opposed to the method by which earmarked water projects were included in the Safe Drinking Water Act. Most, if not all, of these projects circumvented established congressional procedures and were inserted into the bill by the Committee on Transportation and Infrastructure. Congressional districts benefiting because a Representative holds a position of influence on a committee or has made special arrangements with a member of the committee is simply wrong.

The American people are fed up with the backroom dealing and horse trading that has characterized congressional politics to this day. The time has come to bring fairness and objectivity to the authorization and appropriation processes. If a Member of Congress believes that a project should be funded in their district, then let us hold open, public hearings on that project. We can hear about the merits of the project and why American taxpayers should shell out their hard-earned dollars to pay for it. Let us apply objective criteria to the numerous projects that seek funding in order to create a prioritized list. We then can match our priorities against our limited Federal resources and make fair, impartial decisions as to which projects should be funded.

Mr. Speaker, I share your concern for eliminating the deficit and balancing the budget. To do both, many difficult decisions must be

made. One of the easiest decisions, however, should be to eliminate earmarked projects that have not passed the scrutiny of established Congressional procedures and competitive selection processes. Let us begin by opposing these earmarked water projects in the Safe Drinking Water Act.

Mr. FRANKS of Connecticut. Mr. Speaker, I rise today to express my support for the conference report to S. 1316 the Safe Drinking Water Act Amendments. The Safe Drinking Water Act was first passed in 1974 to protect drinking water supplied by public water systems from harmful contaminants. The conference report before us today is commonsense legislation that will continue to assure the safety of our drinking water.

Under this conference report State and local authorities can enhance the purity of drinking water, and focus resources on those contaminants that pose the greatest risk to human health. Local water systems will no longer have to test for contaminants that have never been detected in their water supply.

Also, under this legislation, consumers will be given more information about their drinking water than ever before. Under provisions in the conference report, water systems will be required to mail an annual report to every consumer concerning the levels of regulated contaminants.

This conference report also authorizes \$80 million for new studies. These studies will examine the health effects of such substances as arsenic and sulfate.

Finally, this conference report will provide State and local water authorities with the resources they will need to get the job done. H.R. 3604 creates a \$7.6 billion State revolving fund. This fund will provide direct grants and loans for compliance activities, enhancement of water system capacities, operator training, and development of solutions to source water pollution.

Mr. Speaker, the public deserves to feel confident that the water they drink is safe. The conference report to S. 1316 accomplishes this. It is commonsense legislation that improves the current drinking water standards, while at the same time lowering costs to water authorities. I would encourage my colleagues to support passage of the conference report so that we may enact meaningful reform of our safe drinking water laws. Thank you, and I yield back the balance of my time.

Mr. WALKER. Mr. Speaker, I rise today in support of the conference report on S. 1316, the Safe Drinking Water Act Amendments. The Science Committee was given conferees on the drinking water research provision in the House and Senate bills. I would like to thank the Science Committee conferees, Congressman ROHRBACHER, and Congressman ROEMER, for their help and support during conference.

The bill as agreed to in conference includes numerous important research provisions. The bill authorizes \$26.6 million for safe drinking water research each year for fiscal year 1997 through fiscal year 2003. This authorization is intended to enable the Environmental Protection Agency's [EPA] Office of Research and Development [ORD] to continue its Drinking Water Research Program.

The conference report further authorizes an additional \$10 million a year from the new

drinking water State revolving loan fund [SRLF] for health effects research on contaminants in drinking water such as cryptosporidium, disinfection byproducts, and for the implementation of a plan for research on subpopulations at greater risk. This \$10 million is new money derived from the SRLF and should boost ORD's ability to conduct priority research on drinking water contaminants.

The conference report also includes \$2.5 million per year for fiscal year 1997 through fiscal year 2000 for research on arsenic. Finally, the report contains \$12.5 million a year for 7 years to develop a research plan and conduct research on harmful substances in drinking water.

Along with these important research authorizations, the conference report includes an important new research review requirement which should help ensure that the drinking water research conducted by EPA is of the highest quality. Section 202, Scientific Research Review, requires the Administrator of EPA to develop a strategic plan for drinking water research. It also requires the Administrator to review all drinking water research conducted by the Agency to ensure it is not duplicative and of the highest quality. This provision is similar to the research review requirement passed by the House earlier this year as part of H.R. 3322, the Omnibus Civilian Science Authorization Act of 1996.

Mr. Speaker, I support the conference report accompanying S. 1316, and I encourage my colleagues to vote for its passage.

Mrs. LINCOLN. Mr. Speaker, I rise in strong support of this bipartisan and bicameral agreement to modify and strengthen the Safe Drinking Water Act. I applaud the conferees for working together on such a short timeframe and delivering a good compromise bill.

Getting a final agreement on this issue has taken nearly 3 years. I remember working with my colleagues last Congress on issues that continued to be the sticking points again this Congress. I'm so relieved that we have reached consensus on these major issues of contention.

My main interest throughout this debate has been to create a more flexible regulatory approach that protects our Nation's drinking water without wasting valuable financial and human resources. I come from an extremely rural area where most people obtain their drinking water from private wells or small water systems. Most of these small water systems operate on a tight budget with only one employee operating the system. If these small systems are forced to monitor for contaminants that do not exist in their watershed or are compelled to comply with other regulations primarily aimed at protecting drinking water from large systems, they must divert valuable dollars that could be better used in addressing problems unique to the specific system. This bill recognizes that small systems are inherently different from larger systems and often have different needs in maintaining compliance with the drinking water standards.

In particular, S. 1316 relieves onerous and excessive monitoring requirements, establishes the development of small system technologies, provides money for the rural water technical assistance and circuit rider program, creates a State revolving fund to provide

needed capital to upgrade and build systems and realigns standard setting criteria to take into consideration sound science and cost/benefit analysis. However, this bill does not only ease burdensome Federal requirements, but it also requires the implementation of new obligations. For example, S. 1316 mandates the establishment of State capacity development and State operator certification programs. While these programs will ensure that our water systems are well operated and in compliance with the act, it does compel States and systems to go that extra mile in evaluating the health of their drinking water.

S. 1316 is widely supported—from the environmentalists to the Governors—and I want to urge my colleagues to support this common-sense bill.

Mr. WHITE. Mr. Speaker, all of us want to make sure that the food we eat and the water we drink is clean and safe. That's why I am proud to support a safe drinking water bill that will help make sure we are doing the best job possible to keep our drinking water supplies clean.

Today, as we vote on the Safe Drinking Water Act of 1996, we are showing the American people all the good that can result when Congress works together to get something done.

But this bill is about more than just getting something done. Rather, it is a perfect example of how updating our environmental laws and reducing regulatory hurdles can result in better environmental protection. I believe this bill represents what this Congress is all about—making Government work better by giving local governments more flexibility to make their own decisions.

I truly believe that given the opportunity, local governments, not Federal bureaucrats, are better able to determine the needs and priorities of their own communities. The SDWA gives States more flexibility and does away with the one-size-fits-all approach that is prohibiting some local governments from using new technologies to manage their water supplies.

A perfect example of why we need greater flexibility can be found in the Puget Sound region—which includes a large part of my district.

Most of my constituents get their water supply from the Cedar River Watershed which is run and protected by the city of Seattle. As debate over the SDWA began, I sought input from the city of Seattle and others to determine how we could develop a bill that will result in stronger protection and more flexibility.

The bill we will pass accomplishes both those goals.

Under the current SDWA, which was originally signed into law in 1974 by President Ford, the city of Seattle, and many other larger metropolitan cities, do not have the flexibility to determine what type of water treatment system to use. Seattle is currently required to use the filtration method, even after finding that ozonation can provide a greater degree of protection at a lower cost.

Under this bill, the city of Seattle and many other cities would be able to use alternative treatments to filtration—providing that the alternative is better able to protect the safety of our public water supply and that it receives

approval by the Environmental Protection Agency.

The city believes that the ozonation method better meets its water quality objectives. The ozonation treatment is more effective in neutralizing the pathogens especially cryptosporidium and giardia which are commonly found in surface water supplies. For Seattle, the filtration technology would inactivate 99.9 percent of cryptosporidium, but ozonation could be effectively designed to inactivate up to 99.999 percent, providing a higher level of public health protection. In addition, it is considerably less expensive than filtration and is believed to be the next up and coming technology for ensuring safe and clean drinking water.

In addition to giving local governments more flexibility, this bill will also accomplish some very important goals: First, focusing on the most serious risks to human health, second, requiring that an annual water quality report be sent to consumers, and third, speeding up the public notification process for violations.

Before closing today, I would like to thank Chairman BLILEY, Chairman BILIRAKAS, Mr. DINGELL, and Mr. WAXMAN for all their work to put together a bipartisan bill that will go a long way in protecting the water we all drink.

Mr. BILBRAY. Mr. Speaker, I rise in strong support of this progressive and bipartisan bill, which will have an enormously beneficial effect on the health and environment of the American people. As a conferee on this landmark legislation, I can tell you that this conference report on the Safe Drinking Water Act (SDWA) marks a major shift away from the regulatory status quo of placing undue value and emphasis on the regulation itself, toward what the practical effect of the regulation actually is on the public health and our natural resources. This is as it should be.

It is this kind of outcome-driven and science-based environmental policy setting that I have been proud to be a part of in this Congress. This is the kind of process in which I was used to operating during my time in local government, and the results of this cooperative and effective policy making which we see here today will allow us to better serve the public health needs of the American people.

It has been a privilege for me to have been able to play a close role in strengthening and improving such an important statute as the SDWA. These amendments will provide for sensible and much-needed reforms in how the SDWA is implemented.

H.R. 3604 will help to refocus EPA's priorities and resources toward those contaminants which present the greatest and most immediate threat to public health, provide EPA and local water authorities with greater flexibility in implementing the improved SDWA law, and place new emphasis on ensuring that public water systems have the necessary technical, managerial, and financial resources available to comply with the SDWA.

Mr. Speaker, this also marks a significant achievement in our ability to recognize and address flaws or gaps in our existing environmental or public health strategies. Laws such as the SDWA were clearly well-meant at the time of their inception in this case, the 1972-era SDWA has not been reauthorized since 1986.

However, the passage of time invariably exposes weaknesses or shortcomings in the strongest of our statutes, and we need to recognize and respond to this. In the past, it has often been easier to confront problems by simply blaming a law, instead of working together to determine whether the law in question is being properly implemented, or whether it is still effective in serving its intended purpose. These laws need to be as dynamic and flexible as the rapidly changing environments we intend for them to protect, and the people who live in them.

This means that occasionally such laws must be reexamined and renewed, in order to ensure that their original goals are still being achieved.

I have always believed that we ought not to cling to the conventional wisdom that our public health and environmental laws are set in stone, and incapable of being improved with the application of new knowledge. In order to maintain their effectiveness, we have the responsibility to see to it that when modern science and technology can be applied to improve these laws, we take the appropriate action to do so.

Many of our crown jewel environmental laws were written over 20 years ago, and it is incumbent upon us to make these needed improvements when necessary. With this comprehensive reauthorization, this Congress accomplishes a challenging but long-unachievable task on behalf of all of our constituents nationwide. I want to commend my Chairmen, Mr. BLILEY and Mr. BILIRAKIS, and my other colleagues who worked hard together, in a bipartisan manner, to help make this happen.

In addition to the sound science-based foundation of this bill, I am particularly proud of section 305 of the bill, which addresses health standards for bottled water. Section 305 is a refinement of legislation (H.R. 2601) which I introduced earlier in this Congress. My language will simply require that any EPA regulation which sets a maximum containment level for tap water, and any FDA regulation setting a standard of quality for bottled water for the same contaminant, take effect at the same time. If the FDA does not promulgate a regulation within a realistic time frame as established by section 305, the regulation established by the EPA for that element in tap water will be considered the applicable regulation for the same element in bottled water. This will provide consumers with the health assurances that the water they can purchase off the shelf meets at least the same standards as their tap water. I have a letter from the International Bottled Water Association which elaborates on the benefits of this provision, which I would like entered in the record.

Mr. Speaker, I'd like to conclude with an observation. In my hometown of San Diego, my family and my constituents are very fortunate to already enjoy an extremely high standard of quality in our drinking water; in fact a recent study by a national environmental group found that water systems in the San Diego region reported zero health advisories over the last 3 years.

By comparison, the same study found that an alarmingly high percentage of water systems in some regions of the country, including

Washington DC had reported health advisories or compliance failures during the same time period. The Safe Drinking Water Act amendments we will pass today, and which will soon be signed into law, will strengthen and improve the weak links in the existing statute, and in so doing will help bring these high levels of health and environmental quality which we appreciate in San Diego to other communities nationwide.

Again, and I can't emphasize it enough, this is a progressive step forward, away from a 1970's-era process which places higher value on process and regulation itself, towards a more responsible and outcome-based approach which focuses on the product that is generated.

This will help us reinforce our common goals of better serving the public health needs of the American people, and providing us with a cleaner and safer overall environment, which is something we ought to be ever mindful of, and never not take for granted.

INTERNATIONAL BOTTLED WATER ASSOCIATION, Alexandria, VA, June 25, 1996.

Hon. BRIAN BILBRAY, Longworth House Office Building, U.S. House of Representatives, Washington, DC.

DEAR REP. BILBRAY: The International Bottled Water Association, which represents over 85 percent of all bottled water sold in the United States, would like to thank you for your help in drafting the bottled water provision of the Safe Drinking Water Act legislation. We are also grateful to the committee staff who developed this improved version of the Senate bottled water provision in cooperation with your legislative director, Dave Schroeder.

Our industry strongly supports the principal objective of this provision, i.e., to require that any EPA regulation setting a maximum contaminant level for tap water and any FDA regulation setting a standard of quality for bottled water for the same contaminant take effect at the same time.

One in six households relies on bottled water as their source of drinking water. There are 430 companies producing bottled water in the United States with annual sales estimated at \$3.4 billion, making bottled water one of the fastest growing segments of the beverage industry.

Bottled water is regulated by the FDA, the states and through IBWA's own model code. The bottled water provision will ensure that a FDA standard for a contaminant in bottled water is set in a timely manner and is no less protective of the public health than the EPA regulation for the same contaminant in tap water.

We look forward to seeing the Safe Drinking Water Act legislation signed into law this year. Thank you.

Sincerely,

SYLVIA E. SWANSON, Executive Vice President.

Mr. BLILEY. Mr. Speaker, earlier this summer, the Congress passed S. 1316, the Safe Drinking Water Act Amendments of 1996, a bill which reauthorizes the Safe Drinking Water Act and makes many important reforms in the law. The President signed this legislation into law on August 6, 1996.

I am convinced that we would not have achieved these important reforms without the support and assistance of the Safe Drinking

Water Act Coalition. The coalition is made up of representatives of State and local governments, and organizations representing all types of public water systems, including the National Governors' Association, the National League of Cities, the Association of Metropolitan Water Agencies, the American Water Works Association, the U.S. Conference of Mayors, the National Association of Water Companies, the Association of State Drinking Water Administrators, the National Association of Counties, the National Conference of State Legislatures, the National Water Resources Association, and the National Rural Water Association.

The coalition worked tirelessly for many years to accomplish these important and necessary reforms in the Safe Drinking Water Act. The members of the coalition deserve our thanks for helping to improve the Safe Drinking Water Act to better protect public health and the environment.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the conference report.

The previous question was ordered. The SPEAKER pro tempore (Mr. TAYLOR of North Carolina). The question is on the conference report.

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

Mr. DINGELL. 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 392, nays 30, not voting 11, as follows:

[Roll No. 399]

YEAS—392

- |              |              |             |               |               |
|--------------|--------------|-------------|---------------|---------------|
| Ackerman     | Browder      | Coyne       | Lantos        | Rivers        |
| Allard       | Brown (CA)   | Cramer      | Largent       | Roberts       |
| Andrews      | Brown (FL)   | Crane       | Latham        | Roemer        |
| Archer       | Brown (OH)   | Crapo       | LaTourrette   | Rogers        |
| Armey        | Bryant (TN)  | Creameans   | Laughlin      | Rohrabacher   |
| Bachus       | Bryant (TX)  | Cubin       | Lazio         | Ros-Lehtinen  |
| Baessler     | Bunn         | Cummings    | Leach         | Rose          |
| Baker (CA)   | Bunning      | Cunningham  | Levin         | Roth          |
| Baker (LA)   | Burr         | Danner      | Lewis (CA)    | Roukema       |
| Baldacci     | Burton       | Davis       | Lewis (KY)    | Roybal-Allard |
| Ballenger    | Buyer        | de la Garza | Lightfoot     | Royce         |
| Barcia       | Callahan     | Deal        | Linder        | Rush          |
| Barr         | Calvert      | DeFazio     | Lipinski      | Sabo          |
| Barrett (NE) | Camp         | DeLauro     | Livingston    | Salmon        |
| Barrett (WI) | Campbell     | DeLay       | LoBiondo      | Sanders       |
| Bartlett     | Canady       | Diaz-Balart | Lofgren       | Sanford       |
| Barton       | Cardin       | Dicks       | Longley       | Sawyer        |
| Bass         | Castle       | Doggett     | Lowe          | Saxton        |
| Bateman      | Chabot       | Dooley      | Lucas         | Scarborough   |
| Becerra      | Chambless    | Doolittle   | Luther        | Schaefer      |
| Bentsen      | Chapman      | Dornan      | Maloney       | Schiff        |
| Bereuter     | Christensen  | Doyle       | Manton        | Schroeder     |
| Bevill       | Chrysler     | Dreier      | Manzullo      | Scott         |
| Bilbray      | Clay         | Duncan      | Martinez      | Seastrand     |
| Billirakis   | Clayton      | Dunn        | Martini       | Sensenbrenner |
| Bliley       | Clement      | Durbin      | Mascara       | Serrano       |
| Blumenauer   | Clinger      | Edwards     | Matsui        | Shadegg       |
| Blute        | Coble        | Ehlers      | McCarthy      | Shaw          |
| Boehlert     | Coburn       | Ehrlich     | McCollum      | Shays         |
| Boehner      | Collins (GA) | Engel       | McCreery      | Shuster       |
| Bonilla      | Collins (IL) | English     | McHale        | Sisisky       |
| Bonior       | Combest      | Ensign      | McHugh        | Skaggs        |
| Bono         | Condit       | Everett     | McInnis       | Skeen         |
| Borski       | Cooley       | Ewing       | McIntosh      | Skelton       |
| Boucher      | Costello     | Farr        | McKeon        | Slaughter     |
| Brewster     | Cox          | Fattah      | McNulty       | Smith (MI)    |
|              |              |             | Meehan        | Smith (NJ)    |
|              |              |             | Mendez        | Smith (TX)    |
|              |              |             | Metcalfe      | Smith (WA)    |
|              |              |             | Meyers        | Solomon       |
|              |              |             | Mica          | Souder        |
|              |              |             | Millender-    | Spence        |
|              |              |             | Hall (OH)     | Spratt        |
|              |              |             | Miller (FL)   | Stark         |
|              |              |             | Minge         | Stearns       |
|              |              |             | Mink          | Stenholm      |
|              |              |             | Moakley       | Stockman      |
|              |              |             | Molinari      | Stokes        |
|              |              |             | Mollohan      | Studds        |
|              |              |             | Montgomery    | Stump         |
|              |              |             | Moorhead      | Talent        |
|              |              |             | Moran         | Tanner        |
|              |              |             | Morella       | Tate          |
|              |              |             | Murtha        | Tauzin        |
|              |              |             | Myers         | Taylor (MS)   |
|              |              |             | Myrick        | Taylor (NC)   |
|              |              |             | Nadler        | Tejeda        |
|              |              |             | Neal          | Thomas        |
|              |              |             | Nethercutt    | Thompson      |
|              |              |             | Neumann       | Thornberry    |
|              |              |             | Ney           | Thorn         |
|              |              |             | Norwood       | Thurman       |
|              |              |             | Nussle        | Tiahrt        |
|              |              |             | Oberstar      | Torkildsen    |
|              |              |             | Obey          | Torres        |
|              |              |             | Olver         | Torricelli    |
|              |              |             | Ortiz         | Towns         |
|              |              |             | Orton         | Trafficant    |
|              |              |             | Owens         | Upton         |
|              |              |             | Oxley         | Vento         |
|              |              |             | Packard       | Visclosky     |
|              |              |             | Pallone       | Volkmer       |
|              |              |             | Parker        | Vucanovich    |
|              |              |             | Pastor        | Walker        |
|              |              |             | Paxon         | Walsh         |
|              |              |             | Payne (VA)    | Wamp          |
|              |              |             | Peterson (FL) | Ward          |
|              |              |             | Peterson (MN) | Watt (NC)     |
|              |              |             | Petri         | Watts (OK)    |
|              |              |             | Pickett       | Weldon (FL)   |
|              |              |             | Pombo         | Weldon (PA)   |
|              |              |             | Pomeroy       | Weller        |
|              |              |             | Porter        | White         |
|              |              |             | Portman       | Whitfield     |
|              |              |             | Poshard       | Wicker        |
|              |              |             | Pryce         | Williams      |
|              |              |             | Quillen       | Wilson        |
|              |              |             | Quinn         | Wise          |
|              |              |             | Radanovich    | Wolf          |
|              |              |             | Rahall        | Woolsey       |
|              |              |             | Ramstad       | Yates         |
|              |              |             | Rangel        | Young (AK)    |
|              |              |             | Reed          | Zeliff        |
|              |              |             | Regula        | Zimmer        |
|              |              |             | Richardson    |               |
|              |              |             | Riggs         |               |

## NAYS—30

Abercrombie	Eshoo	McKinney
Bellienson	Evans	Meek
Berman	Hastings (FL)	Miller (CA)
Clyburn	Hilliard	Payne (NJ)
Coleman	Jefferson	Pelosi
Collins (MI)	Johnson, E. B.	Stupak
Dellums	Klink	Velazquez
Deutsch	Lewis (GA)	Waters
Dingell	Markey	Waxman
Dixon	McDermott	Wynn

## NOT VOTING—11

Bishop	Dickey	McDade
Brownback	Ford	Schumer
Chenoweth	Kaptur	Young (FL)
Conyers	Lincoln	

□ 1332

Mr. LEWIS of Georgia and Mr. PAYNE of New Jersey changed their vote from "yea" to "nay."

Messrs. FATTAH, MEEHAN, BECERRA, SANFORD, LUTHER, Ms. RIVERS, Mrs. MINK of Hawaii, and Mrs. MALONEY changed their vote from "nay" to "yea."

So the conference report 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. CHENOWETH. Mr. Speaker, today, I was unavoidably detained and missed rollcall vote 399. Had I been here, I would have voted "yea" on rollcall 399.

## GENERAL LEAVE

Mr. BLILEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference report on S. 1316.

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

There was no objection.

## REPORT OF CHAIRMAN OF COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

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

Mrs. JOHNSON of Connecticut. Mr. Speaker, pursuant to rule X of the Rules of the Committee on Standards of Official Conduct, and by agreement of the committee, I am authorized to report that the committee continues to work on the issues before it. I would like to say for myself that the committee has traditionally not come to the floor of the House for instruction, as that would undermine the bipartisan foundation of our decisionmaking process, which protects every Member of this body from partisanship.

## PROVIDING FOR CONSIDERATION OF A CERTAIN MOTION TO SUSPEND THE RULES

Mr. GOSS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 508 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

## H. RES. 508

*Resolved*, That it shall be in order at any time on the calendar day of Friday, August 2, 1996, for the Speaker to entertain a motion offered by the majority leader or his designee that the House suspend the rules and pass a bill or joint resolution relating to the subject of combating terrorism.

The SPEAKER pro tempore. The gentleman from Florida [Mr. GOSS] is recognized for 1 hour.

## PARLIAMENTARY INQUIRIES

Mr. HOYER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HOYER. Mr. Speaker, I would just inquire as to the legislation that is being addressed in the rule. Can the Chair inform us as to the bill which is being addressed by the rule?

The SPEAKER pro tempore. The Chair is not fully aware. Under the pending rule it would be up to the majority leader to decide what bill will be called up, and the measure before the House now is House Resolution 508. The gentleman has been recognized for 1 hour for a debate on the rule.

Mr. MOAKLEY. Mr. Speaker, further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MOAKLEY. Mr. Speaker, is this the same matter that was discussed before the Committee on Rules last night or is this a new bill that was just dropped in 5 minutes ago?

The SPEAKER pro tempore. The gentleman from Florida [Mr. GOSS] may be explaining that during his debate.

Mr. MOAKLEY. Mr. Speaker, could the gentleman from Florida inform me?

Mr. GOSS. Mr. Speaker, the gentleman from Florida will be very happy to, but I would prefer that we do this in an orderly way and get on with the customary beginning of the rule debate.

The SPEAKER pro tempore. The gentleman from Florida [Mr. GOSS] is recognized for 1 hour.

Mr. GOSS. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the distinguished gentleman from California [Mr. MOAKLEY], pending which time I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purposes of debate only.

(Mr. GOSS asked and was given permission to revise and extend his remarks and to include extraneous material in the RECORD.)

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to the distin-

guished gentleman from New York [Mr. SOLOMON], chairman of the Committee on Rules.

Mr. SOLOMON. Mr. Speaker, I rise in support of the rule and the bill that will follow.

Mr. Speaker, I thank my colleague from the Rules Committee, the gentleman from Florida [Mr. GOSS], for yielding. He deserves our commendation for all the work he has put into the effort to combat terrorism. His background working in the intelligence community and then serving on the Intelligence Committee makes him particularly well qualified in this area.

Terrorism is an on-going problem. It is not just the recent bomb incident in Atlanta, or the possibility that the crash of the TWA flight leaving New York was caused by a bomb.

We have had American citizens killed in the Oklahoma City bombing, the World Trade Center bombing, and the barracks blast in Saudi Arabia, among other places.

It is a problem which is not going to go away. This Congress, representing the need of the American people for security, is going to have to take additional action.

According to the testimony presented to the Rules Committee in the wee hours of this morning, there was an effort in the last few days to put together a package of antiterrorism measures which included representatives of the FBI, the Justice Department, the White House, the Senate and the House of Representatives—both Democrats and Republicans.

Those negotiations bogged down. And so last night the decision was made to proceed with a package of antiterrorism proposals which the great majority of the Members of this House can support.

This rule provides for the consideration of that package under suspension of the rules, which means that it will require a two-thirds vote to pass.

If this package is criticized, it will probably be because it does not include some particular provision that some of our colleagues desire. But many of those more controversial proposals would cause the discussion to drag on for months.

This package is something that is doable now. It is not going to solve the problem of terrorism for all time. But it is a step in the right direction, and it implements changes most of us agree need to be made.

For example, according to the testimony in the Rules Committee last night, it includes a series of aviation security measures, which include things like increased baggage and passenger screening, and explosive detection improvements.

It includes increased measures against international terrorists, such as reporting on cooperation in fighting international terrorists, and action plans to sanction terrorist states.

At the same time it includes privacy act amendments to strengthen protections and to prevent and punish abuses of individual privacy rights.

Mr. Speaker, there are other proposals for action which have been suggested. But some of them involve possible infringements to individual liberties which generate opposition on both sides of the aisle. Those controversial

provisions have purposely been left out of the package to be brought before the House today.

It should also be noted that this Congress has been attacking terrorism on other fronts as well.

Yesterday, in the Defense Department authorization conference report there were provisions allocating to communities the resources to deal with chemical, biological, or nuclear threats. That conference report improves the preparedness of firemen, policemen, and local emergency personnel regarding weapons of mass destruction. Border protection is also increased by authorizing money for equipment to detect and stop the movement of weapons of mass destruction into the United States.

Earlier in this Congress, the Antiterrorism and Effective Death Penalty Act was adopted, and there are provisions in the bill to be considered today which will aid in the full implementation of that act.

So, Mr. Speaker, this Congress is attacking terrorism from a number of different directions.

We should join together to pass this rule and then to pass the bill to combat terrorists who may be planning to attack innocent Americans.

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia [Mr. LINDER].

[Mr. LINDER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

Mr. GOSS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Texas [Mr. ARMEY], our majority leader.

Mr. ARMEY. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, we are about to come to the end of what has been, in fact, a very productive week, and a very busy week, and for many, many of us a very difficult week, with long hours of hard work. While we have been working here, we have had new fears and new concerns and new worries that have come to the American people.

Terrorism is an ugly thing. In a Nation like ours that has prided itself in its ability to, while protecting the liberties of its citizens, also secure their physical safety, shocking events, frightening events, heartbreaking events have taken place in our Nation's land.

We have been engaged in serious and extensive discussions, Members of the House, Members of the other body, and members of the administration searching for some instrument that we could bring to the floor on which we could act that could, on one hand, reassure the American people that, yes, this Congress and this administration and this Government has a resolve; we have a resolve, Mr. and Mrs. America, to protect and secure the safety of you and your children.

We have a resolve in this great land to protect our liberties. We will not take such action in a sense of emergency or panic that infringes against the liberties so precious to these Amer-

ican citizens in order to meet these threats that are so insidious in their nature.

We have worked hard and we have worked late into the night, and, yes, the gentleman from Maryland is correct to say and the gentleman from Massachusetts is correct to say the legislation is late in getting here, and I am sure you have concerns and they are legitimate concerns, and we do not want to disregard those concerns.

So, what I would suggest that we must do here and we must do in order to show the people of this great Nation that this great body shares their anxiety, feels their concern, and will maintain and give surveillance to their resolve for safety and security and liberty, that we proceed with this debate on this rule and that as we do so, the Members of the body that have concern about seeing the final detail, the final print, have that available for them for their study. At the beginning of the consideration of the resolution, if we are not satisfied that we have not had ample time to have full and thoughtful awareness of the details, perhaps we can at that time contemplate a short recess period for people to have that opportunity.

We do not want to rush to judgment. We do not want any Member here to feel that they have been left without an opportunity, but we must, I believe, demonstrate this resolve during this time.

I would ask my colleagues, as you look at this, think in terms of this is a serious business. I do not believe this is a time for political statements. I think this is a time to show America that we are a Nation with a government that understands and cares about the threat and understands and cares about our citizens' liberty.

□ 1345

I think this is a time for a serious discussion, certainly, that we may have differences or questions about some of the details, but we must move forward.

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

Mr. ARMEY. I yield to the gentleman from Maryland.

Mr. HOYER. For clarification, I have, Mr. Leader, and I appreciate the statement that the leader just made, a bill, H.R. 3953, printed August 2, 1996, at 1:51 p.m. Is that the legislation that will be offered under the rule?

The reason I ask that, Mr. Leader, as you know, the rule provides that the leader, yourself, can offer any bill that you so choose.

Mr. ARMEY. Mr. Speaker, I thank the gentleman for his inquiry. That is the bill. I do understand and I have, incidentally, designated on my behalf to take up the bill, when we come to the point, the gentleman from California [Mr. COX]. I do understand that he has

taken the bill up and made a few modest changes, and he is here on the floor during this discussion and available to discuss it.

There is nothing here that we seek to keep from anybody's eyes or understanding. We will be here and make all answers to all questions available. And if further time is needed at the conclusion of the debate on this rule, we will accommodate that. This business is too serious for anybody to do anything trifling regarding it. That will not happen.

Mr. HOYER. Mr. Speaker, if the gentleman will continue to yield, again, I want to thank him for his serious treatment of this and his concern that, as far as I know, nobody on this side of the aisle has seen the completed bill at this point in time.

I understand Mr. COX, according to what the gentleman says, has made some modifications of this printed bill. If that is the case, we clearly would like to have, Mr. Leader, as soon as possible, the substance so that we will know what we are considering.

Mr. ARMEY. Mr. Speaker, I appreciate that. I will stay on the floor and be available to be helpful in any way I can.

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

What I propose to do, if it meets with approval of the other side, is to make my opening rule statement, then I yield to the gentleman from Massachusetts [Mr. MOAKLEY], and then I would introduce a series on or side that intend to spell out what this is about for those who have not had a chance or have any uncertainty about what exactly we are talking about here.

Mr. Speaker, we find ourselves in an unusual situation. We have been challenged to reexamine our approach to combating terrorism at home and abroad. Working together in a mostly bipartisan spirit of cooperation, we put together a package for short-term measures to reduce the risk of terror attacks without infringing on the rights of our citizens.

All members are familiar with the basic procedure we are using to bring this bill to the floor today, known as suspension of the rules—in which a bill is considered without amendment, by the full House. The suspension process expedites the passage of bills and requires a super majority of two-thirds. Since the House Calendar only allows the House to consider bills under suspension on Mondays and Tuesdays, this rule is needed so we can consider the bipartisan antiterrorism package under suspension today.

Mr. Speaker, this effort comes in the wake of three horrible tragedies: The bombing of a military installation in Saudi Arabia, the loss of TWA flight 800 out of New York's JFK Airport, and the recent pipe bomb explosion in Atlanta at the Olympics. While we

haven't had time to thoroughly assess these tragedies and the effectiveness of the antiterrorism law Congress passed earlier this year, these attacks tell us that our society remains vulnerable to terrorism. Unfortunately, terrorism is a fact of life. In response to recent events, a series of proposals were offered to solve the problem—some with merit, and some that could cause more problems than they might solve by cutting deeply—and unnecessarily—into the constitutional freedoms of American citizens. I include in that category certain proposals for expanded wiretapping authority for Federal law enforcement. This is a dangerous proposition—and one that would be ceding victory to terrorists, whose goal is to disrupt our society, create anxiety and constrain our freedoms. That's the way terrorism attacks a free open society. Let me be clear, this bill does not—I repeat, does not—expand wiretapping authority. In fact, it goes the other direction, strengthening penalties for misuse of Government's existing authority. That's good news for all Americans—especially the many southwest Floridians who urged us not to succumb to the pressure to diminish our liberties. For this we owe our thanks to our able policy committee chairman, CHRIS COX.

Mr. Speaker, we have a vital need for solid, widespread foreign human intelligence capability as our first and best line of defense against attacks on Americans at home and abroad and including soldiers, civilians, tourists, businessmen, and students. I have been alarmed by recent initiatives to constrain our capabilities in this area—we are literally shutting our own eyes and closing our ears. Certain Clinton administration policies actually have the effect of tying our hands and preventing us from cultivating and maintaining useful human intelligence sources that could give us the insight we need to prevent terrorist acts. These policies are ill-advised and there is strong language in this bill charging a new blue ribbon commission with revisiting them.

I urge my colleagues to support the rule so we can get on with this debate.

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

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume. I thank my colleague and friend, the gentleman from Florida [Mr. GOSS], for yielding me the customary half hour.

Mr. Speaker, some events took place in this very building last night regarding terrorism, and they are not over yet.

A lot of Members probably do not realize it but at midnight last night, under cover of darkness, there were some terrorist-related activities going on in the House of Representatives.

But it was not what you think, Mr. Speaker, it was down in Speaker GING-

RICH's office at which a plan was hatched finally to bring up the antiterrorism bill without allowing any Democratic participation whatsoever.

Now there were a few of us who suspected that this type of activity might be going on at the hour when most Members were sleeping. I asked my good friend the chairman of the Rules Committee three times if the antiterrorism bill was going to come up. Twice he assured me the answer was "no" and the last time he said "maybe."

Now, I am not blaming my chairman because he was not the motivating force on this bill.

And, Mr. Speaker, at midnight, only a handful of Members were still here. Most people had gone home after the last vote at 10:32 p.m. last night—before anyone had an inkling that the terrorism bill would be unleashed.

And this is not a small, unimportant bill.

Every single Member of this House has a sincere interest in finding a solution to the horrible terrorism that is infecting our country and in putting a stop to it once and for all.

So I would say to my colleagues, Mr. Speaker, that dropping the bill on the Rules Committee in the wee hours of the morning is no way to conduct business as important as this.

Today this bill is going to come up and very few Democratic Members have had the chance to see it.

It is not as if Democrats have not taken the lead on this issue already.

Over a year ago President Clinton started the whole process by coming up with an antiterrorism proposal and beginning discussions with Republicans. When negotiations broke down, House Republicans wrote this bill on their own, under cover of night, and they left out one of the most important parts of President Clinton's bill—the provisions granting wiretapping authority.

Because Mr. Speaker, rather than just punishing terrorists, we need to prevent terrorism. And the one thing law enforcement officers have asked for time and again, is wiretapping authority.

But my Republican colleagues refuse to give it to them.

Instead, Mr. Speaker, my Republican colleagues have decided to make even the issue of terrorism political.

I would at least expect my Republican colleagues to allow us to offer amendments to this bill, but apparently they will not.

Mr. Speaker, as today's Washington Post reports, this important antiterrorism legislation has been slowed down because of conservative Republicans' refusal to allow law enforcement officers the wiretapping capability they ask for and President Clinton and the Democrats are trying to give them.

As far as I am concerned, Mr. Speaker, when it comes to combating terrorism, we should give law enforcement officers any and every reasonable tool they need, including wiretapping authority.

And, Mr. Speaker, the process only gets worse.

My Republican colleagues have decided on this rule; in addition to hiding the bill from Democrats until this morning; in addition to keeping Democrats from making amendments to the bill; that they will take away the last right of the minority, a right the chairman of the Rules Committee claims he always protects, the motion to recommend.

Mr. Speaker, this rule makes the Chinese Government look permissive.

As far as I am concerned, too many Americans are worried about terrorism to rush an issue this important through in the middle of the night without the full participation of Members of the Congress and not allow any changes including wiretapping authority.

I urge my colleagues to oppose this horrible rule, the issue of terrorism should never ever be used as a political football and our law enforcement officers need every prevention tool we can give them.

Mr. Speaker, we just found out that even the meeting we had in the Committee on Rules last night, the things that were talked about are superseded by a bill that was just filed about 1 hour ago in this Chamber, 1 hour ago.

I would like, because of the lateness of the filing, I would like to address some questions to my dear friend, the honorable Congressman COX, about what changes have been made between the bill that was heard in the Committee on Rules last night and the bill we have today.

How does this treat the provisions dealing with digital communication technology?

Mr. COX of California. Mr. Speaker, will the gentleman yield?

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

Mr. COX of California. Mr. Speaker, as the gentleman knows, when we discussed this in the Committee on Rules last night I indicated that that would not be in the bill. It is, in fact, not in the bill.

Mr. MOAKLEY. Is there any specific reason for dropping that technology?

Mr. COX of California. Mr. Speaker, if the gentleman will continue to yield, yes, we are taking care of it through the appropriations process. Congressman ROGERS has informed the Congress that that is already taken care of in his bill. It will be a separate vehicle that we will take up through the normal process. It has already passed the House so we should be in conference with the Senate in 2 weeks.

Mr. MOAKLEY. How did you treat the death penalty provision?

Mr. COX of California. There is no death penalty provision. There are obviously death penalty provisions on the books for terrorism but that is not a subject in this bill. As you know, when we were discussing this before the Committee on Rules, we indicated there would not be anything about the death penalty in the bill.

Mr. MOAKLEY. Was there a death penalty provision in the bill that was before the Committee on Rules last night?

Mr. COX of California. No.

Mr. MOAKLEY. I see that there is a blue ribbon commission established. What are we going to study on the blue ribbon commission?

Mr. COX of California. The purpose of the commission is to review across the board all aspects of U.S. terrorism policy, but in particular to deal with those things that we cannot deal with in legislation of this type on short notice. As the gentleman correctly points out, and I agree wholeheartedly with him, when we are working in this fashion, under suspension of the rules with the requirement for a two-thirds vote, it is very, very important that we have in this bill only those things that Members can digest on short notice, that we have all studied in advance, that we all agree upon.

Therefore, the critical aspects of fighting the war against global terrorism, international terrorism are directed to this commission and this study which will come back to us so that we can legislate in a more thoughtful fashion. I could not agree more with the Washington Post editorial that you cited.

Mr. MOAKLEY. Can the gentleman tell me why this bill was not the vehicle that was brought before the Committee on Rules last night?

Mr. COX of California. In fact it is. I will explain. If the gentleman would permit me, I will explain the reason that we dropped it later in the day than would otherwise have been our desire.

After I left the Committee on Rules at midnight or whenever it was last night, I proceeded immediately to legislative counsel where we put into draft form in the legislative language precisely what it was that we discussed. In consultation this morning, in normal working hours, with the ranking member on the Committee on Transportation and Infrastructure, we learned that the minority side had changes that they wished to make to the aviation security portion of this which, as you know, is the centerpiece of what we are doing.

In order to accommodate the ranking member, who was very supportive of this legislation, as you know, and in order to accommodate both sides, majority and minority, we made those changes.

I am very, very intent on doing so. I told the ranking member that I do not

wish to have included in this bill anything that both the majority and minority do not support. Therefore, I think most of the objections that Members will have upon reading this will be about things that they wish were included that are not in it, not what is in that is not acceptable to them.

I apologize for that and I apologize to the gentleman from Minnesota, but I thought that it was worthwhile to try and accommodate those concerns.

Mr. MOAKLEY. Can the gentleman inform me if there are any other major changes between the resolve of last night and what was dropped in an hour ago?

Mr. COX of California. I think that you have covered them.

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

□ 1400

Mr. GOSS. Mr. Speaker, I yield 5½ minutes to the distinguished gentleman from Kentucky [Mr. ROGERS].

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

Mr. Speaker, I rise in support of this antiterrorism legislation. It contains many important provisions to step up the fight against terrorism including aviation security, criminal penalties for terrorist activities, and measures to combat international state terrorism.

This bill, important as it is, is only the first part of a four-part initiative we are undertaking today in the fight against terrorism. This is a comprehensive initiative to provide necessary laws, funding, and action to do what is necessary to mobilize as a country against the lawless criminals—foreign and domestic—who seek to wreak havoc on the innocent men, women, and children of this country.

Here is what the four-part initiative consists of. First, passage of this all-important piece of legislation, put together in less than a week to mount a frontal assault to the tragic events of the last few weeks of TWA Flight 800 and Atlanta's Centennial Park. Second, demanding today that this administration put aside its inaction and immediately spend the money Congress has already provided to exponentially increase its efforts to fight terrorism. Third, we provide the funding in the 1997 appropriations bill which the House passed last week to further expand funding for the FBI and for the Justice Department to increase their resources. Fourth, as chairman of the House Subcommittee on Commerce, Justice, State, and Judiciary of the Committee on Appropriations, I am announcing this minute that I am approving reprogrammings in the Department of Justice directing the administration to use \$54 million in surplus funds to add to existing antiterrorism efforts.

This Congress has been extraordinarily responsive in providing tools to this administration for the war against terrorists—tools the administration has failed to utilize.

In response to Oklahoma City and the World Trade Center bombings, the Congress provided \$359 million to the Department of Justice in fiscal 1995 and 1996 for counterterrorism, \$239 million for the FBI alone. As of July 27, 5 days ago, the FBI had spent 24 percent of that, \$58 million out of \$239 million.

As a result, the FBI Counterterrorism Center, designed to anticipate and prevent terrorist incidents that the President so proudly requested and we approved on July 17, 1995, does not exist. It is not functional. The money is laying there.

Critical upgrades to the FBI Command Center for terrorism, meant to coordinate responses during multiple events—which would have been useful for Atlanta and TWA Flight 800—have not been made.

About 400 technicians, engineers, and analysts, desperately needed to support agents and tactical operations and surveillance activities for counterterrorism, have not been hired. The money is there, has been for 2 years.

That is the posture that we have come to expect of this administration: All talk, no action. Calling on the Congress in 1995 to provide resources against terrorism—which we did—and then sitting on the money, not following through, and claiming every bureaucratic reason in the book to explain why the moneys have not been spent.

I hope to God that no terrorism event that has occurred or will occur could have been prevented had this money that we gave been effectively used. We have asked the administration to come up and explain to us why these moneys have not been put to use, and we put the administration on notice that the failure to use existing resources is inexcusable.

And so today, as a third part of our initiative, we are going to go one step further. Today, as chairman of our subcommittee, by letter I am directing the FBI to move forward on 54 million dollars' worth of counterterrorism initiatives. To combat international terrorism, \$3.5 million to open four new FBI overseas offices; \$4 million to combat Middle Eastern terrorism; to provide the capability to intercept digital communications; \$6 million to establish the FBI telecommunications industry liaison unit; and \$0 million as the initial funding of the new digital telecommunications fund which we approved as a part of our bill last week.

These steps are in addition to the funding we have already voted out of this House for antiterrorism funding in fiscal 1997.

PARLIAMENTARY INQUIRY

Mr. VOLKMER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. RADANOVICH). The gentleman will state his parliamentary inquiry.

Mr. Speaker, I thought we were discussing the rule on the bill on antiterrorism.

Mr. ROGERS. We are.

Mr. VOLKMER. The gentleman is discussing appropriations, an appropriation process, and what has been appropriated and not been appropriated has nothing to do with this rule, has nothing whatsoever to do with this rule.

Mr. GOSS. Mr. Speaker, this is a little discussion—

The SPEAKER pro tempore. The Chair will rule that debate on the rule may go to the issue of the need to consider a bill to combat terrorism.

Mr. VOLKMER. Has nothing to do with the bill.

Mr. ROGERS. These steps are in addition to the funding we already voted out of the House for antiterrorism in fiscal 1997. We voted for an additional \$210 million as a part of our bill just last week including \$171 million more for the FBI alone. This House has been consistent and single minded. We have been consistent and single minded since Oklahoma City, since the World Trade Center, and since the most recent tragic events in taking steps necessary to move the war against terrorism forward.

Today this bill, a part of a four-part initiative, is moving forward to ensure that the resources and authorities to fight terrorism are in place. We expect that they will be used by the administration effectively for the first time in a long time.

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

Mr. MANTON. Mr. Speaker, I rise in strong opposition to this rule.

Mr. Speaker, terrorists are killing our citizens and holding America hostage. We are at war with terrorism, and we must respond accordingly. We must take bold, courageous, and extraordinary measures to shut these terrorists down.

Well, Mr. Speaker, you have gotten tough—tough on the rules of the House that is. Except for the chosen few of the majority leadership, this rule will prevent every Democratic member and virtually every Republican member from having any input into this legislation whatsoever. That is indeed extraordinary.

But this rule is where your courage ends. Because in the wake of opposition from a powerful special interest group, you meekly crumble and surrender.

We have known for 20 years that taggants are a safe and effective means of tracing explosives. For the last 11 years, they have been in use in Switzerland where police have tracked down the source of more than 500 bombings or individuals illegally in the

possession of explosives. U.S. law enforcement officials desperately want taggants to be used in black powder.

Yet the NRA opposes taggants. According to the Wall Street Journal, the gun lobby views taggants as an invasion of privacy. Ask the victims of terrorism or the families who have lost loved ones in terrorist attacks how their privacy has been violated.

The NRA also says taggants are unsafe. Yet a physicist who worked on an Air Force funded taggants research project called that claim pure bunk.

At least our bold leadership has agreed to include a study if it is still in the bill, and I hope it is to include a study of taggants in this legislation. I just hope we do not have to suffer another 20 years and an untold number of deaths before we can put this technology to use.

Mr. COX of California. Mr. Speaker, if the gentleman would yield, I just inform the gentleman that taggants are in the bill.

Mr. MANTON. Mr. Speaker, I understand that a study of taggants is in the bill, but I would suggest that we defeat this rule so I may offer as an amendment legislation that I introduced shortly after the World Trade bombing in my city to require the immediate use of taggants in explosive materials.

Mr. GOSS. Mr. Speaker, I yield 4 minutes to the gentleman from Pennsylvania [Mr. SHUSTER].

Mr. SHUSTER. Mr. Speaker, I rise in strong support of this rule, and let me outline from an aviation security point of view what we can accomplish here with the legislation if indeed we pass this rule.

First, we direct the FAA to deploy the best available bomb detection equipment while the agency attempts to develop a system that can fully certify it. Second, it subjects the security screeners at the airports to the same background checks as other airport employees. Third, it requires the FAA to establish performance standards for security personnel at airports. Next, it directs the Government to work with the airlines to develop a better package of profiling programs to spot potential terrorists. Also, it allows the airports to tap into the airport improvement program and the passage of facility charge funds to pay for better security programs, activities, personnel facilities, and equipment.

I might say as an aside it is one more reason why we need to take the transportation trust funds off budget so that money can be made available for these very important aviation security programs.

Mr. COLEMAN. Will the gentleman yield?

Mr. SHUSTER. When I am completed, I will be happy to.

It directs the FAA to review security arrangements governing air cargo and mailing to decide whether more needs

to be done. It directs the FAA to work with the FBI to periodically assist the vulnerability of high-risk airports. It requires bomb-sniffing dogs to be used to supplement security at the 50 largest airports and allows grants from the aviation trust fund to pay for their training. It directs the FAA to upgrade security requirements for small aircraft. It establishes a commission to look at additional ways to improve aviation security.

I would note that in addition to this bill, I have introduced legislation this week that would address the needs of the families who lost loved ones in airline disasters, legislation which has strong bipartisan support from my colleagues on the other side of the aisle.

So these are the various matters that are accomplished in this legislation.

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

Mr. SHUSTER. I yield to the gentleman from Minnesota, the distinguished ranking member of our committee.

Mr. OBERSTAR. Mr. Speaker, I just want to make a clarification for the record about the process that was followed.

While certainly our side was not in on the takeoff, we certainly have been in on the flight and on the landing on the development of the aviation security portion of this legislation. We have had splendid cooperation from the Republican side; our chairman, the gentleman from Pennsylvania [Mr. SHUSTER], in fact sort of delegated me to participate in all of these discussions.

The gentleman from California [Mr. COX] has been marvelously cooperative where I raise questions from my background in work that I have done in aviation security over many years. They were most accommodating, responsive. Senator HUTCHISON from the other body has been very cooperative. We have crafted a good piece of legislation here on a bipartisan basis, and I just want to make that clear for the record.

Mr. SHUSTER. I thank the gentleman, and I would reemphasize that we have leaned very heavily on the expertise of the distinguished gentleman from Minnesota [Mr. OBERSTAR], the ranking member of our full committee.

I would emphasize that this is not the first time that Congress has addressed airport and airline security. In 12985 we passed the International Security and Development Cooperation Act requiring that the public be notified when airports do not meet security standards. In 1989, in response to the PanAm bombing, a presidential commission was established on aviation security. Mr. OBERSTAR, Mr. Hammer-schmidt, Senators LAUTENBERG and D'AMATO were members of that commission.

In addition, in 1990, in response to the recommendation of the Presidential

commission, Congress passed the Aviation Security Improvement Act.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina [Mr. WATT].

Mr. WATT of North Carolina. Mr. Speaker, I rise in opposition to the rule, and as a member of the Committee on the Judiciary, this whole process is offensive. The first bill that we saw, which was marked in the bottom left corner as having come out of the computer at 4:04 this morning, we received at about 10 o'clock this morning. This bill which is under consideration now is marked in the lower left corner 12:51 p.m. today. That is less than an hour and a half ago.

Now, one of the earlier speakers has got up and said to us and to the American people that this bill represents a frontal attack on terrorism. My friends, this bill is not a frontal attack on terrorism. This bill is a charade. We are already engaged in a crisis of confidence of the American people in our ability to deal with terrorism, and this process further undermines the confidence of the public in our ability and willingness to deal with terrorism.

□ 1415

It allows no amendments; it allows no input, and it is a charade. The American people ought to ask themselves, and use as a standard for evaluating this bill, is there anything in this bill that would have dealt with, had the bill been in place, would have dealt with the Flight 800 in New York, or the bombing that occurred in Atlanta?

There is not a thing here in this bill that would have addressed either one of those. In fact, the thing that would have dealt with the bombing in Atlanta at the Olympics, the tagging of explosives, has been completely removed, except to study the issue, as if we have never studied the issue before.

Mr. Speaker, this is an abomination. It is a charade. We ought to reject this rule and we ought to strongly consider voting against the bill.

Mr. MOAKLEY. Mr. Speaker, I yield 30 seconds to the gentleman from Texas [Mr. COLEMAN].

Mr. COLEMAN. Mr. Speaker, that is plenty of time. I am not worried about 30 seconds. Answer the question: How much does this bill cost? On the Subcommittee on Transportation on the Committee on Appropriations, we have to answer that question.

I did not think you knew. I knew that 30 seconds was probably too much time. I thank the gentleman for yielding. There is nobody that has any idea what this costs. It is a fake and it is a fraud to tell the American people you have an antiterrorism bill. All this stuff is all a sham.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Speaker, I rise in strong opposition to the bill, and on be-

half of a constituent whose daughter was lost in TWA flight 800, because this bill is an outrage and a disgrace to that family, and an outrage and a disgrace to this body.

This bill should include both taggants and enhanced wiretapping provisions. Instead, it has neither. Law enforcement has repeatedly asked for these critical tools to combat terrorism. Yet this Congress has repeatedly denied them.

When, Mr. Speaker, when are we going to say enough is enough? How many bombs have to go off? How many daughters do we have to lose? How many Americans have to die before the GOP leadership will give us a tough antiterrorism bill?

Once again we had an opportunity today to protect Americans from terrorism, and once again the Republican leadership took its marching orders from the National Rifle Association and gutted the bill. The NRA opposes taggants because it says they will be placed in the types of gunpowder that hunters and marksmen use. Taggants will also be placed in the gunpowder that terrorists use in bombs like the ones that killed and injured more than 100 in Atlanta last weekend.

The taggants in these bombs will lead us to the terrorists who planted them. Today, this Congress has hoisted the white flag of surrender in the fight against terrorism. It is a repeat of the last time we considered terrorism legislation, when the Republican leadership talked tough and acted weak. Those responsible for weakening this bill yet again should be ashamed of themselves, because they have put Americans at risk.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Washington [Mr. DICKS].

Mr. DICKS. Mr. Speaker, I rarely take the floor on issues of this kind, but I wanted to just say something today about the concerns that the Speaker has made today about this administration and its dealing with the question of terrorism.

First of all, I have served on the Permanent Select Committee on Intelligence for years, been on the defense subcommittee for many years. There has always been a bipartisan effort to support the Directorate of Operations.

I am very disappointed that the Speaker today refused to meet with John Deutch, after having summoned him to the Capitol. He was able to meet with the gentleman from Missouri, Mr. GEPHARDT, and with Mr. DASCHLE, and he gave us a very wide-ranging description of what we are doing around the world on the issue of antiterrorism.

Then the Speaker puts out a statement, a statement which I think is utterly false:

We are going to ask this administration to report to us when we get back in September

on how they are going to work with us to rebuild the human intelligence capabilities of the Central Intelligence Agency, which they have undermined and they have crippled, for we lack precisely the people we need to penetrate terrorist organizations and understand what is going on, and we going to insist on rebuilding this country's intelligence capabilities around the world, despite the Clinton administration.

The last thing we need, Mr. Speaker, is to politicize this issue. The best politics on national security matters and matters of importance like this is no politics. I am very disappointed that there is an effort here on the last day of this session, before our recess, to try and politicize this terrorism bill. We need to work together on a bipartisan basis to make certain we have a strong Directorate of Operations.

For the Speaker to say this, when it is utterly false, in my judgment, is an undercut. It undercuts the entire Central Intelligence Agency, undercuts the FBI, and is the wrong way to proceed.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes and 15 seconds to the gentleman from New York [Mr. NADLER].

Mr. NADLER. Mr. Speaker, this bill deals with aspects of the fight against terrorism that many of us have been working on for a long time. Unfortunately, in a rush to do something, anything, in the heat of the moment, in their unbending partisanship and their slavish devotion to extremist special interest groups like the NRA, the Republican leadership has brought us a bill that will not do the job.

Should we vote for it? It makes a start. Should we have had the opportunity to make it tougher and more comprehensive? Absolutely. But the Republican leadership has sacrificed thoroughness to partisanship.

I have introduced two bills that would help our law enforcement authorities deal effectively with the terrorist threat. If we were having an open debate, I would have offered these two bills as amendments. Unfortunately, the majority will not let that happen. The bill before us gives us yet another study of bomb detection equipment and explosion-containing cargo containers, and asks the FAA to make recommendations.

Have we not had enough studies? Have we not wasted enough time studying the problem? We know what the technology is. It is commercially available. It is in use in Europe. Let us quit fiddling while innocent Americans get blown out of the sky. My bill would require the immediate installation, would require the immediate installation, of state-of-the-art bomb detection equipment at all airports, and the immediate use of explosion-containing cargo containers, and it provides the funding to take these steps now.

Mr. Speaker, another aspect of the terrorist threat not addressed by this bill at all is the danger posed by armed militias. Groups like the Freemen and

the group of people who apparently blew up the Federal Building in Oklahoma City have been arming and training to attack law enforcement officials and private citizens. Many of these groups are neo-Nazi and Klan-affiliated, yet the Republican leadership does not want to talk about the problem, much less do anything about it.

Mr. Speaker, my legislation would give law enforcement the ability to go after these groups before a tragedy occurs. The bill would violate no one's civil rights. It simply says you do not have the right to form your own private army and make war on the United States and its citizens.

It is unfortunate that the rule is so restrictive that we cannot consider these measures that would save more lives. We should be working together to fight terrorism. This bill begins the job. For that, I will support it. But we have a duty to finish the job. We must come back in September and do it right, and we should do it without this ridiculous partisanship that says that half the House has no right to make its own suggestions.

Mr. GOSS. Mr. Speaker, I yield 3 minutes to my colleague and friend, the distinguished gentleman from Florida [Mr. MCCOLLUM], chairman of the Subcommittee on Crime.

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

Mr. Speaker, I rise to support this rule. I think the underlying bill it produces is an excellent product. I think all of us have to realize that we share the same common concern with the American people about the rising threat of terrorism to Americans and American interests, both here and abroad.

In April, we passed a very fine antiterrorism bill. It did not contain everything this Member supported and wanted. Some of those provisions were taken out because they were in dispute. There was a lot of controversy about them.

The President has come back on the eve of the TWA tragedy and the tragedy of our Saudi Arabian bombing and what happened in Atlanta last week and asked us to put all of those provisions in the law. We have put into the bill that has come today after a task force meeting I served on for several days, almost every one of those, with the exception of wiretap authority, is in this bill today.

It is a good bill. It is not controversial in the sense that everybody supports everything in here. We had RICO-predicate crimes for terrorism that will make penalties tougher. We have provisions in here which are going to mean that the President is really going to have to name the terrorist organizations they failed to name so far so we can exclude people who are members of those foreign organizations who might

come in here, so they will not be able to raise money in the United States. We give them a drop-dead date of October 1, because they have not done that yet, and many other things.

There are questions about the taggant issue, but the responsible thing to do is to march through this with a study. What we did in the April bill is say we know the plastic explosive taggants are safe. In those, we are going to go ahead and order them to be done. But we are going to study other explosives, like nitroglycerines and so forth, and once the study is completed in a year, then the taggants can be put in if it says it is OK.

But the black powder question was more of a question, because back in 1980 the last Government study that was done said taggants in black powder can be a big problem. There have been some private studies since then, but there have been no public ones. We said, all right, in this bill we are willing to have a study done by the Government, by the National Institute of Justice, but come back to Congress after that, because we think that is really sensitive. If, indeed, we should put taggants in, in the timetable as the others, we will do it.

On the question with respect to the issue of the wiretaps, I support them. I do not think they are well understood, what we are trying to do. The Committee on the Judiciary is going to hold hearings in September on this. We may well be able to bring out a wiretap provision at that time.

The simple fact of the matter, so everybody understands it, is today the FBI can wiretap for organized crime or terrorism or whatever if they name a specific phone to a judge and say, I want to go tap in that building, in that house, with that phone. But if somebody goes and uses a cellular phone or moves around a wee bit, they have to show that person is intentionally trying to avoid the wiretap in order to get the court order to follow the person.

That is not right. What we need to do is change that and simply make it so that if the person is effectively evading the wiretap, whether we prove intent or not, we can get the court order to go follow the bad guy wherever he is going.

A lot of people have made a lot more out of it than that. I think it is misunderstood. We do need to have time for the Members to better educate themselves about this particular issue. That is what we are going to do in this September hearing. Let us vote for this bill and let us vote for this rule. It is a good product and it is a very good furtherance of what we did in April.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri [Mr. VOLKMER].

Mr. VOLKMER. Mr. Speaker, I certainly appreciate the gentleman from Massachusetts yielding me the 3 minutes.

Mr. Speaker, I would like to tell the Members that I have had an opportunity since we first started on this to look at this 33-page bill. As I look through this bill, I find page 1 through 13 has to do with airport and aviation safety. Those are basically good provisions. They are for the future. There is nothing going to happen today, nothing going to happen tomorrow, nothing going to happen next week. That is for the future.

On pages 13 to 16, we have the RICO provisions, predicated to bring these other things under RICO. Big deal.

On pages 17 and 18, there is the big diplomatic efforts that were alluded to by the Speaker, and I think basically make this bill a partisan bill, because they are trying to say that this administration has done nothing as far as terrorism is concerned. And if Members would listen to these people over here, especially the gentleman from Kentucky who spoke in the well earlier, he would lead us to believe that the President of the United States is responsible for what happened in New York and what happened in Atlanta. That is crazy.

□ 1430

Nothing could be further from the truth. The President of the United States is not responsible. This administration is not responsible. Why do you try to say so right in this bill?

Yes. When you add what your Speaker has said today to what is in this bill, there is no question about it. Pure politics.

Now, further on, Diplomatic Efforts on 17 and 18, and then on pages 21 through 33, you have the Commission on Terrorism. That is all for the future.

How much in this bill out of 33 pages is actually on terrorism? About 3 pages out of 33. They do not do much. There is very little in here. There is a study on black powder. I have questions in regard to that. I tell the gentleman from California. I do not like it. I do not believe in taggants in black powder. I think this study brings us to where you do have taggants in black powder. That is where it leads us, right down that road. That is another reason to vote against this thing.

Why does the Republican majority try to make this effort a political effort and blame it all on the President and this administration? Politics. We have got a Presidential election coming, folks. Their candidate is so far down in the polls you cannot even find him. Now they are trying to blame this administration, with everything else they have tried to blame on this administration, for the acts of terrorism. It is a lot of hogwash.

Why do you not have a good terrorism bill? Let us go after the terrorists. You do not go after one terrorist in this bill. Not one. This bill will not

stop one terrorist. While you are home all during August and having your fun, there will not be one act of terrorism stopped by this bill.

Mr. SOLOMON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Pennsylvania [Mr. WELDON].

Mr. WELDON of Pennsylvania. Mr. Speaker, this debate is not about whether this institution is concerned with terrorism, because we have a track record in that area. Our problem has been with the administration. In this year's defense bill there was a requirement that the administration give us a report on enhancing domestic terrorism, response due by July 1. We still have not received that document. The bill that we passed 2 days ago requires it by the end of this year.

But what did we do? We took the request the President had for antiterrorism and we increased it by how much? By \$220 million. We voted on this. We passed it 2 days ago.

What did it include for my colleagues, who perhaps cannot read or who did not read? It includes \$65 million for domestic emergency response programs and training; \$30 million improved border security; \$10 million counter-proliferation; \$4 million counterterrorism explosives research; \$16 million to replace, sustain and maintain chemical and biologic detection equipment.

None of that was requested by the President. All of that was added in by this Congress in a bipartisan manner because we held hearings last year, not after the TWA crash, not after the Saudi Arabia bombing, but all through the last 2 years, because we care about terrorism, not because it is on the front page but because of the importance to protect our citizens.

We have been working in a bipartisan manner. The problem is the administration does not follow through. We allocate the dollars, and we all voted for it. Further, beyond that, our bill that we passed 2 days ago provides for a computerized inventory of all the resources to be made available to local emergency responders. It provides for a computerized data program to analyze chemical agents so that our local people can deal with these incidents immediately.

All of these things are now passed. They are awaiting the President's signature. None of them were requested by this President. All of them were added by this Congress, under the leadership of this half of the body that has been concerned about terrorism, not in words and not in sound bites but in substance. Vote for the bill.

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

Mr. ENGEL. Mr. Speaker, in answer to the previous speaker, I do not think anybody cannot say that this is not a

political bill. This is frankly a cynical attempt at the last day before we break for the summer recess to be able to go home and tell the American people, we did something about terrorism. That is what this is all about. That is why the Republican majority is doing this.

I just had this bill handed to me. It is 30 pages long. I got it a half an hour ago. I am trying to read it and look at it. As best I can figure out, there are two studies in this bill. The bill tells law enforcement and other officials to do what they are already capable of doing without this legislation.

To me this is Congress at its worst. The American people are not stupid. This is not antiterrorism legislation. This is a Republican majority phony legislation. This is just simply saying we did something, when in reality we have done nothing. The American people are not stupid. If we really want to craft a bill, a good bipartisan bill that does something on terrorism, we need to have the input of both Democrats and Republicans. Mr. Speaker, terrorist acts are not acts against Republicans or acts against Democrats. They are acts against Americans. As Americans, all of us, Democrats, Republicans, independents, we ought to be working together to craft bipartisan legislation.

There were negotiations with the White House. If the negotiations did not work, we ought to come back and do it again. But not to kind of sneak this through in the wee hours of the morning. We all went home last night. We did not know that this was happening. This morning the radio said that antiterrorism legislation was dead. Lo and behold we have new legislation and not even the bill that we saw this morning, half an hour ago, and we are supposed to vote intelligently on this?

This is really not bipartisanship. This is Congress at its worst. Some of us have amendments that we would like to offer that we think would really give real teeth to antiterrorism legislation. We are precluded from offering it under this rule. This rule ought to be defeated.

Mr. GOSS. Mr. Speaker, I yield 3½ minutes to the distinguished gentleman from California [Mr. COX] who has been the chairman of the task force who has presented us with this legislation.

Mr. COX of California. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, let me address first the bulk of the comments that we have heard from the minority side this morning, not all of them, because many of the minority Members, including the ranking member on Transportation, as we heard, were involved in this process, drafted it, and like the bill. But for those people who are getting the bill to read just now, they are

in the same position as are the Members on the majority side. The bill is only ready today in legislative form for them to review and determine whether you can support it or not.

But that is not because this is not an effort at bipartisanship. That is not because this is not an effort to cooperate between Republicans and Democrats, in fact, between the House and the Senate, and, in fact, between the Congress and the administration. To the contrary.

This week, not a month ago, not 6 months ago, not last year, but this week, just a few days ago, the President of the United States asked the Congress, not just the House, but the Senate, not just Republicans, but Democrats, to act before we left this weekend.

I notice the gentleman from Michigan [Mr. CONYERS] here. He and I sat together for several days, several hours, odd hours, working with Representatives of the administration, including the White House chief of staff, Leon Panetta, working with representatives of the FBI, the State Department, the CIA, all with one common objective, doing what can be done before we go home, with the strong sense that we will keep it up even over the recess and when we are gone.

What the White House, what the President asked us to do is the following, and this was the President's own request: He said,

Give me a bill before you go home. Do it in a process that permits it to come up by unanimous consent in the Senate. Do it in a process that permits us to bring the same bill up in the House, so that you can send me a bill.

That means, since we are adjourning today, that there cannot be an amendment.

This is not a process that I like and I would not have designed it. Neither do the Republican Members wish to have so little time to read a bill that the Democrats are complaining they would like to have more time to read. But that is how it worked.

As to what is in the bill, everything that is in this bill has been agreed to by the White House, by your leadership, in the Senate on the Democratic and Republican sides, and by your leadership in the House of Representatives on the Democratic and the Republicans sides. That includes the provision with respect to the full implementation of the 1996 terrorism act, which we have not yet implemented, to be sure. That language, too, was signed off on by the administration.

The truth is that the administration wanted wiretapping language in this bill and, as the Washington Post points out in its editorial today, we have not included it because caution and deliberation are necessary on that topic. But we have included everything else that they wanted.

Mr. Speaker, it has been said that this does not address Flight 800, but, frankly, if Flight 800 was not mechanical failure but was a bomb, then all of the provisions in here on airport security, all of the provisions giving the FBI authority to do background checks, to supervise airplane security, to look at the baggage that goes into the hold, all of these things and more that we heard the chairman of the Committee on Transportation and Infrastructure support and the ranking member of the Committee on Transportation and Infrastructure support—and they feel the same way in the Senate—all of these things are directed precisely to that problem.

It is true that we can do more, but what we can do now, we must do. Then we should come back. We shall do more, because the war on terrorism is one of the grisly realities of the 21st century. We have to be at it perpetually, and we shall do so.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. CONYERS], the ranking member of the Committee on the Judiciary.

Mr. CONYERS. Mr. Speaker, it is great to see the gentleman from California [Mr. COX] again, because the last time I saw him, we adjourned the conference for him to go speak to the Speaker about how we could close this down, and then I find out that at 1:30 last night, he introduced the bill, and then the gentleman from Pennsylvania [Mr. SHUSTER] introduced a newer bill that is on the floor this morning. I want to just welcome him back to the process. I am glad we are all together here.

But we have only got a little part of what we agreed on at the conference. That is the problem. It is not that these are bad items. They are small items. They are peanuts. What we were trying to do is deal with the major question of what most pipe bombs are made of by terrorists in their domestic weapon of choice, how we can trace them through taggants. That is of course not what is happening here. Therein lies the problem.

When the Speaker of the House who, by the way, he and the majority leader were in great agreement at the beginning of the week, and the White House, we almost got an agreement right there, and we said, "Well, let's run it through our legislative committees."

Then we got into these 4 days and nights of conferences in which the gentleman was a key player. As a matter of fact, if he will recall, everybody agreed but him. So now he comes with this little shriveled-up document saying, "Let's do this," the last thing before we go out for a month. I cannot accept it at this point and for those reasons.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. I thank the gentleman for yielding me this time.

Mr. Speaker, it is incredible, really, to listen to Members come here and talk about this very sensitive subject on which we need bipartisanship, and to have them talk about bipartisanship and inclusion, when what they have done through this rule is to move in the dead of night, after everyone was gone, to pass their version or no version and then to say to the American people, "We have a monopoly on truth."

No one else can even offer an amendment. If any American in this body or outside of this body has an idea about how we might deal with terrorism today, they are not open to it, because they have their way or no way. It was that kind of extremism that caused this to be a failed Congress, that led to last year's costly \$1.5 billion government shutdowns, waste caused by the zealotry of this Republican leadership.

So we find ourselves today coming to the end of what has been the first successful week that this Congress has had in its existence. We do something for working Americans on their health insurance.

□ 1445

We give those at the bottom a raise. Through welfare reform we encourage those who are not working to work. Progress made possible because the zealots finally yielded, realizing they could not go home emptyhanded. They needed something to show for the year and a half that they have wasted in this Congress pursuing an extremist agenda.

Mr. Speaker, it is too bad that that spirit of bipartisanship did not reach this issue of antiterrorism, as it should have.

The SPEAKER pro tempore (Mr. RADANOVICH). The gentleman's time has expired.

Mr. GOSS. Mr. Speaker, I yield 1 minute and 15 seconds to the gentleman from Indiana [Mr. BURTON], distinguished chairman of the Subcommittee on Western Hemisphere.

Mr. BURTON of Indiana. Mr. Speaker, let me just tell my colleagues of one good provision in the bill that I think everybody will agree with, and that is that there will be something at the airports that will deter terrorists that is not currently there.

The machines that we are spending \$1 to \$2 million on to deal with detecting explosives that get on planes simply have not worked. They are not in force. They are not in place. And we have been waiting 7 years for them.

We use dogs at this Capitol, we use them at the Olympics, and they use them at many other areas, but they do not use them at airports. This bill provides a mechanism to get bomb inspecting dogs, bomb-sniffing dogs at every major airport in the country. It

will have a deterrent effect on terrorists. They will be able to sniff out bomb devices in luggage and it will protect the public.

Mr. Speaker, this is a step in the right direction. It is not the answer to every problem, but it is a step in the right direction. Until we get a device that is perfect, that will detect bombs getting on planes, the public in this country deserves to have these dogs at every single major airport.

Mr. MOAKLEY. Mr. Speaker, I yield the balance of my time to the gentleman from New York, the honorable Mr. SCHUMER.

Mr. SCHUMER. Mr. Speaker, if we want to know why people are sick and fed up with Congress, look at this debate. On Sunday the President asked and all the law enforcement people asked for two things, the top two things they needed to fight terrorism. One, taggants. Identifiers in explosives, particularly black power and smokeless; and two, multipoint wiretaps. Neither are in this bill.

Neither are in this bill because the NRA did not want it. Neither are in this bill because forces on the extreme dictated what the Republican Party was going to put forward.

This bill is a sham. It does a few good things, but it does not give law enforcement what they want, plain and simple. We all know that.

All the other provisions are an elaborate smokescreen to hide what everyone in this Chamber knows: that the majority party is not doing what the FBI, the ATF and all the other law enforcement experts have asked for. Mr. Kallstrom, long before this conference, the FBI man in the lead at TWA, said please give us multipoint wiretaps. The majority says no.

Mr. Freeh, the head of the FBI, says please give us taggants so we can trace the kind of pipe bomb that blew up at the Olympics. The majority says no.

And last night, when we had agreement from the President, the Republican leaders of the Senate, the Democratic leaders of the Senate and the Democratic side of the House, only the Republican majority in the House refused to go along.

Members, this bill is what should make us ashamed of our inability to pull together and fight terrorism.

Mr. GOSS. Mr. Speaker, I yield myself the balance of my time, and I yield to the gentleman from California [Mr. COX].

Mr. COX of California. Mr. Speaker, I thank the gentleman from Florida for yielding.

What we just heard the gentleman from New York tell us is essentially true; that if we had included in this bill everything that is before us and one other thing, and that is multipoint and warrantless wiretaps, then there would have been agreement. And the truth is that because wiretaps are not in this bill, the gentleman is disappointed.

I have to say that this gentleman is disappointed because there is not a good faith exception to the exclusionary rule in this bill, something that would have helped us in the Oklahoma City prosecution. We passed it through this House five times. It ought to be acceptable to our body, but it was objected to by the Senate.

Now, imagine our predicament if we had brought this bill with everything in it; the only difference was it also had warrantless wiretaps and multipoint wiretaps. That is a very serious issue I think Members deserve more time to consider. And for that reason, above all, it is not put in a bill that is coming to us under a suspension of the rules that we have not had an opportunity to read.

I hope we revisit this issue, and I think we must do so. As I have said, we cannot rest against the war on terrorism. It is one of the grizzly realities of the 21st century. We have to be back at this. But just because we cannot do a subject so complicated as that before we leave this August does not mean that we cannot do all of the rest of this bill, which the gentleman from New York has agreed to, which the Democratic leadership and the Republican leadership have all agreed to, which the Senate has agreed to and which they can pass and send to the President because the administration has agreed to it, and it can be signed into law.

Mr. GOSS. Mr. Speaker, reclaiming my time, I am going to take the final 30 seconds to say it is not just a question of moving barricades on Pennsylvania Avenue. That is not all there is to terrorism. We need to fight the shadows of terrorism overseas, and we need to do it with good human intelligence.

Regrettably we have been cutting back on our resources and assets overseas, and we have been putting out policies of restraint on our abilities to operate overseas under the Clinton administration. I think the Speaker has brought attention to that, properly. I cannot imagine what would happen if we had not brought up a bill today on this. It would have been unthinkable.

Mr. Speaker, I urge support for the bill, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

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. FORBES. 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 189, not voting 16, as follows:

[Roll No. 400]

YEAS—228

Allard	Funderburk	Myers
Archer	Gallegly	Myrick
Armey	Ganske	Nethercutt
Bachus	Gekas	Neumann
Baker (CA)	Geren	Ney
Baker (LA)	Gibbons	Norwood
Ballenger	Gilchrest	Nussle
Barr	Gillmor	Orton
Barrett (NE)	Gilman	Oxley
Barton	Goodlatte	Packard
Bass	Goodling	Parker
Bateman	Goss	Paxon
Bereuter	Graham	Peterson (MN)
Bilbray	Greene (UT)	Petri
Bilbray	Greenwood	Pombo
Billey	Gunderson	Porter
Blute	Gutknecht	Portman
Boehlert	Hall (TX)	Poshard
Boehner	Hamilton	Pryce
Bonilla	Hancock	Quinn
Bono	Hansen	Radanovich
Brewster	Harman	Ramstad
Bryant (TN)	Hastert	Regula
Bunn	Hastings (WA)	Riggs
Burr	Hayes	Roberts
Burton	Hayworth	Rogers
Buyer	Hefley	Rohrabacher
Callahan	Heineman	Ros-Lehtinen
Calvert	Hergert	Roth
Camp	Hilleary	Royce
Campbell	Hobson	Salmon
Canady	Hoekstra	Saxton
Castle	Hoke	Schaefer
Chabot	Horn	Seastrand
Chambliss	Hostettler	Sensenbrenner
Chenoweth	Houghton	Shadegg
Christensen	Hunter	Shaw
Chrysler	Hutchinson	Shays
Clinger	Hyde	Shuster
Coble	Inglis	Sisisky
Coburn	Istook	Skeen
Collins (GA)	Johnson (CT)	Skelton
Combest	Johnson, Sam	Smith (MI)
Cooley	Jones	Smith (NJ)
Cox	Kasich	Smith (TX)
Crane	Kelly	Smith (WA)
Crapo	Kim	Solomon
Cremeans	Klug	Spence
Cubin	Knollenberg	Spence
Cunningham	Kolbe	Stearns
Danner	Largent	Stenholm
Davis	Latham	Stockman
Deal	LaTourette	Stump
DeLay	Laughlin	Talent
Diaz-Balart	Leach	Tate
Dixon	Lewis (CA)	Tauzin
Doolittle	Lewis (KY)	Taylor (NC)
Dornan	Lightfoot	Thomas
Dreier	Linder	Thornberry
Duncan	Livingston	Tiahrt
Dunn	LoBiondo	Traficant
Ehlers	Longley	Upton
Ehrlich	Lucas	Vucanovich
English	Manzullo	Walker
Ensign	McCollum	Walsh
Everett	McCrery	Wamp
Ewing	McHugh	Watts (OK)
Farr	McInnis	Weldon (FL)
Fields (TX)	McIntosh	Weldon (PA)
Flanagan	McKeon	Weller
Foley	Metcalf	White
Fowler	Meyers	Whitfield
Fox	Mica	Wicker
Franks (CT)	Miller (FL)	Wolf
Frelinghuysen	Montgomery	Young (AK)
Frost	Moorhead	Zeliff

NAYS—189

Abercrombie	Bentsen	Brown (OH)
Ackerman	Berman	Bryant (TX)
Andrews	Bevill	Cardin
Baessler	Blumenauer	Chapman
Baldacci	Bonior	Clay
Barcia	Borski	Clayton
Barrett (WI)	Boucher	Clement
Bartlett	Browder	Clyburn
Becerra	Brown (CA)	Coleman
Beilenson	Brown (FL)	Collins (IL)

Collins (MI)	Kanjorski	Pelosi
Condit	Kaptur	Peterson (FL)
Conyers	Kennedy (MA)	Pickett
Costello	Kennedy (RI)	Pomeroy
Coyne	Kennelly	Rahall
Cramer	Kildee	Rangel
Cummings	King	Reed
de la Garza	Kingston	Richardson
DeFazio	Kleczka	Rivers
Dellums	Klink	Roemer
Dellums	LaFalce	Rose
Dicks	LaHood	Roukema
Dingell	Lantos	Roybal-Allard
Doggett	Lazio	Rush
Dooley	Levin	Sabo
Doyle	Lewis (GA)	Sanders
Durbin	Lipinski	Sanford
Edwards	Lofgren	Sawyer
Engel	Lowey	Scarborough
Eshoo	Luther	Schroeder
Evans	Maloney	Schumer
Fattah	Manton	Scott
Fawell	Markey	Serrano
Fazio	Martinez	Skaggs
Fields (LA)	Martini	Slaughter
Filner	Mascara	Spratt
Flake	Matsui	Stark
Foglietta	McCarthy	Stokes
Forbes	McDermott	Studds
Frank (MA)	McHale	Stupak
Franks (NJ)	McKinney	Tanner
Frisa	McNulty	Taylor (MS)
Furse	Menendez	Tejeda
Gejdenson	Millender-	Thompson
Gephardt	McDonald	Thornton
Gonzalez	Miller (CA)	Thurman
Gordon	Minge	Torres
Green (TX)	Mink	Torricelli
Gutierrez	Moakley	Towns
Hall (OH)	Molinar	Velazquez
Hastings (FL)	Mollohan	Vento
Hefner	Moran	Visclosky
Hilliard	Murtha	Volkmer
Hinchee	Nadler	Ward
Holden	Neal	Waters
Hoyer	Oberstar	Watt (NC)
Jackson (IL)	Obey	Williams
Jackson-Lee	Oliver	Wilson
(TX)	Ortiz	Wise
Jacobs	Owens	Woolsey
Jefferson	Pallone	Wynn
Johnson (SD)	Pastor	Yates
Johnson, E. B.	Payne (NJ)	Zimmer
Johnston	Payne (VA)	

NOT VOTING—16

Bishop	Lincoln	Schiff
Brownback	McDade	Torkildsen
Bunning	Meehan	Waxman
Deutsch	Meek	Young (FL)
Dickey	Morella	
Ford	Quillen	

□ 1510

The Clerk announced the following pair: On this vote:

Mr. MORELLA for, with Mr. DEUTSCH against.

Mr. DOGGETT and Ms. JACKSON-LEE of Texas changed their vote from "yea" to "nay."

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

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AVIATION SECURITY AND ANTITERRORISM ACT OF 1996

Mr. COX of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3953) to combat terrorism.

The Clerk read as follows:

H.R. 3953

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

**SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the "Aviation Security and Antiterrorism Act of 1996".

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title.

**TITLE I—AVIATION SECURITY**

Sec. 101. Interim deployment of commercially available explosive detection equipment.

Sec. 102. Authority for criminal history records checks.

Sec. 103. Audit of performance of background checks for certain personnel.

Sec. 104. Performance standards for airport security personnel.

Sec. 105. Passenger profiling.

Sec. 106. Authority to use certain funds for airport security programs and activities.

Sec. 107. Assessment of cargo.

Sec. 108. Assignment of FBI agents to high-risk airports.

Sec. 109. Supplemental screening.

Sec. 110. Supplemental explosive detection.

Sec. 111. Enhanced security for small airplanes.

Sec. 112. Civil aviation security review commission.

**TITLE II—ANTITERRORISM**

Sec. 201. Addition of terrorist offenses as RICO predicates.

Sec. 202. Enhanced Privacy Act and wiretap penalties.

Sec. 203. Combatting international state terrorism.

Sec. 204. Implementation of the Antiterrorism and Effective Death Penalty Act of 1996.

Sec. 205. Taggants in black and smokeless powder.

Sec. 206. National Commission on Terrorism.

**TITLE I—AVIATION SECURITY**

**SEC. 101. INTERIM DEPLOYMENT OF COMMERCIALY AVAILABLE EXPLOSIVE DETECTION EQUIPMENT.**

Section 44913(a) of title 49, United States Code, is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following new paragraph (3):

"(3) Until such time as the Administrator determines that equipment certified under paragraph (1) of this subsection is commercially available and has successfully completed operational testing as provided in 49 United States Code 44913(a)(1), the Administrator shall facilitate the deployment of commercially available explosive detection devices that the Administrator approves and determines will enhance aviation security significantly. The Administrator shall require that equipment deployed under this paragraph be replaced by equipment certified under paragraph (1) when equipment certified under paragraph (1) becomes commercially available."

**SEC. 102. AUTHORITY FOR CRIMINAL HISTORY RECORDS CHECKS.**

Section 44936(a)(1) of title 49, United States Code, is amended—

(1) by striking "(1)" and inserting "(1)(A)";

(2) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively; and

(3) by adding at the end the following:

"(B) The Administrator shall require by regulation that an employment investigation (including a criminal history record check in cases in which the employment investigation reveals a gap in employment of 12 months or more that the individual does not satisfactorily account for) be conducted for individuals who will be responsible for screening passengers or property under this chapter and their supervisors."

**SEC. 103. AUDIT OF PERFORMANCE OF BACKGROUND CHECKS FOR CERTAIN PERSONNEL.**

Section 44936(a) of title 49, United States Code, is amended by adding at the end the following:

"(3) The Administrator shall provide for the periodic audit of criminal history record checks conducted under paragraph (1) of this subsection."

**SEC. 104. PERFORMANCE STANDARDS FOR AIRPORT SECURITY PERSONNEL.**

Section 44935(a) of title 49, United States Code, is amended—

(1) by striking "and" at the end of paragraph (4); and

(2) by adding at the end the following:

"(6) performance standards for airport and airline security personnel, including counter personnel; and

"(7) guidelines for encouraging the retention of security personnel responsible for passengers and cargo."

**SEC. 105. PASSENGER PROFILING.**

The Federal Aviation Administration, the Secretary of Transportation, the intelligence community, and the law enforcement community should continue to assist air carriers in developing computer-assisted passenger profiling programs.

**SEC. 106. AUTHORITY TO USE CERTAIN FUNDS FOR AIRPORT SECURITY PROGRAMS AND ACTIVITIES.**

(a) **AUTHORITY TO USE FUNDS.**—Notwithstanding any other provision of law, funds referred to in subsection (b) may be used to expand and enhance air transportation security programs and other activities at airports (including the improvement of facilities and the purchase and deployment of equipment) to ensure the safety and security of passengers and other persons involved in air travel.

(b) **COVERED FUNDS.**—The following funds may be used under subsection (a):

(1) Project grants made under subchapter 1 of chapter 471 of title 49, United States Code.

(2) Passenger facility fees collected under section 40117 of title 49, United States Code.

**SEC. 107. ASSESSMENT OF CARGO.**

(a) **IN GENERAL.**—The Administrator of the Federal Aviation Administration shall, in consultation with the appropriate Federal agencies, review—

(1) the oversight by the Federal Aviation Administration of inspections of shipments of mail and cargo by domestic and foreign air carriers; and

(2) the need for additional security measures with respect to such inspections; and

(3) the adequacy of inspection and screening of cargo on passenger air carriers.

(b) **LEGISLATIVE PROPOSALS.**—The President shall submit relevant legislative proposals to Congress, as may be required.

**SEC. 108. ASSIGNMENT OF FBI AGENTS TO HIGH-RISK AIRPORTS.**

Section 44904 of title 49, United States Code, is amended by adding at the end the following:

"(d) **RESPONSIBILITY OF FBI AGENTS TO AREAS OF HIGH-RISK AIRPORTS.**—The Director of the Federal Bureau of Investigation

shall assure that agents of the Federal Bureau of Investigation who are assigned to an area where there are airports that are determined to be high-risk airports shall, jointly with the Federal Aviation Administration, carry out periodic threat and vulnerability assessments of security every 3 years, or more frequently, as necessary, at such airports."

**SEC. 109. SUPPLEMENTAL SCREENING.**

Section 44903(c) of title 49, United States Code, is amended by adding at the end of the following new paragraph:

"(3) **USE OF DOGS IN SCREENING.**—

"(A) **IN GENERAL.**—The law enforcement presence and capability required under paragraph (1) shall include a requirement that the operator of each major airport use dogs or other appropriate animals to supplement existing equipment used for screening passengers and cargo for plastic explosives and other devices or materials which may be used in aircraft piracy. If the Administrator determines that the requirements of the preceding sentence will not significantly enhance the safety and security of passengers and other persons involved in air travel, the Administrator may modify such requirements as appropriate. At the discretion of the Administrator, the use of dogs at an airport may be deemed as compliance with section 449913(a)(3) of this title.

"(B) **MAJOR AIRPORT DEFINED.**—In this paragraph, the term 'major airport' means an airport that is one of the largest 50 airports in the United States, as determined by the number of passenger enplanements in calendar year 1995."

**SEC. 110. SUPPLEMENTAL EXPLOSIVE DETECTION.**

Section 44913(b) of title 49, United States Code, is amended to read as follows:

"(b) **SUPPLEMENTAL EXPLOSIVE DETECTION.**—

"(1) **GRANTS.**—The Secretary shall make grants for expenses of training and evaluation of dogs for the explosive detection K-9 team training program for the purpose of detecting explosives at airports and aboard aircraft. Not later than 180 days after the date of the enactment of the Aviation Security Improvement Act of 1996, the Secretary shall extend such program to the largest 50 airports in the United States, as determined by the number of passenger enplanements in calendar year 1995.

"(2) **FUNDING.**—There is authorized to be appropriated from the Trust Fund for carrying out paragraph (1) such sums as may be necessary for fiscal years beginning after September 30, 1996. Such funds shall remain available until expended."

**SEC. 111. ENHANCED SECURITY FOR SMALL AIRPLANES**

Not later than 60 days after the date of the enactment of this Act, the Administrator shall initiate a rulemaking to revise section 108.5 and 108.7 of 14 C.F.R. with respect to airplanes having a passenger seating configuration of less than 61 to enhance the safety and security of air travel in such airplanes.

**SEC. 112. CIVIL AVIATION SECURITY REVIEW COMMISSION.**

(a) **ESTABLISHMENT.**—There is established a commission to be known as the Civil Aviation Security Review Commission (hereinafter in this section referred to as the "Commission").

(b) **FUNCTIONS.**—The Commission shall conduct a comprehensive review of aviation security. Matters to be studied by the Commission shall include the following:

(1) A review of the advisability of transferring responsibilities of air carriers under

Federal law for security activities conducted on-site at airports to airport operators or to appropriate entities independent of air carriers.

(2) A review of whether baggage match requirements should be imposed on air carriers providing interstate air transportation and how baggage match can be accomplished to enhance the safety and security of domestic air travel.

(3) A review of the cost and advisability of requiring hardened cargo containers as a way to enhance aviation security and reduce the required sensitivity of bomb detection equipment.

(c) MEMBERSHIP.—The Commission shall be composed of 13 members, appointed from persons knowledgeable about civil aviation in the United States and who are specifically qualified by training and experience to perform the duties of the Commission, as follows:

(1) 3 members appointed by the Secretary of Transportation, in consultation with the Secretary of the Treasury.

(2) 10 members appointed by Congress as follows:

(A) 1 member appointed by each of the chairman and ranking minority member of the Committee on Transportation and Infrastructure of the House of Representatives.

(B) 1 member appointed by each of the chairman and ranking minority member of the Committee on Appropriations of the House of Representatives.

(C) 1 member appointed by each of the chairman and ranking minority member of the Committee on Commerce, Science, and Transportation of the Senate.

(D) 1 member appointed by each of the chairman and ranking minority member of the Committee on Appropriations of the Senate.

(E) 1 member appointed by each of the chairman and ranking minority member of the Committee on Ways and Means of the House of Representatives.

(d) RESTRICTION ON APPOINTMENT OF CURRENT AVIATION EMPLOYEES.—A member appointed under subsection (c)(1) may not be an employee of an airline, airport, aviation union, or aviation trade association at the time of appointment or while serving on the Commission.

(e) TIMING OF APPOINTMENTS.—The appointing authorities shall make their appointments to the Commission not later than 30 days after the date of the enactment of this Act.

(f) CHAIRMAN.—In consultation with the Secretary of Transportation, the Speaker of the House of Representatives and the Majority Leader of the Senate shall designate a chairman and vice chairman from among the members of the Commission not later than 30 days after appointment of the last member to the Commission.

(g) PERIOD OF APPOINTMENT AND VACANCIES.—Members shall be appointed for the life of the Commission, and any vacancy on the Commission shall not affect its powers but shall be filled in the same manner, and by the same appointing authority, as the original appointment.

(h) QUORUM.—A majority of the members of the Commission shall constitute a quorum to conduct business, but the Commission may establish a lesser number for conducting hearings scheduled by the Commission.

(i) POWERS OF THE COMMISSION.—

(1) HEARINGS.—The Commission may hold such hearings, sit and act at such times and places, administer such oaths, take such testimony, and receive such evidence as the

Commission considers advisable to carry out its duties.

(2) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal department or agency such information or documents as the Commission considers necessary to carry out its duties, unless the head of such department or agency advises the chairman of the Commission, in writing, that such information is confidential and that its release to the Commission would jeopardize aviation safety, the national security, or pending criminal investigations.

(3) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(4) TRAVEL AND PER DIEM.—Members and staff of the Commission shall be paid travel expenses, including per diem in lieu of subsistence, when away from his or her usual place of residence, in accordance with section 5703 of title 5, United States Code.

(j) FINAL REPORT.—Not later than 1 year after the date of the appointment of the last member to the Commission under subsection (c), the Commission shall submit to Congress and the Administrator a final report on the findings of the Commission with corresponding recommendations. Included with this report shall be the independent audit required under subsection (j).

(k) AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be appropriated \$2,400,000 for activities of the Commission to remain available until expended.

## TITLE II—ANTITERRORISM

### SEC. 201. ADDITION OF TERRORIST OFFENSES AS RICO PREDICATES.

(a) TITLE 18 OFFENSES.—Section 1961(1)(B) of title 18 of the United States Code is amended by—

(1) inserting "32 (relating to the destruction of aircraft), section 37 (relating to violence at international airports), section 115 (relating to influencing, impeding, or retaliating against a Federal official by threatening or injuring a family member), section" after "Section";

(2) inserting "section 351 (relating to Congressional or Cabinet officer assassination," after "section 224 (relating to sports bribery);";

(3) inserting "section 831 (relating to prohibited transactions involving nuclear materials), section 844(f) or (i) (relating to destruction by explosives or fire of government property or property affecting interstate or foreign commerce)," after "section 664 (relating to embezzlement from pension and welfare funds);";

(4) inserting "section 930(c) (relating to violent attacks against Federal buildings), section 956 (relating to conspiracy to kill, kidnap, maim, or injure certain property in a foreign country)," after "sections 891–894 (relating to extortionate credit transactions);";

(5) inserting "section 1111 (relating to murder), section 1114 (relating to murder of United States law enforcement officials), section 1116 (relating to murder of foreign officials, official guests, or internationally protected persons), section 1203 (relating to hostage taking)," after "section 1084 (relating to the transmission of gambling information);";

(6) inserting "section 1361 (relating to willful injury of government property), section 1363 (relating to destruction of property within the special maritime and territorial

jurisdiction)," after "section 1344 (relating to financial institution fraud).";

(7) inserting "section 1751 (relating to Presidential assassination)," after "sections 1581–1588 (relating to peonage and slavery).";

(8) inserting "section 1992 (relating to train wrecking), section 2280 (relating to violence against maritime navigation), section 2281 (relating to violence against maritime fixed platforms)," after "section 1958 (relating to use of interstate commerce facilities in the commission of murder-for-hire)."; and

(9) inserting "section 2332 (relating to terrorist acts abroad against United States nationals), section 2332a (relating to use of weapons of mass destruction), section 2332b (relating to acts of terrorism transcending national boundaries), section 2332c (relating to use of chemical weapon), section 2339A (relating to providing material support to terrorists)," after "2321 (relating to trafficking in certain motor vehicles or motor vehicle parts).";

(b) NON-TITLE 18 OFFENSE.—Section 1961(1) of title 18 of the United States Code is amended—

(1) by striking "or" before "(E)";

(2) by striking "or" before "(F); and

(3) by inserting at the end the following: "or (G) section 46502 of title 49, United States Code";

(c) LIMITATION TO CIVIL RICO.—The amendments made by this section shall not apply with respect to section 1964(c) of title 18, United States Code.

### SEC. 202. ENHANCED PRIVACY ACT AND WIRETAP PENALTIES.

(a) ENHANCEMENT OF PRIVACY ACT CRIMINAL PENALTIES.—Paragraphs (1) and (3) of section 552a(i) of title 5, United States Code, are each amended by striking "shall be guilty of a misdemeanor" and all that follows through the end of the paragraph and inserting "shall be fined under title 18, imprisoned not more than 5 years, or both.".

(b) ENHANCEMENT OF PRIVACY ACT CIVIL DAMAGES.—Section 552a(g)(4)(A) of title 5, United States Code, is amended by striking "\$1,000" and inserting "\$5,000".

(c) ENHANCEMENT OF WIRETAP DISCLOSURE CRIMINAL PENALTY.—Section 2511 of title 18, United States Code, is amended—

(1) in subsection (4)(a), by striking "paragraph (b)" and all that follows through "(5)" and inserting "this section"; and

(2) by adding after paragraph (c) the following:

"(d) If the offense is an offense under paragraph (c) or (e) of subsection (1), the offender shall be fined under this title or imprisoned not more than 10 years, or both.".

### SEC. 203. COMBATTING INTERNATIONAL STATE TERRORISM.

(a) SANCTIONS AGAINST SPONSORS OF INTERNATIONAL TERRORISM.—The Congress urges the President to commence immediately diplomatic efforts, both in appropriate international fora including the United Nations, and bilaterally with allies of the United States, to establish a multilateral sanctions regime against each of those nations certified under section 6(j) of the Export Administration Act of 1979 as having repeatedly provided support for acts of international terrorism. The President shall report to Congress, not later than 30 days after the date of the enactment of this Act, and annually thereafter, on the extent to which these diplomatic efforts have been successful.

(b) ACTION PLANS FOR DESIGNATED TERRORIST NATIONS.—The President shall provide to the Congress within 30 days after the date of the enactment of this Act an Action Plan for inducing each of those nations certified

under section 6(j) of the Export Administration Act of 1979 as having repeatedly provided support for acts of international terrorism to cease their support for acts of international terrorism.

(c) **REPORT ON UNITED STATES COUNTERTERROR AND ANTITERROR INTELLIGENCE CAPABILITIES.**—Not later than 60 days after the date of the enactment of this Act, the President shall provide to the Permanent Select Committees on Intelligence of the Senate and the House of Representatives a report on the capability of the United States intelligence community to detect, assess, and eliminate international terrorist activities, including an assessment of intelligence collection policies and practices which affect the counterterrorism and antiterrorism activities of the United States intelligence community and of the resources provided the intelligence community for such activities, together with a plan to ensure enhanced human intelligence capabilities. To the extent feasible, such report shall be unclassified and made available to the public. Such report shall be supplemented as necessary by a classified report or annex, which shall be transmitted and maintained under appropriate security procedures.

**SEC. 204. IMPLEMENTATION OF THE ANTITERRORISM AND EFFECTIVE DEATH PENALTY ACT OF 1996.**

The Secretary of State is hereby directed, before October 1, 1996, to designate foreign terrorist organizations pursuant to the amendment made by section 302 (relating to international terrorism prohibitions) of the Antiterrorism and Effective Death Penalty Act of 1996, and, if possible, justified by the evidence, and consistent with the needs of law enforcement and intelligence, the Secretary of the Treasury shall freeze assets and the Attorney General shall initiate the removal of known alien terrorists and criminals.

**SEC. 205. TAGGANTS IN BLACK AND SMOKELESS POWDER.**

(a) **AMENDMENT TO 1996 ACT TO INCLUDE BLACK AND SMOKELESS POWDER.**—Notwithstanding the provisions to the contrary of section 732 of the Antiterrorism and Effective Death Penalty Act of 1996, (concerning the exclusion of black and smokeless powder from the study described thereunder), the Director of the National Institute of Justice shall contract for an independent study of the feasibility, safety, and law enforcement effectiveness of including taggants in black and smokeless powder. The contract shall require the completion of the study within one year after the date of the enactment of this Act. The entity that conducts the study shall be outside the executive branch of the Government and possess the requisite expertise in explosives technology. The study shall, in addition, draw upon expertise and science from consultants in the areas of mining and other industries that rely upon such explosives.

(b) **REPORT TO CONGRESS.**—Not later than 30 days after the completion of the study conducted under subsection (a), the Director shall submit the study to the Congress. If the results of the study conducted under subsection (a) indicate that the taggants—

- (1) will not pose a risk to human life or safety;
- (2) will substantially assist law enforcement officers in their investigative efforts;
- (3) will not substantially impair the quality of the explosive materials for their intended lawful use;
- (4) will not have a substantially adverse effect on the environment; and

(5) the costs associated with the addition of the taggants will not outweigh the benefits of their inclusion;

then the Director may submit to Congress recommendations for legislation for the addition of taggants to black and smokeless powder manufactured in or imported into the United States, of such character and in such quantity as the proposed legislation may authorize or require.

**SEC. 206. NATIONAL COMMISSION ON TERRORISM.**

(a) **ESTABLISHMENT.**—There is established a commission to be known as the National Commission on Terrorism (in this title referred to as the "Commission").

(b) **MEMBERSHIP.**—

(1) **NUMBER AND APPOINTMENT.**—

(A) **GENERALLY.**—The Commission shall be composed of 9 members, appointed from persons specially qualified by training and experience to perform the duties of the Commission, as follows:

(i) 2 appointed by the Speaker of the House of Representatives, and 1 appointed by the Minority Leader of the House of Representatives;

(ii) 2 appointed by the Majority Leader of the Senate, and 1 appointed by the Minority Leader of the Senate; and

(iii) 3 appointed by the President of the United States.

(B) **TIMING OF APPOINTMENTS.**—The appointing authorities shall make their appointments to the Commission not later than 45 days after the date of enactment of this title.

(C) **DESIGNATION OF THE CHAIRMAN.**—The President of the United States shall designate a chairman from the members of the Commission. The Speaker of the House of Representatives and the Majority Leader of the Senate shall jointly designate a Vice Chairman from the members of the Commission.

(D) **PERIOD OF APPOINTMENT; VACANCIES.**—Members shall be appointed for the life of the Commission. Any vacancy in Commission membership shall not affect the exercise of the Commission's powers, and shall be filled in the same manner as the original appointment.

(E) **MEETINGS.**—

(1) **IN GENERAL.**—In not later than 60 days after the date on which all members of the Commission have been appointed, the Commission shall hold its first meeting. Subsequent meetings shall be held at the call of the Chairman.

(2) **QUORUM.**—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(d) **SECURITY CLEARANCES.**—Appropriate security clearances shall be required for members of the Commission who are private United States citizens. Such clearances shall be processed and completed on an expedited basis by appropriate elements of the executive branch of Government and shall, in any case, be completed within 90 days of the date such members are appointed.

(e) **APPLICATION OF CERTAIN PROVISIONS OF LAW.**—In light of the extraordinary and sensitive nature of its deliberations, the provisions of the Federal Advisory Committee Act (5 U.S.C. App.), and the regulations prescribed by the Administrator of General Services pursuant to that Act, shall not apply to the Commission. Further, the provisions of section 552 of title 5, United States Code (commonly known as the "Freedom of Information Act"), shall not apply to the Commission; however, records of the Com-

mission shall be subject to the Federal Records Act and, when transferred to the National Archives and Records Agency, shall no longer be exempt from the provisions of such section 552.

(f) **DUTIES OF THE COMMISSION.**—

(1) **IN GENERAL.**—It shall be the duty of the Commission—

(A) to prepare and transmit the reports described in paragraph (2);

(B) to examine the long-term strategy of the United States in addressing the threat of international terrorism, including intelligence capabilities, international cooperation, military responses, and technological capabilities;

(C) to examine the efficacy and appropriateness of Federal efforts to prevent, detect, investigate, and prosecute acts of terrorism, including—

(i) the coordination of counterterrorism efforts among Federal departments and agencies, and Federal coordination of law enforcement with state and local law enforcement in responding to terrorism threats and acts;

(ii) the ability and utilization of counterintelligence efforts to infiltrate and disable or disrupt international terrorist organizations and their activities;

(iii) the impact of Federal immigration laws and policies on acts of terrorism transcending national boundaries;

(iv) the effectiveness of present regulations and practices relating to civil aviation safety and security to prevent acts of terrorism, to include a study of the desirability of assigning, on a permanent basis, personnel of the Federal Bureau of Investigation at high-risk airports, and a study of the practicality and desirability of transferring authority for U.S. airport and security to an entity other than the Federal Aviation Administration;

(v) the extent and effectiveness of present cooperative efforts with foreign nations to prevent, detect, investigate and prosecute acts of terrorism; and

(vi) the impact on present counterterrorism efforts due to the failure to expend and utilize resources and authority previously provided by Congress for the implementation of enhanced counterterrorism activities and the reasons why these resources have not been expended in a timely way; and

(D) to examine the capability of the United States intelligence community to detect, assess, infiltrate, disrupt, and eliminate international terrorist organizations and activities, including an assessment of intelligence collection policies and practices which affect the counterterrorism and antiterrorism activities of the United States intelligence community and of the resources provided the intelligence community for such activities, together with a plan to ensure enhanced human intelligence capabilities; and

(E) to examine all present laws relating to the collection and dissemination of personal information on individuals by law enforcement or other governmental entities, and the necessity for additional protections to prevent and deter the inappropriate collection and dissemination of such information.

(2) **REPORTS.**—

(A) **INITIAL REPORT.**—Not later than 2 months after the first meeting of the Commission, the Commission shall transmit to the Committees on the Judiciary of the Senate and the House of Representatives a report setting forth its plan for the work of the Commission.

(B) **INTERIM REPORTS.**—Prior to the submission of the report required by subparagraph (C), the Commission may issue such interim reports as it finds necessary and desirable.

(C) FINAL REPORT.—No later than 6 months after the first meeting of the Commission, the Commission shall submit to the President and to the Committees on the Judiciary of the Senate and the House of Representatives a report setting forth the activities, findings, and recommendations of the Commission, including any recommendations for the enactment of legislation that the Commission considers advisable. To the extent feasible, such report shall be unclassified and made available to the public. Such report shall be supplemented as necessary by a classified report or annex, which shall be provided separately to the President and the Committees on the Judiciary of the Senate and the House of Representatives.

(g) POWERS.—

(1) HEARINGS.—The Commission or, at its direction, any panel or member of the Commission, may, for the purpose of carrying out the provisions of this title, hold hearings, sit and act at times and places, take testimony, receive evidence, and administer oaths to the extent that the Commission or any panel or member considers advisable.

(2) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any intelligence agency or from any other Federal department or agency any information that the Commission considers necessary to enable the Commission to carry out its responsibilities under this section. Upon request of the Chairman of the Commission, the head of any such department or agency shall furnish such information expeditiously to the Commission, unless the head of the department or agency determines that doing so would threaten national security, the health or safety of any individual, or the integrity of an ongoing investigation or prosecution.

(3) POSTAL, PRINTING AND BINDING SERVICES.—The Commission may use the United States mails and obtain printing and binding services in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(4) SUBCOMMITTEES.—The Commission may establish panels composed of less than the full membership of the Commission for the purpose of carrying out the Commission's duties. The actions of each such panel shall be subject to the review and control of the Commission. Any findings and determinations made by such a panel shall not be considered the findings and determinations of the Commission unless approved by the Commission.

(5) AUTHORITY OF INDIVIDUALS TO ACT FOR COMMISSION.—Any member or agent of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take under this title.

(h) PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—Each member of the Commission who is a private United States citizen shall be paid, if requested, at a rate equal to the daily equivalent of the annual rate of basic pay payable for level V of the Executive Schedule under section 5316 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Commission. All members of the Commission who are Members of Congress shall serve without compensation in addition to that received for their services as Members of Congress.

(2) TRAVEL EXPENSES.—Each member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5,

United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(3) STAFF.—

(A) IN GENERAL.—The Chairman of the Commission may, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, appoint a staff director and such additional personnel as may be necessary to enable the Commission to perform its duties. The staff director of the Commission shall be appointed from private life, and such appointment shall be subject to the approval of the Commission as a whole.

(B) COMPENSATION.—The Chairman of the Commission may fix the pay of the staff director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay fixed under this paragraph for the staff director may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title and the rate of pay for other personnel may not exceed the maximum rate payable for grade GS-15 of the General Schedule.

(4) DETAIL OF GOVERNMENT EMPLOYEES.—Upon request of the Chairman of the Commission, the head of any Federal department or agency may detail, on a nonreimbursable basis, any personnel of that department or agency to the Commission to assist it in carrying out its administrative and clerical functions.

(5) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairman of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay payable for level V of the Executive Schedule under section 5316 of such title.

(i) PAYMENT OF COMMISSION EXPENSES.—The compensation, travel expenses, per diem allowances of members and employees of the Commission, and other expenses of the Commission shall be paid out of funds available to the Attorney General for the payment of compensation, travel allowances, and per diem allowances, respectively, of employees of the Department of Justice.

(j) TERMINATION OF THE COMMISSION.—The Commission shall terminate 1 month after the date of the submission of the report required by subsection (f)(2)(C).

The SPEAKER pro tempore. Pursuant to this rule, the gentleman from California [Mr. COX] and the gentleman from Michigan [Mr. CONYERS] each will control 20 minutes.

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

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Mr. COX of California. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SHUSTER] be permitted to control 6 minutes and that the gentleman from Illinois [Mr. HYDE] be permitted to control 6 minutes of the time allocated to me.

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

There was no objection.

Mr. COX of California. Mr. Speaker, I yield 2 minutes to the gentleman from

New York [Mr. GILMAN], chairman of the Committee on International Relations.

Mr. GILMAN. Mr. Speaker, I am pleased for this opportunity to speak on the concise issue of international terrorism, which is so much on the mind of our Nation today. As we move forward with this important bill before us, let us be ever mindful of how we must most effectively fight this scourge, especially on the international front.

I am particularly pleased that the bill before us (H.R. 3953) in section 203 encourages the President to take greater steps to address the problem of foreign government-sponsored international terrorism.

We must keep international terrorism at the top of our foreign policy agenda, as the New York World Trade Center bombing in February 1993 made very clear. International terrorism has come to our own shores. In addition, the recent attacks on American personnel in Saudi Arabia make it clear that terrorist fear no boundaries or jurisdiction when going after our vital interests. The struggle against terrorism is one which all of the nations of the world must wage cooperatively together.

It is gratifying that at our direction and through Republican-led efforts, the State Department was forced to maintain a high-level, visible office of Coordinator for Counter Terrorism to help make known to friendly nations, state sponsors of terrorism, and within the U.S. bureaucracy that international terrorism is a high foreign policy priority. We ought to be proud of those foresighted efforts to keep the fight high on the foreign policy agenda of our State Department.

We must also help prevent easy entry into our Nation of members of terrorist groups whose purpose is to harm our Nation. In the counterterrorism bill that became law in April 1996, Congress included an amendment to the Immigration and Nationality Act [INA] to exclude entry into the U.S. based on "mere membership" in defined terrorist groups. It is now law, despite a lukewarm response from the administration.

Sadly, to date this law pertaining to designating terrorist groups has yet to be implemented. I applaud the authors of the bill before us who mandate that the process of defining terrorist groups, for both fundraising and exclusion purposes, is to be put on the fast track and completed by October 1.

Like the reluctance to support the mere membership provision, the Administration was slow to support our efforts in the Congress on the Iran-Libya sanctions bill. However, they came along. Next week the President will sign that bill into law and give us added tools to isolate and work against these rogue nations like Libya—responsible for the deadly Pam Am 103

attack—and Iran, the leading state sponsor of terrorism in the world.

These and other provisions in this Aviation Security and Antiterrorism Act of 1996 will further the struggle against the evil of terrorism.

Mr. CONYERS. Mr. Speaker, I am pleased to manage the bill, but I do want to allocate a block of time to the gentleman from Minnesota [Mr. OBERSTAR], ranking member of the Committee on Transportation and Infrastructure.

Mr. Speaker, I yield 8 minutes to the gentleman from Minnesota [Mr. OBERSTAR] and I ask unanimous consent that he be permitted to control the time.

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

There was no objection.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Mr. Speaker, conveniently omitted from today's discussion of antiterrorism legislation is what occurred on this floor in March of this year, the last time antiterrorism legislation was up for our consideration.

At that time, under pressure from special interest lobby groups, a key provision was stripped from the antiterrorism legislation. The bill was "eviscerated." That is not my word. It is the word of the very distinguished, and he is distinguished, Republican chairman of the Committee on the Judiciary. I want to quote his remarks from that debate on March 13.

He said, "If the Barr amendment passes, we eviscerate the bill. It is a frail representation of what started out as a robust answer to the terrorist menace."

A few minutes later he said, "With the Barr amendment, this is not an antiterrorism bill."

He was right. We have not had an antiterrorism bill this year. We had the opportunity today to join in a bipartisan effort and offer ideas from each side to deal with this national crisis, and it was rejected, denying us the opportunity to contribute our ideas.

I think it was rejected because the same high-handedness and extremism that apparently led one Republican Member to say right here on the floor of the House, "I trust Hamas more than I trust my own Government."

When you have that kind of attitude, you cannot come together and work out reasonable solutions to fight terrorism. That is the opportunity that has been lost in this Congress.

I will vote for this legislation today, but it does not do enough to address this problem. All of us have watched these crime investigators sift through the debris from a bombing, looking for clues in the tiniest spaces and, yet, they are denied today a vital tool.

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

Mr. Speaker, we do not know yet what brought down TWA 800. But of course the probabilities are that it was a bomb. We do not know who planted the bomb at the Olympics. Maybe it was somebody mentally deranged, maybe a terrorist. We do not know yet who killed our troops in Saudi Arabia, but that clearly was an act of terrorism.

We do not need to know all the answers to these questions to know that the American people expect action now, and this bill responds to that demand from the American people.

This bill is not a panacea. It is but a step in the right direction. Indeed, with regard to the aviation security provisions of this bill, once again, these have been crafted in a bipartisan basis, working with my colleagues, particularly the ranking member of our committee, the gentleman from Minnesota [Mr. OBERSTAR]. The majority and the minority have been full partners in crafting the aviation security provisions for this bill.

We need to emphasize that today there are serious gaps in our aviation security system. Even though we have passed several pieces of legislation in the past dealing with security, we need to focus more attention on bomb detection capabilities and, indeed, an awful lot yet remains to be done. So this bill is but a step in the right direction.

Mr. Speaker, I urge my colleagues to support it.

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

Mr. OBERSTAR. Mr. Speaker, I yield myself 1½ minutes.

Mr. Speaker, on Christmas Eve 1988, nearly Christmas Eve, the world of aviation as we know it changed. People had felt secure against skyjackings from the time in the late 1960's when we were experiencing one skyjacking every 2 weeks.

Then the United States required the installation of metal detectors and x-ray machines at major airports to screen passengers and their carry-on baggage and skyjackings dropped off the horizon as a threat to aviation in the domestic United States. But with the devastation of Pan Am 103, in which 270 people died, people from 21 countries besides the United States, the world of aviation changed. The new threat was terrorist acts against the flag of the United States.

In the aftermath of Pan Am 103 a commission was created by this Congress, in cooperation with the Bush administration, to look into the causes and recommend actions to be taken to make aviation more secure. We have in place a strong law to protect against terrorist actions. We must understand that we are operating now in a world in which aviation is the target of State-sponsored terrorism, and the American flag and American air carriers and American passengers are its targets.

Mr. Speaker, we must enact strong legislation. I will deal with that later in my further remarks.

Mr. SHUSTER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Tennessee [Mr. DUNCAN].

Mr. DUNCAN. Mr. Speaker, I rise in strong support of this legislation.

Over the years our Nation has become accustomed to terrorism and acts of violence in other countries. But recent tragic events here at home, in our great Nation, have underscored the fact that we live in a dangerous world—and that we too are vulnerable to terrible acts of violence more and more every day.

The World Trade Center, Oklahoma City, Atlanta, and the possibilities of TWA flight 800 being blown out of the sky by a bomb, all of these have brought terrorism to the forefront of our society.

The American people are demanding, and they deserve, every amount of reasonable protection from acts of violence and terrorism that the Federal Government can muster.

Mr. Speaker, the Aviation Security and Antiterrorism Act makes several needed improvements to our Nation's aviation security system. This legislation will require bomb-sniffing dogs to be used at the 50 largest airports in the Nation.

It directs the Federal Aviation Administration to deploy the best available bomb detection equipment at airports here at home—similar to equipment that is now being used at several airports in Europe and Israel.

The bill also requires airport baggage screeners to undergo in-depth security background checks before they are hired. We should require that all these airport security people be U.S. citizens.

And, among many other provisions, the bill also directs the FBI to work closely with the FAA on security measures at our Nation's airports.

Mr. Speaker, as the Chair of the Aviation Subcommittee, I wholeheartedly support this legislation. It addresses needed improvements in aviation security that I believe a majority of Americans will support. It is a good bill, a responsive bill, and I urge every Member to support it.

Mr. CONYERS. Mr. Speaker, I yield 30 seconds to the gentleman from North Carolina [Mr. HEFNER], a member of the Committee on Appropriations.

Mr. HEFNER. Mr. Speaker, this just shows how far we are into a political campaign. Here we have a bill that nobody knows anything about, that does nothing and, if you vote against it, you are going to have commercials run against you that say you are soft on terrorism. In the meantime, nothing is going to happen that deters terrorism.

This is a sad day in our country when people are out there grieving because they have lost loved ones in these terrorist acts, and we are doing something

that absolutely does nothing. It is strictly a political document. That is a sad day in this body.

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

Mr. Speaker, as every one knows I strongly supported enhanced authority for law enforcement to investigate, prosecute, and punish terrorists. Specifically I believe Federal law enforcement ought to have the necessary tools in terrorism cases, tools that are already available in other types of criminal investigations. I am speaking about multipoint wiretaps, temporary emergency wiretaps and pen registers and trap and trace devices.

In the first session of this Congress, I introduced the Comprehensive Antiterrorism Act of 1995, H.R. 1710, which did contain all of these features. My bill was approved by the Committee on the Judiciary June 20, 1995 by a bipartisan vote of 23 to 12. Unfortunately, some of these key elements were stricken from the final version of the law that was signed by the President on April 24 of this year.

Today I have introduced similar legislation in the House of Representatives as H.R. 3960, the Antiterrorism Law Enforcement Enhancement Act of 1996. It is cosponsored by the gentleman from Michigan, Mr. JOHN CONYERS, the gentleman from Florida, Mr. BILL MCCOLLUM, and the gentleman from New York, Mr. CHUCK SCHUMER.

Among other things, it would expand authority for multipoint wiretaps, allow pen registers and trap and trace devices in counterintelligence cases and authorize temporary emergency wiretaps in terrorism cases.

□ 1530

Obviously H.R. 3960 is a bipartisan initiative to make it clear we intend to continue the effort to bring about the kind of law enforcement enhancements necessary to effectively confront the terrorist threat in our country. The recent events, TWA flight 800 and the bombing at the Centennial Olympic Park in Atlanta, are examples why Federal law enforcement needs these enhanced authorities.

Now I want to say the legislation before us, H.R. 3953, does contain some very positive features which will assist us in countering terrorism. Section 201 adds terrorist offenses as RICO predicates. Section 202 provides increased penalties for violations of the Privacy Act and for the unauthorized disclosure of information obtained through a wiretap. Section 205 provides for a study of taggants in black and smokeless powder under the auspices of the National Institute of Justice. Section 206 authorizes the establishment of a National Commission on Terrorism.

One important aspect of this issue, that is not part of the bill we are considering this afternoon is funding for digital telephony. This is a pivotal ele-

ment of the antiterrorism effort that will enable the FBI, the DEA, and other Federal law enforcement agencies to deal with the changing technology in telecommunications. The funding is contained in the Commerce, State, and Justice appropriations bill. Specifically, it will give law enforcement access to digital and fiber-optic telephone technology for criminal investigation purposes. I must admit I have concerns about the implementation plan that is required of the FBI by the language in the appropriations bill. We are not against requiring the FBI to provide Congress with a plan, detailing how they expect to proceed but we did not want to have language in the law which would interfere with the prompt implementation of the digital telephony statute.

Again, Mr. Speaker, this is very helpful legislation. But, I do want to again stress that I consider H.R. 3953 to be the beginning and not the end of this effort. The bottom line is that more needs to be done to provide Federal law enforcement with the kind of enhanced tools and authorities they need to effectively deal with the threat of terrorism in the United States and abroad.

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

Mr. CONYERS. Mr. Speaker, I associate myself with the remarks of the distinguished chairman of the Committee on the Judiciary, and I yield 2 minutes to the gentleman from North Carolina [Mr. WATT], an indefatigable member of the Committee on the Judiciary.

Mr. WATT of North Carolina. Mr. Speaker, I thank the ranking member for yielding this time to me, and I may not take 2 minutes.

I want to express my disappointment, Mr. Speaker, that we are missing an opportunity to deal with a serious issue by playing politics with it. If we had come together and tried to deal with this issue in a way that the American people deserve to have it dealt with, I think we would have a much, much better bill on the floor today rather than this bill, which all of us will go out and say deals with terrorism but all of us, deep in our hearts and minds, really know does not serve the purpose.

The litmus test for terrorism legislation, it seems to me, if we are responding to what happened in New York and what happened in Atlanta, is, can we craft some legislation that would have had an impact had it been in place at the time those tragedies occurred?

I do not think we can say yes to that inquiry when we look at this legislation. The part of the legislation that, had we put it in the bill, would have dealt with the Atlantic situation, would have been the tagging or taggants which would help identify the powder that was used in the Atlanta situation, and we have the capacity to do that. We are missing that oppor-

tunity by saying we are going to put this aside and do a study on this issue which has been studied time after time after time. We should be disappointed in ourselves in this legislation.

I am not going to vote against the legislation. But it is so far below what we could have gotten if we had just worked together in this body.

Mr. SHUSTER. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. GEKAS].

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

We have reached the stage in our history now where everyone must recognize that airport security and antiterrorism issues are matters for national security. Therefore any little thing that we can do to tighten up security at our air facilities and to move against terrorists on every front, giving as much authority as we can to our law enforcement agencies, is not just a plus for antiterrorist activity but also, I repeat, in the interest of national security.

There should not be one negative vote on this bill, not one, because if we result in this bill in securing an airport, just one airport in our country, it is worth a "yes" vote. So let us not criticize what could have been in the bill or what might have been in the bill. This will strengthen our airports. That is enough for a "yes" vote from very Member of the Congress.

Mr. OBERSTAR. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Maryland [Mr. HOYER].

Mr. CONYERS. Mr. Speaker, I yield 1 additional minute to the distinguished gentleman from Maryland.

The SPEAKER pro tempore (Mr. HASTERT). The gentleman from Maryland [Mr. HOYER] is recognized for 2 minutes.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding this time.

In October of 1995 a demented person or persons, because of an alleged grievance, killed 168 innocent human beings. Terrorism is a problem and terrorism must be dealt with, met and defeated.

Like every other Member of this body, I presume I will vote for this legislation.

The gentleman from Pennsylvania says if it goes one centimeter forward to make us more secure it is perhaps worth voting for, and in my perception it does not harm and therefore is worth voting for.

But it is a shame, my colleagues, that we did not, as the distinguished gentleman from Illinois said so correctly back in March and repeats today, that we did not take definitive, effective action to enhance our ability to determine who is likely to commit a terrorist act so that we are not responding to that act to determine who killed one or a hundred or a thousand innocent people.

I would urge the individuals in the majority party who have the control and who have presented this to us, frankly, on very short notice, to work in a bipartisan fashion under the leadership of the chairman of the Committee on the Judiciary, the distinguished gentleman from Illinois [Mr. HYDE] to respond effectively and confront those who are demented and who would attack and kill and make less secure this great land.

In closing, let me say as an aside that I would hope we would also focus in the airport security with the dogs, on the ATF's current capability, and make sure that that is fully utilized now and in the future.

Mr. COX of California. Mr. Speaker, I yield 1 minute to the gentleman from San Diego, CA [Mr. CUNNINGHAM], the distinguished expert member of the Committee on National Security.

Mr. CUNNINGHAM. Mr. Speaker, you want real tooth and nail to really vote for the bill. A lot of us fly a lot, and I am an aviator myself, and in this bill it gives the FBI the authority and the power to protect our airways. It strengthens the security at airports, and under the RICO statutes terrorists will fall under the same kind of stringent examination that our racketeers do.

Let me tell my colleagues about a problem. This body and the Senate mandated to the President that he not ship arms to Bosnia. There are over 12,000 Mujahidin, Hamas and Jihad fighters in Bosnia, and I talked to intel. They are real concerned that those weapons are going to end up all over the world now. Did we forget that the World Trade Center was blown up by a Hamas terrorist and a cleric?

We need to put some tooth in our bill, not just this one, but down the line. The real challenge is to start here and let us work together and finish the rest.

Mr. HYDE. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Georgia [Mr. BARR].

Mr. BARR of Georgia. Mr. Speaker, what America has done this past week and what we in the Congress have done this past week is precisely what we should do this past week, and that is to roll up our sleeves, look at the problem, do what can be done now and leave for another day more study and action later on other matters, but not to leave things lying.

This is important legislation that is meaningful legislation and it is balanced legislation. It contains no new wiretapping authority whatsoever. There is no ill-advised, precipitous mandated taggant requirement that could pose a danger to industry and to law enforcement officers. There is no authority for the Government to obtain records without court order. There is no authority for Government to gain access to private encryption keys for computers.

What the bill does do is, it institutes real, meaningful, substantive security measures that will benefit the American people immediately. It forces the administration to do what it should have done already. This is good legislation, it is conservative legislation, and I urge colleagues on both sides of the aisle, of all political persuasions, to support this meaningful legislation today.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. SCHUMER], ranking member of the Committee on the Judiciary, former chairman of the Subcommittee on Crime and now presently ranking member of the subcommittee.

Mr. SCHUMER. Mr. Speaker, I thank the gentleman from Michigan not only for the time but for his yielding.

This is a pretty sad day in this Chamber. We are going to have a unanimous vote for this bill. The unanimity speaks to the fact that we have put together a series of noncontroversial cats and dogs that do a little but not what we should do against terrorism.

I just hope that some of the families of people who lost their lives in Oklahoma City, on TWA Flight 800, in Atlanta, are not watching today because we know that they want us to do all we can to fight terrorism. We know that law enforcement has told us they need multipoint wiretaps and taggants, and we know that in an act that some would say is politics and others would call much worse, those on the other side took those out. They were unable to just have the guts to say, "We do not believe in those."

Many on the other side are doing what they think is right. Some on the other side do not have the guts to admit that they have eviscerated what we should do about terrorism and instead put up a series of smokescreen proposals, none of which are objectionable but only one of which does anything real to fight terrorism, and that would have passed here within the next few months anyway in terms of airport security.

So what we have today, my colleagues, is something that belies what is wrong, that explains what is wrong with this Chamber, and that is the inability of the broad membership both of this body and probably of the country to pull together and do what is needed when we face problems, enemies, and now sometimes even crises. What we are doing here is an act at best of deception and at worse of cowardice.

□ 1545

This is not a game. We are going to have other terrorist incidents that affect us. Once again the head of the FBI would say, "I wish we had those multipoint wiretaps. I wish we had taggants so that incident might not have occurred." Then perhaps once

again we will all gather together in a group and we will debate for 3 days in a little conference room what we should do.

I pray to God that the result is not the same as what happened the last two times: We end up with a hodgepodge of proposals, unstudied, unexamined, and at best, marginally effective, and ignore what should be done. Shame on us. We should be doing much, much more.

Mr. HYDE. Mr. Speaker, I am honored to yield 1 minute to the distinguished gentleman from Florida [Mr. MCCOLLUM], chairman of the Subcommittee on Crime of the Committee on the Judiciary.

Mr. MCCOLLUM. Mr. Speaker, contrary to my good friend, the gentleman from New York, CHUCK SCHUMER's comments, my judgment is this is a very fine bill. It is one that is long overdue as a supplement to the terrorism bill we passed in April. We must as a nation unite together to fight terrorism. It is one of the three or four major criminal and international concerns of this Nation as we move into the 21st century.

There are going to be lots of debates over the specific provisions of how we go about doing this. Yes, I believe we ought to have multipoint wiretap sources for the FBI to be able to tap more telephones, to get at these terrorists. But there are a lot of other things we need and they are in this bill today. There are going to be more things down the road. We are going to have hearings on the wiretap in our Committee on the Judiciary in the next month when we come back. I believe we will produce much more substantive legislation in addition to this as we go through this process.

Make no mistake, there is really good and important stuff in this bill. It should be enacted today. As the chairman of the Subcommittee on Crime and a member of the Committee on Intelligence, I pledge to my colleagues and friends that we will work diligently to make sure that terrorism is defeated in every possible source and on every possible occasion.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas, Ms. SHEILA JACKSON-LEE, who has done an enormously useful job on the Committee on the Judiciary.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I really rise this afternoon in the name of Alice Stubbs Hawthorne. Who is being funeralized today, who passed at the Olympics along with a Turkish reporter; the victims of Pan American 103; the victims of TWA flight 800; Pam Lyncher, Myra Royal of Pan American 103; and certainly Oklahoma City.

Mr. Speaker, this bill is a wimpish bill. I am saddened to say that the

House Republicans last year shut down the Government in December, and now they are trying to shut us down on our ability to fight terrorism. They have precluded us from having taggants to track the bombs that may have been the cause of these tragic acts. They have refused to harmonize the terrorism laws with criminal laws, a simple gesture.

Mr. Speaker, I would simply say that what we must do, and I hope that our colleagues will comply with what they have just said today, we must go forward. I will vote for this bill, because there are certain airport security provisions that will allow us to detect bomb devices, but we are just beginning. This is a tiny step, and it is not a very large step for Americans, but I am prepared to work to do better. I hope my colleagues will join with me to do better for America.

Mr. Speaker, I must rise to express my views on the Aviation Security and Antiterrorism Act of 1996. While I understand the urgency of strengthening our current antiterrorism laws, I am concerned about the process that the House leadership used to bring this bill to the House floor without considerable input from members of the minority party and the lack of any opportunity to amend the bill. Every Member of Congress wants to end domestic terrorism but we must provide for some debate and careful reflection on this bill before moving forward with provisions that could undermine the traditional civil liberties of all Americans.

There are some good provisions to this bill and some bad provisions. The bill enhances the penalties for Privacy Act violations from a misdemeanor charge to a charge that would lead to imprisonment of not more than 5 years. Additionally, the civil damages for violating the Privacy Act would be increased from \$1,000 to \$5,000. With respect to disclosures of wiretaps, this bill enhances the criminal penalties to 10 years for such disclosures.

The close monitoring of standards relating to airport security personnel and authorizing additional funds for this purpose is also something that all Members can agree. As a part of the security procedures, however, the Federal Aviation Administration and the Department of Transportation will work closely with the airlines on developing computer-assisted passenger profiles programs. We must make sure that such profiles do not lead to harassment of certain individuals based upon their race, ethnicity or national origin.

I also support the provisions of the bill that require the United States to work with other countries to combat international terrorism. The development of a multilateral sanctions regime against nations that provide support for acts of international terrorism is a good idea.

The bill requires the Department of Justice to order a study relating to using taggants in black and smokeless powder. Taggants have been studied over and over again and many experts believe that taggants are effective. Hopefully, the result of this study will be issued prior to the 1 year deadline. If it is determined that taggants are effective in helping to identify the source of terrorism, it should be implemented as soon as possible.

The addition of terrorist offenses as predicates for prosecution under the racketeering statute [RICO] deserve careful study because we already know that there are some problems in how the RICO statute has been implemented.

Mr. Speaker, I urge my colleagues to carefully examine the provisions of this bill before moving—casting their vote. It is important to reduce the number of terrorist acts and limit the impact of such acts but we must not unduly burden the rights that all Americans have enjoyed over the years.

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

Mr. Speaker, I would like to clarify a provision of this bill in the expectation this may become law. We want to make sure we do have a clear understanding.

In section 106, is it the chairman's understanding that in the matter of project grants, that grants for the expanded and enhanced security programs provided for in section 106 would be to airport sponsor, just as they are made today under the AIP Program; that such grants would not be made to entities other than airport sponsor, such as airlines or private companies? Is that the gentleman's understanding?

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

Mr. OBERSTAR. I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. That is my interpretation of the language in section 106.

Mr. OBERSTAR. I thank the chairman of the committee.

Mr. Speaker, as I said at the outset during debate on the rule, we on this side may not have been in on the take-off, because this legislation did sort of take shape and form and get rolling on its own, but we certainly were in on the flight and in on the landing, and have had a role, and I think a very constructive and positive role to play in each stage of the formation of this legislation as far as the aviation security part is concerned.

That is our committee jurisdiction. I want to again express my appreciation to the chairman of the committee, the gentleman from Pennsylvania [Mr. SHUSTER], for his partnership, and the gentleman from California [Mr. COX] for his very constructive intervention role that he played at very important times in the evolution of this piece of the legislation.

Mr. Speaker, I have had a very long involvement with aviation security, going back to the years when I chaired the Subcommittee on Investigations and Oversight with our then-ranking member, now Speaker of the House, the gentleman from Georgia [Mr. GINGRICH]; later, the gentleman from Pennsylvania [Mr. CLINGER]; and I worked very closely on every aspect of aviation security in crafting the basic structural law, the Aviation Security Act of 1990, which was crafted basically by the Pan American 103 commission on which our former ranking member and

dear friend, Mr. Hammersmith, and I served.

With that perspective, I would just like to review some of the provisions of this legislation before us now. I think, all in all, this is basically a sound piece of legislation. Section 44913 which is amended in title I, dealing with explosive detection equipment, provides authority for the administrator of FAA to certify for deployment explosive detection devices that are now commercially available but that may not necessarily meet the standards we set for the 1990 Security Act.

That will provide a measure of enhanced performance while we go through, while we, the FAA and DOT, go through the very time-consuming and technical process of certifying very advanced explosives detection technology.

Section 102 deals with criminal background checks for screeners at the Nation's airports. That is not now provided for in current law. I think this is an important step forward. Pan American 103 commissioned in the 1990 Security Act, did not deal with domestic terrorism, it dealt with international acts. This fills an important hole in current security.

I do want to emphasize that this section amends the 1990 Security Act, which provides and requires a 10-year criminal background security check for other airport and airline personnel, and that we are simply folding this addition into that basic legislation.

Mr. Speaker, the section dealing with passenger profiling I think is a good addition. We have clarified the language on section 106, the use of funds to acquire, improve, deploy, and build the facilities necessary to deploy detection devices.

Assessment of cargo I think is very important. The FBI provisions are very good.

I do want to point out for my colleagues that the provision dealing with small airports is going to result in some additional cost for small airports from which passenger aircraft of less than 61 operate, that will require costs for x-ray machines, metal detectors, screeners, and installation costs.

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

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

Mr. SHUSTER. Mr. Speaker, I also yield 1 minute to the gentleman from New Jersey.

The SPEAKER pro tempore. The gentleman from New Jersey [Mr. SAXTON] is recognized for 2 minutes.

Mr. SAXTON. Mr. Speaker, let me just begin, and I had to smile when my friend, the gentleman from New York, CHARLIE SCHUMER, and other speakers on this side characterized what the Republican Party is trying to do for national security as wimpish. I do not

think anybody takes that as a credible statement.

The provisions of this bill on aviation safety are certainly not wimpish. The provisions on Federal racketeering statutes and the use of them in regard to terrorist acts is not wimpish. The use of enhanced telephone technology to catch terrorists and know what they are doing is not wimpish. This is not a wimpish bill. In fact, it moves in the right direction.

Mr. Speaker, I remember in 1990 then-Secretary of Defense Dick Cheney coming to the Committee on Armed Services and saying, the world is going to change, folks. The Soviet Union, the threats posed by the Soviet Union are going to diminish, and other threats will become more important. He was talking about regional threats and the threats posed by terrorism.

On June 20, 21, and 22 of this year in Tehran a group of international terrorists met in a conference. They formed an organization known as the International Hezbollah, and they vowed to ratchet up terrorist acts against the West, particularly against the United States and our people overseas.

Shortly following that, a murder occurred in Egypt. It was an American diplomat. This organization took credit. Some time after that a bombing occurred in Dharhan at the airport. Nineteen Americans were killed, and they took credit. Shortly after that an airplane fell out of the sky over Long Island, and we do not know yet, but we suspect there may be a connection there as well.

So what this bill does is simply to try to take us in the direction of a more secure situation for our people overseas, our travelers, and our people here at home. For those who think it does not go far enough, fine. We will go further in the next bill. For those who object to a provision of this, it is their right to object. But vote to support this bill which moves in the right direction.

Mr. CONYERS. Mr. Speaker, I yield 30 seconds to the gentleman from New York [Mr. FORBES].

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

Mr. Speaker, this legislation is woefully inadequate. I am sorry to stand here today and say that. But unfortunately, the tragedy that we have witnessed on Long Island, which is in my congressional district, makes me very concerned about what is going on here.

Can we actually look in the eyes of any one of the families suffering through this tragedy and tell them that this legislation would have made their loved ones more secure? I suggest not. This is an unfortunate and inadequate piece of legislation.

Mr. OBERSTAR. In the interests of advancing the cause here, Mr. Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore. The gentleman from Minnesota [Mr. OBERSTAR]

is recognized for 1 minute and 15 seconds.

□ 1600

Mr. OBERSTAR. Mr. Speaker, I do so to address the Civil Aviation Security Review Commission provision of this bill, 13 members, 1 year to report. While I support the idea of a commission, I think this is too many people, too long a time to report. The Pan Am 103 commission did its job in 6 months.

In addition, I have some concerns about the amount of money authorized to be spent on this commission. The Pan Am 103 commission developed recommendations in less time, with a much more conservative budget. The Pan Am commission achieved its mandate with a budget of \$1 million. The commission in this bill has an authorized budget of \$2.4 million. The cost anticipated in connection with the commission in this bill are excessive.

As for what the commission should focus on, I would urge commission members to look closely at the issue of how the financing of improved security equipment and procedures should be handled. Who should be responsible for incurring the cost that are inevitably associated with improving airport security; airports, airlines, the Federal Government?

I very firmly believe that when the commission discussed potential rulemaking in the area of airport security, the resulting recommendations should be normative in nature. Cost benefit analyses should not influence the discussions or recommendations of the Commission. The costs associated with improved airport security must ultimately be considered, but I do not think that it is the role of the commission to do so. The commission must develop and recommend optimal security recommendations and let Congress and the administration weight those recommendations against the costs and inconveniences associated with them.

One issue that must be considered is whether a positive bag match should be required for passengers traveling domestically, as it is currently required on international flights. Again, while there would unquestionably be a significant impact on aviation in domestic markets should such a bag match be imposed, the commission should, to the extent possible, view a required domestic bag match with regard for potential costs or inconveniences.

In closing, there is a question we must pose to the American public, the executive branch, and this body. It is a question of political and personal will. We all want a higher level of airport security. How much is the public willing to pay? How much is the public willing to be inconvenienced? The answer today may be, to paraphrase President Kennedy, "we are willing to pay any price, bear any burden." From experience I know that the answer a year from now will likely be very different. Now is when we must ask the question and formulate the answer.

Mr. Speaker, I urge my colleagues to support this important legislation.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Washington [Mr. DICKS].

Mr. DICKS. Mr. Speaker, this morning instead of attending a meeting he

had requested with the director of Central Intelligence to discuss activities to combat terrorism, the Speaker of the House chose to make some comments which served no purpose other than to undercut bipartisan efforts to pass a meaningful counterterrorism bill. To suggest that our ability to collect human intelligence on terrorists and terrorist organizations had been undermined by the Clinton administration is simply not correct.

Perhaps the Speaker, an ex officio member of the Permanent Select Committee on Intelligence, should reread the committee's report on the fiscal year 1996 intelligence authorization bill. The report stated, "Overall, the Committee believes that the work of the U.S. intelligence agencies against terrorism has been an example of effective coordination and information sharing." The report also noted, "The Committee, in its mark, has provided added support to the Intelligence Community programs focused on the terrorist threat."

The recent report of the Aspin-Brown commission on intelligence also stated, "U.S. intelligence has played key roles in helping other countries identify and/or arrest several notorious terrorists, including Carlos the Jackal in Sudan, the alleged ringleader of the World Trade Center bombing, in the Philippines, the head of the Shining Path terrorist group in Peru, and those involved in the bombing of Pan Am 103."

Mr. CONYERS. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore (Mr. HASTERT). The gentleman from Michigan [Mr. CONYERS] is recognized for 1 minute.

Mr. CONYERS. Mr. Speaker, we began the attempt to do something during the summer recess by meeting with the President of the United States and the White House with our leadership, the ranking member of judiciary, myself, Vice President, Attorney General, FBI Director, and Speaker GINGRICH was so amicable. Now we come to Friday, and he makes this unusually vituperative attack upon the President and misleads the American people on what has been going on here in our attempts to combat antiterrorism.

We know what is happening here, and I hope that we can communicate this to everyone else.

Mr. COX of California. Mr. Speaker, I yield myself the balance of my time.

I will be brief in closing, because I know that several of our colleagues wish to catch airplanes. We had been long scheduled to adjourn today, but just a few days ago the President of the United States asked the Congress, not just the House but the Senate as well, not just Republicans but Democrats to do what we can before we go. As a consequence, a task force of us comprising our leaders, committee chairmen, ranking and majority members in the

Senate and in the house, representatives of the administration, including the President's chief of staff, including the deputy attorney general, including representatives from the FBI, the Department of State, and many executive branch agencies worked here in this Capitol for long days and long nights.

Much has been said about what we disagreed about. In truth, we did disagree about two major items: This House sought to include in this terrorism package a good-faith exception to the exclusionary rule so that the evidence that will convict terrorists makes it into the courtroom. We passed it five times on the floor of this House, but it was not acceptable to our colleagues in the minority, on the Senate side.

So notwithstanding that the good-faith exception to the exclusionary rule that would permit evidence of terrorism to make it into the courtroom has passed this House five times, it is not included in this legislation; neither is wiretapping legislation that has passed the Senate but has not passed this body. We were charged with a very specific task, and that is to do as much as we can agree upon before we leave and to do so, obviously, under procedures that require unanimous consent in the other body and require us to bring it up under suspension of the rules here.

Rather than dwell upon the two things that we disagreed on, we ought to dwell on the score of things that we did agree upon, because there is much good in this legislation.

As a result of this bill, the Federal Aviation Administration will have immediate authority to put in place performance standards for security personnel at our airports. The FBI does not presently do threat and vulnerability assessments at our riskiest airports such as JFK in New York, but as a result of this bill they will have the immediate authority to do so.

As a result of this bill, airport improvement funds are authorized to be used to fight terrorism and to provide security in our air transport against terrorism.

As a result of this bill, we will now give our criminal prosecutors in our Federal courts the same tools to fight terrorists they use to fight racketeers and organized crime. I want to thank my colleagues, Democrats and Republicans, in the House and in the Senate, and in the administration for the hard work that we have done to bring us to this point. This is amazing good work. It comes after long hours and late nights. Yes, it comes after the imposition of virtually an unreasonable deadline. But we persisted and we should be proud of this result.

Let us also say as we go out to campaign, in some cases against one another in very partisan races, that in this we are united, because this is as

close as the 104th Congress will come to dealing with real war. This is America's war against global terrorism. Is this the last time we will address it? Absolutely not. It will require persistence and eternal vigilance. Is this the best that we can do today? Absolutely. We have every right to be proud of it and every reason to vote for it. I urge my colleagues to vote "aye" on this Aviation Security and Antiterrorism Act of 1996.

Mr. DEFAZIO of Oregon. Mr. Speaker, I have grave concerns with the efficacy of the Federal Aviation Administration's measures to combat terrorism aimed at aviation targets. Over the past decade I have made these concerns known to both present and past administrators at the FAA. We need to address these issues through comprehensive and well thought out legislation. If this bill is a good faith attempt to pass stop-gap-type legislation that we can reconsider and perfect in September, then I support this effort. However, if this legislation is being hailed as the ultimate solution to a serious problem, then this bill is clearly a sham.

I understand the desire on the part of many Members of Congress to react swiftly to recent tragedies such as the bombing in Atlanta last week and the downing of TWA Flight 800 last month. We are all anxious to adopt strong security measures to try and correct any current deficiencies in aviation security. But we have had plenty of opportunities to review this type of legislation. I supported many of the measures recommended after the Lockerbie tragedy that have never been adopted by the FAA. For example, we should have adopted recommendations mandating screening of security personnel and development of bomb resistant cargo containers in conjunction with prompt deployment of effective bomb screening devices. However, the United States remains years behind schedule in adopting these proposals.

Aviation security is a serious matter concerning the life or death of our citizens. It is far too serious to deal with in a slapdash bill thrown together by Republican staff behind closed doors in a 24-hour period. There are some provisions in this bill that I fully support and do not find objectionable. I am pleased that the bill recommends a commission on airline safety and security, although this seems to be duplicative of the recently created Gore commission. Some provisions are well intentioned but not practicable. There are other provisions that are outright counterproductive.

We should not rush to a vote on this legislation on the pretext that this is the most comprehensive effective step we can take to combat terrorism particularly if it precludes more thoughtful legislation in September.

Mr. LAZIO of New York. Mr. Speaker, although I rise today in support of this bill, I must admit to experiencing, as Yogi Berra once put it, *deja vu* all over again. This past spring we passed and the President signed a compromise antiterrorism bill which I supported. There were several provisions that were removed from that legislation that I would have preferred remain, and I am disappointed that they are not included in this bill today.

Rather, the proposal we are considering today only goes part of the way in providing law enforcement the tools they need to combat this threat of terrorism. The expanded law enforcement provisions that were originally reported out of the Judiciary Committee, which are not being considered here today, are not inconsistent with our constitutional protections.

Instead, they are a measured response to a specific and increasing threat. The truth is that as terrorists are becoming more sophisticated, there are some of my colleagues who believe we should unilaterally disarm ourselves, rather than improve our antiterrorism capabilities.

Providing physical security is, as it should be, the first order of business of any government. The preamble to the U.S. Constitution states that the foundational reason the Federal Government formed is to establish justice and insure domestic tranquility. Congress has in the past provided law enforcement additional tools in order to meet specific threats when conventional methods were insufficient, within constitutional limitations.

Although I believe that the provisions in this bill regarding aviation security are laudable, and some of the antiterrorism provisions would be helpful, overall the remedies contained in this bill are, quite frankly, a drop in the bucket.

For example, this bill calls for a separate study of black and smokeless powder that will be relegated to the ash heap of other Government studies. Instead, the bill should include these items as part of the comprehensive study of explosives that is already provided for by the antiterrorism law we passed in April, and regulations should be implemented as soon as possible.

At this point in time, we still do not know the cause of the tragedy of Flight 800 off the southern shore of Long Island. But we are certainly aware of the acts of terrorism that occurred in Saudi Arabia, and most recently at the Olympic games in Atlanta. How many more terrorist incidents do we need before we take the steps needed to more fully protect the public? I sincerely wish that this bill was tougher, and that public policy interests were paramount.

Mr. LINDER. Mr. Speaker, I rise in support of this rule that will permit us to bring a number of modest antiterrorism provisions to the House floor under suspension of the rules. These proposals will provide a short-term response to concerns raised from the bombings at Oklahoma City, the World Trade Center, Saudi Arabia, and the involvement of terrorism in the recent explosion at Centennial Olympic Park and, possibly, TWA flight 800.

We remain vulnerable to random, cowardly attacks; and we have a duty to reassure our citizens that we will ensure domestic tranquility and protect every American's civil liberties. The terrorist's goal is to undermine free society, and we must not capitulate by infringing upon the constitutionally guaranteed rights of our citizens.

The President met with congressional leaders to discuss initiatives to combat terrorism. President Clinton supported a number of overreaching provisions that would have slowed the progress of its passage in the House. These proposals included increasing the wiretap capability of Federal law enforcement officers and mandating taggants. These proposals were controversial because of concerns

about the serious constitutional questions they raised. We were able to delete from the bill the more troublesome suggestions, and we have before us a bill that will receive overwhelming support from the House.

We have already appropriated increased funds and passed an antiterrorism bill in this Congress. However, the President has asked us to pass additional provisions before we go home for the District work period. The House wanted to act before the August recess on the provisions generally agreed upon by a consensus of the House, and the Suspension of the Rules process is the procedure that permits us to achieve this goal. The rule instituting a suspension of the rules procedure is not the best possible situation; but it does require two-thirds majority for passage, it expedites the passage of the bill, and it assures that these important measures will pass the House before our August adjournment.

I am pleased that the bill urges the President to secure multilateral sanctions against international terrorist states, creates a commission to review all aspects of this Nation's terrorism policies, and requires the implementation of past legislation freezing the assets of foreign terrorist organizations and removing aliens convicted of a crime. We also reaffirm our disdain for the misuse of Federal power by including an important provision that increases the penalty for criminal violations of the Privacy Act from a misdemeanor to a felony, increases the minimum penalty for civil violations of the Privacy Act, and increases the punishment for unlawful disclosure of wiretap information from 5 to 10 years.

We can also utilize new products to further protect our airports. To date, the investigation into the recent crash of TWA flight 800 in New York has not yet recovered conclusive evidence that the plane was brought down by an explosive device. However, the incident renewed concerns that this Nation has not elevated its security measures at domestic airports to keep up with advancements in technology. This legislation enables domestic airports to aggressively search for and prevent explosives from causing destruction through enhanced explosive detection procedures and baggage screening.

I support the rule that will bring this bill to the House floor today under suspension of the rules. This is an important bill that has wide bipartisan support, and I support its swift passage.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. COX] that the House suspend the rules and pass the bill, H.R. 3953.

The question was taken.

#### RECORDED VOTE

Mr. COX of California. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 389, noes 22, not voting 22, as follows:

[Roll No. 401]

AYES—389

Abercrombie	Archer	Baessler
Ackerman	Arney	Baker (CA)
Andrews	Bachus	Baker (LA)

Baldacci	Ewing	Knollenberg
Ballenger	Farr	Kolbe
Barcla	Fattah	LaFalce
Barr	Fawell	Lantos
Barrett (NE)	Fazio	Largent
Barrett (WI)	Fields (LA)	Latham
Bartlett	Fields (TX)	LaTourette
Barton	Flner	Laughlin
Bass	Flake	Lazio
Bateman	Flanagan	Leach
Becerra	Foglietta	Levin
Bentsen	Foley	Lewis (CA)
Bereuter	Forbes	Lewis (GA)
Berman	Fowler	Lewis (KY)
Bevill	Fox	Lightfoot
Billbray	Frank (MA)	Linder
Billirakis	Franks (CT)	Lipinski
Bliley	Franks (NJ)	Livingston
Blute	Frelinghuysen	LoBlondo
Boehert	Frisa	Lofgren
Boehner	Frost	Longley
Bonior	Funderburk	Lowey
Borski	Furse	Lucas
Boucher	Galleghy	Luther
Brewster	Ganske	Maloney
Browder	Gedden	Manton
Brown (CA)	Gekas	Manzullo
Brown (FL)	Gephardt	Markey
Brown (OH)	Geren	Martinez
Bryant (TN)	Gibbons	Martini
Bryant (TX)	Gilchrist	Mascara
Bunn	Gillmor	Matsui
Burr	Gilman	McCarthy
Burton	Gonzalez	McCollum
Buyer	Goodlatte	McDermott
Callahan	Gooding	McHale
Calvert	Gordon	McHugh
Camp	Goss	McInnis
Campbell	Graham	McIntosh
Canady	Green (TX)	McKeon
Cardin	Greene (UT)	McKinney
Castle	Greenwood	McNulty
Chabot	Gutierrez	Menendez
Chambliss	Gutknecht	Metcalfe
Chapman	Hall (OH)	Meyers
Chenoweth	Hall (TX)	Mica
Christensen	Hamilton	Millender-
Chrysler	Hancock	McDonald
Clay	Hansen	Miller (CA)
Clayton	Harman	Miller (FL)
Clement	Hastert	Minge
Clyburn	Hastings (FL)	Mink
Coble	Hastings (WA)	Moakley
Coleman	Hayes	Molinari
Collins (GA)	Hayworth	Montgomery
Collins (IL)	Hefner	Moorhead
Collins (MI)	Heineman	Moran
Combest	Herger	Myrick
Conyers	Hilleary	Nadler
Cox	Hilliard	Neal
Coyne	Hinchee	Nethercutt
Cramer	Hobson	Neumann
Crane	Hoke	Ney
Crapo	Holden	Norwood
Creameans	Horn	Nussle
Cubin	Houghton	Oberstar
Cummings	Hoyer	Obey
Cunningham	Hunter	Oliver
Danner	Hutchinson	Ortiz
Davis	Hyde	Orton
de la Garza	Inglis	Owens
Deal	Istook	Oxley
DeLauro	Jackson (IL)	Packard
DeLay	Jackson-Lee	Pallone
Dellums	(TX)	Parker
Diaz-Balart	Jacobs	Pastor
Dicks	Jefferson	Paxon
Dingell	Johnson (CT)	Payne (NJ)
Dixon	Johnson (SD)	Payne (VA)
Doggett	Johnson, E. B.	Pelosi
Dooley	Johnson, Sam	Peterson (FL)
Doolittle	Johnston	Peterson (MN)
Dorman	Jones	Petri
Doyle	Kanjorski	Pickett
Dreier	Kaptur	Pombo
Duncan	Kasich	Pomeroy
Dunn	Kelly	Porter
Durbin	Kennedy (MA)	Portman
Edwards	Kennedy (RI)	Poshard
Ehrlich	Kennelly	Pryce
Engel	Kildee	Quinn
English	Kim	Rahall
Ensign	King	Ramstad
Eshoo	Kingston	Rangel
Evans	Kleczka	Reed
Everett	Klug	Regula

Richardson	Skaggs	Trafcant
Riggs	Skeen	Upton
Rivers	Skelton	Velazquez
Roberts	Slaughter	Vento
Roemer	Smith (MI)	Visclosky
Rogers	Smith (NJ)	Volkmer
Rohrabacher	Smith (TX)	Vucanovich
Ros-Lehtinen	Smith (WA)	Walker
Rose	Solomon	Walsh
Roth	Spence	Wamp
Roukema	Spratt	Ward
Roybal-Allard	Stark	Waters
Royce	Stearns	Watt (NC)
Rush	Stokes	Watts (OK)
Sabo	Studds	Waxman
Salmon	Stump	Weldon (FL)
Sanders	Stupak	Weldon (PA)
Sawyer	Talent	Weller
Saxton	Tanner	White
Schaefer	Tate	Whitfield
Schiff	Tauzin	Wicker
Schroeder	Taylor (MS)	Williams
Schumer	Taylor (NC)	Wilson
Scott	Tejeda	Wise
Seastrand	Thomas	Wolf
Sensenbrenner	Thompson	Woolsey
Serrano	Thornberry	Wynn
Shadegg	Thornton	Yates
Shaw	Thurman	Zeliff
Shays	Torres	Zimmer
Shuster	Torricelli	
Sisisky	Towns	

#### NOES—22

Allard	Hoekstra	Sanford
Bonilla	Hosettler	Scarborough
Bono	Klink	Souder
Coburn	LaHood	Stockman
Cooley	Mollohan	Tiahrt
Costello	Murtha	Young (AK)
Ehlers	Myers	
Hefley	Radanovich	

#### NOT VOTING—22

Bellenson	Deusch	Meek
Bishop	Dickey	Morella
Blumenauer	Ford	Quillen
Brownback	Gunderson	Stenholm
Bunning	Lincoln	Torkildsen
Clinger	McCrary	Young (FL)
Condit	McDade	
DeFazio	Meehan	

□ 1626

The Clerk announced the following pairs:

On this vote:

Mrs. Morella and Mr. Deutsch for, with Mr. DeFazio of Oregon against.

Mr. POMBO and Mr. CRAPO changed their vote from "no" to "aye."

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### PERSONAL EXPLANATION

Mr. CONDIT. Mr. Speaker, I was unavoidably detained during rollcall vote No. 401. Had I been present, I would have voted "aye."

#### PERSONAL EXPLANATION

Mr. DEUTSCH. Mr. Speaker, I missed two rollcall votes earlier today because I was unavoidably detained. Had I been present, I would have voted "no" on rollcall vote No. 400 and "yes" on rollcall vote No. 401, the House antiterrorism bill.

## PERSONAL EXPLANATION

Mr. CLINGER. Mr. Speaker, earlier today, I was unavoidably detained and missed rollcall No. 401, final passage of the bipartisan antiterrorism initiative. Had I been present, I would have voted "aye."

□ 1630

**AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN EN-GROSSMENT OF H.R. 3953, AVIATION SECURITY AND ANTITERRORISM ACT OF 1996**

Mr. COX of California. Mr. Speaker, I ask unanimous consent that, in the engrossment of the bill, H.R. 3953, the Clerk be authorized to correct section numbers, cross-references, and punctuation, and to make such stylistic, clerical, technical, conforming, and other changes as may be necessary.

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

There was no objection.

## LEGISLATIVE PROGRAM

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

Mr. BONIOR. Mr. Speaker, I take this time in order to engage the gentleman from Texas [Mr. ARMEY], the majority leader, in a colloquy regarding the schedule for today and the remainder of the day.

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

Mr. BONIOR. I yield to the gentleman from Texas.

Mr. ARMEY. Mr. Speaker, we have had our last vote, and I am pleased to announce that the House has concluded its legislative business for the week. Members are, have been already, proceeding to their homes for their August district work period.

Mr. Speaker, I am sure I speak for both the distinguished gentleman from Michigan and myself in wishing them Godspeed on this trip home.

As we head into the August district work period today, I think it is important to reflect on our accomplishments of the past week. Working in a bipartisan manner, this Congress has passed comprehensive welfare reform, guaranteed that health care will be both portable and affordable, and ensured that our Nation will have the cleanest, safest drinking water in the world.

After our long-awaited August break, we will return to work on Wednesday, September 4, at 12 noon and hold votes that day after 5 p.m. Consistent with our unanimous-consent agreement of last evening, the House will consider a number of bills under suspension of the rules on September 4, 1996.

Members should be advised that a list of suspensions will be prepared and dis-

tributed by August 21. On Thursday, September 5, and Friday, September 6, we hope to take up H.R. 3308, the United States Armed Forces Protection Act, which will be subject to a rule. We also expect to go to conference on the immigration bill and consider any appropriations conference reports that may be available.

We expect to finish our work that week by 2 p.m. Friday, September 6.

Mr. Speaker, I thank the gentleman for yielding me this time and wish him an enjoyable August work period.

Mr. BONIOR. Mr. Speaker, reclaiming my time, I would say the same to my friend from Texas, and I thank him for the information.

**ELECTION OF MEMBER TO COMMITTEE ON AGRICULTURE**

Mr. ARMEY. Mr. Speaker, I offer a resolution (H. Res. 509) and I ask unanimous consent for its immediate consideration.

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

The Clerk read as follows:

H. RES. 509

*Resolved*, That the following named Member be, and he is hereby, elected to the following standing committee of the House of Representatives:

Committee on Agriculture: Mr. FUNDERBURK of North Carolina.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

**DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY, SEPTEMBER 4, 1996**

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that business in order under the Calendar Wednesday rule be dispensed with on Wednesday, September 4, 1996.

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

There was no objection.

**AUTHORIZING THE SPEAKER AND MINORITY LEADER TO ACCEPT RESIGNATIONS AND MAKE APPOINTMENTS, NOTWITHSTANDING ADJOURNMENT**

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that notwithstanding any adjournment of the House until Wednesday, September 4, 1996 the Speaker and the minority leader be authorized to accept resignations and to make appointments authorized by law or by the House.

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

There was no objection.

**GRANTING ALL MEMBERS OF THE HOUSE PRIVILEGE TO EXTEND AND REVISE REMARKS IN CONGRESSIONAL RECORD TODAY**

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that for today all Members be permitted to extend their remarks and to include extraneous material in that section of the RECORD entitled "Extensions of Remarks."

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

There was no objection.

**DESIGNATION OF HON. FRANK R. WOLF AND HON. CONSTANCE A. MORELLA TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH WEDNESDAY, SEPTEMBER 4, 1996**

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

WASHINGTON, DC,  
August 2, 1996.

I hereby designate the Honorable Frank R. Wolf, or, if not available to perform this duty, the Honorable Constance A. Morella to act as Speaker pro tempore to sign enrolled bills and joint resolutions through Wednesday, September 4, 1996.

NEWT GINGRICH,

*Speaker of the House of Representatives.*

The SPEAKER pro tempore. Without objection, the designations are agreed to.

There was no objection.

**DIRECTING THE CLERK TO MAKE CORRECTION IN ENROLLMENT OF H.R. 3103, HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996**

Mr. THOMAS. Mr. Speaker, I offer a concurrent resolution (H. Con. Res. 208) directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 3103, and I ask unanimous consent for its immediate consideration.

The Clerk read the title of the concurrent resolution.

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

Mr. STARK. Reserving the right to object, Mr. Speaker, and I shall not object, but I would like to engage the distinguished subcommittee chair from California in a brief colloquy and ask if he would explain what this modest change in the bill does.

Mr. THOMAS. Mr. Speaker, if the gentleman will yield, my understanding is that this change removes the item that was added dealing with the particular drug used in the treatment of arthritis which would have created

an equity under the Patent Code with another drug that had been given privileged treatment in an earlier piece of legislation that had passed.

My understanding is that the attempt to provide this particular drug with equity under the patent law had been tried in a previous Democratic Congress, including a number of measures, and they all failed. The assumption was, this would be an appropriate route.

I will tell the gentleman, apparently with the concurrent resolution in front of us, there was a conclusion on the Senate side that it was not the appropriate route.

Mr. STARK. Further reserving the right to object, I thank the gentleman for his explanation.

Further reserving the right to object, Mr. Speaker, under that reservation I would like to congratulate the distinguished gentleman from California, the subcommittee chairman of the Subcommittee on Health of the Committee on Ways and Means for his work in completing this bill.

The only reason I could possibly think of to object would be so that I could then be recorded voting in favor of it, but I will not take the time of this body except to add my congratulations and to say that I am glad this was done.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 208

*Resolved by the House of Representatives (the Senate concurring), That, in the enrollment of the bill (H.R. 3103), 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, the Clerk of the House of Representatives shall make the following correction:*

Strike subtitle H of title II of the bill and the items corresponding to such subtitle in the table of contents of the bill in section 1(b).

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

#### HOUSE OF REPRESENTATIVES ADMINISTRATIVE REFORM TECHNICAL CORRECTIONS ACT

Mr. THOMAS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2739) to provide for a representational allowance for Members of the House of Rep-

resentatives, to make technical and conforming changes to sundry provisions of law in consequence of administrative reforms in the House of Representatives, and for other purposes, with Senate amendments thereto and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Senate amendments:

Page 2, in the table of contents, strike out: "Sec. 107. Cafeteria plan provision."

Page 2, in the table of contents, strike out "108" and insert "107".

Page 2, in the table of contents, strike out "109" and insert "108".

Page 14, strike out lines 1 through 23.

Page 15, line 1, strike out "108" and insert "107".

Page 16, line 1, strike out "109" and insert "108".

Mr. THOMAS (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendments be considered as read and printed in the RECORD.

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

Mr. FAZIO of California. Reserving the right to object, Mr. Speaker, and I will not object, I would like to yield to my friend, the gentleman from California [Mr. THOMAS], to describe his request.

Mr. THOMAS. Mr. Speaker, this is the Administrative Reform Technical Corrections Act. We passed it back in March, March 19, as a matter of fact. The Senate passed the bill June 28. They added one amendment to section 107 of the bill. The purpose of this unanimous-consent request is to agree to that Senate amendment.

Mr. FAZIO of California. Reclaiming my time, Mr. Speaker, the minority has no problem with the legislation before us or any of the other four resolutions that the gentleman will present, and we would certainly not object to their adoption at this time.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

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

There was no objection.

A motion to reconsider was laid on the table.

#### APPROVING REGULATIONS TO IMPLEMENT PROVISIONS OF THE CONGRESSIONAL ACCOUNTABILITY ACT OF 1995

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that the Committee on House Oversight and the Committee on Economic and Educational Opportunities be discharged from further consideration of the resolution (H. Res. 504) approving certain regulations

to implement provisions of the Congressional Accountability Act of 1995 relating to labor-management relations with respect to employing offices and covered employees of the House of Representatives, and for other purposes, and asked for its immediate consideration.

The Clerk read the title of the resolution.

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

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 504

*Resolved,*

#### SECTION 1. APPROVAL OF REGULATIONS.

(a) IN GENERAL.—The regulations described in subsection (b) are hereby approved insofar as such regulations apply to employing offices and covered employees of the House of Representatives under the Congressional Accountability Act of 1995 and to the extent such regulations are consistent with the provisions of such Act.

(b) REGULATIONS APPROVED.—The regulations referred to in subsection (a) are the regulations issued by the Office of Compliance on July 9, 1996, under section 220(d) of the Congressional Accountability Act of 1995 to implement section 220 of such Act (relating to the application of chapter 71 of title 5, United States code), as published in the Congressional Record on July 11, 1996 (Volume 142, daily edition), beginning on page H7454.

#### SEC. 2. ADOPTION OF REGULATIONS RELATING TO HEARING OFFICERS.

The Board of Directors of the Office of Compliance shall adopt regulations (in accordance with section 304 of the Congressional Accountability Act of 1995) to implement the requirement that the Board refer any matter under section 200(c)(1) of such Act which relates to employing offices and covered employees of the House of Representatives to a hearing officer.

Mr. THOMAS. Mr. Speaker, on July 9, 1996, the Board of Directors of the Office of Compliance adopted final regulations to implement the Federal Service Labor-Management Relations statutes under section 220(d) of the Congressional Accountability Act. House Resolution 504 approves the regulations applicable to the House, to the extent that such regulations are consistent with the act. The resolution further directs the Board to adopt supplemental regulations to implement the requirement in section 220(c)(1) of the act that all matters relating to Federal Labor Relations be referred to a hearing officer. Regulations relating to section 220(e) of the act have not yet been adopted by the Board.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### APPROVING CERTAIN REGULATIONS TO IMPLEMENT CONGRESSIONAL ACCOUNTABILITY ACT OF 1995

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that the Committee on House Oversight and the Committee on Economic and Educational

Opportunities be discharged from further consideration of the concurrent resolution (H. Con. Res. 207) approving certain regulations to implement provisions of the Congressional Accountability Act of 1995 relating to labor-management relations with respect to covered employees, other than employees of the House of Representatives and employees of the Senate, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 207

*Resolved by the House of Representatives (the Senate concurring).*

**SECTION 1. APPROVAL OF REGULATIONS.**

(a) IN GENERAL.—The regulations described in subsection (b) are hereby approved, insofar as such regulations apply to covered employees under the Congressional Accountability Act of 1995 (other than employees of the House of Representatives and employees of the Senate) and to the extent such regulations are consistent with the provisions of such Act.

(b) REGULATIONS APPROVED.—The regulations referred to in subsection (a) are the regulations issued by the Office of Compliance on July 9, 1996, under section 220(d) of the Congressional Accountability Act of 1995 to implement section 220 of such Act (relating to the application of chapter 71 of title 5, United States Code), as published in the Congressional Record on July 11, 1996 (Volume 142, daily edition), beginning on page H7454.

**SEC. 2. ADOPTION OF REGULATIONS RELATING TO HEARING OFFICERS.**

The Board of Directors of the Office of Compliance shall adopt regulations (in accordance with section 304 of the Congressional Accountability Act of 1995) to implement the requirement that the Board refer any matter under section 220(c)(1) of such Act which relates to covered employees (other than employees of the House of Representatives and employees of the Senate) to a hearing officer.

Mr. THOMAS. Mr. Speaker, House Concurrent Resolution 207 accomplishes the same purpose as the resolution just agreed to with respect to regulations applicable to the Capitol Guide Board, the Capitol Police Board, CBO, the Architect, the Attending Physician, and the Office of Compliance.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

**PROVIDING FOR JOINT CONGRESSIONAL COMMITTEE ON INAUGURAL CEREMONIES**

Mr. THOMAS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate concurrent resolution (S. Con. Res. 47) to provide for a Joint Congressional Committee

on Inaugural Ceremonies, and ask for its immediate consideration.

The Clerk read the title of the Senate concurrent resolution.

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

There was no objection.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 47

*Resolved by the Senate (the House of Representatives concurring).* That a Joint Congressional Committee on Inaugural Ceremonies consisting of 3 Senators and 3 Representatives, to be appointed by the President of the Senate and the Speaker of the House of Representatives, respectively, is authorized to make the necessary arrangements for the inauguration of the President-elect and Vice President-elect of the United States on the 20th day of January 1997.

Mr. THOMAS. Mr. Speaker, Senate Concurrent Resolution 47 provides for a Joint Congressional Committee on Inaugural Ceremonies which will be authorized to make the necessary arrangements for the inauguration of the President-elect and Vice President-elect of the United States on January 20, 1997.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

**AUTHORIZING USE OF ROTUNDA ON JANUARY 20, 1997, IN CONNECTION WITH INAUGURATION CEREMONIES OF PRESIDENT-ELECT AND VICE-PRESIDENT-ELECT**

Mr. THOMAS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate concurrent resolution (S. Con. Res. 48) authorizing the rotunda of the U.S. Capitol to be used on January 20, 1997, in connection with the proceedings and ceremonies for the inauguration of the President-elect and the Vice President-elect of the United States, and ask for its immediate consideration.

The Clerk read the title of the Senate concurrent resolution.

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

There was no objection.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 48

*Resolved by the Senate (the House of Representatives concurring).* That (a) the rotunda of the United States Capitol is hereby authorized to be used on January 20, 1997, by the Joint Congressional Committee on Inaugural Ceremonies (the Joint Committee) in connection with the proceedings and ceremonies conducted for the inauguration of the President-elect and the Vice-President-elect of the United States.

(b) The Joint Committee is authorized to utilize appropriate equipment and the service of appropriate personnel of departments and agencies of the Federal Government,

under arrangements between such Committee and the heads of such departments and agencies, in connection with such proceedings and ceremonies. The Joint Committee may accept gifts and donations of goods and services to carry out its responsibilities.

Mr. THOMAS. Mr. Speaker, Senate Concurrent Resolution 48 authorizes use of the rotunda of the U.S. Capitol to be used on January 20, 1997, in connection with proceedings and ceremonies for the inauguration of the President-elect and Vice-President-elect of the United States.

Mr. Speaker, I also want to indicate that a resolution introduced by the gentleman from New York [Mr. RANGEL] regarding a commemorative for the late Ham Fish, former Member of the House, will be handled by the Joint Committee on Printing. And as the Chair, I will indicate that it will be handled by the committee and there needs to be adjustments in the language to make sure that the number of copies are an appropriate number based upon the family and the Members of the House that would wish to receive it.

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

Mr. THOMAS. I yield to the gentleman from New York.

Mr. RANGEL. Mr. Speaker, I have no objection to the manner in which this is being handled by the distinguished gentleman from California [Mr. THOMAS].

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

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

□ 1645

**RONALD H. BROWN FEDERAL BUILDING**

Mr. GILCREST. Mr. Speaker, I ask unanimous consent that the Committee on Transportation and Infrastructure be discharged from further consideration of the bill (H.R. 3560) to designate the Federal building located at 290 Broadway in New York, NY, as the "Ronald H. Brown Federal Building," and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

Mr. TRAFICANT. Mr. Speaker, reserving the right to object, I will not object, and I yield to the distinguished gentleman from Maryland [Mr. GILCREST] for an explanation.

Mr. GILCREST. Mr. Speaker, the bill designates the Federal building located at 290 Broadway in New York City as the Ronald H. Brown Federal Building.

Ronald H. Brown was the first African-American Secretary of Commerce

where he was influential in promoting U.S. trade abroad. He was a champion for expanded markets for U.S. goods and services abroad and opportunities at home.

Ronald H. Brown was a civil rights advocate with a distinguished record of service and commitment to his country. It is unfortunate that he lost his life in the Balkans on April 3, 1996.

I urge my colleagues to support this fitting tribute to this distinguished American. We all here hope today that even though this tragic loss has denied the family of Mr. Brown's presence, as they walk past the courthouse and see his name there, some of the friendly presence that he left with us will be felt by them.

The gentleman from Pennsylvania [Mr. SHUSTER] could not be here for this, but he concurs strongly with the naming of this Federal building after the distinguished life and service of Mr. Brown.

I urge my colleagues to support the bill.

Mr. TRAFICANT. Mr. Speaker, continuing my reservation of objection, I yield to the gentleman from Minnesota [Mr. OBERSTAR].

Mr. OBERSTAR. Mr. Speaker, I thank the gentleman for yielding to me, and I thank the gentleman from Maryland for bringing this resolution to the House floor.

I think it is very appropriate and fitting for us to name a building in New York in Secretary Brown's hometown for him to carry on the name and the memory of the very distinguished service that he provided to this country in so many arenas, but particularly as a most distinguished Secretary of Commerce whose focus was jobs, tourism, economic growth, expansion of trade, protecting American interests at home and abroad. He was a truly great American, and naming of this building is a modest way in which we can perpetuate his memory.

Mr. TRAFICANT. Mr. Speaker, I want to commend the gentleman from New York [Mr. RANGEL], the sponsor of this bill, for the work that he has done to bring it up in such a timely fashion. I want to thank Mr. GILCHREST and the majority for being considerate of Mr. RANGEL and our concerns.

I also have great concerns that Mr. Brown's legacy should be reflected here with a presence in Washington and would like to place on notice to our committee that we will look into those regards.

I would also like to say that Ron Brown did something else that was quite unusual. He helped to put the Democrat party together and to elect a Democrat President. And I believe without Ron Brown, the Democrats in the White House would not quite be there.

In addition to that, I echo the words of our distinguished ranking member,

Mr. OBERSTAR. I think Ron Brown was a fighter. He was concerned with people. He was always willing to take our calls and work with us on projects.

Mr. Speaker, I am honored to stand today to designate the Federal building on Broadway in New York City, as does its sponsor, Mr. RANGEL, and designate that building as the Ronald H. Brown Federal Building. It is absolutely deserving.

Mr. Speaker, I withdraw my reservation of objection and I urge support of H.R. 3560.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 3560

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

**SECTION 1. FINDINGS.**

Congress finds the following:

(1) Ronald H. Brown, the first African-American Secretary of Commerce, was an extraordinary statesman and an effective and influential force in promoting United States trade abroad;

(2) Ronald H. Brown efficaciously championed expanded markets for United States goods and services abroad, and jobs and opportunities at home;

(3) Ronald H. Brown was a passionate civil rights advocate with a distinguished record of service and commitment to his country and community; and

(4) Ronald H. Brown lost his life in exceptional service to his country on April 3, 1996, in the Balkans.

**SEC. 2. DESIGNATION.**

The Federal building located at 290 Broadway in New York, New York, shall be known and designated as the "Ronald H. Brown Federal Building".

**SEC. 3. REFERENCES.**

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in section 2 shall be deemed to be a reference to the "Ronald H. Brown Federal Building".

**AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. GILCHREST**

Mr. GILCHREST. Mr. Speaker, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. GILCHREST:

Strike all after the enacting clause and insert the following:

**SECTION 1. DESIGNATION.**

The Federal building located at 290 Broadway in New York, New York, shall be known and designated as the "Ronald H. Brown Federal Building".

**SEC. 2. REFERENCES.**

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in section 1 shall be deemed to be a reference to the "Ronald H. Brown Federal Building".

Mr. GILCHREST (during the reading). Mr. Speaker, I ask unanimous consent that the amendment in the nature of a substitute be considered as read and printed in the RECORD.

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

There was no objection.

Mr. GILCHREST. This amendment, Mr. Speaker, simply strikes the finding from the bill. This is to conform the bill to the style used by the committee.

The SPEAKER pro tempore. The question is on the amendment in the nature of a substitute offered by the gentleman from Maryland [Mr. GILCHREST].

The amendment in the nature of a substitute 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.

**SAM M. GIBBONS U.S. COURTHOUSE**

Mr. GILCHREST. Mr. Speaker, I ask unanimous consent that the Committee on Transportation and Infrastructure be discharged from further consideration of the bill (H.R. 3710) to designate a U.S. courthouse located in Tampa, FL, as the "Sam M. Gibbons U.S. Courthouse" 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 Maryland?

Mr. TRAFICANT. Mr. Speaker, reserving the right to object, I will not object, and I yield to the gentleman from Maryland [Mr. GILCHREST] for an explanation.

Mr. GILCHREST. Mr. Speaker, the bill designates the U.S. courthouse located at 611 North Florida Avenue, Tampa, FL, as the Sam M. Gibbons U.S. courthouse.

SAM GIBBONS has been a distinguished Member of this body for 34 years and will be retiring after he finishes his 17th term in the House of Representatives. SAM has a long history of public service, beginning in World War II, where he served as captain in the 501st Parachute Infantry/101st airborne division. He was part of the initial assault force in Normandy on D-Day and was awarded the Bronze Star for his actions.

SAM has been a Member of the Committee on Ways and Means since 1969, where he served as acting chairman in 1994 and became ranking minority member in the 104th Congress.

SAM has conducted himself with dignity and commanded respect from those who have served with him. I urge my colleagues to support this fitting tribute to our distinguished colleague.

The gentleman from Pennsylvania [Mr. SHUSTER], who could not be here today, strongly supports this legislation.

I, as a Member of the House, Mr. GIBBONS, an American and a veteran thank you for your long, distinguished, courageous career to this most great country, the United States.

Mr. TRAFICANT. Mr. Speaker, continuing my reservation of objection, I yield to the distinguished gentleman from Minnesota [Mr. OBERSTAR].

Mr. OBERSTAR. Mr. Speaker, I want to express my appreciation to the ranking member, Mr. GILCREST, chairman of the subcommittee, and Chairman SHUSTER for moving this and the previous unanimous-consent request to name these buildings for distinguished Americans and in this case for a very distinguished colleague.

All of us will long treasure in our memories the vision of SAM GIBBONS striding to the well of the House without a document in hand but only a gifted, able, agile, and retentive mind to instruct us as a moral conscience on the Tax Code of the United States and our trade laws and to instruct and to guide and to shape responsible legislation.

He will long be remembered by our Canadian colleagues to the north for his service on the Canada-United States interparliamentary group, for the relations that he cemented, established and broadened with our neighbors to the north and during which service he shaped many of the policies that guide the destinies of our two countries and fostered strong and warm relations between us and our neighbor to the north.

He will indelibly be remembered by the French for his landing at St. Mere Eglise in that Normandy invasion. He was a parachutist, risking life in a manner so vulnerable, none of us can possibly understand it until you have experienced it. None of us can fully appreciate the gratitude of the French until you have seen delegations of French parliamentarians who have been to this country, and I have witnessed it. And Mr. GIBBONS talks about that extraordinary experience and the French respond with tears in their eyes, gratitude in their hearts and a grateful memory of a wonderful nation that appreciates the sacrifice and the risk that was taken.

The naming of this building is a small token that we can all take and we can all offer for the long and enduring memory of the many gifts that SAM GIBBONS has shared with us and the lasting monument, body of legislation and sacrifice that he has offered for this Nation, for its good and for others for all time to come.

Mr. TRAFICANT. Mr. Speaker, SAM GIBBONS was a war hero. He has been a congressional hero. He is an American hero. In the delicate nature of the work he performed not everybody may have agreed on every single little issue. But never, ever was the integrity, the direction, the focus of which he pursued his endeavors ever questioned. No one has been more respected.

I am glad that I am in a position to have an opportunity to speak on this and to have played a part in it.

I want to thank the gentleman, Mr. GILCREST, and the Republicans. I want to also notify the Members of the House that this enacting and enabling legislation has a date of January 3, 1997, because Mr. GIBBONS is still a powerful seated Member of this Congress and we are so proud to have him.

I just want to say personally on behalf of myself, all the Members from our committee, the entire Democrat caucus and everyone who has worked in this House who knows this man that Tampa will be a much more graceful and elegant place with the naming of this building.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 3710

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

**SECTION 1. DESIGNATION.**

The United States courthouse located at 611 North Florida Avenue in Tampa, Florida, shall be designated and known as the "Sam M. Gibbons United States Courthouse".

**SEC. 2. REFERENCES.**

Any reference in a law map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in section 1 shall be deemed to be a reference to the "Sam M. Gibbons United States Courthouse".

**AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. GILCREST**

Mr. GILCREST. Mr. Speaker, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. GILCREST: Strike all after the enacting clause and insert the following:

**SECTION 1. DESIGNATION.**

The United States courthouse under construction at 611 North Florida Avenue in Tampa, Florida, shall be known and designated as the "Sam M. Gibbons United States Courthouse".

**SEC. 2. REFERENCES.**

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in section 1 shall be deemed to be a reference to the "Sam M. Gibbons United States Courthouse".

**SEC. 2. REFERENCES.**

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in section 1 shall be deemed to be a reference to the "Sam M. Gibbons United States Courthouse".

**SEC. 3. EFFECTIVE DATE.**

This Act shall become effective on January 3, 1997.

Mr. GILCREST (during the reading). Mr. Speaker, I ask unanimous consent that the amendment in the nature of a substitute be considered as read and printed in the RECORD.

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

There was no objection.

Mr. GILCREST. Mr. Speaker, this amendment in the nature of a substitute simply sets an effective date of the bill of January 3, 1997.

The SPEAKER pro tempore. The question is on the amendment in the nature of a substitute offered by the gentleman from Maryland [Mr. GILCREST].

The amendment in the nature of a substitute was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title of the bill was amended so as to read: "A bill to designate the United States courthouse under construction at 611 North Florida Avenue in Tampa, Florida, as the 'Sam M. Gibbons United States Courthouse'".

A motion to reconsider was laid on the table.

**GENERAL LEAVE**

Mr. GILCREST. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the two bills just passed.

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

There was no objection.

**SPECIAL ORDERS**

The SPEAKER pro tempore (Mr. WELDON of Florida). 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.

**CHANGE IN ORDER OF TAKING SPECIAL ORDER**

The SPEAKER pro tempore. The gentleman from New York [Mr. LAFALCE], is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I ask unanimous consent to substitute for the time of the gentleman from New York [Mr. LAFALCE].

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

There was no objection.

**SENSE-OF-CONGRESS RESOLUTION REGARDING THE ARMED MILITIA**

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Ms. JACKSON-LEE] is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, it has been a week, but certainly we can say that though we may have disagreed, this Congress has attempted to work on behalf of the American people.

I would hope that even if something is threatening, that something is confusing, that there is something that we

are not sure of, that we still, as a Congress, have the courage to bring it to the attention of the American people.

Today I presented to the American people House Concurrent Resolution 206, which is a sense of Congress that expresses the threat to the security of the American citizens and the U.S. Government by armed militia. This may not be a popular stance, but it does us no good to hide from the issue.

□ 1700

Mr. Speaker, one of the most energetic promoters of the growing antigovernment movement in 1995 was militia of Montana spokesperson Bob Fletcher. Shortly after a 2-ton bomb destroyed the Murrah Federal Building in Oklahoma, killing 169 people, Fletcher made an announcement to the press: Expect more bombs.

To date, as a freshman, we have not been able to secure from this House an opportunity to have hearings on the militia.

The U.S. Government is comprised of democratic institutions, and any change to the Government should occur by peaceful means. Americans agree with that. They believe in the first amendment, the right to freedom of expression and the right to free association. They do not believe in Oklahoma City, Pan Am 103, or TWA 800, and yes, they do not believe in the confrontation of legitimate law enforcement officers by those who would argue that they have the right to overthrow this Government.

Several members of the Arizona militia have recently been arrested. Our militias have repeatedly denounced the legitimacy of the U.S. Government. Our militia consists of more than 800 groups that are active in more than 40 States.

This resolution says that Congress resolves to prosecute and identify all armed conspirators that are brought together to overthrow the Government of the United States. It resolves that individuals and groups possessing illegal possession of firearms and explosives should be prosecuted to the fullest extent of the law by the Department of Justice, and, yes; it resolves that individuals legally possessing firearms and explosives and conspiring to destroy the U.S. Government should be prosecuted to the fullest extent of the law.

It is important to note that we are not making an issue out of something that should not be made an issue of. The militia in America are convinced that American people are being systematically oppressed by an illegal totalitarian government that is intent of disarming all citizens and creating one world government. They believe that the time for traditional political reform over their freedom will be secured by resistance to the Nation's laws and attacks against its institutions. They

are not for peaceful addressing of their grievances.

The Patriot press is filled with wild tales of government conspiracies. Some of the most widespread myths assert that the government is using black helicopters to spy on its citizens, mustering Hong Kong police officers to disarm Americans and implanting electronic monitoring devices in newborn babies.

Strange, you say. I think it is important for this Congress to unveil, to disclose all that is being done on behalf of those who would conspire against the U.S. Government. No, I am not here to cry fire in a crowded theater, simply asking that we not hide away from the truth.

A complex and bizarre theology also helps the Patriots explain their belief and justify their tactics, Patriots as a synonymous name for militia. Many subscribe to the Identity religion which holds that white people are God's chosen and that it is their divine duty to battle the satanic beast of government. Though they have no unified leader, these Patriots are connected like no rebel force has ever been. On the Internet and by fax machine, they share their gripes against government and trade tips on how to avoid tax laws and fight government regulation. Through mail ordered manuals they learn how to build bombs and conduct surveillance and disable public utilities. On the weekend in isolated fields they practice the art of guerrilla warfare. At public meetings their rage is rationalized by the propaganda of the movement.

I would simply say that I ask my colleagues to join me in supporting House Concurrent Resolution 206. Let us unveil for the American people those who would conspire to overthrow this Government and seriously address this issue as Americans believing in peace and believing in democracy.

#### AVAILABILITY OF FINANCIAL ASSISTANCE FROM SBA

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

Mr. LAFALCE. Mr. Speaker, today I am introducing a narrow bill to augment Federal dollars which support financial assistance programs for small business administered by the Small Business Administration. This augmentation would be accomplished by imposing fee increases on participants in these programs, and the fees would be effective only 1 year. During this year, Congress and the Agency would have time to develop other ways to reduce the cost of operating the programs.

Mr. Speaker, I do not generally support the use of fees as a major source of funding for SBA programs. I believe that as a matter of public policy the Government should pay for this assistance.

Moreover, it has been shown that the small businesses which receive this assistance more

than pay its costs through growth in their income on which they pay Federal and State taxes. Our investment in these firms via Federal money is more than justified.

Nonetheless, it does not appear that this Congress, despite the President's request, will fully fund the three major financial assistance programs administered by the SBA. I can see no other answer than to impose fees to make up the shortfall. Absent such fees, one of these programs will close down entirely, and the others will operate well below the level of demand.

I am very disappointed that the Small Business Committee, which is responsible for these programs, has not acted. It is only 60 days until the start of the new fiscal year, and Congress will not even be here to act more than one-half of the time remaining.

The committee has become bogged down in an attempt to consider major changes in SBA programs. No legislation is ready for House consideration.

I appreciate the committee's desire to make major changes in some areas. I even support some of the changes being proposed. But in our attempt to develop major legislation, we have delayed enactment of the fee increases which are needed if we are to avoid disruption of financial assistance to the small business community.

I have pared down the necessary legislation to the bare essentials. I urge my colleagues to consider these essential elements in separate legislation which could be presented to the House when we return in September.

Mr. Speaker, we have only a short time remaining in this legislative year. We have the responsibility to act now to continue the SBA's loan and venture capital programs.

Further delay in considering a bare-bones bill is bad government. I urge prompt consideration of a measure to continue at reasonable funding levels the three programs I describe below.

The first program is the 7(a) loan guarantee program, the primary financial assistance program operated by the Small Business Administration. Under this program, SBA guarantees to reimburse a lender for between 75 and 80 percent of any loss sustained by the lender on a loan made to a small business.

The cost of the program is partially paid by the appropriation of Federal money. The balance is from fees paid by both the borrower and the lender.

Legislation enacted last year increased the amount of fees to be paid by the borrower. Except on loans of less than \$80,000, borrowers now pay between 3 percent and 3.875 percent, depending upon the size of the loan. In addition, the lender must pay, and absorb as part of its cost of doing business, an annual fee of 0.5 percent or one-half of one percent.

During the current fiscal year, 1996, the Office of Management and Budget, determined that operation of the 7(a) program, including these fees, would result in a subsidy rate of 1.06 percent. This rate determines the amount which must be appropriated in order to operate the program.

As a result of a major study of the 7(a) program and a change in the method of calculating losses, OMB determined that this rate

would increase substantially for fiscal year 1997 to 2.68 percent. And the President proposed full funding at the new higher rate, even though it necessitated the budgeting of an additional \$170 million.

The House-passed appropriation does not provide the necessary funding, although it does provide a slight additional amount of funding above the 1996 level. It is my understanding that the proposed Federal funding, when added to funds expected to be unused this year, will result in a 7(a) program level next year of \$6.5 billion.

On the other hand, demand is expected to be approximately \$8.5 billion, a shortfall of \$2 billion.

I believe that it is our responsibility to address this problem; we cannot simply sit back and argue that the Appropriations Committee did not provide enough money.

I would hope that as the 1997 appropriations bill moves through the Congress additional moneys could be provided—about an additional \$50 million would allow the program to fund an additional \$2 billion in guarantees. But I do not believe that we can rely upon this hope.

This program was underfunded in 1995. The result was chaos. The loan window opened and closed. Finally, OMB dictated the result: stretch the available money by reducing the maximum loan per borrower. SBA then made the necessary reduction and refused any loan in excess of one-half of the statutory maximum of \$750,000.

I believe it would be unconscionable to allow this situation to repeat itself.

I reluctantly supported the fees legislated last year. It seemed to me to be a choice between imposing the fees and denying small businesses access to a Federally guaranteed loan program.

I believe that we are confronted with the same problem this year, although on a much smaller scale. It is my understanding that an increase of  $\frac{1}{12}$  of 1 percent in the annual lender fee would generate sufficient income to restore approximately \$2 billion in guarantees.

This minute increase would amount to less than \$100 per year on the average loan, and it would decrease each year as the fee is applied to the outstanding balance of the loan which is being reduced each year.

I urge my colleagues to reconsider this very meager fee increase which was rejected by the Republican majority on the Small Business Committee.

The second program is one for small businesses in need of long-term financing for plant and equipment needs: the development company loan program or 504 program.

Under this program, the small business borrower puts up at least 10 percent, a bank provides 50 percent and receives a first lien position, and a private investor provides the other 40 percent by purchasing a debenture issued by a certified development company which is guaranteed by the SBA.

During the current fiscal year, it has been assumed that program participants were fully paying the cost of the program; the OMB approved subsidy rate was set at zero, and no appropriation of funds was necessary to support the program.

This subsidy rate will increase from zero to 6.85 percent for 1997, again as a result of the

change in methodology for calculating losses in this program.

The President's budget addressed this need for Federal funding by requesting a change in the nature of the program funding—reverting to direct Treasury funding instead of the more costly use of the debenture guarantee process. This change would be accompanied by the imposition of a fee equal to the administrative cost of selling the debentures to private investors, thus resulting in no increase in total cost to borrowers, but reducing the subsidy rate to zero.

The majority members of both the Appropriations Committee and the Small Business Committee rejected this proposed return to direct Treasury funding. And I must admit I have very serious qualms about the proposal as I see it as a temporary solution—the current use of the private markets is the long range solution and ultimately we would seek to return to it.

But when the Appropriations Committee refused to appropriate any money for the 504 program, there appeared to be only one immediate answer: impose fees, at least for 1 year.

There is agreement on most of the fee provisions—a fee of  $\frac{1}{8}$  of 1 percent to be paid by the certified development company as part of its cost of doing business; and a fee of one-half of one percent to be paid by the lender who was taking a first lien position on its one-half of the project cost.

The disagreement is over the amount of the fee to be paid by the borrower. Initially, based upon information received from SBA, I believed that an annual fee of  $\frac{1}{16}$  of 1 percent, when added to the other fees, would be sufficient to reduce the subsidy rate to zero and allow the program to operate without the appropriation of any Federal funds to pay losses.

Minutes before the Committee mark-up, however, representatives of OMB suddenly decreed that this amount would not be sufficient. Another  $\frac{2}{16}$  would be needed to reach zero.

I saw no other solution. The Appropriations' Committee was not appropriating any money. Either we would have to increase the borrower's fee to  $\frac{1}{16}$  or there would be no program. The result would not be a reduced program; the total absence of Federal funding would mean no program whatsoever, unless fee income reduced the cost to zero to equate with the complete absence of Federal dollars.

Due to Republican opposition, I withdrew the amendment. The net result: unless we appropriate Federal money, about \$21 million, or we impose further fee increases to yield the same amount, there will be no program next year. That result, to me, is completely unacceptable.

The third program is the SBIC or Small Business Investment Company program. Under this program, the Small Business Administration encourages private venture capital to be made available to small businesses who need equity capital. This encouragement is to provide Federal matching funds to private companies which are licensed by SBA as SBICs.

These matching funds, called leverage, are provided either as debentures, or long term loans, or as participating securities, a hybrid

instrument under which SBA will advance amounts needed to pay interest and in return receive re-payment of the advancement plus a share of the company's profits. In either case, the debenture or participating security is issued by the SBIC, guaranteed by SBA, and sold to private investors.

For 1997, the administration requested the authority to issue \$225 million in debentures and \$400 million in participating securities. It proposed to support this request partially with appropriated funds, but primarily by the imposition of new fees as proposed by an industry task force.

The proposed fees include a one-time up front guarantee fee of 3 percent of the amount of the leverage plus an annual fee of 1 percent of the amount of debentures outstanding.

I believe that the Small Business Committee will approve the requested SBIC fees, but it has not done so to date.

Even if it approves the full fee, the House-passed appropriations bill does not provide sufficient funds to meet anticipated demand. It only would fund a program of \$150 million in debentures and \$325 million in participating securities. Both levels are too low and would result in the denial of assistance to otherwise qualified applicants.

Mr. Speaker, in conclusion, I urge my colleagues to thoroughly consider the prompt enactment of the fees proposed in my legislation and to re-consider the amount of appropriated funds which are needed to augment this funding.

#### GOLDEN EAGLE AND CORPORATE VULTURE AWARDS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio [Ms. KAPTUR] is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, last month, the jobs and fair trade caucus presented its monthly Golden Eagle Award to the employee owners of United Airlines, our Nation's leading airline, and our Corporate Vulture Award to Hershey foods, a company that continues to outsource its Hershey Kiss production to Mexico and downsize its American work force. The two companies, United Airlines and Hershey foods, exemplify the best and worst of corporate practices in America today.

As you will recall, the Golden Eagle Award rewards fine U.S. companies that represent the best that is in us as a nation, companies which treat their workers with dignity while making decent profits, strengthen their communities, charge a reasonable price for products, and remain and prosper in the United States. When all of these practices are undertaken by one company, that company deserves our praise and to be recognized as a Golden Eagle Co.

The Corporate Vulture Award, like the scavenger it represents, is given to a company in need of vast improvement, a company which exploits our marketplace yet downsizes its work

force in America. These firms outsource most production to foreign countries, and use sweatshop labor abroad but then import these transhipped products back to the United States while keeping prices high here at home and maintaining all of the benefits of being called an American company. Corporate vultures deserve our disdain.

Today, the jobs and fair trade caucus is proud to present this month's Golden Eagle Award to Natural Cotton Colors, a small manufacturer of naturally colored cottons located in Wickenburg, AZ. Sally Fox, the founder of Natural Cotton Colors and inventor of environmentally safe colored cotton suitable for organic farming, is quite an American.

As Sally herself has stated, the success of her company is a real Jack and the Beanstalk Story. In 1982, Sally came across brown cotton seeds in a bag and thought that she could grow and sell the brown cotton to hobbyists who hand spin yarn. A small American business was thus born. Since those humble beginnings, Natural Cotton Colors now sells environmentally safe colored cotton around the world. The company's sales over the past few years have averaged around \$5 million.

What makes Natural Cotton Colors unique is its commitment to the environment. Sally developed her own trademark, Fox Fibre, for the purpose of promoting environmentally sustainable production of cotton—while remaining profitable. In order for a textile manufacturer to be licensed to use the Fox Fibre trademark, the manufacturer must agree to abide by numerous environmental standards. Manufacturers using Fox Fibre are not allowed to use dye, bleach, or formaldehyde finish in their production. With so many multinational corporations and countries engaged in a race to lower environmental standards around the world, Natural Cotton Colors is to be strongly commended for one small company's efforts to promote a safer and cleaner environment for our children.

The story of Sally Fox and Natural Cotton Colors is truly an American story. By resisting the temptation to outsource production, Sally Fox and her company provide good jobs for American workers and farmers. When Sally receives an order for her product, Natural Cotton Colors consistently contracts out to American farmers scattered around the Midwest. Although she is able to cut costs dramatically by contracting out the company's work to cheap labor in Mexico and China, Sally Fox has remained strong in her commitment to America.

Natural Cotton Colors is only one of thousands of small businesses in America that do so much to strengthen our communities and our lives. American small businesses provided virtually all of the net new jobs created over the

past 10 years. Small businesses account for 50 percent of total sales in the United States.

Many small businesses never are recognized for their achievements and their commitment to America. Today, we present the Golden Eagle Award, which includes this certificate and an American flag flown over the U.S. Capitol, to Natural Cotton Colors and Sally Fox for their commitment to the environment, and their commitment to America. Natural Cotton Colors is a small company with a big vision which we as a nation can benefit from.

In marked contrast to Natural Cotton color's efforts and commitment to remain in the United States, this month's Corporate Vulture Award is presented to the Green Giant division of Pillsbury and its parent company, Grand Metropolitan PLC. Green Giant/Pillsbury is one of many U.S. corporations that have packed their bags and set up shop in the sweatshops and killing fields of the developing world, leaving a wake of wrecked families and communities here at home in America.

In Green Giant's case, the company has shipped their contracts for fresh produce and their frozen food facilities south of the border to Mexico. A close look at virtually any supermarket's frozen food shelves will reveal packages with tiny, obscured, and ambiguous Green Giant labels indicating the food was grown or processed in Mexico or other foreign countries. Green Giant even has the audacity of naming one of their brands "American Mixtures"—a product that contains mostly vegetables grown in and imported from Mexico but packaged in America. More than 60 percent of Green Giant's broccoli and cauliflower is actually grown in Mexico.

As much as Green Giant/Pillsbury and Grand Metropolitan have tried to hide the facts, the truth is that these companies have actively downsized their American work force and sent their production abroad.

Watsonville, CA, was once referred to as the frozen food capital of the world. In the mid-1980's, the frozen food packaging industry, including Green Giant, employed 3,500 workers at its peak. Today, there are less than 1,500 workers in Watsonville employed in frozen food packaging.

Where did the jobs go? In 1993, Green Giant stated during the NAFTA debate that, and I quote, "Not a single job in Watsonville is going to Mexico." Alas, production in Green Giant's Watsonville plant, where American workers once earned from \$7.15 to \$11.50 an hour with benefits, has since been moved to Irapuato, Mexico, where workers earn 50 cents an hour without benefits. Not surprisingly, Irapuato, Mexico is the city that many now consider to be the new capital of the frozen food industry.

What do American workers and consumers receive in return? Certainly not

lower prices. At my local grocery store in Toledo, OH, a 16 ounce bag of Green Giant cut leaf spinach costs \$1.66 and Green Giant cream spinach costs \$1.69. The price is the same whether the spinach was grown and processed in the United States or Mexico. There is no price differential for imported goods.

What is different though is the profit that Green Giant and Grand Metropolitan are making off moving their production to Mexico. Grand Metropolitan, which again owns Green Giant, enjoyed record sales in 50 countries last year totaling \$12.6 billion. In 1993, the year that Green Giant was not going to move any American jobs to Mexico, the CEO of Grand Metropolitan, Sir Allen Sheppard, earned over \$1.25 million in salary alone.

Lost U.S. jobs, downward pressure on U.S. wages, high prices, and huge profits are the characteristics of a corporate vulture. And today we recognize that there are no better examples of being a corporate vulture than Green Giant and Grand Metropolitan. What a shame.

#### WELFARE REFORM "NOT THIS WELFARE REFORM"

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Ms. MILLENDER-MCDONALD] is recognized for 5 minutes.

Ms. MILLENDER-MCDONALD. Mr. Speaker, the welfare system in this country is in desperate need of reform. The current system has created a cycle of dependency that has had a detrimental effect on our society.

For the first time in my lifetime, we are looking at third generation citizens that have never known the value of hard work and the satisfaction of bringing home a paycheck earned as a result of an honest days work.

The very nature of the term welfare reform implies that our current system is not functioning properly and is in need of modification. But in our zeal, to reform—to score political points in an election year—we must ask ourselves one very important question: Is it fair to gut this welfare program on the backs of our children?

I would submit that the welfare system as we know it today was not intended to function as it does currently. At its inception, welfare was intended to be a transitional program—a proverbial bridge over troubled waters for our citizens who had recently become unemployed, widowed, or forced to deal with some other unfortunate financial crisis.

At its inception, the current welfare program did not contain child care programs for parents who wanted to work. Nor did it provide adequate job training or job location assistance.

We now know that these elements—child care, job training, and job search assistance—are necessary if parents are going to get off of welfare and into the work force.

I recognized this and my constituents recognized this. Throughout the town hall meetings that I have had over the last few weeks I have heard again and again that welfare reform is

not true reform unless it contains job training, child care, and job location assistance.

Welfare usually referred to aid to families with dependent children program, AFDC, as it is commonly referred to today, provides benefits to families with children headed by a single parent, or two parents, if one is incapacitated, or unemployed, with incomes below State-determined limits. Most adult AFDC recipients are not working or are looking for work in the months during which they receive aid. Income eligibility thresholds in many States are so low that even meager earnings make a family ineligible for AFDC.

I do not subscribe to the theory that the vast majority of persons on welfare are able-bodied persons who do not want to work. Research has provided evidence that there is much movement between welfare and work, and that the average time spent on welfare is about 2 years.

When I was elected to Congress last March I told my constituents that I was committed to ending welfare as they knew it and to making AFDC the transitional program it was intended to be—a bridge over troubled waters. But I was not committed to the bill that was voted on today.

The legislation that was passed by this body and will be signed by the President will move over 1 million children and 2.6 million families further into poverty, without any safety net provisions or proof that there will be jobs available that allow them to earn a livable wage.

In the State of California there are more than 2.5 million families on welfare: 1.8 million children and 800 thousand adults. What will happen to those families when the promise of a job is not kept and there are no means by which parents can put food on the table?

This reform bill will have disastrous financial consequences for California and Los Angeles County. California alone will be subjected to 40 percent of the Federal funding loss over the next 6 years, totaling \$10 billion of an estimated \$25 billion in lost revenue.

In Los Angeles County, the estimated 93,000 legal immigrants who would lose SSI benefits would still be eligible for county-funded general relief. The annual increase, however, in county costs could total \$236 million if all 93,000 applied for general assistance, putting LA county's budget into a further deficit.

My State and my constituency will bear the full weight of the disproportionate fiscal impact that will ultimately undermine the fiscal health of Los Angeles County.

The current welfare system doesn't work and hadn't worked for a long time. However, in our attempts to aid the families who are on welfare gain economic self sufficiency, we should have been careful not to hurt our Nation's children and bankrupt the counties in which they live.

#### CORRIDOR H

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, as Congress heads home today for the August recess, and I will be driving home via

Route 55, and in much of the eastern Panhandle and eastern part of our State during August, Route 55 and the other roads are going to be curvy. But because of action taken today, the trip will be a little bit lighter.

The Federal Highway Administration today is releasing its Federal record of decision on corridor H. The record of decision is a very significant milestone for this important highway because it is the final signoff for authorizing the West Virginia Division of Highways to proceed with the final design, including the right of way designation. Now the State can begin advertising for engineering for the final design process.

Mr. Speaker, this work is important, and it has been done and achieved because of work done by Governor Caperton and Senator BYRD particularly. Because of Senator BYRD, about 20 percent of the funding is already appropriated. Governor Caperton has provided the matching funds in the West Virginia legislature, so that roughly \$200 million is banked to begin this construction. Their efforts and the teamwork of the entire congressional delegation have kept this vital project moving forward.

Now corridor H enters what is known as the contract planned phase that physically locates the actual route, identifies the property owners, does the negotiations. Ground breaking could begin as early as year's end.

This record of decision reflects the analysis of engineering, economic and environmental issues. To those concerned about environmental issues, and I have been involved in this from the very beginning, particularly on a segment between Buckhannon and Elkins where we satisfactorily resolve those issues, and now many people happily drive that four-lane segment.

To those concerned about environmental issues, they should know there has been review, and it is reflected in the ROD issued today, the record of decision of acid mine drainage, excess excavation and flooding issues. We have suffered again flooding in significant parts of eastern West Virginia, as I speak, and you should know and people should know that once again these areas are flooding. Corridor H has not been built there.

To those who are concerned corridor H would make that situation worse, aggravate it, they should know that it does not change the flooding situation in those segments, and so construction of corridor H does not affect the flooding that we have seen. We flooded, incidentally, in many parts of the State that do not have corridor H yet. We flooded three times this year already.

This highway is over 100 miles long, running from Elkins to the Virginia line.

Mr. WOLF. Mr. Speaker, if the gentleman would yield, you mentioned the Virginia line, that it runs to my dis-

trict, and I had expressed concern. I keep hearing the West Virginia officials talking about dumping traffic in my area. We have decided in Virginia we do not want corridor H.

I would ask the gentleman to deal with the West Virginia highway officials to resolve this matter, because if this matter is not resolved, I may very well come out and do everything in my power to kill corridor H from the Virginia line clear on into West Virginia.

Mr. WISE. Taking my time back, I appreciate the gentleman's remarks. The gentleman and I have talked before, and we are interested in building corridor H in West Virginia. If the gentleman chooses not to build it in Virginia, that is fine. We think that it is an important project for our State. What is done in Virginia is the decision of my colleague and the Virginia officials, and I would hope that we could continue to work together on that.

I would like to be able to complete my remarks.

Mr. WOLF. If the gentleman would just yield for a second, just so I can make it on the record. I am not involving myself in West Virginia, as you know, but I am concerned about the statements that the West Virginia Highway Department is now saying we are going to bring it up to the edge and dump it into Virginia; that will show the people in Virginia.

I would ask the gentleman to look into that.

Mr. WISE. Reclaiming my time again, I am happy to work with the gentleman. As I say, I think the gentleman and I can satisfactorily conclude what is done in West Virginia. We will build in West Virginia. We are not trying to affect Virginia, and Virginia's decision is Virginia's decision. We respect the gentleman for what he wants to do in Virginia, and we ask his respect for what we want to do in West Virginia.

Having said that, I think this project is importantly moving ahead in West Virginia. This is a significant day, and those in the eastern end of the State can know that this project has reached that very, very important point.

Yes, it very likely there could be an environmental lawsuit filed; we will see what happens as a result. But the important thing is that with this record of decision, many of these concerns have already been looked at, reviewed, satisfactorily met. We can now begin to move ahead. Hopefully we could see a ground breaking take place somewhere along this 100 mile segment between Elkins and the Virginia line sometime by the end of the year.

□ 1715

For those who have waited many, many years, today is an important day. We have many more obstacles and many more challenges ahead of us, but the trip home is going to be a little bit

better today because of this decision on corridor H.

**INTRODUCTION OF H.R. 3950, THE  
G.I. BILL OF HEALTH**

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

Mr. LONGLEY. Mr. Speaker, today is a very significant date. August 2, 1991, was the day Mr. Hussein and the Iraqi Army invaded the city of Kuwait. That was just 6 years ago. At the same time in 1965, August 2 was the date of the Tonkin Gulf Resolution.

I mention that because as a Persian Gulf veteran I certainly can appreciate the significance of the Iraqi invasion of Kuwait, and as a veteran, I can appreciate the sacrifice that resulted from that resolution back in the 1960's. I also can respect the sacrifice that many other veterans have made, not just in Vietnam or Desert Storm, but also Korea, World War II, and many of the other various and sundry conflicts in which American troops have been engaged.

One message that is very clear to those who have served in the military is that you come to understand that there is a form of a compact between the veteran and your country: That you serve your country, and then in exchange, your country is going to take care of you and provide for your family in the event that you need that care, particularly as a result of your service. When you are on active duty in the U.S. Armed Forces, Uncle Sam provides health care for you and for your family. If you are no longer a member of the Armed Services since the 1930's, the Government has met its health care obligation to disabled and poor veterans through the Veterans Administration health care system.

Unfortunately, Mr. Speaker, the VA health care system is not functioning in quite the manner it should. There are questions today as to whether it is receiving adequate funding. There are other questions that relate to whether in fact it is adequately structured to meet the needs of today's veterans as we move into the 21st century. It is interesting to note that eligibility rules are so strict that most of our Nation's 26 million veterans do not have access to the VA system. In fact, a suggestion has been made that in many cases the rules are so strict and complicated that much more time, energy, and resources are devoted to the complex question of sorting out whether or not a veteran is qualified for care, perhaps more funds than would have been necessary to provide the care itself. That is a significant issue for today's veterans.

If you are a military retiree and the nearby base hospital closes, too bad. If you are just returning from Bosnia and you and your family need health care

while you search for a job, again, you are not able to use the VA system. If you are a veteran who thinks the VA hospital should be open to you, guess again: Exclusions, restrictions, barriers, limitations; confusion, complexity. It has become absurd.

The system in many cases is failing to serve the veterans it was designed to care for and those who sacrificed for their country. Today I introduced a bold new idea, a new way of thinking about VA health care delivery. I think it is the potential solution to the VA health care crisis. It is called the GI Bill of Health, H.R. 3950, and it presents a vision for change in how health care should be provided to veterans.

The measure seeks to authorize the Department of Veterans Affairs to receive third-party health insurance reimbursements, as well as to incorporate innovative managed care principles to provide for increased medical care options for veterans and their dependents. It attempts to build on what I think are significant increases in funding for the VA.

I might note for the record that in 1995 total funding for VA medical care was in the vicinity of \$16.1 billion. In the 1996 budget we provided an increase of over \$400 million for VA medical care, and just in the most recent budget we approved for the Veterans Administration, another \$500 million increase in the provisions for VA medical care, or well over \$1 billion, excuse me, almost \$1 billion in increased annual medical care funding. Yet, as I look at the veterans hospital in my district, the Togus Veterans Hospital, located in Togus, ME, just outside of Augusta, and when I sit in Washington I see two different perspectives. When I look at what we are doing for VA medical care here in Washington, and I see an increase of almost \$1 billion in annualized funding for VA medical care, it does not jive with the cuts and threats of cuts and cutbacks and loss of essential services that are being discussed and potential layoffs of key personnel that are being discussed back at the hospital in my own district.

Clearly, something is amiss. I have a feeling that the something that is amiss is that the system is not being as responsive to the needs of veterans on the receiving end of medical care as it needs to be. But I think, building on what we have attempted to do for funding for VA medical care, as well as two recent pieces of legislation, one that passed, both that passed within the last 2 weeks, first H.R. 3118, the Veterans Health Care Eligibility Reform Act and the Health Care Coverage Availability and Affordability Act which we passed just yesterday, each provides an opportunity to increase the access to veterans by creating a seamless medical care system that will serve all of our veterans in the context of what we are doing in our health care system.

**TO BE PRO-CHOICE MEANS TO  
RECOGNIZE THE INDIVIDUAL  
AND INDIVIDUAL RESPONSIBILITY**

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

Mr. CAMPBELL. Mr. Speaker, I would like to read into the RECORD the words of Governor Pete Wilson of the State of California from the Los Angeles Times of yesterday:

"How do we reverse 50 years of growing out-of-wedlock births and deteriorating families?"

"We must begin by recasting our culture. That will not happen by advocating an anti-abortion constitutional amendment that has no hope of being enacted because it is overwhelming opposed by the majority of Americans.

"What we must do is say to every teenage girl that it is morally wrong for her to get pregnant and to bring a child into the world unless she has a father for her child. Both parents must be prepared—emotionally and financially—to raise that child. Their child is their responsibility, not the taxpayers'. . . We must also focus on the men who are making them welfare mothers. If young men who impregnate women lack the basic decency to send love to their children, then they must at least send money. If they do not, in California we track them down and dock their pay. We lift their license to drive a car or to practice law.

"We also prosecute the older men who victimize young girls. More than half the babies born to teenage girls are fathered by adult men, not by boys.

"Government must never decide who can have children, but society does have a responsibility to discourage from having children those who cannot or will not accept the responsibility of parenthood. We are using mass media to teach abstinence to our children. For those who choose to have sex but reject the burden of parenthood, we must make contraception the available choice and the moral obligation to prevent unwanted pregnancies."

"The objections to even the modest tolerance language Bob Dole has proposed in the abortion plank of the GOP platform is further evidence that many of my fellow delegates to the Republican National Convention later this month will be absorbed by the debate on the rights of the unborn child. Though I am pro-choice, I share with them the desire to greatly reduce the number of abortions performed in America. It is a shocking 1.6 million per year.

"But with all respect to their concern for the unborn child, they and others on both sides of this issue are ignoring the even greater and more urgent challenge to America: How we deal with all the children born to parents who are either unwilling or unable

to accept the responsibility of being parents.

"In 1945, the incidence of out-of-wedlock births was 1 in 25. Today, it is 1 in 3. In our inner cities it rises to more than 3 out of 4. Children born into fatherless homes are five times more likely to live in poverty, twice as likely to drop out of high school. Fatherless girls are three times more likely to end up as unwed teen mothers. Fatherless boys are overwhelmingly more likely to end up behind bars.

"We are forced to build too many prisons instead of libraries and laboratories because absent fathers have defaulted on their fundamental responsibility to their sons. At the same time, we have witnessed an explosion in the number of single women on welfare because women without education, marketable skills, or self-esteem can earn little money and less respect."

Nothing will have a more profound impact on the future of this Nation than successfully reversing the irresponsible behavior that sentence children to lives of wasted opportunity and despair. The best answer for curbing the social pathology of fatherless America is abstinence, contraception, and mentors. This will have a far greater impact on the number of abortions performed in America than any party platform can ever hope to have."

Mr. Speaker, Governor Pete Wilson has received more votes than any other political figure in the country on the Republican side, with the exception of our retired Presidents. Governor Wilson is pro-choice. Mr. Speaker, so am I. To be pro-choice is not to be pro-abortion. To be pro-choice is to recognize the individual and the responsibility of the individual.

I think Governor Wilson says, in words that should echo to every delegate to our convention, that it is individual responsibility that is the hallmark of our party, individual responsibility which is the solution to the problem of unwanted pregnancies, unloved and uncared for children in our country.

Mr. Speaker, I urge our colleagues at the convention to heed with care the words of the Governor of California, Pete Wilson.

#### THE PRESIDENT BEARS FINANCIAL RESPONSIBILITY FOR LEGAL BILLS OF FIRED TRAVEL OFFICE EMPLOYEES

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

Mr. WOLF. Mr. Speaker, I am concerned about a statement President Clinton made yesterday that he would not support legislation which would reimburse Billy Dale and the other White House travel office employees' legal bills. His statement is contrary to

other White House statements, and I urge him to reconsider this position.

Without rehashing the developing Travelgate saga, Members will recall that Billy Dale and six other White House travel employees, all career employees, one a constituent of mine, were fired so that the President's cousin could take over the operation. Those career Federal employees had their good names and their reputations destroyed. One of those employees was charged and the other six were not charged. One was forced to fight the full investigative and prosecuting power of the Federal Government, and was finally acquitted of any wrongdoing by a jury of his peers.

Billy Dale and his colleagues racked up hundreds of thousands of dollars of legal fees. According to news stories, the President snapped at a reporter who asked a question about the legal fees, because the President is concerned about his own staff's mounting legal bills. Unlike those others who hold high political offices, however, the fired travel office employees are not able to hold glitzy Hollywood fundraisers and have the beautiful people donate \$1,000 to their legal fees. Again, my constituent was never charged with anything.

So I call on the President to make sure that this is signed. The Golden Rule says, do unto others as you would have them do unto you. The President ought to be sure, because of the actions of the White House, these people have been hurt, that they are reimbursed. It is the fair thing to do. It is the right thing to do.

I said on this floor one other time, when talking about this case, everything that goes around comes back around. One could almost say, the administration's action with regard to these Federal employees began all of the White House's legal problems. History will judge whether this is right or not, but regardless, career Federal employees should not be punished for a political action taken by any administration, Republican or Democrat.

#### WARNING AGAINST POTENTIAL POLITICIZING OF THE FBI

Mr. Speaker, I also want to express concern for the potential politicizing of the FBI. I will be inserting two articles in the RECORD whereby it talks about how Mr. Shapiro, who is the general counsel of the FBI, has been doing and involved in activities that the general counsel of the FBI ought not be involved in.

I have been one of the strongest supporters of the FBI and the employees of the FBI in this body. Many of the FBI agents live in my district, and I have been supportive with regard to the benefits and pay raises and other things. But it is chilling, it is chilling when the general counsel of the FBI, Mr. Shapiro, does what he did.

The one FBI agent, Dennis Calabrini, who is also a constituent of mine, he

sent two FBI agents out to interview him at his home; very, very chilling. Then he made the data with regard to the Livingstone data available to parties that should not have seen it. This is a conflict of interest. This is inappropriate.

Mr. Speaker, the FBI should be above and beyond all partisan politics. Under no circumstances should any high officials in the FBI use FBI agents to encourage or be involved in anything that could even smack of political partisanship.

Mr. Speaker, I include for the RECORD the following article.

The article referred to is as follows:

[From the Washington Post, Aug. 2, 1996]

#### MANY NOTIFIED AFTER FBI 'HEADS-UP'

(By George Lardner Jr.)

The White House sent out what amounted to "an all-points bulletin" warning at least 16 people, including lawyers for embattled former White House personnel security chief Craig Livingstone, after the FBI alerted it to politically damaging information in Livingstone's FBI file, House Republicans complained yesterday.

"Those who needed to do damage control were notified first. Those who were investigating were notified last," Rep. William F. Clinger Jr. (R-Pa.), chairman of the House Government Reform and Oversight Committee, said at the windup of a six-hour hearing. He said FBI general counsel Howard Shapiro, who alerted the White House July 15 to the file's contents, should consider resigning.

FBI Director Louis J. Freeh said last night that Shapiro "enjoys my full confidence."

Democrats dismissed the disclosures as a sideshow ginned up after Republicans failed to document their original suspicions: that Livingstone's office had been seeking dirt on political enemies when it wrongly collected confidential FBI reports on hundreds of Republicans from the Bush and Reagan administrations.

"The committee has come to the end of the road and is now looking for new allegations to embarrass the Clinton White House," said Rep. Cardiss Collins (D-Ill.), the panel's ranking minority member.

Shapiro, the hearing's main witness, acknowledged making "a horrific blunder" in telling the White House of an FBI report that Livingstone had been "highly recommended" for his job by first lady Hillary Rodham Clinton.

A protégé of Freeh, Shapiro gave White House deputy counsel Kathleen Wallman the "heads-up" shortly before Clinger's chief investigator was scheduled to inspect the material. He said he had only been trying to be fair and emphasized that the decision was his alone.

Asked what Freeh thought, Shapiro said: "He wishes I hadn't done it."

"So do we," Rep. Dan Burton (R-Ind.) said.

"So do I," Shapiro said.

Committee Republicans accused Shapiro of being "too cozy" with the White House on other occasions as well. Last February, he said, he gave White House counsel Jack Quinn a draft copy of the book "Unlimited Access," by Gary Aldrich, a former FBI agent who had been assigned to the Clinton White House. Laced with allegations that have been widely discredited, it depicted Hillary Clinton as a driving force at the White House, usurping control of domestic policy and hiring decisions.

Shapiro said he gave Quinn the draft, four months before publication, because it was "replete with sensitive internal information" and because he suspected it would be published, as it was, without the requisite FBI pre-publication clearance. He said Aldrich made some changes the FBI wanted, but there were objections to "six somewhat lengthy passages" that were still in the book when it was published last month.

The FBI has recommended that the Justice Department file a civil suit against Aldrich to make him turn over his profits to the government. "It's the only recourse we have," Shapiro said.

Shapiro, 36, also came under attack for giving Quinn advice about a July 25 letter he sent to Freeh. Shapiro told Quinn that one reference to the possibility that an FBI agent had "falsified" a report would be offensive.

The section was an allusion to FBI agent Dennis Sculmbrene, who conducted the 1993 background investigation on Livingstone. In an interview report discovered in Livingstone's file, Sculmbrene quoted then-White House counsel Bernard Nussbaum as saying Livingstone owed his job to the first lady.

Among those notified after Shapiro's call to the White House about the item were Hillary Clinton, her chief of staff and communications director, two lawyers for Nussbaum, deputy White House chief of staff Harold Ickes, senior policy adviser George Stephanopoulos and spokesman Mark Fabiani.

"We behaved appropriately," Fabiani said. When Clinger made Sculmbrene's account public, "we were able to respond quickly."

Nussbaum denied making the remarks attributed to him. Hillary Clinton said she had nothing to do with Livingstone's appointment.

By July 16, when Clinger's investigator went to inspect the interview report, Shapiro and his top deputy, Thomas A. Kelly, had dispatched two agents to Sculmbrene's home to question him about the Nussbaum interview. Sculmbrene has decided to resign from the FBI, sources said yesterday.

House Appropriations Committee Chairman Bob Livingston (R-La.), who had been watching the hearing on C-SPAN, charged that the agents' visit was "absolutely intended to intimidate" Sculmbrene and "constitutes, in my view, obstruction of justice." He told reporters that Shapiro "should immediately resign" and the Justice Department should begin an investigation "to determine whether a criminal charge can be brought."

In his statement last night, Freeh said he was "satisfied that none of Howard's actions were done in bad faith or for partisan purposes. . . . Howard has been instrumental in every major investigation and issue handled by the FBI over the last three years."

[From the Washington Post, Aug. 2, 1996]

CLINTON LOSES COMPOSURE ON TRAVEL OFFICE  
(By Adam Nagourney)

WASHINGTON, Aug. 1—His eyes narrowed in anger, President Clinton today punctured what was supposed to be a Rose Garden ceremony celebrating good economic news by heatedly renouncing a White House promise to pay the legal bills of travel office employees who had been dismissed.

"Are we going to pay the legal expenses of every person in America who is ever acquitted of an offense?" Mr. Clinton said, his voice even and steely as he plunged his hands into his pockets, rejecting a suggestion that he urge the Senate to proceed on stalled legislation that would reimburse the employees.

When a reporter reminded him that his own press secretary had previously pledged Mr. Clinton's support to the Senate legislation, Mr. Clinton shook him off.

"Well, he didn't talk to me before he said that," Mr. Clinton said. "I didn't say that. I said, 'I don't know what's going to be in it.'"

At that, Mr. Clinton turned to his questioner, a Washington Times reporter, and said: "I don't believe that we should give special preference to one group of people over others. Do you? Do you?"

Mr. Clinton is renowned among staff members for his fast and frequent outbursts of anger, and, typically, equally fast cooling downs and apologies.

In this case, Mr. Clinton later called aside one of his targets, Bill Plante, a CBS White House correspondent who asked the initial question that The Washington Times reporter followed up, and apologized. Mr. Plante said the President attributed his fit of temper to fatigue and the stress he was feeling because of the destruction of T.W.A. Flight 800.

Still, the exchange came over an issue that has caused Mr. Clinton much difficulty in the past two years, the dismissal of seven employees of the White House travel office by Mr. Clinton's Administration shortly after he took office. The Washington Times has closely followed the situation involving Billy R. Dale, the director of the White House travel office, who was dismissed and then acquitted of embezzlement charges brought against him by Mr. Clinton's Justice Department. The reporter who asked the question today, Paul Bedard, said this afternoon that Mr. Clinton had not offered him an apology.

Within hours of the televised news conference, aides to Mr. Clinton's likely opponent this fall, Bob Dole, who have customarily had to deal with questions about Mr. Dole's temperament, pounced on this incident to raise questions about the temper of the man in the White House.

"We have to assume that in anticipation of Dole's pro-growth economic plan coming out next week, Clinton is coming unglued," said John Buckley, Mr. Dole's communications director, referring to Mr. Dole's pending release of an economic plan that has caught White House attention over the past few days.

"But there is the larger issue of the President's ability to control his temper in public. And they're going to have to monitor that very carefully at the White House."

Mr. Dole's aides asserted that Mr. Clinton's exchange in the Rose Garden was the public relations equivalent of Mr. Dole's televised confrontation with Katie Couric, the host of the NBC News "Today" program, over Mr. Dole's ties to the tobacco industry.

"On the Katie Couric interview, Dole was asked several questions on the same subject and he showed a glint of testiness," Mr. Buckley said. "But there's a far cry between that and the leader of the free world having a meltdown at a news conference."

George Stephanopoulos, a senior adviser to Mr. Clinton, said in response to Mr. Buckley: "Valiant spin. What else do you expect him to say in the face of historic economic growth?"

□ 1730

I think there is a real question as to the propriety that Mr. Shapiro has taken. I for one will wait and see what will be done with regard to that. Because we cannot have a situation whereby the general counsel of an

agency that has such a long and distinguished record does something like this that can bring blemish and concern with regard to the objectivity in the minds of the American people.

#### A WAR ON THE WEST

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Oregon [Mr. COOLEY] is recognized for 60 minutes as the designee of the majority leader.

Mr. COOLEY of Oregon. Mr. Speaker, I come before the House today to discuss something I think is very, very important in concept and also to the American people.

We see something in the West that is happening to us. We like to refer to it many, many times as a war on the West, and it is a war. But I want to tell the people of America and the people here in the Chamber, a Member of this House, that if it can happen to us in the timber industry, it also can happen in other industries as well. I want my colleagues to think about this when they hear about what goes on and what is happening to us in the West, because this might be an issue now that is not addressed, does not concern others, but, remember, this lesson can be applied to any issue that we may see coming before you concerning your private property, your interest, your educational systems, and even your self-governing systems.

This is not a fault of any political attitude, it has nothing to do with the executive branch, although I will point out what is happening, but it has to do with the concept of America.

We have a cultural battle going on, a battle of self-determination, of individuality, of being responsible against a culture of liberalism and to a one-world conflict or a big national social government. In this body, if people examine this body, they will see that there are not Democrats or Republicans in this body; there are conservatives in this body and there are liberals. I think that is what the ultimate goal will turn out to be. Who will win this conflict, I think, will be determined in the very, very near future. We are starting to have some very, very serious problems concerning the attitude of a one-government, big-brother-knows-all continuous responsibility for everything that everybody does with no self-responsibility for the individual or the local control by the local communities.

We passed a timber salvage bill, and here is a good example of what is happening in my district, and I want to be able to point this out. We passed an emergency salvage bill in 1995 on June 7. On June 8, the President vetoed it. Between June and July, 1995, there was negotiation between Congress and the administration and a letter from Dan

Glickman implementing the program. The President signed the legislation in a rescission bill.

The bill was signed on July 21, 1995, revising the salvage measure and passed by Congress. On July 27, the President signed this bill. What this bill did in very simple terms is that it would allow the U.S. Forest Service and the Bureau of Land Management to salvage dead and dying and burnt trees.

At the same time, a law that was passed in 1988 which was referred to as rule No. 318, had to do with green-cut sustainable yields in the Northwest. At the same time the salvage bill went through the process in the U.S. Senate, we added the 318 section to the salvage bill, which was actually passed by Congress, and signed by the President of the United States back in 1988 but had never, ever been awarded.

Remember, these contracts were awarded following all the environmental laws, but because of the way our litigation is set up through the appeal process, many contractors who had put their down payments down, their bonds down to cut these trees, were not allowed to do that through litigation. This lasted from 1988 to 1995.

By the way, I want to tell my colleagues that people who put their bonds up in the U.S. Government collect no interest, and some of these bonds ran into the hundreds of thousands of dollars.

In August 1995, the President writes the Cabinet members expressing his reservations about the measure that he signed on July 27. The reason for that is that there was a national uproar by the extreme preservationists that this was a terrible thing, that it was logging without laws, and going on and on.

The President at the time started feeling the political pressure, so he writes a letter. On August 10, the undersecretary, Mr. Lyons, says the program is on track. That was a report to Congress. In late August, the President publicly recants his position on the legislation saying: I really did not know what I was doing, I am sorry I did this, it was not prudent of me and I should not have done it.

The White House on October 28 issued a statement that they will pursue legislative remedies to change the program.

In November, Chief Thomas reaffirms the commitment of the Forest Service and BLM to carry out the goals of the program. We are not sure if the goals of the program were the original goals of the program or the legislative goals of the program, as the President said that he wanted to change and remedy the legislative procedure process.

In November, Chief Thomas reaffirms the commitment of the Forest Service to carry out the goals. In March there is a letter from the President, Mr. Clin-

ton, asking the Senate to repeal the salvage bill, which is Public Law 104-19.

In May 1995, Chief Thomas takes an inspection and tour and announces implementation of the program is excellent. In other words, we are following the proposed cuts as required under the salvage program.

On July 1996, the Secretary issues a directive to significantly modify the implementation of the program. On July 16, 1996, acting under the Office of Management and Budget, the Director Writes Congress urging the repeal of the program.

I want to tell my colleagues what is happening specifically now. This is the kind of flip-flopping and things that are going on concerning just a minor piece of legislation that has to do with the Northwest.

Between 1980 and 1990 sustainable yield harvests in the Northwest forests were running at about 4.5 billion board feet. The forest plan by the U.S. Forest Service was 4.1 billion.

In 1993 the President came to Portland, OR they and developed a forest plan called the President's forest plan. He authorized under that in order to handle any kind of objections from the extreme preservationist group that we would cut 1 billion board feet. In 1994 we cut 1.9 billion feet. In 1995 we cut 340,000 board feet. In 1988, we had 480 mills operating in the Northwest. Today we have 310. At that time we cutting about 10 billion board feet on private and public lands. We are down to 1.9 billion board feet.

We are losing jobs in the Northwest which is drastically affecting our ability to function as a community. It is requiring more and more people to go onto the welfare programs and it is creating havoc economically in the area.

I do not know if you are able to see this, but here is a typical example of Malheur Forest of dead and dying trees that are beetle-killed. These trees do not contribute anything not only to the forest, to the environment, to wildlife or anything else. These are dead and dying and they contribute nothing. If we want to have perpetual forests, in perpetuity, we need to go in and clean these out and replant as under the Forest Practices Act under Public Law 104-19, we should go in and harvest this material out of there while it still has some value and require under law to replant so we can have forests in the future not only for this generation but for generations to come. This is not happening. This still stands like this today.

Here is an example of the Sunrise timber sale in Malheur County where a fire went through. As you can see in this fire, the trees are black, the ground is brown, and nothing is growing in that area. Yet with the President's flip-flopping back and forth, we cannot even go in and salvage this pro-

gram. We are letting this forest die for lack of any kind of management whatsoever. Bad management.

Here is an example of a 30-inch diameter tree. The blue line, if you can see this on television and you in the audience, is a Douglas fir; the red line is a Ponderosa pine; and the lighter green here is a white fir. After we have a fire, this is a logical thing by the U.S. Forest Service of how long the wood still has some salvageable interest and some monetary return. If we wait under the programs that are presently in place, if we wait from 3 to 4 years before we can go in and cut, we are going to lose as much as 60 percent, down to 20 percent of the value.

Remember, this is an asset, an asset that we all own. This is public land. If we allow this asset to deteriorate, we should absolutely criticized for this. Yet we are allowing to do this under this guise that if we go in there and touch these dead and dying trees, as I showed here previously, dead and dying trees, if we go in and remove those, that in some way we are destroying the environment. These are assets, moneys that could be used in communities around every area where this is involved.

In most areas, and let us go back specifically to in my particular area, the Second Congressional District, 75 percent of all revenue gained from dead and dying or salvage or cutting in the trees goes into road funding and 25 percent goes into the school funding portion of these country revenues.

Specifically let us look at some of the counties and what has happened to our yearly receipts. The black county here is Crook County, and the white county here below us is Wheeler County. Crook County is larger than about six States in the United States alone because I have a very large district. But the population of that county is 15,700.

The principal industries in that county are livestock, timber and some recreation. The total budget to run that county is only \$33 million. The timber receipts in 1991 and 1992 before the strict restrictions that came in were \$5.1 million. In 1996 and 1997, it had dropped their portion of the timber receipts, to \$688,000 an 87 percent drop in revenue.

The Federal Government owns 49 percent of that total county. With a population of 15,700, remember, this takes in women, children, how are they expected to raise enough revenue in order to meet the common needs of a county of this size of land mass with the \$33 million that they have to raise when they have been getting from timber receipts on sustainable yields \$5 million and that has dropped down to \$688,000?

Their schools and roads are suffering. Their social programs are suffering. We have high unemployment, and we have a high problem socially with people

that are distressed. In this county here, you cannot sell a home because there is no job. So a person who is locked into this is literally enslaved into these counties. Either that or they have got to take their family and walk away from it and hope someday that somebody will come along. And if people out here in the East want to find a home, a nice home, for under \$50,000, come out to my part of the country because there are a lot of them available.

Let us go to a worse situation. Let us go down to Wheeler County. Wheeler County is larger than two or three States on the East Coast. Its population is 1,550. Its total budget, though, is only \$5.9 million a year, and its chief principal industries are agriculture, timber and a little tourism. Total receipts from 1991 were \$1.6 million. This year the receipts were \$269,000, or an 86 percent drop in revenue.

This particular county has the highest unemployment rate in the Pacific Northwest, and it is running anywhere between 30 and 40 percent of everyone living in this county does not have employment.

□ 1745

I want my colleagues to all think about what happens in these situations. We have allowed outside interests to be concerned with local problems to a point where they do not care any more. These counties are literally going to go bankrupt or dry up; 1,550 people. Who cares? Fifteen thousand five hundred. Who cares?

This the backbone of America. We here, as legislators in this body, do not want to take the responsibility to understand that we cannot allow outside interests to determine the productivity and the culture of particular areas, and we have done that because we do not have the courage.

These people are good stewards of the land. They want the trees there in perpetuity. They are even agreeing not to cut the green trees, but allow them to harvest the dead and dying and beetle kill. Remember that this has nothing to do with man-made problems. This beetle kill that we see here in this dead forest has to do with the lack of managing these forests as we had in the past.

In the past, when we had beetles, we could do some spraying and some other preventive efforts to combat that kind of devastation. But because of certain laws, which I agree with many of them, we cannot do that any more. But at least we should have enough incentive to go in an reap some of the profits out of that dead and dying forest so it can be used for the counties and provide some revenues, and also be able to go back and replant and make sure that we have a healthy forest in our future generations.

I think this principle has been pointed out enough, but I want all Ameri-

cans to understand that this concept could happen to them and other industries. I think we need to send a strong message to Congress and to the administration and to the agencies that we need to have good management, we need to have sound business practices, we need to have a good environment. But we need to manage our environment, and we are not doing that and it is literally cutting us to pieces.

We do not have anything in this society that we do not grow or mine. Stop to think about it. If we cut this back to where we can no longer harvest the sustainable yields, we can no longer harvest the sustainable yields, we can no longer harvest a renewable resource in a managed way, we are going to devastate our civilization on progress. Remember, we do not have anything that we do not grow or mine in a modern civilization.

Mr. Speaker, I think this is a message that should be spoken loud and clear and should be understood by everybody. It is just not a timber problem, it is a problem with other industries across this country when we have special interest groups that have the power and the influence to shut down logic, shout down rational behavior, shut down basically the growth of civilization through different types of laws and political pressure.

Mr. Speaker, I yield the remainder of my time to my colleague here from Maine.

The SPEAKER pro tempore (Mr. WELDON of Florida). Without objection, the gentleman from Maine is recognized for up to 40 minutes.

There was no objection.

Mr. LONGLEY. Mr. Speaker, I want to build on my remarks, and again I appreciate the gentleman from Oregon yielding this time to me. I appreciate that very much.

Mr. Speaker, I want to build on some earlier remarks I made tonight marking the introduction of H.R. 3950, the GI bill of health. As I indicated, it is a measure authorizing the Department of Veterans Affairs to begin to receive third-party health insurance reimbursements, as well as to incorporate concepts of innovative managed care principles which could provide for increased medical care options for eligible veterans and their dependents.

I indicated that we have seen up to \$1 billion in increases in annual veterans affairs medical care funding in the last 2 years. At the same time, just in the past 2 weeks we have seen the passage in this Chamber of H.R. 3118, the Veterans Health Care Eligibility Reform Act of 1996, designed to simplify the very complex eligibility rules of the veterans affairs eligibility system; and just within the past day the passage of H.R. 3103, the Health Coverage Availability and Affordability Act, which is designed to improve access to health insurance for all Americans.

What do these three facts have in common? They have in common the fact that we are attempting as a Congress to deal with health care issues through existing health care delivery systems, by finding ways to deliver medical care in a more efficient, more practical, more cost effective fashion.

I am introducing the GI bill of health to build on these three phenomena, to focus on the next step in the progression of our health care system, which is to move to a seamless system of access that includes veterans of military service, where the first priority will become health care and not whether or not one is eligible under any one of a number of the very complex VA eligibility rules.

What is truly dynamic about our proposed GI bill of health is that it will expand choices available to veterans, it will integrate Medicare and those Veterans who are eligible under Medicare or other health insurance coverage reimbursement plans into the existing health care system. This will be a tremendous plus for veterans and a strong financial shot in the arm to the VA hospital system.

What this in effect means is that a veteran who is qualified for Medicare could, in effect, choose to have that medical care delivered at the local VA hospital or at a veterans facility, if that is what he or she chooses.

Having been actively involved in the future of health care for all Americans, including veterans, I am excited that this bill is coming to the table so that we can continue to address the fundamental question of how to best provide quality health care for those who have served this Nation in our Armed Services.

As I mentioned, the plan incorporates enhanced funding concepts, including third-party VA reimbursement and Medicare subvention to the financial soundness of the Veterans' Administration. The plan assures continued access for those currently eligible under the current system due to service-connected illness or disability at current or possibly even reduced charges.

The GI Bill of Health will reverse recent restrictions imposed on the VA system because of lack of funds. The GI Bill of Health will fundamentally change how the VA is reimbursed for the health care it provides. The GI Bill of Health will change not only how health care is provided and who can receive care but how it is paid for.

The Bill of Health is a prescription that will reduce pressures on the VA health care system, pressure that comes from an aging veterans population, a growth in population that is placing increasing demands on an already strained system, more pressure which can come from Government funding and the difficulties of addressing medical care needs through the existing structure when we recognize

that funding alone will not keep up with the rising health care costs that we are experiencing as a society.

When we look at the VA we need to understand, how can this underfunded system meet these challenges? The Bill of Health is designed to reduce the system's dependency on tax dollars by opening it up to funding from individual health benefit plans. It will allow veterans, and this might be controversial, and possibly their families, to use the system to stay healthy, a form of preventive medicine.

Most importantly, what the bill attempts to do is to bring these questions to the table, so that when we examine what we are doing with the VA system we can consider any conceivable option that will protect the integrity of the system for the benefit of veterans, and that might include providing access to their families. Again, allowing the VA system to benefit from the third-party reimbursements that various health insurance coverages, including Medicare, might bring to the system.

We all know that a health care revolution is underway in America. At the heart of that revolution is the desire to contain escalating health care costs. The GI Bill of Health calls for the VA system to use managed care principles to provide medical care for veterans and their families. It will allow additional options for veterans to choose the VA as their primary health care provider, if that is the choice they wish to make.

This plan will, in my opinion, reduce the overall cost of health care and still maintain the quality of health care. The GI Bill of health will assure all veterans, those with service-connected illnesses or disability ratings of 50 percent or greater, continued access to the same VA services that they are eligible for right now at no charge.

The GI Bill of Health will assure access to VA health care either at no charge or at a reduced charge for several other types of veterans, including special category veterans, poor or indigent veterans, or veterans with a service-connected disability that might be rated at less than 50 percent.

The GI Bill of Health assures access to the system for all catastrophically-ill veterans. The GI Bill of Health will allow veterans, military retirees and their dependents to pay for VA services with existing health care plans, including plans available to DOD, Department of Defense, retirees.

And individual would be able to use Medicare, Medicaid, CHAMPUS, Tri-Care, a third-party payer or an employer plan to pay for care at a Veterans administration medical facility.

The GI Bill of Health offers veterans and their dependents the opportunity to enroll in various health care plans. It allows the VA system to collect and retain payment for the services it renders, a provision that it currently is not allowed to do.

If this were to be facilitated, it would be a big step forward in the direction of enhancing the financial soundness of the Veterans' Administration system.

I think we all know there is a better way to handle the medical needs of people who serve their country. Americans veterans and their families need an improved health care delivery system, one that is more in tune with the times, one that can bring them into the 21st century.

Retirees, who, as we all know, have been suffering the loss of medical services through base closing and realignments deserve a system that can help address their needs in an improved fashion. The GI Bill of Health will meet those needs. It will make a vital health care system more accessible to more people and it will take a load off the backs of the taxpayers. We could not ask for a better deal than that.

The VA's hospitals are worth saving. They uphold a health care covenant between veterans and the Government and the country that they have served. But those VA hospitals do more for the country than most people realize. There are aspects of the VA medical care system that many Americans do not understand, including the fact that VA hospitals are currently teaching and research centers for many major medical schools.

VA hospitals play a significant role in medical research advances. VA hospitals back up the military health care system in times of war, and VA hospitals provide medical support for the Federal emergency management agencies when disasters strike, disasters such as hurricanes and floods.

These hospitals serve a variety of purposes and we do not want to do away with them. We must ensure that VA hospitals do what they are supposed to do, but we must also consider opening up new funding streams that will allow the VA health care system to better serve existing veterans.

There are a series of principles, Mr. Speaker, that were developed by the Partnership for Veterans Health Care Reform. This partnership includes the American Legion, the American Veterans of World War II, Korea and Vietnam, otherwise known as AMVETS, the Blinded Veterans Association, the Disabled American Veterans, Jewish War Veterans of the USA, Military Order of the Purple Heart of the USA, the Non Commissioned Officers of the USA, Paralyzed Veterans of America, Veterans of Foreign Wars of the United States, and Vietnam Veterans of America, Inc.

The partnership is designed to enunciate the key principles that we must look to when we evaluate the need for veterans health care reform.

No. 1, reform eligibility. Provide access to a full continuum of care and improve the efficiency of services for all currently eligible Veterans.

Mr. Speaker, we did that in the past week when we passed H.R. 3118 designed to reform the eligibility system for veterans.

□ 1800

No. 2, is the need for guaranteed funding, that we provide adequate funding for the provision of health care services. As I indicated, I think we have made substantial increases in the funding available for VA medical care, but yet we are continuing to see, despite the fact that we have increased funding by up to a billion dollars a year on top of a \$16 or \$17 billion VA medical care budget, we have increased it by a billion dollars here in Washington. I still see nothing but talk of cutbacks and layoffs back in my own district. Something is wrong with the system, something that I think we need to pay attention to.

By carefully considering the principles of the GI Bill of Health, we may find that we can make the changes that we need to provide the stable funding that the VA needs as well as maintain the continuous services, including valuable services provided to veterans in my State.

Mr. Speaker, No. 3, protect the VA's specialized services. VA has a number of specialized health programs which include spinal cord injury medicine, blind rehabilitation, advanced rehabilitation prosthetics amputee programs, posttraumatic stress disorder treatment programs, extended mental health and long-term care programs, many of which are service unique and veteran unique.

Again we need to protect those services, and by providing stabilized funding and hopefully a reformed system we are going to protect their existence in the future.

No. 4, advance the VA's unique missions. In addition to the specialized services that I discussed, we need to preserve the VA role as a backup to the Department of Defense in a time of emergency to advance the Veteran Administration leadership role in award winning research and health professions education, and again I think we are taking steps in that direction.

No. 5, retain alternative funding sources and, No. 6, streamline the bureaucracy, are both issues which we are attempting to address in H.R. 3950, the GI Bill of Health. By allowing local facilities to retain third-party reimbursements and Medicare payments, I think we can provide for more efficient and more sensitive provision of health care to veterans.

At the same time, by decentralizing the VA's management operations, we can improve efficiency and empower local managers and increase their responsiveness to veterans health care needs. Deregulating, contracting, resource sharing, and personnel management function are issues that can be addressed.

Consider what I said earlier about giving something and expecting something in return. As I mentioned, 6 years ago today we saw the invasion of Kuwait, and 31 years ago today we saw the Gulf of Tonkin Resolution, which sent hundreds of thousands, if not millions of Americans to serve their country in Vietnam and over 50,000 to give their lives.

There was a commitment, and in exchange for that commitment there was an expectation of care, particularly for the sick, the disabled, those who needed the help, those who were injured or wounded in the course of serving their country.

Veterans and their families have sacrificed for the benefit of all Americans. Allowing veterans to use a health care system that is designed to serve them is the right thing to do. It is a choice that we cannot ignore.

I have a proposition for you, Mr. Speaker. Support this plan. I call on other Members to support this plan. Put the issues on the table so that we can begin a full and healthy debate and discussion about the future direction of our health care system. I urge others to do the same. Let us give the VA health care system a clean bill of health: The GI Bill of Health.

The GI Bill of Health is a vision for change. It is a vision for progress. It is a vision for excellence in veterans health care. The GI Bill of Health, in my opinion, is the right thing to do for those who sacrificed for this great Nation, and considering the need for reform of the VA system in the context of the other steps that we are making to improve access to health care for all Americans, as well as for veterans, I think it is the right step to make and it is the least that we can do for those who have served our country and those who have sacrificed for our great Nation.

#### AMERICA ON THE BRINK OF SELF-DESTRUCTION

The SPEAKER pro tempore. 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, I do not know why it has turned out this way in the last few periods before we went on a long district work period. It turned out that I would be the last speaker and adjourn the House. And I think this is more exciting than most periods because both of our two major parties are going to have their big conventions, one in San Diego for the Democrats; it is a return to Chicago from a scene that I covered as a television talk show host and news reporter, the madness of that week in Chicago in 1968, which overlapped the ugly and last, until Chechnya, Soviet invasion

with tanks of a nation, in this case the sovereign nation of what was once the sovereign nation and is now the sovereign nation of Czechoslovakia.

In this last moment before we adjourn and when we come back in September, it will be to finish up our work in the fastest two years of my life, the 104th Congress. And 94 days from today, we will determine whether this country continues on its road toward self-destruction. That is the description of Reverend Billy Graham in our Rotunda when this Chamber and the other body awarded him unanimously the Congressional Gold Medal, the highest civilian award of this Congress. And we do not make awards to military people, although we have founded them and authorized them. They are made by the military itself up to the Commander in Chief. And it is a tough process that people go through to win a Medal of Honor, loosely but wrongly called the Congressional Medal of Honor and other high designations, Air Force Cross, Navy Cross, and the pre-eminent Army, because of its older existence, the Distinguished Service Cross. But the highest award we can give anybody, any civilian is the Congressional Gold Medal. And we gave it to both Billy Graham and his wife. Struck the beautiful image of Ruth Graham, his wife of 53 years at his side through all of his ministry to spread the good news of our savior Jesus Christ, and at his acceptance speech in the Rotunda on May 22d, he said this is a Nation on the brink of self-destruction.

Now, have we averted that path in the 104th Congress? Can we do anything to turn that disastrous path around in the month of September and two or three days in October before we adjourn sine die without any more days in the 104th Congress? Well, hardly. Will we do much to turn it around in the 105th Congress? It is all on the line in 94 days.

If we elect an administration that I believe to be utterly and thoroughly morally corrupt and financially corrupt, then we may be approaching the point of no return. Another four years of Clinton, and I do not know how we are going to turn it around once we are a year into the 21st century.

Now, I come to the floor with as much sadness tonight as I have ever felt about a betrayal of American middle-class families, the families who sent our young men, their sons, we were not sending daughters into combat and into the violence of the battlefield in those days of Korea and Vietnam, but middle-class families sent their young people just a half a decade after World War II, the second great cataclysm to make the world safe for democracy, but it seemed to make the world stronger for communism, we sent our young men, mostly farm kids but a lot of college kids and young profes-

sionals that were called away from their careers because we did activate the Reserve and the National Guard and the Air National Guard, we sent them to the Choson Peninsula, the Korean Peninsula, a place many of them had never thought of other than a passing reference in high school or grade school geography.

We did teach about such faraway places when I was in high school and college. And they died in those filthy human manure ditches in the freezing cold of Ch'osan Reservoir or the baking hot of the Korean summers of 1951, 1952, and 1953, and we left behind, Mr. Speaker, thousands of live Americans in their prison system. Some may be alive even to this day.

There was our first no win war. We had rejected MacArthur's battle cry, "There is no substitute for victory," and we relived this nightmare with an even worse outcome in the Vietnam war. At least in the Korean War we kept a ragged, much changed but general outline of the 38th Parallel on a different angular river and rugged course. We kept the southern half of that peninsula free, but in Vietnam we forsook our allies. We left them to the cruel agonies of the communist government out of Hanoi.

Some Senators and a few Congressmen licked the boots of the likes of war criminals like General Giap to this day, the architect of only the successful battle of Dien Bien Phu that was fought about honor until the ignoble disgrace of holding back thousands of French and French Moroccan and other foreign legion troops for years, until many died or they were traded for money or traded in their bones, what we are doing disgracefully now. In Vietnam we walked away from one war and betrayed our allies in Laos and Cambodia and South Vietnam to concentration camps euphemistically referred to as reeducation camps. 60,000 were executed, almost three-quarters of a million died on the high seas, and the communist killers are entrenched in Hanoi to this day.

I find out this afternoon that in the foreign ops portion of our appropriation process there is a section involved that we are going to take our taxpayer dollars from our farm and working families and lower middle-class families and their grandchildren, my grandchildren, many they have not even earned yet, and we are going to give it to Vietnam to rewrite their trade rules and their code so that we can start funneling next year foreign aid with borrowed money to the communist conquerors out of Hanoi.

Absurd. What brings me here sadly is, I want to say inadvertently, but a 7-year POW Congressman SAM JOHNSON from Texas and this Member from California gave people warnings for two weeks that we were betraying last night the POW-MIA families by voting

for a defense authorization bill, all in all a fine bill with some shortcomings, hard trading with the Senate, but we passed it with only 36 Republicans saying no and some of them for different reasons, even though SAM JOHNSON of Texas had sent around what I thought was to me the saddest handout during a vote that I had ever encountered on this floor.

It says, "A plea from former POW Sam Johnson. Support our MIA/POWs and their families. Vote no on fiscal year 1997 defense authorization conference report."

Now, I have said many times that I was going to read excerpts from Sam's book on this House floor to let the 86 Members of the freshman class know just the caliber of unqualified hero that Sam Johnson of Dallas was that they were serving with. And now I find out that people on the payroll at the defense missing persons office have tried to obfuscate the horror and the terror of Cuban, Cuban involvement with the torture to death of some of our prisoners in the prison system in and around Hanoi from 1963 to February and March of 1973. Unbelievable story.

Mr. Speaker, I do not know how to warn children away from the television screens, assuming that children too young to not be frightened and absorb torture stories, why they would be watching C-SPAN anyway, I do not know unless they are watching with their parents, but I would recommend to any mother and father they owe it to the men who died for our liberty and freedom of speech to stay with us a few moments this evening, but tell the children to go outside and play.

Here is this book that I promised to read excerpts from in a last special order. "POW," by John G. Hubble in association with Andrew Jones and Kenneth Y. Tomlinson. Subtitle: "A Definitive History of the American Prisoner of War Experience in Vietnam: 1964 to 1973."

When I read these words, Mr. Speaker, I hope people will wonder why this body and the other Chamber have Members so anxious to lift trade restrictions, then under a triple draft dodger normalize relations, then after that to remove the combat status, just a few weeks ago that existed. So if we found a live American and could target with all of the technological sophistication available to our secret agencies and our military today, that if we could pull off a rescue mission, we could have done it in a matter of minutes up until a few weeks ago, when Clinton signed an order saying there is no longer a combat situation existing between us and the communist powers of Vietnam.

Now the drive is on to get Most Favored Nation status for this communist country, one of the last four left in the world, to make the same mistake we

made with China and then to drive toward taking our borrowed tax dollars, lumping it upon the deficit and helping them rewrite their trade code so that 30 pieces of silver can be extracted for a few foolish business men and women with all the opportunities around the world.

□ 1815

They are going in there with blood on their hands to deal with these people that may still have Americans locked up. One Senator calls speeches like mine on the House floor hobbyist speeches. What a disgraceful challenge to me, particularly after what I just read about honor in the Wall Street Journal today.

Chapter 25 of POW, Fidel, Kassler and the faker. Fidel was the name given to a tall, some prisoners thought he was from Argentina he was so tall, and Castillian as a Cuban, but he is a Cuban, Fidel was the nickname they gave this torture master. Kassler is a hero from both wars, an unparalleled hero from both wars, like our SAM JOHNSON, Jim Kassler, shot down 8 Mig's in the Korean war and then led the first major strike against Hanoi on the Air Force side against the petroleum oil and lubricant storage areas of North Vietnam to stop them from this slaughtering people in South Vietnam. It was written up big in Time Magazine.

Then his fate was to be captured a few weeks later and to be severely tortured because they knew they had their hands on an American war hero.

What they called a criminal and an air pirate and the faker is a man that, when this book was written, his identity was uncovered by the author, John Hubbell. Now we know his remains have been returned, showing the horror of what he had gone through, even in just the bones that remained. It was major Earl Cobeal. This pain is known to his family. I am not revealing anything on the House floor tonight.

My fellow Americans and Mr. Speaker, listen to this: At the zoo in Hanoi, that is an annex, part of the Hanoi prison system, the one whom the prisoners believed to be Cuban and whom they called Fidel had been very busy. Footnote, we knew who this brigadier general was of Cuban intelligence. He was in New York in 1977 and 1978. My 2 years in this House, if only God had let me know he was there, I personally would have made a citizen's arrest on him. Our intelligence people failed miserably under Jimmy Carter to arrest this man as a war criminal, the way we had done in World War II at Nuremberg and at the Japanese trials where we hung people for this type of war crime.

He was allowed to dine in New York restaurants for 2 years, known to our intelligence people, known to Admiral Stansfield Turner, head of the CIA, and allowed to go back to Cuba. I wish I

knew where we could get our hands on him today. I believe his name is Fernandez.

He had been very busy. The prisoners were never to be certain of the Latin's mission, but they generally were in agreement that it was to teach the North Vietnamese how to handle captured American military men and how to learn as much as possible on the same subject on behalf of their own Government, Cuba, whatever it was.

Fidel had selected a dozen or so American prisoners and dealt with them one by one. He attempted to browbeat the men into yielding military information and cooperating in Hanoi's propaganda campaign. It seems clear at first that he did not want to brutalize the men, perhaps Hanoi's mysterious ally wanted to demonstrate that mind and will games were more effective than hell cuffs and torture ropes that the men had been undergoing, this horrible torture for, at this point, 3 years or more with them dying under torture and another 100, as Kassler told me himself, executed in the villages before they made it into the prison system.

In any event, the prisoners judged this to be the case and one by one set their own minds and wills to frustrate Fidel. And he thus proved unable to show his host, the Vietnamese Communists, any results. Defeated, furious, he turned to savagery, directing horrendous torture and beatings. So intense was the mistreatment that each prisoner had finally acquiesced to Fidel's enraged demand to surrender. He broke each one of the 11 and some never came home.

Now, there is a man named Robert Destat, who has worked for years in and out of the Pentagon's missing Americans office. He had the gall, the effrontery, the treachery to put in writing recently that these men were interpreters only. It is a plausible Cuban story, he says. I am going to attempt to bring this man up on charges under the law that when Clinton signs it will be stripped out of the books soon over the next few weeks while it is on the books. It is only 5 months old, since February 10. I am going to bring him up on charges for willfully and knowingly lying to our families, and I understand he owns property in Hanoi, that he is marrying into that system over there, and that he has been allowed for years to disgracefully manipulate and psychologically torture the families of these men that were tortured by these three Cubans, nicknamed Fidel, Pancho, and Chico.

But he did not break them unconditionally. For example, the senior ranking officer of the group, Air Force Major Jack Bomar, a navigator, when asked to write on the Doppler method of navigating our aircraft, produced two pages of spurious biography on the system's inventor, a German named

Erich von Doppler who used to listen to trains. Fidel insisted—actually the Doppler effect was discovered by Christian Johann Doppler, a 19th century Austrian physicist. So the Americans are trying to mislead and fight back in this horrible deadly chess game of pitting our wills as the most pathetic of all people.

Christ points this out, the Pope pointed it out to me, Pope Paul VI, when I had eight POW wives in his presence alone, just the Holy Father, BOB DORNAN, a young radio TV talk show host and the eight wives that I had raised money to take around the world in January of 1970.

We are on our way to Hanoi—to Moscow. Clinton is already there, young student, being thanked for his leading and organizing, treacherous help for Hanoi, encouragement, sustenance, assistance, all the words of synonyms for comfort or other words like aid because you get in a little debate on what words you can use out of the Constitution of the United States.

I took four of those wives to Moscow, a few days after we met with the Pope, and we were arrested at the airport on fake document charges, put in a hotel with no heating, 26 degrees below zero. One strong wife did not get sick, and I and the other three wives got near pneumonia. Pope Paul VI, in good English said, never have wives traveled to the battlefields just simply asking, are our men alive or dead. Some of these wives did not know their men were alive and going through this type of medieval torture.

Fidel insisted that the American criminals become more self-sufficient. Therefore, he said they would raise their own fish. They were made to dig two breeding ponds, each about 10 feet long and 4 feet wide. When each hole was filled with water, Fidel produced a supply of approximately 350 tiny fish, each perhaps an inch and a half long. These fish, Fidel explained, would grow to a length of 3 feet and would weigh 12 pounds.

When Fidel finished speaking, someone noticed that in the water the ponds were so muddied that the fish could not swim. They were clustering at the surface dying. At Fidel's frantic commands, the prisoners tried to use mosquito nets to lift the fish out of their muddy mud bath vats. It did not work. The netting engulfed the fish in sticky mud and there soon was mud over all the prisoners, the guards, Fidel and the yards. Wash tubs were brought out. The prisoners descended in the mud pits with pails and bailed out the mud. They picked fish out of the mud, cleaned them off, threw them into the wash tubs and about 120 fish were salvaged. Like the American prisoners whom the fish were eventually supposed to nourish, the fish were soon to find themselves occupied mainly with survival. They were to do none of the

spectacular growing Fidel predicted, and no American was ever to taste any of the fish.

Fidel was full of ideas for prisoners self-sufficiency. He decided that the inmates should build a bakery and bake their own bread. Two of his criminals, Norman Dautry, who told me some of these stories in my office way back in the 1970's, and Ed Hubbard immediately represented themselves as bakery building experts and were placed in charge of construction. The project consumed two months.

A sort of mud adobe oven was built with a chimney about 8 feet high.

He goes on to tell the story of how the strange Fidel went through all of these processes of trying to build a prison system, not knowing that he came from Cuba where prisoners had already been held by this time in solitary confinement for better than a decade, stark naked, in totally darkened rooms with spatial disorientation, and what he was trying to do here they never figured out with the ovens and the fishes and all these things.

Finally he begins to get deadly. One day, Fidel, clearly frustrated, turned to Colonel Jack Bomar. Every time you want to talk about something important, you talk secret. Everything else is loud. For the most important, life with Fidel was more than grim. Once the prisoners were divided into small groups and taken off to different work projects, Bomar and Dautry found themselves listening to the sounds of awful beatings being administered outside a stall in a small bath area.

It went on and on, amid shrieks of unrestrained rage and sounds of fists and other things smashing against flesh and bone. The noise chilled the blood and spirit.

After a time, Fidel emerged from the stall and spotting Bomar shouted, we have got a, the F word, that is faking. Nobody is going to fake and get away with it.

The Latin launched on a lengthy tirade describing how the prisoner had pretended illness and injury to avoid interrogation and work. I am going to teach you all a lesson, he vowed. I am going to break this guy in a million pieces. He is going to eat. He is going to bow. He is going to work. He is going to do everything we say. He is going to surrender like all of you surrendered.

A Vietnamese guard brought the man from the stall. The sight of the prisoner stunned Colonel Bomar. He stood transfixed, trying to make himself believe that human beings could so batter another human being. Bob Destat, on your payroll, as taxpayers, says this is all lying. I want this Destat by subpoena in front of my committee. I want him in a court of law.

The man could barely walk. He shuffled slowly, painfully, his clothing was torn to shreds. He was bleeding everywhere, terribly swollen, and a dirty,

yellowish, black and purple from head to toe. The man's head was down. He made no attempt to look at anyone.

He was taken into the cell the Fidel prisoner shared, and Fidel grabbed Bomar by the arm and hustled him in, ordering him, shake hands with your comrade. Bomar introduced himself, offering his hand. The man did not react. He stood unmoving, head down.

Fidel smashed a fist into the man's face, driving him against the wall. Then he was brought to the center of the room and made to get down on his knees. Screaming in rage, Fidel took a length of black rubber hose from a guard and lashed it as hard as he could into the man's face. The prisoner did not react.

He did not cry out or even blink an eye. His failure to react seemed to fuel Fidel's rage and again he whipped the rubber hose across the man's face. Bomar was nearly physically ill at what he saw happening, and he was helpless to stop it.

Again and again, a dozen times Fidel smashed the man's face with the hose. Not once did the fearsome abuse elicit the slightest response from this Air Force major. Bomar began to realize that the man was not really there, that somehow his brain had turned out the pain and the damage and everything else. At last Fidel ordered, take him down and clean him up.

Bomar helped the battered pilot to a bath stall. In the stall was a concrete tank containing some dirty water and a pale. Bomar got some soap. He undressed the man and found that he had been through much more than the day's beatings. His body was ripped and torn everywhere. Hell cuffs appeared to have severed the wrist; strap marks still wound around the arms all the way to the shoulders. Slivers of bamboo were embedded in the bloodied shins, and there were what appeared to be treadmarks from the hose across the chest, the back, the legs.

Horrified, Bomar was afraid to touch him for fear of causing him more pain. He spoke softly, trying to comfort the man, to let him know that he was now in friendly hands and that he wanted to help him and make him comfortable. The man did not react. He did not open his eyes or say anything. He simply sat, head down. Gently, Bomar cleaned him as best he could.

□ 1830

Then suddenly Fidel burst into the stall, grabbed Bomar, slammed him out of the place, out of the way, and began beating the man again. He kept driving his fist into his face, slamming him against the wall, down on to his knees. Then he stalked away, leaving Bomar to get them both back to the cell.

The other Fidel prisoners returned from their work detail. And one of them, Norlan Daughtrey, told me in my office—and as he began to recall

these memories, tears streamed down his face as he relived it—the way you will see a rape victim or a family member from a murder on the witness stand, and you can see the visceral images flood into what Shakespeare called our mind's eye and then the tears begin to flow. This is what happened to Norlan in my office, reliving. He witnessed these beatings also of other men, including Colonel Bomar, but also of Major Early Kobeal, only identified in this great work of history as the Faker.

The other Fidel prisoners came back from the detail. As Bomar described what had happened, the new man remained mute, his head down, his eyes closed, his teeth clenched tightly together. It was as though he was alone in a world of his own. None of the others knew him or anything about him. All that was known was that he was an American, that unspeakable horrors had been done to him and that he needed all the solace and help he could get. Conaboy, Trowbridge, distraught people on our payroll denying this type of ugly history, of our chained eagles being destroyed.

His belongings were delivered. His blankets and clothing were soaked with dried blood, puss, and waste matter. A bed was made for him and he was made to lie down. The others discussed what to do. Somehow he had to be brought back from wherever it was that Fidel and his colleagues had driven him. He needed to be kept clean, to be fed, and to be nursed back to physical and mental health.

The bowing program was in full swing, meaning breaking men to bow in front of these stupid, uneducated guards. Guards were opening cells dozens of times daily just for the pleasure of seeing the Americans bow to them. The Fidel prisoners lost no time coming to their feet and bending to obedience, because of their torture, but the new arrival would not so much acknowledge that the cell door had opened. Unfailingly, an offended guard would stride to his bunk, grab him by the neck of his shirt, pull him up, and slap him hard across the face. The others winced with every blow; some muttered fears for their own sanity if the assault on the man continued. If they stepped in the way, they would be tortured to death.

The man would say nothing and do nothing. The others took turns feeding him, talking to him, soothing him, and offering him encouragement. He ate, and at length he opened his eyes. But he kept his head down, staring blankly, and kept his silence, keeping his teeth clenched tightly when he was not eating.

Then, suddenly, he spoke. Somehow, someone had come by a banana and proposed to feed it to him. Through teeth that remained clenched, he said, "There is a microphone in the banana."

The others gathered round, certain that a turning point had been reached and that important ground was about to be gained. Eagerly they broke the banana open in front of him, showing that there was no microphone in it. He refused to accept this, and refused to eat the banana. Again he fell silent, unresponsive.

Days later, he spoke again muttering as if to himself, that the room seemed to be full of people who "look like Americans."

"We are Americans," Colonel Bomar assured him. "We have gone through a lot of what you have gone through. We are all in the same boat."

"They changed your hands," the man replied. "They changed your face. They needed your face and hands. There are gas jets in the wall."

"Our hands are all right."  
"You are Russians, Russian actors on a stage," the man said. "The sun goes too fast. There it goes, across the sky."

Now he refused to eat totally. Bomar and the others could get nowhere. Only occasionally would this tortured figure say, "I know what you are doing. I know you want my hands. I know you are going to kill me. Why won't you go ahead and do it? Kill me."

In comes Fidel. "He's faking." The Latin took the man out into the porch of the Stable—a prison section name—along with Bomar, to warn him that the man had to stop faking. The man would not answer. He stared downward, behaved as if Fidel were not present. Fidel's rage mounted. He ranted at the man, screaming every obscenity. "He's faking, I know he's faking, and I'm gonna prove it."

The man was removed to a hospital.

The events of March 31—interesting, the very day that LBJ, this man's Commander in Chief, throws in the towel and quits the presidential race to pursue a solution to the war in Vietnam, more on-and-off bombing, more treachery, more betrayal of kids. No called up reserves or guard or international guard in this war except for 6 F-100 squadrons, only farm kids, African-American kids, Hispanic and American kids, sons of military families like mine, sons of conservative families like mine.

And as I read this to you, my older brother is in heart surgery today. He has been in surgery for 5 hours. Half an hour to go. My brother, Don.

If you are listening, you identify with me over this mess. Please send prayers for my brother Don, Mr. Speaker.

The events of March 31, 1968, Johnson bug-out day, the halting of the American air campaign against North Vietnam and President Johnson's announcement that he would not seek another term in the White House, were trumpeted to the American POWs as evidence that Hanoi's Communist cause was prevailing. The antiwar movement was succeeding.

Bill Clinton spoke: We are winning, exceeding beyond expectation. There was no secret Soviet money coming into American student groups. All they had to do was reward them with occasional trips to Moscow. They were ahead of the curve, way ahead of any other student group that was pro-Hanoi in Europe.

Generally, however, the American prisoners interpreted the news differently. Most took it for granted that the Communists had come to terms with Johnson. Hope springs eternal, I guess, and the torture goes on.

Jack Bomar found himself speaking freely to one whom the prisoners called Pancho. Pancho, too, was Latin, average height, but powerfully built and with a big, shaggy black beard.

We have him identified too. He got away with these war crimes. Whatever his purpose in Hanoi, he was not an interrogator.

And Bob, to stop, I want you. Hear me. He was not an interpreter. He merely wanted to talk to Americans, and sought Bomar's reaction to the bombing halt. General Wald, do something about this act, I beg you. You are a war hero, Jim. Do something about these people.

"The President didn't stop the bombing without concessions," Bomar told him. "There is no doubt in my mind about that. And I don't know what the other concessions are but the release of the POW's is primary." Five more years in this hell hole. "We'll be out of here within 90 days."

Fidel entered the room where Pancho and Bomar were talking as the American uttered the word "concessions." He grabbed Bomar by the shoulder, threw him to the floor, roared furiously, "Concessions? Never. The Vietnamese have absolutely defeated the United States. You will never leave here."

The next morning Bomar was summoned from his cell. The long stable porch was crammed with Vietnamese, armed guards, and men and women who worked around the camp. Bomar knew he was in for a brutal session. He was made to kneel on the ground, hands in the air. Fidel strode before him, delivering a long, angry lecture on "concessions." At last he said, "Now, we are going to teach you what concessions really are." With that he drove a roundhouse blow straight into Bomar's face, sending him sprawling. Guards brought him back up to his knees.

This is really brave, punching a man with eight guards holding him.

Again Fidel smashed him in the face. Brigadier General Fernandez of Cuba, allowed to dine and wine in New York City for 2 years not a decade after this.

And again the spectators appreciated the show. They laughed, probably drooled, shouted encouragement to Fidel.

Now the Latin stepped behind Bomar—remember this guy is about

6'1" or 6'2"—with the length of a rubber hose and lashed him hard, just below the kidneys. Then a second blow. Bomar was down, writhing in the dirt, wondering how much of the rubber hose he could stand. He was yanked up on to his knees again. Now Fidel was screaming for Norlan Daughtrey.

Daughtrey was made to kneel in the dirt beside Bomar. Fidel smashed his fist into his face, guards pulled him back, and Fidel lashed him across the back with the hose. Then the Latin stood behind Bomar and lashed him with the hose, and screamed for Navy Ens. Charles D. "Chuck" Rice, captured on October 26, 1967.

What do you know? The same day, the day before John McCain was shot down.

Rice was smashed in the face, lashed with a hose. Then again Fidel stood behind Bomar and laid the hose across his back.

By the way, some Senators put this all behind them. They said, "Oh the freedom bird, the day I left, I put all this war behind me." Others, like Senator Jeremiah Denton, and like this noble hero we have the honor of serving with, SAM JOHNSON, we do not forget this. We must never forget this any more than Simon Weisenthal allows the world to forget Nazi torture of prisoners.

I remember I put my hands on the rack at Auschwitz. The torture rack is still there, where they would stretch men across in front of groups of 300 and 400, God loved but seemingly forsaken Jewish prisoners, all to die in the gas chambers. They would scourge and beat men hundreds of times to break their will, not for escape attempts, just for the sadistic pleasure of the guards.

The first time I visited there the Vietnam war was going on. I was a newsman heading to Vietnam and I thought to myself, thank God in this modern age with a superpower, the United States of America, behind our Navy, Marines, and Air Force pilots and our Green Berets and ground guys getting captured on the ground, they will all be returned. We are not suffering this way in the prison camp of Hanoi. But my brother's pilots were suffering this way. It is incredible.

So now he begins beating four prisoners at one time.

One by one, the Fidel prisoners, 12 of them, before the crowd made to kneel, smashed in the face, lashed with the rubber hose. Each time Bomar was lashed once again.

So the first guy takes multiple punishments for all the rest.

At last the punishment ended. The Americans were all on their knees, their hands high. Down the steps came Lump—the prisoners' bravado nickname for one of these sadistic pigs, the zoo camp commander. He walked to Bomar, poked a finger at his face and shouted, "Jackasses, these are your concessions."

I wonder what Lyndon, the great Texas boot-wearing tough President, would have done if he had known this was happening. We knew by then it was happening because of the early release programs of the slippers, the slimies, and the sleezies.

He says the prisoners were kept on their knees for a half hour while Fidel harangued them, warned them to put out of their minds any thoughts that they might be leaving soon. Then all but Bomar were ordered back to their cell. Bomar was treated to additional histrionics, and finally Fidel smashed him sprawling one last time and ordered him dragged back to his cell.

After most of 2 weeks, the man whom Fidel said was faking was returned from the hospital—kept alive for torture.

Only the Nazis and the Japanese war criminals of Manchuria did this kind of sickly stuff. I now have gotten the top secret documents declassified of a Communist-built hospital in North Korea where American young farm kids were used as guinea pigs in medical experiments in North Korea in the early 1950's, the way that it had been done to Australians, British, Americans, hundreds of Soviet prisoners and thousands of Chinese prisoners in Harbin in unit 731, tortured to death in every conceivable way, using Dr. Mengele's playbook from Auschwitz.

Every conceivable, when-Hell-was-in-session type of torture took place in North Korea and our secret agencies in this country did nothing to debrief a defecting Czech general of their joint chiefs of staff named Senya who told us all this in 1968, the very year this is happening, and he was told, "We are not interested in a hospital built in Korea to experiment on captured POW's until they were dead."

Nothing like this has ever been discussed on the floor of this House or in the other body.

Within a few weeks many of the group were covered with boils. When they brought back the so-called faker he was unkempt, a malodorous mess.

That means stinking to high heavens.

He had several huge boils on his back and hips. The camp medic, a Vietnamese whom the prisoners called Slasher, tore the cores out of the boils using some kind of rusty instrument.

□ 1845

He cut in deeply, drawing blood, ripping off patches of skin, draining the pus. The prisoner never even winced. When the medic left, the others ground up sulfur pills they had begged and stashed away and dusted the powder into his gaping wounds.

I have to jump here, Mr. Speaker, and tell the listeners, if they have suffered through to this point, this man was not returned. He was kept back as a live prisoner. When the other people,

including some Senators-to-be and current Senators and a couple of House Members now, all came home on the freedom birds, this man and others like J.J. O'Connell, another naval aviator, they were held behind because they were zombies. They were beaten until they had lost their senses. They were held back.

Any man who suffered a slight amputation, had any bad head wounds, they were held back and allowed to die in camp. Then they were buried in the ground, dug up months later, all the fleshy material cut away, their bones put in a box, stuck in a warehouse. There are still 200 boxes of these heroes' remains there at this moment, as I speak on the floor of the U.S. House of Representatives.

Then they would, like they did to the French, trade in 30 pieces of silver, giving us back our heroes' remains, and we still grovel for our heroes' remains, and we still put up money, millions of it, a third of it lost to our taxpayers, in this gruesome relieved French Vietnam game of trafficking in heroes' dust and bones, while ignoring the stories of live sightings.

Good God almighty, what has happened to my country, with this corruption in the White House and this lack of focus on justice and history?

The man, Major Cobiell, could not move now. Ed Hubbard had removed more than 2,300 boils from the top of his head, from the soles of his feet. He was in terrible agony and it worsened when he moved. He could not walk, he could not sit, he could not lie down.

The Cubans are all enjoying this. It was causing himself terrible pain. Still he kept moving, helping with the cleanup chores, trying to take care of himself.

Bomar, the Colonel, Air Force Colonel, had 44 boils, including four in one armpit, and an especially painful one in one of his fingers; using a bamboo self-made needle, he opened this one to drain it. Soon angry red streaks painted the arm, signaling blood poisoning.

Do you know how we panic with our children and grandchildren over one infection on their body, one little red line going up an are or leg?

He became horribly ill. Slasher, the Vietnamese guard, carved into the little finger. The poison flew out of it. Amazingly, Larry Spencer, who was waiting hand and foot on the faker, developed no boils. He scrubbed the major's clothing.

I am inserting his rank and his name on occasion.

He bathed and stayed close to him, tending to his every need, but remaining free of infection. He kept looking after the man in the face of enormous frustration.

The bowing programs remained in effect and the guards enforced it with what the prisoners called fan belts, actually rubber whips cut out of old tires.

One day the door to Fidel's his special prisoners cell, the 12 of them, opened 39 times, requiring 78 bows, one each time a guard entered, a second when he indicated he was leaving.

Imagine, we had college kids, privileged kids dodging the draft, all of them demonstrating across this country and calling these men, to use Jane Fonda's quotes, liars, hypocrites, and professional killers; men fighting for the liberty of a faraway land.

Back to the faker.

Each time all delivered these bows except the faker, Maj. Earl Cobiell. Each time he failed to bow the offended guard would punch him, slap him, kick him, lash the rubber whip across his face. His face and head were ripped bloody, but he never once gave the slightest indication that he felt any of these blows. The others kept caring for the Major, worrying about him, worrying about their own abilities—he was probably a young captain when he was captured—while being forced to witness such grizzly treatment and wondering how to stop the slow murder.

SRO—that means the prisoner camp designated leader—Bomar pleaded with Fidel time and again to make the Latin believe the truth, the man was not faking; that no one who was faking could suffer such a brutally insane punishment without reacting. Give up on him, Bomar urged. Let us take care of him.

Fidel would have none of them. "The F'er is faking," and the horror continued. Apparently Fidel needed some victories. He remained determined to break the faker to win his total surrender.

Now the story switches to Korean war ace Jim Kasler who had led the first strikes against Hanoi's oil depots 2 years earlier, in 1966. He studied Spot, another guard who had a big lack of pigment, a spot on his cheek. He knew him to be a sadist. He judged him to be a homosexual sadist. He hated him with a quiet, intense hatred and knew that the feeling was mutual. He wondered Why Spot was attempting to be friendly, why the smile and the inane conversation.

Suddenly Spot, are you listening Bob Destat, are you listening, Connaboy, and suddenly Spot announced, "My major has directed me to find a man to meet a delegation and make a TV appearance on the occasion of the downing of the 3,000th enemy airplane."

That is more fighters than we have on active duty now. But Robert Strange, the most morally corrupt man to ever serve in public office in my lifetime, this arrogant, conceited, and not as bright as people thought, this evil, truly evil man, Robert Strange McNamara, had ground up 3,000 of our aircraft, a superpower, into the ground, accomplishing very little.

"So who should I think of but you, of course, which is an honor for you," this

is Spot, the creepy sadist talking. B.S., Barbara Streisand, as Rush Limbaugh would say.

"I am not going to see any g-d delegation."

Of course, the men are fighting back with small "g" blasphemies.

"You have no choice. You are in our hands now. We have kept you alive. Now you owe this to us."

I owe you nothing, says this ace pilot, Kasler, terribly ill from infections in his legs. Nonetheless, he had been subjected to prolonged brutal torture and beatings. He had almost died like MCCAIN in his bail-out with his body savagely ripped apart.

Only recently Spot had beaten him to a pulp. He kept him on his knees the rest of the day allowing him a 5-minute break each hour because of his leg infections. This the sadist said was in keeping with the humane and lenient treatment. That was their little mantra and chant. You got humane and lenient treatment. Spot got up to leave the room. Handing Castro an English language paper, the Vietnamese Courier. Kasler read of the assassination of Senator Robert Kennedy. He tired to digest this shocking news when Spot returned to demand his final decision.

Kasler advised that he had already said it. he would make no appearances before people or cameras. Spot clapped him in the Ho Chi Minh room; again, bravado, fighting back; designating of rooms and brutal torture masters with Americana names. The filthy darkened cell in the auditorium.

The next day he was summoned again to interrogation. This is a 78-victory ace from Korea. The tables laden with torture paraphernalia, ropes, leg irons, three different sets of cuffs in all different sizes. "You can torture me, you can drag me before that delegation," Kasler said, "but I am not going to say a goddamned word when I get there. And I'm not making a TV appearance."

Spot supervised the torture. Lump came in to observe. As the guards lashed Jim Kasler's arms behind him so that the backs of his wrists met, and hell cuffs were ratcheted on down to the bones. then the ropes were pulled on, bone tight, from the elbows to the shoulder and his arms were pulled tightly together. The prisoner suffered this excruciation in silence. Spot kept urging him to put an end to his discomfort. All he need do was agree to meet a delegation.

"Kasler tried to concentrate on not thinking about the awful pain in his wrists. Other prisoners he knew found the pain in the shoulders and chest to be the worst. For him, the hell cuffs were the worst. After perhaps 45 minutes, the cuffs and reasons were removed and Kasler was made to kneel for another beating. Then another smaller set of hell cuffs were ratcheted on."

I do not think 99 percent of Americans listing tonight out of this audience of 100,000 have a clue that this went on, not with the idiocy that you hear coming out of this administration, and the groveling to Hanoi that goes on today.

The pain was worse this time. After about an hour it was absolutely intolerable. Kasler lost consciousness. When he awakened the cuffs were removed. He was allowed 15 minutes rest. Then another beating. Then hell cuffs re-applied. This time, somehow the pain intensified. He passed out within a few minutes.

"Do you surrender? Do you surrender?" Spot was asking when he regained consciousness. Sick, bathed in pain, he could take no more. He muttered "Okay. I surrender." Abruptly the torture guards pulled him up to his knees, his arms behind him, ratcheted the cuffs back into his wrist down to the bones; in other words, not accepting his surrender. Again he passed out. When he came to: "Do you surrender?" Again, "I surrender," but again it was as though he had not spoken. Again he was tortured to unconsciousness.

"This went on and on. At last the torture guard pulled him up on his knees, threw a rope around his neck, and began garotting him to death. Unable to breathe, he lost consciousness." Are you listening, Bob Destat? "He awakened to find the guards slapping his face, and Spot continued to ask, do you surrender? Yes, yes. Finally it ended." And it goes on and on and on.

"Who captured you? Mostly unarmed women and children. And what have you observed since you have been in this camp? I have seen hundreds of new prisoners arrive in this camp, and it is obvious that our bombing has been fruitless because Vietnamese production is up on all fronts. We now get fruit, sugar". They are asking him. They are giving him the answers he is supposed to give in this performance. The torture of Kasler goes on and on.

Yes, my friends, Mr. Speaker, listening, I am going to mercifully skip through some of Jim's awful torture. In one photograph Kasler spotted two elderly gentlemen wearing American Legion caps who had worked their way into the middle of the howling antiwar mob. They smilingly held up a placard inscribed "drop the bomb."

Grinning, Kasler repeated that he would not be cooperative in any appearance he was forced to make, reassured by a couple of World War II vets in the middle of these screaming hippies: drug-using, free-sex idiots betraying the cause of freedom. There, a little image, months before Chicago, someone maybe gave him heart, and he fought back, to be tortured some more.

It goes on and on. Jim got the Air Force cross for this. He should have gotten the Medal of Honor like my friend, Bud Day, suffered this type of

hell, of like Jeremiah Denton or—excuse me, he got the Navy Cross, should have gotten the Medal of Honor, Senator Jerry, should have. Or like James Bond Stockdale, what a courageous leader. I think our guy here, the gentleman from Texas, SAM JOHNSON, should have gotten the Medal of Honor, Jim Gaskin.

Torture guards stuffing rags, not into his mouth but down his throat. He could not cry out, but how many did in torture? The Vietnamese did not like it. He kept spitting the rags out on the floor, the guards kept stuffing them down his mouth. After a while, he had still not screamed, they stopped trying to gag him, so he would hold his screams in a natural impulse to torture, because if he did not they would choke him to death.

Why are you doing this, you Mother F? Why won't you cooperate? You are not going to make a traitor out of me, Kasler says. Some guys betray their country, like Edison Miller, like Eugene Wilbur, without even being yelled at. Other men go through this, and some went through it to their death. They died under torture for our freedom in this House, in that Senate, in this country. It is all forgotten. As Ronald Reagan said, where is our memory for Normandy, Anzio, Guadalcanal, and this torture in Hanoi?

He says "After a while Fidel ordered the cuffs removed and the ropes. He sat Kasler at the table before him. Who knows you have been here? The Latin asked. Nobody. Then why are you pulling this shit? You don't have to go through this. You will go through this peace delegation of scummy American traitors. I refuse, Kasler said. Shifting psychological gears, Fidel asked, do you want a drink of water? Yes. Having sweated through the tortures, he was completely dehydrated. He was probably shedding what is called urea. I learned this in studying Jesus' passion, where sweat mixes with bodily fluids and blood that comes from places unknown inside your musculature under this horrible torture.

Guards brought the water. Fidel turned on a table fan and Kasler gave him a cigarette. OK. When are you going before the delegation? Forget it, said Colonel Kasler. I'm not doing anything. Back on your knees. More beatings. He recited the Lords' prayer to himself, thinking through the meaning of each word. If anybody knows Kasler, Mr. Speaker, I hope they are calling him to watch today. Somebody has not forgotten, Jim.

Yes, are you going to surrender? No. Taken out of torture. Back to the bath area, cleaned up. You smell like a pig, Fidel says. And then he takes the lash across Kasler's buttocks. I skipped two horrible paragraphs here. Strike the enemy first before he has a chance to hit you, they scream. Another lash. More quotes from various newspapers,

bringing back Kasler's interviews prior to his capture.

Lost in pain, he paid no heed to what the torturer was saying. Thirty-six lashes, Fidel asked. Are you going to surrender? No. I will talk to you tomorrow, you son of a bitch. Kasler's buttocks, lower back, and legs hung in shreds. The skin had been completely whipped away and the whole area was a bluish, purplish, greenish mass of bloody raw meat. Are you listening, listening Bob Destat? I want you in front of my subcommittee.

Lump came in to watch. Tomorrow we show you the determination of Vietnamese people, but the next day was the Fourth of July, 1968, and in deference to the American holiday, Fidel gave Kasler a respite.

Another paragraph of torture. After a long time he turned to his cell, made him strip down to the shorts. He was locked in the leg irons and made to sit on the bed pallet. His hands were left free but they were useless now. The wrists, torn and bloody, looked as if though they had been almost served by the hell cuffs, and the discolored hands and fingers remained so swollen that he could not move them.

□ 1900

Another page of torture. Another whole page of torture. Another whole page of torture. Now we are getting back to the Faker.

Fidel departed sometime in August. He was not seen back again. The Vietnamese had finally concluded that the Faker, Maj. Earl Cobiell, was not faking. Frequently they would deliver a few cookies to him. When the other prisoners would urge these extras upon him, he would sometimes accept them, only to fire back at his fellow prisoners who had proffered them. The Vietnamese seemed increasingly frightened over the man's condition. Lump kept asking the other Americans, "What do you want us to do? What is needed?"

Because the Cuban torture masters had gone on to glory at the U.N. and back to Fidel, the first-degree, murdering torture master, who was put in an NBC special in the middle of the Olympics.

What is the matter with you people at NBC? Why would you ruin every Cuban American's enjoyment of those wonderful games by putting this first-degree killer Castro in our face? Why would you glorify this raw evil? Because you know nothing about the history of your country.

I cannot even read this one, it is so bad.

One of the group, Navy Lt. Al Carpenter, captured November 1, 1966, not to be confused with Capt. Air Force Joe Carpenter who was released on August 2, 1968, along with Jim Low and Maj. Fred Neale Thompson. This Carpenter stayed to the bitter end. He would not take an early release.

"Release him," Carpenter suggested. They had a plan which another man who suffered savage medieval torture, Larry Guarino, another hero, another camp commander, an SRO, senior ranking officer. He went down to 90 pounds; an average weight of about 160. Said, "Release him. See that he gets back to the United States where he will receive proper medical treatment, care, psychiatric help. Do that and we'll see the story never gets out about what we saw happen to him here."

The plan was rejected. It seemed clear the man's captors did not want him on view to the world. The guard Lump kept badgering Bomar to write of the good treatment that Cobiell, and I am inserting his name in the Reader's Digest Book POW.

Bomar kept producing such unsatisfactory statements as "He received two oranges after they stopped beating him with a fanbelt"; or "He was allowed a cookie after they stopped beating him and hitting him for hours"; or "Since the beating stopped he's been given a banana."

Dissension began to seethe within the Fidel group. Oh, I am sorry, Fidel is gone but not the others.

Some of the men, sick and weary themselves, reached the end of patience and their deranged compatriot. This is sad.

Tired of trying to cope with Major Cobiell, they urged Bomar to demand that he be taken back to the hospital. Bomar agreed that hospital care was in order. The man has now lost his senses, and he is fighting his friends trying to help him.

He thought it vital that the group retain physical possession of the man. Bomar felt certain that if the man were removed from the company of other Americans, he would never be seen again.

That, Mr. Speaker, is what happened, until his bones came back to Arlington or maybe to some local graveyard that has a marker, Maj. Earl Cobiell, U.S. Air Force, the year of his birth, the year of his death. I hope we gave him the Distinguished Flying Cross or something so it could be dug into the marble of his earthly reminder that he lived.

He thought it vital, Colonel Bomar, that the group keep the man. I repeat.

Still, for the sake of some of the others and their sanity, Bomar wanted him in another cell, preferably nearby, with some Americans who would look after him. Larry Spencer and Ed Hubbard volunteered for the job. Bomar, having divined that all good ideas must originate in his captors' heads, tried to implant this one in Lump's cranium. It didn't take. The disaster continued.

POW, Mr. Speaker. Every student of America who loves freedom of speech should read it. They paid for our speech with their blood.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BUNNING of Kentucky (at the request of Mr. ARMEY), for today after 2 p.m., on account of being inducted into the Baseball Hall of Fame.

Mrs. MORELLA (at the request of Mr. ARMEY), for today after 2 p.m., on account of a death in the family.

Mrs. MEEK of Florida (at the request of Mr. GEPHARDT), for today after 1:30 p.m., on account of personal business.

Mr. BISHOP (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. WISE) to revise and extend their remarks and include extraneous material:)

Mrs. COLLINS of Illinois, for 5 minutes, today.

Mr. LAFALCE, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Ms. DELAURO, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. WISE, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized by various committees, U.S. House of Representatives, during the 2nd quarter of 1996 in connection with official foreign travel, pursuant to Public Law 95-384, are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1996

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Dennis Hastert	4/8	4/9	Mexico		210.00		(?)				210.00
	4/9	4/11	Panama		278.00		(?)				278.00
	4/11	4/11	Colombia				(?)				0.00
Hon. John Mica	4/11	4/13	Bolivia		282.00		(?)		4,157.18		1,839.18
	4/13	4/15	Peru		504.00		(?)				504.00
	4/9	4/11	Panama		139.00		317.00				456.00
Hon. William Zeff	4/11	4/11	Colombia				(?)				0.00
	4/11	4/13	Bolivia		282.00		(?)				282.00
	4/13	4/15	Peru		504.00		(?)				504.00
Judith Blanchard	4/9	4/11	Panama		139.00		317.00				456.00
	4/11	4/13	Bolivia		282.00		(?)				282.00
	4/13	4/15	Peru		504.00		(?)				504.00
Robert Charles	4/8	4/9	Mexico		210.00		(?)				210.00
	4/9	4/11	Panama		278.00		(?)				278.00
	4/11	4/11	Colombia				(?)				0.00
Jane Cobb	4/11	4/13	Bolivia		282.00		(?)				282.00
	4/13	4/15	Peru		504.00		(?)				504.00
	4/8	4/9	Mexico		210.00		(?)				210.00
Michele Lang	4/9	4/11	Panama		278.00		(?)				278.00
	4/11	4/11	Colombia				(?)				0.00
	4/11	4/13	Bolivia		282.00		(?)				282.00
Kevin Sabo	4/13	4/15	Peru		504.00		(?)				504.00
	4/8	4/9	Mexico		210.00		(?)				210.00
	4/9	4/11	Panama		278.00		(?)				278.00
	4/11	4/11	Colombia				(?)				0.00
	4/11	4/13	Bolivia		282.00		(?)				282.00

Mr. FIELDS of Louisiana, for 60 minutes, today.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Ms. KAPTUR, for 5 minutes, today.

Mr. WISE, for 5 minutes, today.

(The following Members (at the request of Mr. CAMPBELL) to revise and extend their remarks and include extraneous material:)

Mr. METCALF, for 5 minutes, today.

Mr. CAMPBELL, for 5 minutes, today.

Mr. WOLF, for 5 minutes, today.

Mr. LONGLEY, for 5 minutes, today.

Mr. RIGGS, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. LONGLEY, for 5 minutes, today.

ENROLLED BILL SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon by the Speaker:

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.

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, a bill and a joint resolution of the House of the following titles:

H.R. 3215. An act to amend title 18, United States Code, to repeal the provision relating to Federal employees contracting or trading with Indians.

H.J. Res. 166. Joint resolution granting the consent of Congress to the Mutual Aid Agreement between the city of Bristol, Virginia, and the city of Bristol, Tennessee.

ADJOURNMENT

Mr. DORNAN. Mr. Speaker, pursuant to House Concurrent Resolution 203, 104th Congress, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER pro tempore (Mr. KOLBE). Pursuant to the provisions of House Concurrent Resolution 203, 104th Congress, the House stands adjourned until noon on Wednesday, September 4, 1996.

Thereupon (at 7 o'clock and 5 minutes p.m.), pursuant to House Concurrent Resolution 203, the House adjourned until Wednesday, September 4, 1996, at 12 noon.

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1996—Continued

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Sally Dionne	4/13	4/15	Peru		504.00		(?)				504.00
	4/8	4/9	Mexico		210.00		(?)				210.00
	4/9	4/11	Panama		278.00		(?)				278.00
	4/11	4/11	Colombia				(?)				0.00
	4/11	4/13	Bolivia		282.00		(?)				282.00
Hon. Mark Souder	4/13	4/15	Peru		504.00		(?)		69.52		573.52
	4/8	4/9	Mexico		210.00		(?)				210.00
	4/9	4/11	Panama		278.00		(?)				278.00
	4/11	4/11	Colombia				(?)				0.00
	4/11	4/13	Bolivia		282.00		(?)				282.00
4/13	4/15	Peru		504.00		(?)				504.00	
Committee total					12,042.00		634.00		1,626.70		14,302.70

<sup>1</sup> Per diem constitutes lodging and meals.<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.<sup>3</sup> Military air transportation.<sup>4</sup> Expenses incurred by CODEL group.BILL CLINGER,  
Chairman, July 25, 1996.

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON RESOURCES, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1996

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
David Whaley	6/23	7/1	Scotland		1,250.00		1,056.45		300.00		2,606.45
Karen Steuer	6/22	6/29	Scotland		1,435.00		1,520.15		350.00		3,305.15
Committee total					2,685.00		2,576.60		650.00		\$5,911.60

<sup>1</sup> Per diem constitutes lodging and meals.<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.DON YOUNG,  
Chairman, July 29, 1996.

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON RULES, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1996

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Kristi E. Walseth	5/9	5/11	France		530.00						530.00
Commercial airfare							3,684.65				3,684.65
Committee total					530.00		3,684.65				4,214.65

<sup>1</sup> Per diem constitutes lodging and meals.<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.JERRY SOLOMON,  
Chairman, July 31, 1996.

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SECURITY AND COOPERATION IN EUROPE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1996

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Michael Amitay		6/29	United States				3,662.95				3,662.95
	6/30	7/6	Turkey		696.00				120.00		816.00
	7/6	7/9	Sweden		762.00						762.00
John Finerty		6/9	United States				3,407.35				3,407.35
	6/10	6/20	Russia		2,600.00						2,600.00
Chadwick Gore		4/19	United States				4,687.25				4,687.25
	4/20	4/21	Turkey		212.00						212.00
	4/21	4/21	Georgia		1,065.00				340.00		1,405.00
	4/26	4/29	Azerbaijan		711.00						711.00
	4/29	5/1	Turkey		212.00						212.00
Robert Hand		4/20	United States				2,375.25				2,375.00
	4/21	4/28	Serbia-Montenegro		1,321.50				442.00		1,763.00
	4/28	4/28	Austria		222.50						222.50
		5/22	United States				3,051.35				3,051.35
	5/22	5/23	Austria								0.00
	5/23	5/28	Albania		641.00				20.00		661.00
	5/28	5/29	Austria		203.00						203.00
Janice Helwig		4/10	United States				2,763.15				2,763.15
	4/10	4/21	Austria		2,233.00						2,233.00
	4/21	4/29	Serbia-Montenegro		1,120.00		441.12				1,561.12
	4/29	5/22	Austria		4,466.00						4,466.00
	5/22	5/28	Albania		768.00		773.83				1,541.83
	5/28	7/25	Austria		9,420.59						9,420.59
Michael Ochs		4/19	United States				3,926.25				3,926.25
	4/20	4/21	Turkey		212.00						212.00
	4/21	4/26	Georgia		1,065.00				230.00		1,295.00
	4/26	4/29	Azerbaijan		711.00						711.00
	4/29	5/1	Turkey		212.00						212.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SECURITY AND COOPERATION IN EUROPE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1996—Continued

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Samuel Wise		6/29	United States				3,250.95				3,250.95
		6/30	Russia		1,750.00						1,750.00
		7/6	United States				1,604.55				1,604.55
		4/15	United States								
		4/16	Poland		611.00						611.00
		4/19	Austria		367.00						367.00
	4/21	Serbia-Montenegro		451.00						451.00	
	4/26	Italy		165.00						165.00	
Committee total				32,197.59		29,944.00		1,152.00			63,293.59

<sup>1</sup> Per diem constitutes lodging and meals.  
<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

CHRIS SMITH,  
 July 30, 1996.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APRIL 1 AND JUNE 30, 1996

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Bill Richardson	5/25	5/29	Asia		923.00						923.00
Commercial airfare							6,911.95				6,911.95
Ken Kodama	5/25	5/29	Asia		923.00						923.00
Commercial airfare							6,911.95				6,911.95
Committee total				1,846		13,823.9					15,669.9

<sup>1</sup> Per diem constitutes lodging and meals.  
<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

LARRY COMBEST,  
 Chairman, July 18, 1996.

EXECUTIVE COMMUNICATIONS,  
 ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

4510. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Avacados Grown in South Florida; Assessment Rate [Docket No. FV96-915-1 FIR] received August 2, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4511. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Florida Grapefruit, Florida Oranges and Tangelos, and Florida Tangerines; Grade Standards [Docket No. FV-96-301] received August 2, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4512. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Papayas Grown in Hawaii; Assessment Rate [Docket No. FV96-928-1 FIR] received August 2, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4513. A letter from the Chief, Programs and Legislation Division, Department of the Air Force, transmitting notification that the Commander of Laughlin Air Force Base [AFB], TX, has conducted a comparison study to reduce the cost of operating the base operating support [BOS], pursuant to 10 U.S.C. 2304 note; to the Committee on National Security.

4514. A letter from the Assistant Secretary for Legislative Affairs and Public Liaison, Department of the Treasury, transmitting a copy of the 15th monthly report as required by the Mexican Debt Disclosure Act of 1995, pursuant to Public Law 104-6, section 404(a) (109 Stat. 90); to the Committee on Banking and Financial Services.

4515. A letter from the Administrator, Wage and Hour Division, Department of Labor, transmitting the Department's final rule—Amendments to Federal Contract Labor Laws by The Federal Acquisition Streamlining Act of 1994 (RIN: 1215-AA96) received July 30, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Economic and Educational Opportunities.

4516. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—National Oil and Hazardous Substances Contingency Plan; National Priorities List Update (FRL-5454-1) received August 2, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4517. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Amendment to the List of Proscribed Destinations [22 CFR Part 126] received August 1, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

4518. 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 August 2, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

4519. A letter from the Assistant Secretary for Administration, Department of Commerce, transmitting a report of activities under the Freedom of Information Act for the calendar year 1995, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

4520. A letter from the Acting Director, Fish and Wildlife Service, transmitting the Service's final rule—Endangered and Threatened Wildlife and Plants; Endangered Status for the Hawaiian Plant *Pritchardia aymer-robinsonii* (wahane) (RIN: 1018-AB88) received

August 1, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.  
 4521. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to renew and improve certain activities of the National Highway Traffic Safety Administration [NHTSA] for fiscal year 1997; to the Committee on Transportation and Infrastructure.

4522. A letter from the Regulatory Policy Officer, Bureau of Alcohol, Tobacco and Firearms, transmitting the Bureau's final rule—Implementation of Public Law 103-322, the Violent Crime Control and Law Enforcement Act of 1994—Importation of Ammunition Feeding Devices With a Capacity of More Than 10 Rounds (94F-022P) (RIN: 1512-AB35) received July 29, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4523. A letter from the Federal Register Certifying Officer, Department of the Treasury, transmitting the Department's final rule—Management of Federal Agency Disbursements (RIN: 1510-AA56) received July 25, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4524. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Definition of Pooled Income Fund (Revenue Ruling 96-38) received August 1, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4525. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Request for Comments on Procedures Relating to Voluntary and Involuntary Changes in Method of Accounting (Notice 96-40) received July 30, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4526. A letter from the Chief, Regulations Branch, U.S. Customs Service, transmitting the Service's final rule—Centralized Examination Station; Immediate Suspension or

Permanent Revocation as Operator Upon Indictment for Any Felony (RIN: 1515-AB83) received August 2, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4527. A letter from the Director, Corporate Audits and Standards, General Accounting Office, transmitting a corrected report entitled, "Financial Audit: Resolution Trust Corporation's 1995 and 1994 Financial Statements" (GAO/AIMD-96-123), July 1996, pursuant to 31 U.S.C. 9106(a); jointly, to the Committees on Government Reform and Oversight and Banking and Financial Services.

4528. A letter from the Comptroller General of the United States, transmitting a report entitled, "Financial Audit: Capitol Preservation Fund for Years Ended September 30, 1995 and 1994" (GAO/AIMD-96-97) July 1996, pursuant to 40 U.S.C. 188a-3; jointly, to the Committee on House Oversight and Government Reform and Oversight.

4529. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to provide for adjustments to capital and operating assistance grants for the public transit program, and for other purposes; jointly, to the Committees on Transportation and Infrastructure and Ways and Means.

4530. A letter from the Fiscal Assistant Secretary, Department of the Treasury, transmitting the Department's June 1996 "Treasury Bulletin," pursuant to 26 U.S.C. 9602(a); jointly, to the Committees on Ways and Means and Transportation and Infrastructure.

#### 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. CLINGER: Committee on Government Reform and Oversight. Laws Related to Federal Financial Management (Rept. 104-745). Referred to the Committee of the Whole House on the State of the Union.

Mr. CLINGER: Committee on Government Reform and Oversight. Protecting the Nation's Blood Supply from Infectious Agents: The Need for New Standards to Meet New Threats (Rept. 104-746). Referred to the Committee of the Whole House on the State of the Union.

Mr. CLINGER: Committee on Government Reform and Oversight. Health Care Fraud: All Public and Private Payers Need Federal Criminal Anti-Fraud Protections (Rept. 104-747). Referred to the Committee of the Whole House on the State of the Union.

Mr. CLINGER: Committee on Government Reform and Oversight. A 2-year review of the White House Communications Agency reveals major mismanagement, lack of accountability, and significant mission creep (Rept. 104-748). Referred to the Committee of the Whole House on the State of the Union.

Mr. CLINGER: Committee on Government Reform and Oversight. Investigation into the activities of Federal law enforcement agencies toward the Branch Davidians (Rept. 104-749). Referred to the Committee of the Whole House on the State of the Union.

Mrs. MEYERS: Committee on Small Business. H.R. 3719. A bill to amend the Small Business Act of 1958; with an amendment (Rept. 104-750). Referred to the Committee of the Whole House on the State of the Union.

Mr. BLILEY: Committee on Commerce. H.R. 3056. A bill to permit a county-operated

health insuring organization to qualify as an organization exempt from certain requirements otherwise applicable to health insuring organizations under the Medicaid Program notwithstanding that the organization enrolls Medicaid beneficiaries residing in another county (Rept. 104-751). Referred to the Committee of the Whole House on the State of the Union.

Mr. BLILEY: Committee on Commerce. H.R. 3871. A bill to waive temporarily the Medicaid enrollment composition rule for certain health maintenance organizations (Rept. 104-752). Referred to the Committee of the Whole House on the State of the Union.

Mr. BLILEY: Committee on Commerce. H.R. 447. A bill to establish a toll free number in the Department of Commerce to assist consumers in determining if products are American-made; with an amendment (Rept. 104-753). Referred to the Committee of the Whole House on the State of the Union.

#### TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

(Omitted from the Record of August 1, 1996)

H.R. 1816. Referral to the Committee on Commerce extended for a period ending not later than October 4, 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. LONGLEY:

H.R. 3950. A bill to amend title 38, United States Code, to reorganize the veterans health system; to improve access to, and the quality and efficiency of, care provided to the Nation's veterans; to operate the veterans health system based on the principles of managed care, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WALKER:

H.R. 3951. A bill to permit duty-free treatment for certain structures, parts, and components used in the Gemini Telescope Project; to the Committee on Ways and Means.

By Mr. WALKER (for himself, Mr. BROWN of California, Mr. SENSENBRENNER, Mr. BOEHLERT, Mrs. MORELLA, Mr. WELDON of Pennsylvania, Mr. ROHRBACHER, Mr. SCHIFF, Mr. BARTON of Texas, Mr. CALVERT, Mr. BAKER of California, Mr. BARTLETT of Maryland, Mr. EHLERS, Mr. STOCKMAN, Mr. GUTKNECHT, Mr. LARGENT, Mrs. SEASTRAND, Mr. CRAMER, Ms. LOFGREN, Mr. MCHALE, and Mr. GORDON):

H.R. 3952. A bill to clarify that certain components of certain scientific instruments and apparatus shall be provided duty-free treatment; to the Committee on Ways and Means.

By Mr. SHUSTER (for himself, Mr. HYDE, Mr. DUNCAN, and Mr. MCCOLLUM):

H.R. 3953. A bill to combat terrorism; to the Committee on Transportation and Infrastructure, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as

fall within the jurisdiction of the committee concerned.

By Mr. FOX:

H.R. 3954. A bill to restrict the access of youth to tobacco products, and for other purposes; to the Committee on Commerce, and in addition to the Committee on Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

H.R. 3955. A bill to amend the Internal Revenue Code of 1986 to allow a refundable credit to businesses which recycle office wastes; to the Committee on Ways and Means.

By Mr. CHRISTENSEN:

H.R. 3956. A bill to eliminate automatic pay adjustments for Members of Congress, and for other purposes; to the Committee on House Oversight, and in addition, to the Committee on Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FIELDS of Texas (for himself and Mr. DINGELL):

H.R. 3957. A bill to amend the Communications Act of 1934 to require the Federal Communications Commission to streamline its management, to eliminate unnecessarily burdensome regulatory provisions, and for other purposes; to the Committee on Commerce.

By Mrs. JOHNSON of Connecticut:

H.R. 3958. A bill to permit individuals to continue coverage under Federal health care programs of services while participating in approved clinical studies and to require the Secretary of Health and Human Services to make publicly available information on clinical trials; to the Committee on Commerce, and in addition to the Committees on Ways and Means, National Security, Veterans' Affairs, and Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

H.R. 3959. A bill to establish a demonstration project to study and provide coverage of routine patient care costs for Medicare beneficiaries with cancer who are enrolled in an approved clinical trial program; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HYDE (for himself, Mr. CONYERS, Mr. MCCOLLUM, Mr. SCHUMER, Mr. CANADY, and Mr. HEINEMAN):

H.R. 3960. A bill to combat terrorism; to the Committee on the Judiciary.

By Mr. BILBRAY (for himself, Mr. BARTON of Texas, Mr. HUNTER, Mr. CUNNINGHAM, Mr. CALVERT, Mr. BONO, Mr. RADANOVICH, and Mr. MCKEON):

H.R. 3961. A bill to provide that customs officers and immigration officers have the authority to deny entry into the United States of certain foreign motor vehicles that do not comply with applicable laws governing motor vehicle emissions, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ABERCROMBIE (for himself and Mr. KIM):

H.R. 3962. A bill to establish a visa waiver pilot program for nationals of Korea who are traveling in tour groups to the United States; to the Committee on the Judiciary.

By Mr. ENGLISH of Pennsylvania (for himself, Mr. RAMSTAD, Mr. TALENT, and Mr. FOX):

H.R. 3963. A bill to amend section 8 of the United States Housing Act of 1937 to prohibit the owner of a rental dwelling unit from receiving Federal rental subsidy amounts for rental of the dwelling unit to a member of the owner's family; to the Committee on Banking and Financial Services.

By Mr. LAZIO of New York:

H.R. 3964. A bill to amend title IV of the Stewart B. McKinney Homeless Assistance Act to consolidate the Federal programs for housing assistance for the homeless into a block grant program that ensures that States and communities are provided sufficient flexibility to use assistance amounts effectively; to the Committee on Banking and Financial Services.

By Mr. LEACH:

H.R. 3965. A bill to amend the Internal Revenue Code of 1986 to increase the amount which may be contributed to defined contribution plan; to the Committee on Ways and Means.

By Mr. MCHALE (for himself, Mr. CUNNINGHAM, Mr. SPENCE, Mr. SKELTON, Mr. BLUTE, Mr. KING, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. BACHUS, Mr. BAESLER, Mr. BAKER of California, Mr. BALDACCI, Mr. BARCIA of Michigan, Mr. BARRETT of Wisconsin, Mr. BECERRA, Mr. BONIOR, Mr. BORSKI, Mr. BREWSTER, Ms. BROWN of Florida, Mr. BUYER, Mr. CARDIN, Mr. CLEMENT, Mr. CLINGER, Mr. COBLE, Mr. COYNE, Mr. CRAMER, Mr. DAVIS, Ms. DELAURO, Mr. DEUTSCH, Mr. DICKEY, Mr. DOOLEY, Mr. DORNAN, Mr. DOYLE, Mr. DUNCAN, Mr. EDWARDS, Mr. EHRLICH, Mr. ENGLISH of Pennsylvania, Mr. FARR, Mr. FATTAH, Mr. FAWELL, Mr. FOGLIETTA, Mr. FOX, Mr. FRANKS of New Jersey, Mr. FROST, Mr. PETE GEREN of Texas, Mr. GILMAN, Mr. GORDON, Mr. GREEN of Texas, Mr. HALL of Texas, Mr. HASTINGS of Washington, Mr. HEFNER, Mr. HOLDEN, Mr. HORN, Mr. HUNTER, Ms. JACKSON-LEE, Mr. JACOBS, Mr. JONES, Mr. KANJORSKI, Mrs. KELLY, Mr. KENNEDY of Rhode Island, Mr. KLING, Mr. KLUG, Mr. LAFALCE, Mr. LAUGHLIN, Mr. LAZIO of New York, Mr. LONGLEY, Mr. MASCARA, Mr. McDERMOTT, Mr. MCHUGH, Mr. McINNIS, Mr. McKEON, Mr. MONTGOMERY, Mr. MORAN, Mr. NEAL of Massachusetts, Mr. MEEHAN, Mr. OLVER, Mr. ORTIZ, Mr. PALLONE, Mr. PARKER, Mr. PASTOR, Mr. PICKETT, Mr. POMEROY, Mr. QUINN, Mr. REED, Mr. ROEMER, Mr. ROSE, Mr. SAXTON, Mr. SHAYS, Mr. SISISKY, Mr. SOLOMON, Mr. SPRATT, Mr. STUMP, Mr. TALENT, Mr. TANNER, Mr. TAYLOR of Mississippi, Mr. TEJEDA, Mr. TORKILDSEN, Mr. TRAFICANT, Mr. VISLOSKEY, Mr. WATTS of Oklahoma, Mr. WELDON of Pennsylvania, Mr. WICKER, Mr. WILSON, Mr. WISE, and Mr. ZIMMER):

H.R. 3966. A bill to authorize and request the President to award the Congressional Medal of Honor posthumously to Theodore Roosevelt for his gallant and heroic actions in the attack on San Juan Heights, Cuba, during the Spanish-American War; to the Committee on National Security.

By Mr. MENENDEZ:

H.R. 3967. A bill to provide for a judicial remedy for disputes arising under certain agreements with foreign entities; to the Committee on the Judiciary.

By Mr. MOORHEAD (for himself and Mrs. SCHROEDER):

H.R. 3968. A bill to make improvements in the operation and administration of the Federal courts, and for other purposes; to the Committee on the Judiciary.

By Mr. SKAGGS (for himself, Mr. McINNIS, and Mrs. SCHROEDER):

H.R. 3969. A bill to amend the Colorado Wilderness Act of 1993 to extend the interim protection of the Spanish Peaks planning area in the San Isabel National Forest, CO; to the Committee on Resources.

By Mr. STUPAK (for himself, Mr. UPTON, and Mr. KNOLLENBERG):

H.R. 3970. A bill to amend the Act of October 21, 1970, establishing the Sleeping Bear Dunes National Lakeshore to permit certain persons to continue to use and occupy certain areas within the lakeshore, and for other purposes; to the Committee on Resources.

By Mrs. VUCANOVICH:

H.R. 3971. A bill to assist in the conservation and stabilization of water quantity and quality for fish habitat and recreation in the Walker River Basin consistent with Decree C-125, issued by the U.S. District Court for the District of Nevada; to the Committee on Resources.

By Ms. WATERS (for herself and Ms. BROWN of Florida):

H.R. 3972. A bill to amend title 38, United States Code, to improve health care services provided by the Department of Veterans Affairs to women veterans; to the Committee on Veterans' Affairs.

By Mr. YOUNG of Alaska:

H.R. 3973. A bill to provide for a study of the recommendations of the Joint Federal-State Commission on Policies and Programs Affecting Alaska Natives; to the Committee on Resources.

By Mr. ZIMMER:

H.R. 3974. A bill to amend the Foreign Assistance Act of 1961 to prohibit the provision of assistance to foreign governments that provide assistance to Cuba; to the Committee on International Relations.

By Mr. BACHUS (for himself, Mr. BARR, Mr. MCCOLLUM, and Mr. LEACH):

H.R. 3976. A bill to amend the Federal Credit Union Act and the Federal Deposit Insurance Act to prohibit removal of members of the National Credit Union Administration Board and the Board of Directors of the Federal Deposit Insurance Corporation except for cause, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. BILBRAY (for himself, Mr. MATSUI, and Mr. THOMAS):

H.R. 3977. A bill to suspend temporarily the duty on certain chemicals used in the formulation of an HIV protease inhibitor; to the Committee on Ways and Means.

By Mr. DICKS (for himself, Mr. DE LA GARZA, Mr. ROBERTS, Mr. McDERMOTT, and Mr. NETHERCUTT):

H.R. 3978. A bill to authorize the Secretary of Agriculture to purchase commodities under the Emergency Food Assistance Act of 1983 using State funds; to the Committee on Agriculture.

By Mr. FOX:

H.R. 3979. A bill to amend the Internal Revenue Code of 1986 to allow a refundable credit for the contribution of books to any library; to the Committee on Ways and Means.

By Mr. FRANK of Massachusetts:

H.R. 3980. A bill to amend the Cuban Liberty and Democratic Solidarity [LIBERTAD] Act of 1996 relating to the exclusion from the United States of certain aliens; to the Committee on the Judiciary.

By Mr. FRANKS of New Jersey:

H.R. 3981. A bill to provide that a person may use private express for the private carriage of certain letters and packets without being penalized by the Postal Service, and for other purposes; to the Committee on Government Reform and Oversight.

By Mr. FRANKS of New Jersey (for himself, Mr. HERGER, Mr. HOKE, Mr. KASICH, Mr. KOLBE, Mr. MEEHAN, Mr. SMITH of Michigan, and Mr. SMITH OF TEXAS):

H.R. 3982. A bill to establish a Permanent Performance Review Commission; to the Committee on Government Reform and Oversight, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GUTIERREZ:

H.R. 3983. A bill to amend title 18, United States Code, to prohibit false statements in the offering of adoption services and to prohibit certain persons from soliciting or receiving compensation for placing a child for adoption, and to express the sense of the Congress that there should be civil remedies for victims of fraudulent adoption practices; to the Committee on the Judiciary.

By Mr. HUNTER:

H.R. 3984. A bill to amend the Internal Revenue Code of 1986 to provide for a child tax credit and a deduction for taxpayers with whom a parent or grandparent resides, and for other purposes; to the Committee on Ways and Means.

By Mr. JOHNSON of South Dakota:

H.R. 3985. A bill to authorize the construction of the Fall River Water Users District Rural Water System and authorize the appropriation of Federal dollars to assist the Fall River Water Users District, a nonprofit corporation, in the planning and construction of the water supply system; to the Committee on Resources.

H.R. 3986. A bill to authorize the construction of the Perkins County Rural Water System and authorize the appropriation of Federal dollars to assist the Perkins County Rural Water System, Inc., a nonprofit corporation, in the planning and construction of the water supply system; to the Committee on Resources.

By Ms. KAPTUR:

H.R. 3987. A bill to establish an emergency Commission to end the trade deficit; to the Committee on Ways and Means.

By Mrs. KELLY (for herself, Mr. BOEHNER, Mr. CLINGER, Mr. CUNNINGHAM, Mr. HOEKSTRA, Mr. KLUG, Mr. LONGLEY, Mr. MOORHEAD, Mr. SENSENBRENNER, Mr. THOMAS, Mr. WELLER, and Mr. DICKEY):

H.R. 3988. A bill to provide for mandatory prison terms for possessing, brandishing, or discharging a firearm or destructive device during a Federal crime that is a crime of violence or a drug trafficking crime; to the Committee on the Judiciary.

By Mr. LAFALCE:

H.R. 3989. A bill to amend the Small Business Act, and for other purposes; to the Committee on Small Business.

By Mr. LAFALCE (for himself, Mr. FLAKE, Mr. MEEHAN, Ms. VELAZQUEZ, Mr. BENTSEN, Mr. BALDACCI, Mr.

JACKSON, Ms. MILLENDER-MCDONALD, and Mr. BLUMENAUER):

H.R. 3990. A bill to encourage the formation of private sector projects to promote the development of women's business enterprise; to the Committee on Small Business.

By Mrs. LOWEY:

H.R. 3991. A bill to assure equitable treatment in health care coverage of prescription drugs; to the Committee on Commerce, and in addition to the Committees on Ways and Means, and Economic and Educational Opportunities, 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 Ms. MCCARTHY (for herself, Mr. LUTHER, Ms. RIVERS, Mr. CARDIN, Mrs. KENNELLY, Mr. WARD, Mr. FAZIO of California, Ms. LOFGREN, Mr. KENNEDY of Rhode Island, Mr. FROST, Mr. MASCARA, Mr. PALLONE, Mr. DOOLEY, Mr. DOYLE, Mr. DURBIN, Mr. FATTAH, Mr. JACKSON, Ms. MILLENDER-MCDONALD, Ms. JACKSON-LEE, Mr. CUMMINGS, and Mr. BLUMENAUER):

H.R. 3992. A bill to establish the National Commission on the Long-Term Solvency of the Medicare Program; to the Committee on Ways and Means, and in addition to the Committees on Commerce, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. METCALF (for himself, Mr. MCCOLLUM, Mr. GONZALEZ, Mr. BAKER of Louisiana, Mr. LAZIO of New York, and Mr. ORTON):

H.R. 3993. A bill to allow depository institutions to offer negotiable order of withdrawal accounts to all businesses, to repeal the prohibition on the payment of interest on demand deposits, and for other purposes; to the Committee on Banking and Financial Services.

By Mrs. MEYERS of Kansas:

H.R. 3994. A bill to amend the Small Business Act to provide comprehensive and structured business development assistance to emerging small business concerns owned by economically disadvantaged individuals to foster their entrepreneurial potential and marketplace success, without relying on preferential award of Government contracts, and for other purposes; to the Committee on Small Business.

By Mrs. MYRICK (for herself, Mr. LIPINSKI, and Mr. ENGLISH of Pennsylvania):

H.R. 3995. A bill to direct the Federal Trade Commission to impose civil monetary penalties against persons disseminating false political advertisements; to the Committee on Commerce.

By Mrs. MYRICK:

H.R. 3996. A bill to amend title 18, United States Code, to punish false statements during debate on the floor of either House of Congress; to the Committee on the Judiciary, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NEAL of Massachusetts (for himself and Mr. MATSUI):

H.R. 3997. A bill to amend the Internal Revenue Code of 1986 to repeal the 1990 tax increase on beer; to the Committee on Ways and Means.

By Mr. NETHERCUTT (for himself, Mr. WICKER, and Mr. BARRETT of Wisconsin):

H.R. 3998. A bill to provide that individuals otherwise entitled to receive payments from the Federal Government may specify that a portion of those payments be used for deficit reduction; to the Committee on Ways and Means, and in addition to the Committees on National Security, Veterans' Affairs, and the Budget, 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. OBEY:

H.R. 3999. A bill to ensure that the States have sufficient funds to assure the effectiveness of the work requirements of the program of block grants for temporary assistance for needy families, to provide such funds through tax reforms, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Science, 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. DORNAN (for himself, Mr. GILMAN, Mr. SAM JOHNSON, Mr. TALENT, Mr. ALLARD, Mr. ARCHER, Mr. ARMEY, Mr. BACHUS, Mr. BAKER of California, Mr. BAKER of Louisiana, Mr. BALLENGER, Mr. BARR, Mr. BARRETT of Nebraska, Mr. BARTLETT of Maryland, Mr. BARTON of Texas, Mr. BASS, Mr. BATEMAN, Mr. BEREUTER, Mr. BILBRAY, Mr. BILIRAKIS, Mr. BLILEY, Mr. BLUTE, Mr. BOEHLERT, Mr. BOEHNER, Mr. BONILLA, Mr. BONO, Mr. BREWSTER, Mr. BROWNBACK, Mr. BRYANT of Tennessee, Mr. BUNN of Oregon, Mr. BUNNING of Kentucky, Mr. BURR, Mr. BURTON of Indiana, Mr. BUYER, Mr. CALLAHAN, Mr. CALVERT, Mr. CAMP, Mr. CANADY, Mr. CASTLE, Mr. CHABOT, Mr. CHAMBLISS, Mrs. CHENOWETH, Mr. CHRISTENSEN, Mr. CHRYSLER, Mr. CLINGER, Mr. COBLE, Mr. COBURN, Mr. COLLINS of Georgia, Mr. COMBEST, Mr. CONDIT, Mr. COOLEY, Mr. COSTELLO, Mr. COX, Mr. CAMPBELL, Mr. CRAMER, Mr. CRANE, Mr. CRAPO, Mr. CREMEANS, Mrs. CUBIN, Mr. CUNNINGHAM, Mr. DAVIS, Mr. DEAL of Georgia, Mr. DELAY, Mr. DIAZ-BALART, Mr. DICKEY, Mr. DOOLITTLE, Mr. DREIER, Mr. DUNCAN, Ms. DUNN of Washington, Mr. EHLERS, Mr. EHRLICH, Mr. ENGLISH of Pennsylvania, Mr. ENSIGN, Mr. EVERETT, Mr. EWING, Mr. FAWELL, Mr. FIELDS of Texas, Mr. FLANAGAN, Mr. FOLEY, Mr. FORBES, Mrs. FOWLER, Mr. FOX, Mr. FRANKS of New Jersey, Mr. FRANKS of Connecticut, Mr. FRELINGHUYSEN, Mr. FRISA, Mr. FUNDERBURK, Mr. GALLEGLY, Mr. GANSKE, Mr. GEKAS, Mr. PETE GEREN of Texas, Mr. GILCREST, Mr. GILLMOR, Mr. GOODLATTE, Mr. GOODLING, Mr. GOSS, Mr. GRAHAM, Ms. GREENE of Utah, Mr. GREENWOOD, Mr. GUNDERSON, Mr. GUTKNECHT, Mr. HALL of Texas, Mr. HANCOCK, Mr. HANSEN, Mr. HASTERT, Mr. HASTINGS of Washington, Mr. HAYES, Mr. HAYWORTH, Mr. HEFLEY, Mr. HEINEMAN, Mr. HERGER, Mr. HILLEARY, Mr. HOBSON, Mr. HOEKSTRA, Mr. HOKE, Mr. HOLDEN, Mr. HORN, Mr. HOUGHTON, Mr. HOSTETTLER, Mr. HUNTER, Mr. HUTCHINSON, Mr. HYDE, Mr. INGLIS of South Carolina, Mr. ISTOOK, Mrs. JOHNSON of Connecticut, Mr. JONES, Mr. KASICH, Mr. KIM, Mr. KING, Mr. KING-

STON, Mr. KLUG, Mr. KNOLLENBERG, Mr. KOLBE, Mr. LAHOOD, Mr. LATOURETTE, Mr. LARGENT, Mr. LATHAM, Mr. LAUGHLIN, Mr. LAZIO of New York, Mr. LEACH, Mr. LEWIS of California, Mr. LEWIS of Kentucky, Mr. LIGHTFOOT, Mr. LINDER, Mr. LIVINGSTON, Mr. LOBIONDO, Mr. LONGLEY, Mr. LUCAS, Mr. MCCOLLUM, Mr. MCCRERY, Mr. MCDADE, Mr. MCHALE, Mr. MCHUGH, Mr. MCINNIS, Mr. MCINTOSH, Mr. MCKEON, Mr. MCNULTY, Mr. MARTINI, Mr. MANZULLO, Mr. METCALF, Mrs. MEYERS of Kansas, Mr. MICA, Mr. MILLER of Florida, Mr. MINGE, Ms. MOLINARI, Mr. MONTGOMERY, Mr. MOORHEAD, Mrs. MORELLA, Mr. MYERS of Indiana, Mrs. MYRICK, Mr. NETHERCUTT, Mr. NEUMANN, Mr. NEY, Mr. NORWOOD, Mr. NUSSLE, Mr. OBERSTAR, Mr. OXLEY, Mr. ORTIZ, Mr. PACKARD, Mr. PARKER, Mr. PAXON, Mr. PETERSON of Minnesota, Mr. PETRI, Mr. PICKETT, Mr. POMBO, Mr. PORTER, Mr. PORTMAN, Ms. PRYCE, Mr. QUILLLEN, Mr. QUINN, Mr. RADANOVICH, Mr. RAMSTAD, Mr. REED, Mr. REGULA, Mr. RIGGS, Mr. ROBERTS, Mr. ROGERS, Mr. ROHRBACHER, Ms. ROSLEHTINEN, Mr. ROTH, Mrs. ROUKEMA, Mr. ROYCE, Mr. SALMON, Mr. SANDERS, Mr. SANFORD, Mr. SAXTON, Mr. SCARBOROUGH, Mr. SCHAEFER, Mr. SCHIFF, Mrs. SEASTRAND, Mr. SENSENBRENNER, Mr. SHADEGG, Mr. SHAW, Mr. SHAYS, Mr. SHUSTER, Mr. SISISKY, Mr. SKEEN, Mr. SKELTON, Mr. SMITH of New Jersey, Mr. SMITH of Texas, Mrs. SMITH of Washington, Mr. SMITH of Michigan, Mr. SPENCE, Mr. SOLOMON, Mr. SOUDER, Mr. STEARNS, Mr. STOCKMAN, Mr. STUMP, Mr. TATE, Mr. TAUZIN, Mr. TAYLOR of North Carolina, Mr. TAYLOR of Mississippi, Mr. TEJEDA, Mr. THOMAS, Mr. THORNBERRY, Mrs. THURMAN, Mr. TIAHRT, Mr. TRAFICANT, Mr. TORKILDSEN, Mr. UNDERWOOD, Mr. UPTON, Mrs. VUCANOVICH, Mr. WALKER, Mr. WALSH, Mr. WAMP, Mr. WATTS of Oklahoma, Mr. WELDON of Pennsylvania, Mr. WELDON of Florida, Mr. WELLER, Mr. WHITFIELD, Mr. WHITE, Mr. WICKER, Mr. WOLF, Mr. YOUNG of Alaska, Mr. ZELIFF, and Mr. ZIMMER):

H.R. 4000. A bill to amend title 10, United States Code, to restore the provisions of chapter 76 of that title, relating to missing persons as in effect before the amendments made by the National Defense Authorization Act for fiscal year 1997; to the Committee on National Security.

By Mr. PAYNE of New Jersey (for himself, Mr. CAMPBELL, Mr. FLAKE, Mr. FOGLIETTA, Mr. LEWIS of Georgia, Mr. HASTINGS of Florida, Mr. OWENS, and Ms. NORTON):

H.R. 4001. A bill to impose sanctions on the governments who violate the arms embargo, participate in the exchange of weapons for resources, for aiding and abetting the civil war in Liberia, and to bring to justice Liberian war criminals; to the Committee on International Relations, and in addition to the Committees on the Judiciary, and Banking and Financial Services, 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. POMEROY (for himself, Mr. JOHNSON of South Dakota, Mr. WILLIAMS, and Mr. PETERSON of Minnesota):

H.R. 4002. A bill to amend the Agricultural Market Transition Act to provide equitable treatment for barley producers so that 1996 contract payments to the producers are not reduced to a greater extent than the average percentage reduction in contract payments for other commodities, while maintaining the level of contract payments for other commodities, and for other purposes; to the Committee on Agriculture.

By Mr. RAMSTAD:

H.R. 4003. A bill to provide for the temporary suspension of duty on certain plastic web sheeting; to the Committee on Ways and Means.

By Mr. SCHUMER:

H.R. 4004. A bill to amend the Internal Revenue Code of 1986 to provide that no loan may be made from a qualified employer plan using a credit card or other intermediary and that loans from qualified employer plans shall be taxed as a distribution unless the loan is used to purchase a first home, to pay higher education or financially devastating medical expenses, or during periods of unemployment; to the Committee on Ways and Means.

H.R. 4005. A bill to amend title I of the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to promote availability of private pensions upon retirement; to the Committee on Economic and Educational Opportunities, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Michigan:

H.R. 4006. A bill to reform the coastwise, intercoastal, and noncontiguous trade shipping laws, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on National Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey:

H.R. 4007. A bill to amend title 38, United States Code, to provide a presumption of service connection for injuries classified as cold weather injuries which occur in veterans who while engaged in military operations had sustained exposure to cold weather; to the Committee on Veterans' Affairs.

By Mr. SOLOMON:

H.R. 4008. A bill to prohibit health insurers and group health plans from discriminating against individuals on the basis of genetic information; to the Committee on Commerce, and in addition to the Committee on Economic and Educational Opportunities, 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. SPRATT:

H.R. 4009. A bill to amend the Solid Waste Disposal Act to improve public accountability and public safety in the management of hazardous waste facilities; to the Committee on Commerce.

By Mr. STARK:

H.R. 4010. A bill to provide for the removal of abandoned vessels; to the Committee on Transportation and Infrastructure.

By Mr. TATE (for himself, Mr. HORN, Mr. MILLER of Florida, Mr. BALDACCI, Mrs. KELLY, Mr. HAYWORTH, Mr. SANFORD, Mr. COBLE, Mr. FUNDERBURK, Mr. WELDON of Florida, Mr. METCALF, Mrs. SMITH of Washington, Mr.

BROWNBACK, Mr. INGLIS of South Carolina, Mr. COBURN, Mr. BARRETT of Wisconsin, Mr. HAYES, Mr. LINDER, Mr. WELLER, Mr. CHRISTENSEN, Mr. GREENWOOD, Mr. MCKEON, Mr. TAYLOR of North Carolina, Mr. LOBIONDO, Mr. SOUDER, Mrs. MEYERS of Kansas, Mr. POMEROY, Mr. RAMSTAD, Mr. LAZIO of New York, Mr. REED, Mr. FOX, Mr. FRELINGHUYSEN, Mr. FOLEY, Mr. BEREUTER, Mr. PORTER, Mr. GOSS, Mr. MCCOLLUM, Mr. KLUG, Ms. RIVERS, Mr. DORNAN, Mrs. MYRICK, Mr. HOEKSTRA, Mr. SHAYS, Mr. BLILEY, Mr. PACKARD, Mr. FRANKS of New Jersey, Mr. MCINTOSH, Mr. NEUMANN, Mr. LARGENT, Mr. SENSENBRENNER, Mr. CHRYSLER, Mr. ENSIGN, Mrs. VUCANOVICH, Mrs. FOWLER, Mr. JOHNSON of South Dakota, Mr. CANDY, Mr. WATTS of Oklahoma, Mrs. SEASTRAND, and Mr. HUTCHINSON):

H.R. 4011. A bill to amend title 5, United States Code, to provide that if a Member of Congress is convicted of a felony, such Member shall not be eligible for retirement benefits based on that individual's service as a Member, and for other purposes; to the Committee on Government Reform and Oversight, and in addition to the Committee on House Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. UPTON (for himself, Mr. DINGELL, Mr. CAMP, Mr. LEVIN, and Mr. CONYERS):

H.R. 4012. A bill to waive temporarily the Medicare enrollment composition rules for the Wellness Plan; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALKER (for himself, Mr. BROWN of California, Mr. SCHIFF, Mr. BAKER of California, Mr. EHLERS, Mr. STOCKMAN, Mr. HALL of Texas, Mr. TRAFICANT, Mr. TANNER, Mr. ROEMER, Mr. CRAMER, Mr. DAVIS, and Ms. LOFGREN):

H.R. 4013. A bill to amend section 2118 of the Energy Policy Act of 1992 to extend the Electric and Magnetic Fields Research and Public Information Dissemination Program; to the Committee on Commerce, and in addition to the Committee on Science, 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. WELDON of Pennsylvania (for himself, Mr. CLAY, Mr. QUINN, Mr. MCHUGH, Mr. STEARNS, Mr. TRAFICANT, Mr. ENGLISH of Pennsylvania, Mr. REGULA, Ms. KAPTUR, and Mr. GOODLING):

H.R. 4014. A bill to require the President to certify whether the commitments made in the side agreements on the environment and on labor to the North American Free-Trade Agreement are being met, and to remove certain benefits from a country that is certified as not meeting those commitments; to the Committee on Ways and Means, and in addition to the Committees on International Relations, and Banking and Financial Services, 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. WYNN:

H.R. 4015. A bill to amend title II of the Social Security Act to provide that a monthly insurance benefit thereunder shall be paid for the month in which the recipient dies, subject to a reduction of 50 percent if the recipient dies during the first 15 days of such month, and for other purposes; to the Committee on Ways and Means.

By Mr. ZELIFF:

H.R. 4016. A bill to amend the Elementary and Secondary Education Act of 1965 to provide funds to States to carry out drug and violence prevention programs; to the Committee on Economic and Educational Opportunities.

By Mr. ZELIFF (for himself, Mr. HASTERT, Mr. BURTON of Indiana, Mr. SOUDER, Mr. BARTON of Texas, and Mr. SCARBOROUGH):

H.R. 4017. A bill to amend the Americans with Disabilities Act of 1990 with respect to safety-sensitive employment functions and individuals who have a record or history of the habitual or regular use of illegal drugs or of the abuse of alcohol, or of clinical alcoholism, and for other purposes; to the Committee on Economic and Educational Opportunities.

By Mrs. MYRICK:

H.J. Res. 188. Joint resolution proposing an amendment to the Constitution of the United States regarding the liability of Members of Congress for false statements made in carrying out their official duties; to the Committee on the Judiciary.

By Mr. THOMAS:

H. Con. Res. 208. Concurrent resolution directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 3103; considered and agreed to.

By Mr. RAHALL (for himself, Mr. DINGELL, Mr. LAHOOD, and Mr. HOKE):

H. Con. Res. 209. Concurrent resolution expressing the sense of the Congress regarding the territorial integrity, unity, sovereignty, and full independence of Lebanon; to the Committee on International Relations.

By Mr. STUPAK (for himself and Mr. RAMSTAD):

H. Con. Res. 210. Concurrent resolution expressing the sense of the Congress that a postage stamp should be issued to honor law enforcement officers killed in the line of duty; to the Committee on Government Reform and Oversight.

By Mr. ARMEY:

H. Res. 509. Resolution electing Representative FUNDERBURK of North Carolina to the Committee on Agriculture; considered and agreed to.

By Mr. BARTON of Texas (for himself, Mr. ZELIFF, Mr. SHAYS, Mr. COBURN, Mr. SOLOMON, Mr. CAMP, Mr. STEARNS, Mr. GRAHAM, Mr. TRAFICANT, Mrs. FOWLER, Mr. MCINTOSH, Mr. LAUGHLIN, Mr. MANZULLO, Mr. SOUDER, Mr. PORTMAN, Mr. WAMP, Mr. WELDON of Pennsylvania, Mrs. MYRICK, Mr. DAVIS, Mr. CLINGER, Mr. FOLEY, Mr. SAM JOHNSON, Mr. HANSEN, Mr. HANCOCK, Mr. BLILEY, Mr. RAMSTAD, Mr. BACHUS, Mr. SHADEGG, Mr. SALMON, and Mr. SHAW):

H. Res. 510. Resolution providing for mandatory drug testing of Members of the House of Representatives; to the Committee on House Oversight.

By Mrs. COLLINS of Illinois (for herself, Mr. CLAY, Ms. NORTON, Miss COLLINS of Michigan, Mr. STOKES, and Mr. TOWNS):

H. Res. 511. Resolution expressing the sense of the House of Representatives that a commemorative postage stamp should be issued

in honor of Paul Robeson; to the Committee on Government Reform and Oversight.

By Mr. SOLOMON:

H. Res. 512. Resolution to amend House Rules to require the random drug testing of officers and employees of the House; to the Committee on Rules.

By Mr. FARR (for himself, Mr. COLEMAN, Mr. PALLONE, Mr. BRYANT of Texas, Mr. PETERSON of Minnesota, Mr. BONIOR, Mr. FROST, Mr. LEWIS of Georgia, Mr. PORTER, Mrs. MORELLA, Mr. EVANS, Mr. YATES, Ms. LOFGREN, Ms. SLAUGHTER, Mr. OLVER, Ms. ROYBAL-ALLARD, Mr. BECERRA, Ms. WOOLSEY, Mr. DINGELL, Mr. FATTAH, Ms. ESHOO, Mr. BLUMENAUER, Mr. TORRES, Mrs. CLAYTON, Mr. CUMMINGS, Ms. NORTON, Mr. WALSH, Mr. VENTO, Mr. ABERCROMBIE, Mr. SANDERS, Mrs. LINCOLN, Mr. DEUTSCH, Mr. SHAYS, Mr. PAYNE of New Jersey, Mr. FRANK of Massachusetts, Mrs. MALONEY, Ms. JACKSON-LEE, of Texas, Mr. MURTHA, and Mr. MINGE):

H. Res. 513. Resolution providing for the mandatory implementation of the Office Waste Recycling Program in the House of Representatives; to the Committee on House Oversight.

By Mr. SOLOMON:

H. Res. 514. Resolution amending the Rules of the House of Representatives to reduce the number of programs covered by each general appropriation bill; to the Committee on Rules.

By Mr. WOLF (for himself, Mr. SMITH of New Jersey, Mr. RAMSTAD, Mr. TOWNS, and Mr. HEFLEY):

H. Res. 515. Resolution expressing the sense of the House of Representatives with respect to the persecution of Christians worldwide; to the Committee on International Relations.

#### PRIVATE BILLS AND RESOLUTIONS

Under Clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. WALKER:

H.R. 3951. A bill to permit duty-free treatment for certain structures, and components used in the Gemini Telescope Project; to the Committee on Ways and Means.

By Mrs. MEYERS of Kansas:

H.R. 3975. A bill for the relief of Lt. Col. (retired) Robert L. Stockwell, U.S. Army; to the Committee on the Judiciary.

#### ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 65: Ms. NORTON and Mr. LONGLEY.  
H.R. 303: Mr. LONGLEY.  
H.R. 608: Mr. DAVIS.  
H.R. 739: Mr. METCALF.  
H.R. 878: Mr. MORAN.  
H.R. 893: Mr. FRANK of Massachusetts, Mr. CONYERS, Mr. KILDEE, Ms. DELAURO, Mr. TOWNS, Miss COLLINS of Michigan, Mr. FRAZER, Mr. NEY, Mr. STUPAK, Mr. DE LA GARZA, Mr. HORN, Mr. SAXTON, Mr. EHLERS, Mr. KASICH, Mr. SMITH of Michigan, Mr. HALL of Ohio, Mr. WILSON, and Mr. BARCIA of Michigan.  
H.R. 895: Mr. FROST, Mr. HUTCHINSON, Mr. BLUTE, and Mr. VOLKMER.  
H.R. 1010: Mr. ENGEL.

H.R. 1050: Mr. ENGEL and Mr. LANTOS.  
H.R. 1073: Mrs. FOWLER.  
H.R. 1074: Mrs. FOWLER.  
H.R. 1090: Ms. FURSE.  
H.R. 1100: Mr. GONZALEZ, Mr. KLECZKA, Mr. BROWDER, Ms. ESHOO, Mr. MASCARA, Mr. ENGLISH of Pennsylvania, Mrs. MORELLA, Mr. JOHNSTON of Florida, Mr. DEFazio, Mr. TAYLOR of Mississippi, Mrs. THURMAN, Mr. CLEMENT, Mr. HALL of Ohio, and Mr. LUTHER.  
H.R. 1161: Mr. BURR, Mr. DE LA GARZA, Mr. STUPAK, Mr. SMITH of Michigan, and Mr. YATES.  
H.R. 1281: Mr. VENTO, Mr. WAMP, Mr. Hastings of Florida, and Ms. FURSE.  
H.R. 1404: Mr. RICHARDSON.  
H.R. 1406: Mr. FILNER.  
H.R. 1496: Mr. ROEMER.  
H.R. 1568: Mr. TOWNS and Mr. ABERCROMBIE.  
H.R. 1591: Mr. ENGEL.  
H.R. 1796: Mr. CAMPBELL.  
H.R. 1805: Mr. MORAN.  
H.R. 1876: Mr. BROWN of Ohio.  
H.R. 2006: Mr. HORN and Mr. HAYWORTH.  
H.R. 2011: Mr. HOLDEN, Mr. COBURN, and Mr. GORDON.  
H.R. 2090: Mr. INGLIS of South Carolina.  
H.R. 2128: Ms. GREENE of Utah and Mr. HORN.  
H.R. 2138: Mr. QUINN.  
H.R. 2185: Mr. LEWIS of Georgia, Mr. DIXON, Mr. DURBIN, Mrs. THURMAN, and Mr. CUNNINGHAM.  
H.R. 2237: Mr. GEJDENSON, Mr. GUTIERREZ, Mr. LAFALCE, Mr. GILMAN, Mr. ACKERMAN, Mr. MILLER of California, and Ms. FURSE.  
H.R. 2244: Mr. LAZIO of New York.  
H.R. 2247: Mr. BAESLER and Mr. POMEROY.  
H.R. 2476: Mr. JOHNSTON of Florida.  
H.R. 2582: Mrs. SCHROEDER and Mr. CUNNINGHAM.  
H.R. 2654: Ms. BROWN of Florida and Mr. STUPAK.  
H.R. 2727: Mr. DORNAN and Mr. RADANOVICH.  
H.R. 2911: Mr. CAMP and Mr. FOX.  
H.R. 2976: Ms. ESHOO, Mrs. LOWEY, and Ms. PRYCE.  
H.R. 3012: Mr. PETE GEREN of Texas, Mr. STOCKMAN, Mr. LUCAS, Mr. DICKS, Mrs. MEEK of Florida, Mrs. SMITH of Washington, Ms. PRYCE, Mr. ANDREWS, Mr. HEINEMAN, Mr. ENGEL, Mr. TAYLOR of North Carolina, and Mr. SCHAEFER.  
H.R. 3089: Mr. BARRETT of Wisconsin.  
H.R. 3106: Mr. SANDERS.  
H.R. 3142: Mr. SANDERS.  
H.R. 3189: Ms. NORTON.  
H.R. 3195: Mr. SHADEGG, Mr. STOCKMAN, and Mr. BRYANT of Tennessee.  
H.R. 3200: Mr. FAWELL, Mr. HAYWORTH, Mr. SHUSTER, Mr. SALMON, Mr. BAKER of Louisiana, Mr. WAMP, Mr. CASTLE, Mr. WELLER, Mr. BAESLER, Mr. ANDREWS, Mr. LINDER, Mr. BUNNING of Kentucky, Mr. BONO, Mr. SENSENBRENNER, Mr. SMITH of Michigan, Mrs. ROUKEMA, Mr. DUNCAN, and Mr. EHLERS.  
H.R. 3201: Mr. SMITH of Texas, Mr. CRANE, Mr. LONGLEY, and Mr. BONILLA.  
H.R. 3202: Mr. OWENS and Ms. FURSE.  
H.R. 3217: Mrs. CLAYTON.  
H.R. 3223: Ms. GREENE of Utah.  
H.R. 3226: Ms. EDDIE BERNICE JOHNSON of Texas.  
H.R. 3244: Mr. CONYERS and Mr. FOGLIETTA.  
H.R. 3274: Mr. STEARNS.  
H.R. 3311: Mr. SANDERS, Mr. VENTO, Mr. FATTAH, and Mrs. CLAYTON.  
H.R. 3337: Mr. RAHALL.  
H.R. 3338: Mr. MATSUI.  
H.R. 3355: Mr. DELLUMS.  
H.R. 3374: Mr. BROWN of Ohio.  
H.R. 3391: Mrs. THURMAN.

H.R. 3424: Mr. SCHIFF.  
H.R. 3426: Mr. MILLER of California, Mr. GREEN of Texas, and Mr. POMEROY.  
H.R. 3508: Mr. WICKER.  
H.R. 3511: Mr. GEJDENSON, Mr. FLAKE, Mr. DEUTSCH, Mr. FROST, Mr. LIPINSKI, Ms. WOOLSEY, Mrs. MALONEY, Mr. FILNER, Mr. MILLER of California, Mrs. KENNELLY, Mr. TORRES, and Mr. ACKERMAN.  
H.R. 3518: Mr. BONO, Mr. HUNTER, Mr. CAMPBELL, and Mr. LEWIS of California.  
H.R. 3527: Mr. WILSON.  
H.R. 3565: Mr. BEREUTER and Mr. PAXON.  
H.R. 3584: Mr. YATES, Mr. WYNN, Mr. LIPINSKI, Mr. FROST, Mrs. MALONEY, Mr. CHRYSLEY, and Mr. ACKERMAN.  
H.R. 3618: Mr. LANTOS.  
H.R. 3631: Mr. BOEHLERT, Mr. HALL of Texas, and Mr. PETE GEREN of Texas.  
H.R. 3646: Mr. OLVER, Mr. FLAKE, Mr. WYNN, Mr. FILNER, Mr. KILDEE, Mr. STARK, and Ms. FURSE.  
H.R. 3690: Mr. CALVERT, Mr. MCCREERY, and Mr. ROHRABACHER.  
H.R. 3693: Mr. JOHNSTON of Florida, Mr. THOMPSON, Mr. FROST, Mr. TOWNS, and Ms. NORTON.  
H.R. 3708: Ms. WOOLSEY, Mr. DEFazio, Mr. STUPAK, and Miss COLLINS of Michigan.  
H.R. 3710: Mr. WISE and Mr. ENGEL.  
H.R. 3713: Mrs. MALONEY.  
H.R. 3714: Mr. HOLDEN, Mr. GILMAN, Mr. REGULA, Mr. GUTIERREZ, Mr. DEUTSCH, Mr. MCHUGH, Mr. SPRATT, Ms. DUNN of Washington, Mr. GILLMOR, Mr. BAESLER, and Mr. LEWIS of Kentucky.  
H.R. 3716: Mr. MCCOLLUM.  
H.R. 3722: Mr. ENGEL, Mr. QUINN, Mr. NADLER, and Ms. SLAUGHTER.  
H.R. 3724: Mrs. THURMAN.  
H.R. 3732: Mr. BARCIA of Michigan.  
H.R. 3736: Mr. LARGENT, Mr. DORNAN, Mr. PETE GEREN of Texas, Mr. CANADY, Mrs. KELLY, Mr. TAUZIN, Mr. GILLMOR, Mr. HERGER, Mr. SENSENBRENNER, Mrs. VUCANOVICH, Mr. DEAL of Georgia, Mr. JACOBS, Mr. SPENCE, Mr. NEY, Mr. HASTINGS of Washington, Mr. COLLINS of Georgia, Mr. LATOURETTE, Mr. HANCOCK, and Ms. DUNN of Washington.  
H.R. 3745: Mr. HAYES and Mr. CUNNINGHAM.  
H.R. 3748: Mr. JOHNSTON of Florida.  
H.R. 3752: Mr. RADANOVICH and Mr. KIM.  
H.R. 3757: Mr. MASCARA.  
H.R. 3775: Mr. NEUMANN, Mr. HEFNER, and Mr. TANNER.  
H.R. 3783: Mr. EVANS, Ms. RIVERS, and Mrs. THURMAN.  
H.R. 3785: Mr. LANTOS, Mr. CONdit, Mr. PETERSON of Minnesota, Mr. BARRETT of Wisconsin, Mr. KANJORSKI, Miss COLLINS of Michigan, Mr. SPRATT, and Ms. NORTON.  
H.R. 3795: Mrs. LINCOLN.  
H.R. 3803: Mr. ROTH, Ms. MOLINARI, Mr. WALSH, Mr. STOCKMAN, Mr. PORTER, Mr. CLINGER, Mr. STUMP, Mr. CAMP, Mr. ENGLISH of Pennsylvania, Mr. WELDON of Pennsylvania, and Mr. REGULA.  
H.R. 3807: Mr. WYNN.  
H.R. 3817: Mr. BLUTE and Mr. ROHRABACHER.  
H.R. 3821: Mr. JOHNSTON of Florida, Ms. NORTON, and Ms. FURSE.  
H.R. 3830: Mr. THURMAN, Mr. PASTOR, Ms. LOFGREN, Mrs. THURMAN, Mr. FROST, Mr. HILLIARD, and Mr. BONIOR.  
H.R. 3849: Mr. QUILLLEN and Mr. NEY.  
H.R. 3856: Mr. JOHNSTON of Florida.  
H.R. 3863: Mr. EHLERS, Mr. KANJORSKI, Mr. EVANS, and Mr. KENNEDY of Massachusetts.  
H.R. 3878: Mr. UPTON.  
H.R. 3881: Mr. DIAZ-BALART.  
H.R. 3896: Mr. GILCHREST, Mr. JACOBS, Mrs. SEASTRAND, Mr. WATTS of Oklahoma, Mr.

JOHNSTON of Florida, Ms. LOFGREN, and Mrs. MORELLA.

H.R. 3901: Mr. FROST, Mr. NEY, Mrs. KELLY, Mr. ZIMMER, Mr. LEWIS of Kentucky, Mr. DORNAN, Mr. FRANKS of Connecticut, Mr. FLANAGAN, Mr. GILMAN, Mr. DEUTSCH, Mr. HOBSON, Mr. PARKER, Mr. BLUTE, Mr. HOLDEN, Mrs. MYRICK, Mr. WYNN, Mrs. VUCANOVICH, Mr. REGULA, Mr. TEJEDA, Mr. SPRATT, Mr. MANTON, Mr. PASTOR, Mr. BILIRAKIS, Mr. JOHNSTON of Florida, Mr. GREEN of Texas, Mr. BONO, and Mr. DOYLE.

H.R. 3905: Mr. SHAW, Mrs. MORELLA, Mr. NETHERCUTT, Mr. JACOBS, and Mr. GREEN of Texas.

H.R. 3927: Mr. SPRATT, Mr. GREEN of Texas, Ms. MILLENDER-MCDONALD, Mrs. MINK of Hawaii, Mr. CUMMINGS, Mr. CLEMENT, and Mr. LARGENT.

H.R. 3928: Mrs. MINK of Hawaii, Mr. SERRANO, and Mr. PASTOR.

H.R. 3939: Mr. ZIMMER, Mr. LATOURETTE, Mr. FUNDERBURK, Mr. COOLEY, Mr. HUNTER,

Mr. QUINN, Mr. KING, Mr. EVERETT, Mr. DEAL of Georgia, and Mrs. KELLY.

H.J. Res. 114: Ms. ESHOO.

H. Con. Res. 63: Mr. HEFLEY.

H. Con. Res. 100: Mr. ARCHER, Mr. BREWSTER, Mr. COBLE, Mr. DREIER, Mr. EVERETT, Mr. FRANKS of Connecticut, Mr. FUNDERBURK, Mr. GALLEGLY, Mr. PETE GEREN of Texas, Mr. GRAHAM, Mr. ROBERTS, Mr. SHAD-EGG, Mr. SMITH of Texas, Mr. STENHOLM, Mr. TANNER, Mr. TAUZIN, Mr. WATTS of Oklahoma, Mr. MYERS of Indiana, Mr. GUNDERSON, Mr. SOUDER, Mr. WALKER, Mr. FROST, Mr. STOCKMAN, Mrs. MEYERS of Kansas, Mr. WAMP, and Mr. KOLBE.

H. Con. Res. 120: Mr. TORRICELLI.

H. Con. Res. 136: Mr. PALLONE, Mr. LEWIS of Georgia, Mr. OLVER, Mr. ENGEL, and Mr. HINCHEY.

H. Con. Res. 200: Mr. WELDON of Florida, Mr. BARRETT of Wisconsin, Ms. PRYCE, and Mr. NEY.

H. Res. 39: Mr. WILLIAMS.

H. Res. 346: Mr. ZIMMER.  
H. Res. 470: Mr. PAYNE of Virginia and Mr. ZIMMER.

H. Res. 478: Mr. OXLEY and Mr. NADLER.  
H. Res. 484: Mrs. LOWEY.

H. Res. 490: Mr. BARTON of Texas, Mr. BOEHLERT, Mr. CUNNINGHAM, Mr. EVANS, Mr. GEJDENSON, Mr. HINCHEY, Mr. MCINTOSH, and Mr. MENENDEZ.

H. Res. 491: Mrs. MORELLA, Mr. KENNEDY of Rhode Island, and Mr. BERMAN.

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#### DISCHARGE PETITIONS— ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 15 by Mr. BONILLA on House Resolution 466: Duncan Hunter, J. Dennis Hastert, Mel Hancock, and Jon Christenson.