HOUSE OF REPRESENTATIVES—*Tuesday, July 15, 1997*

The House met at 10:30 a.m. and was called to order by the Speaker pro tempore [Mr. STEARNS].

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 15, 1997.

I hereby designate the Honorable CLIFF STEARNS to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

MESSAGE FROM THE SENATE

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

H.R. 2018. An act to waive temporarily the Medicaid enrollment composition rule for the Better Health Plan of Amherst, N.Y.

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

H.R. 1119. An act to authorize appropriations for fiscal year 1998 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 1119) "An Act to authorize appropriations for fiscal year 1998 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. THURMOND, Mr. WARNER, Mr. MCCAIN, Mr. COATS, Mr. SMITH of New Hampshire, Mr. KEMPTHORNE, Mr. INHOFE, Mr. SANTORUM, Ms. SNOWE, Mr. ROBERTS, Mr. LEVIN, Mr. KENNEDY, Mr. BINGAMAN, Mr. GLENN, Mr. BYRD, Mr. ROBB, Mr. LIEBERMAN, and Mr. CLELAND, to be the conferees on the part of the Senate.

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

S. 231. An act to establish the National Cave and Karst Research Institute in the State of New Mexico, and for other purposes;

S. 423. An act to extend the legislative authority for the Board of Regents of Gunston Hall to establish a memorial to honor George Mason;

S. 669. An act to provide for the acquisition of the Plains Railroad Depot at the Jimmy Carter National Historic Site;

S. 731. An act to extend the legislative authority for construction of the National Peace Garden memorial, and for other purposes; and

S. 936. An act to authorize appropriations for fiscal year 1998 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

The message also announced that pursuant to Public Law 105-18, the Chair, on behalf of the Democratic leader, appoints the following individuals to serve as members of the National Commission on the Cost of Higher Education:

Robert V. Burns, of South Dakota; and

Clare M. Cotton, of Massachusetts.

The message also announced that pursuant to Public Law 105-18, the Chair, on behalf of the majority leader, appoints the following individuals to serve as members of the National Commission on the Cost of Higher Education:

William D. Hansen, of Virginia;
Frances M. Norris, of Virginia; and
William E. Troutt, of Tennessee.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 21, 1997, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member except the majority and minority leader limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. FRANK] for 5 minutes.

UNJUSTIFIED CRITICISM OF JUDICIAL ACTIVISM

Mr. FRANK of Massachusetts. Mr. Speaker, we have recently heard a lot of criticism of judicial activism. People, especially on the conservative side of our spectrum, have denounced justices, Supreme Court Justices and judges, who, with their life-tenured appointments, have stricken laws passed by the elected officials, and there has been a great deal of criticism that this is essentially undemocratic.

I disagree with the criticism. I think the role of the judiciary in defending our rights, particularly when legislative majorities err and disregard those rights, is a very important one. I am, therefore, pleased to note that there are high-ranking judicial officials who are not deterred. I am here to congratulate in particular two Justices who have repudiated implicitly this criticism of judicial activism. I am here to call attention to the work of two Justices who have consistently upheld the finest traditions of judicial activism by striking laws, by overruling administrative decisions, even on occasion being in the minority and trying to strike laws. Now, they have been criticized.

For instance, in a recent decision, one of the dissenting Justices who sought to uphold an act of Congress said, what basis is there in any of those sources, talking about the majority's history, for concluding that it is the members of this Court, rather than the elected representatives of the people, who should determine whether the Constitution contains the unwritten rule that the Court announces today.

In other words, the dissenter says to this majority, what gives you the right in this ambiguous area, because nothing is explicit, to overrule what the elected officials have said? That same dissenting Justice said in a footnote, referring to what he thought was shoddy history and poor logic on the part of the majority, he said, "If this sort of unexplained congressional action provides sufficient historical evidence to support the fashioning of judge-made rules of constitutional law, the doctrine of judicial restraint has a brief, though probably colorful, life expectancy." Here again, the dissenting Justice says to those in the majority, you are making a mockery of judicial restraint.

Well, in this particular case I agreed with the dissenting Justice on the substance, I am talking about Justice Stevens, he wrote the dissent, and he was dissenting in the Brady bill case. Justice Stevens wanted to uphold the Brady bill. He wanted to uphold the mandate that we ask local officials to cooperate in a very small way, but he was overruled. And while I disagree with the majority here, I want to pay tribute to Justices Scalia and Thomas for not being in any way deterred by criticism of judicial activism. Indeed, in the past term of the Supreme Court,

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Justices Scalia and Thomas voted to invalidate more acts of Congress than all but one of the Justices. Justice Kennedy I think tied them.

For instance, Justices Scalia and Thomas said, when this Congress passed the Communications Decency Act in an effort to keep indecent material off the Internet, which did seem to me to violate the Constitution. I voted against it. I was one of a small number of Members who voted against it. Over 400 Members of this House voted for that bill. But were Justices Thomas and Scalia deterred from declaring it unconstitutional? No, they were not. Four hundred Members may have said we want to keep indecent material off the Internet. I think they misread the Constitution, and Justices Scalia and Thomas joined in the opinion that invalidated that.

When an overwhelming majority of this Congress passed the Religious Freedom Restoration Act to protect people's religious practices from laws that might unfairly impinge on them, there I was in the majority. I thought the Constitution allowed us to do it. Justices Thomas and Scalia disagreed.

Now, I disagree with their disagreement. I think they were wrong on the substance, but I do have to pay tribute to the fact that they said an overwhelming majority of people in Congress think it is protecting people's religions, but when two of the Supreme Court Justices disagree and we will strike that law down and strike it down they did. I disagreed with them also, as I said, on the Brady bill. That was passed by a narrower majority. Very ambiguous language. They were in the majority to strike it down.

When the Securities and Exchange Commission, a Federal agency due certain amount of deference from the courts in statutory interpretation, tried to uphold the current practice regarding insider trading, a man who had benefited from insider trading, illegitimately in my opinion, brought a lawsuit and the Court 6 to 3 upheld the Securities and Exchange Commission. But among the three who said no, we the Justices will overrule this Federal agency, we will not show them that deference, were Justices Scalia and Thomas.

When Congress passed the must-carry rule as part of the Telecommunications Act, when we mandated that TV stations and cable companies carry broadcast stations, Congress upheld that. So the Court upheld that by 5 to 4. In the minority were Scalia and Thomas.

So I simply want to call note to the fact that these two justices have repudiated critics of Judicial activism and have been as active in this past term as any Justices in our past history.

Mr. Speaker, I include for the RECORD examples of judicial activism on the part of Justices Scalia and Thomas.

EXAMPLES OF JUDICIAL ACTIVISM ON THE PART OF JUSTICES SCALIA AND THOMAS

1. They both voted to declare unconstitutional part of the Brady bill regulating the sale of handguns.

2. They both voted to declare unconstitutional the Religious Freedom Restoration Act, which sought to protect the rights of religious people where laws were passed that impinged on their religious practice.

3. They both joined in the decision holding the Communications Decency Act unconstitutional. The CDA sought to ban indecent material from being sent on the Internet.

4. They both voted to declare unconstitutional the federal law requiring cable TV systems to carry the signals broadcast by local over the air stations. The law was upheld, however, because they were part of a four member minority.

5. They were again in the minority in seeking to overrule the decision of the Securities and Exchange Commission as to who is covered by the statute prohibiting insider trading. The SEC has taken a broad view of the coverage of this statute, and Justices Thomas and Scalia were in a 6 to 3 minority in seeking to overrule the SEC.

6. Justices Scalia and Thomas continue to join three others to form a majority holding that the Voting Rights Act has severe constitutional defects and have continued to strike down voting districts created under the Voting Rights Act—at the time often at the urging of the Bush led Justice Department as well as groups representing African Americans.

PROBLEMS WITH THE QUADRENNIAL DEFENSE REVIEW

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Colorado [Mr. HEFLEY] is recognized during morning hour debates for 5 minutes.

Mr. HEFLEY. Mr. Speaker, I rise this morning to continue the ongoing discussions in the House concerning the Quadrennial Defense Review. The QDR has emerged as a blueprint for the administration's defense program. The assumptions of the QDR, particularly as they affect budgets, are as critical as the policy choices contained in the review.

One of the most often discussed recommendations contained in the QDR is the recommendation for two more rounds of base closures, but the QDR itself says very little about base infrastructure beyond that recommendation. The Congress still does not have a clear understanding how the Department came to the conclusion that it did.

That is critically important, because DOD has made assumptions about future Defense budgets based on that recommendation. But those budget assumptions appear to be based on elementary projects of DOD's estimates of costs and savings of the current base closure effort, and those projections may turn out to be wrong.

To date, the Congress has been skeptical of Secretary Cohen's rush to judgment on the need for more base closure rounds in the near term. The House version of the Defense authorization bill does not contain such authority. The other body adopted an amendment to its version of the Defense bill offered by Senator DORGAN that gets to the heart of the issue. The Senate bill asks for a comprehensive study and assessment of the true costs and actual savings, not estimates, of the four previous rounds of base closure which we will be implementing through 2001.

The actions of both bodies have been misinterpreted. I, along with many other Members, voted in 1990 to establish the Commission process that governed the last three rounds. The Congress has overwhelmingly supported those base closure decisions as I have, even though some of the recommendations cause great unease and I think that perhaps we will regret some of the decisions made from it, but overall I think the process was a good process.

We supported this because we thought it was best for the country. We have put aside our own parochial interests for the greater good. But now some have criticized Congress for not adopting blindly the Secretary's recommendation. Why have we not done so? Because those of us who have supported the base closure process believe now is not the time.

Why do we believe that to be the case? Some commentators have chosen to focus solely on the President's politization of the process. Clearly, the McClellan and Kelly depot issue will not go away and is a major factor, but it is not the only one, nor is it the most important.

Let us review where we are now. Through four rounds of base closure that began a decade ago, we have slashed 21 percent of the U.S.-based plant replacement value of base structure. Ninety-seven major bases have been closed in the United States. We have cut our overseas basing structure by 43 percent, ceasing operations at over 960 facilities. The Army in Europe alone has closed the equivalent of 12 United States major maneuver bases.

Taken together, we have gotten rid of 27 percent of the base structure at a very high price, but it had to be done. By 2001, the taxpayer will have spent an estimated $23 billion to close just the U.S.-based infrastructure closing or realigning under the BRAC.

Will we save money? I do not doubt that measured over a 20-year period in terms of net present value that money will be saved. But there is a real question about how much. No one knows. Every savings figure is merely an estimate, and an incomplete one at that.

I want to cite three examples of where these problems are. In its budget estimates to accompany the fiscal year 1996 budget request, DOD estimated that revenues from the sale and disposal of land from the first three rounds of BRAC would amount to $815.3 million. This year DOD's estimate is

$277 million, a 66-percent reduction in just 2 years.

DOD projects annual recurring savings after 2001 for all BRAC rounds of $5.6 billion annually. However, that figure does not take into account the expected ongoing environmental cleanup costs or the caretaker cost for property that cannot be disposed of at that point. Those costs are estimated conservatively, in my judgment, at $500 million a year.

Approximately 51 percent of the savings which DOD assumes will come from BRAC during the implementation are due to assumed savings in operation and maintenance costs. Much of those assumed savings are due to reductions in civilian personnel.

What I am saying, Mr. Speaker, is that now is not the time. We need to do this in a more reasoned and careful manner.

CIVILIAN-MILITARY RELATIONS IN GUAM IS BEING FRACTURED

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Guam [Mr. UNDERWOOD] is recognized during morning hour debates for 5 minutes.

Mr. UNDERWOOD. Mr. Speaker, in Guam and many other American communities children are at the forefront of our Government policies, and like many communities, children are also at the forefront of our relationship with the military, whose large presence on Guam is well-known to many of the Members of this Chamber. Those in Guam and here in Washington must understand the dimensions of this history.

The military's recently announced intention to establish Department of Defense Dependent Schools on Guam will divide an island for which over the past few decades community leaders, elected leaders, and military leaders have worked hard to dismantle barriers that force the perception of two separate communities on Guam. The barriers were coming down until the military announced that they were returning the school system on Guam to the pre-World War II era.

The school system prior to the World War II was divided. Military dependents attended a school called the American School, while local Chamorro children attended local schools. The naval government's official policy on education at the time was "to provide every possible means to ensure that the children of American residents in Guam shall not suffer perhaps permanent injury" because of their residence on Guam. This was perceived as an indication that those native to Guam were not good enough.

After World War II, although the school system in name was integrated, in reality, the districting was manipulated by the Navy to maintain segregated schools. Although the naval government operated all of the schools on the island and was thus responsible for the quality of education on Guam, double standards were maintained. When the relationship was finally integrated in the 1960's, when I was in high school and completing my education, and just as the process took time to heal here on segregation in the United States, so did the feelings of segregation on Guam. It took years to build relationships between the civilian and military community on Guam, and now this is being destroyed.

What we have worked in Guam so hard to dismantle is easily built up by the military. The military has pursued this issue inexhaustibly. They call it Operation Bright Vision. Maybe in the shortsighted eyes of military planners on Guam, this is a bright vision. With the President's announced initiative of one America to bring together people of different races, setting up the dynamics to divide the community on Guam is clearly the wrong vision for all of America. Rather than bright vision, it is a dark cloud over Guam and the rest of the United States.

The military will attempt to characterize this issue as a failed contract. Yes, they did have a contract for monetary payment with the Government of Guam, but those were for administrative reports. The Government of Guam high schools are fully accredited; the teachers are certified and the system has graduated many outstanding doctors, lawyers, and educators who serve here as well as on Guam. This must be important to understand.

But the Department of Defense all along, while telling me that they may establish schools in the fall of 1998, have continued to pursue this and surprised the entire island by announcing that schools would be established this fall, in October of 1997.

They did all of this while failing to actively engage local leaders and education officials. They never talked to them. They let the contract become the mechanism of the discussion. The whole process is already symptomatic of a major breakdown between local military officials and the people of Guam.

Difficult times lie ahead, and this is exactly because of this move. This effort is hostile in nature. To my knowledge, this may be the first time that the Department of Defense has established domestic dependent schools contrary to the desires and warnings of local officials, local leaders, and the local community. This paves the road for very difficult times in the military-civilian relationship on Guam.

There is much more at stake here than the quality of education. This is a relationship issue. It is not just about schools; it is about military planning. It is more, even more than that. Our relationship is built upon people relating to other people, and the military will destroy this with their effort to divide our youth and to promote separate communities. Guam has to be seen as part of America by our fellow Americans.

This outrageous move by DOD is hostile in its nature, hostile towards the local community from whom it wishes to separate, hostile toward the schools, and hostile toward its outstanding professionals and toward a people who have heretofore welcomed the military to their homes, its families, and its lands.

Mr. Speaker, I include for the RECORD extraneous materials relating to this topic. These are letters by the current and former Speaker of the Guam Legislature. Speaker Unpingco characterize the island's sentiments well. Former Speaker San Agustin outlines the history of civilian-military relations on this issue.

OFFICE OF THE SPEAKER,
Agana, Guam, July 8, 1997.

Hon. ROBERT A. UNDERWOOD, M.C.,
House of Representatives,
Agana, Guam.

DEAR CONGRESSMAN UNDERWOOD: I am compelled to write to you regarding the recent decision by the Department of Defense to open DOD schools on Guam. Without any consideration of the social ramifications this would have, DOD has opted to segregate this community and pull over 2,700 military dependent school children out of the local public school system. What kind of message is the Department of Defense trying to send to the people of Guam?

Attached is a copy of my letter to Rear Admiral Martin E. Janczak, Commander, U.S. Naval Forces Marianas, wherein I state my concern over this decision on the part of DOD. To summarize the letter, the plan to open DOD schools on U.S. soil sends a strong message to the people of Guam that we are nothing more than second-class citizens in the eyes of the United States.

I must convey to you the sentiments of this community. The opening of DOD schools is just another sign of an ugly American attitude of treating Guam as a foreign country when it is convenient and treating it as a US possession when it suits its needs. This is no longer acceptable!

Most of all, opening DOD schools will revive racial tensions on the island. Simply put, this plan implies that white Americans are smarter than brown Chamorros. May I remind you that the 1954 Supreme Court decision in Brown vs. Board of Education of Topeka, Kansas ruled that racially segregated schools were unconstitutional because separate educational facilities are inherently unequal. After years of living harmoniously, the military will separate our children and pit them against each other. What good will come out of all this?

I urge you to review this situation which has a potential for disaster and find another alternative. Let's work together on this issue and not against each other. I look forward to your input regarding this matter of the utmost urgency.

Sincerely,

ANTONIO R. UNPINGCO.

JULY 15, 1997.

The Editor,
Pacific Daily News,
Agana, Guam.

I want to congratulate the Department of Defense establishment, principally the local Naval and Air Force command, for finally succeeding in their efforts to restore it's pre-World War II segregated educational policies on the island of Guam.

Since the liberation of Guam, the military commands have consistently pursued it's goal, and that is to have a segregated educational program for it's military dependents. I'm sure that there is enough historical documents that will reveal that at the immediate outset of World War II, a segregated school was indeed established, principally at the former Adelup school. During the Guerrero administration the Adelup school was gradually phased out and integrated with the Piti Elementary school and other local areas. Please note that the Piti Elementary School was located at the foot of Nimitz Hill, thereby accommodating military dependents living at Nimitz Hill and the people of the municipality of Piti.

Over the years, many accommodations were made for the military by locating schools either adjacent to or near military bases. Let me cite a few examples. (1) The Finegayan Elementary School was located directly across the NAVCOM station and near the FAA Housing Area to accommodate the military dependents residing at NAVCOM; (2) The Upi Elementary School was originally requested by the Anderson Air Force Base Command to be constructed "inside" the Anderson Air Force Base. Instead of consolidating and improving the Yigo Elementary School, a compromise was arrived. The compromise was to build the Upi Elementary School "right outside the fence" approximately 100 feet distance from the back gate of Anderson Air Force Base; (3) Truman Elementary School in Santa Rita. This site location in itself has an interesting historical sequence. It was decided to build this particular Truman Elementary School right next to the Apra Heights Housing Area and Naval Magazine Housing Area and also at the same time near the Santa Rita Village. It also was used as a "pawn" by the Navy's desire to build an ammunition wharf at Sella Bay. Fortunately Governor Camacho, during a meeting at the Pentagon (where I was present) prevailed on the DOD officials to release the school site and permit us to build the Truman Elementary School; and gave up their demand for the location of the ammunition wharf at Sella Bay. Indeed, this was rather unfortunate, in that the military tried to persuade GovGuam officials to agree to the Sella Bay ammunition wharf location in order for the Navy to release the school site designated as Truman Elementary School.

Government documents will also reveal that the Department of Defense, pursuant to Public Law 874, "the School Impact Aid", has been consistently "falling short in compliance" for full educational impact reimbursements. I'm sure former Speaker Franklin Quitugua will remember that he tried very hard, unsuccessfully, to seek full reimbursement from the federal government for military educational impact efforts under Public Law 874 for the last 25 years! The Federal government, having been delinquent for full reimbursement entitlements under this Public Law 874, the Ada Administration was persuaded to adopt an alternative source of financing that is the now so-called DoD Funds in lieu of the impact Aid funding under Public Law 874. This single action in itself truly paved the way for DoD to dictate as a "supplement" to local funding sources for education. Under Public Law 874, the funding, which comes under the purview of the Department of Health, Education and Welfare, is part of the overall basic budget cost to finance the entire educational system. The simple action under the Ada-DoD Funding Contract, gave the DoD the "unusual authority" to either withhold or release such funds under it's military terms, thereby DoD finally establishing educational standards for the local educational system.

Having established this position of financial strength, the DoD, then actively pursued it's original intention to "establish it's own segregated school" which they could not do for over 50 years since 1946.

In addition to the above, the local educational system was federally mandated under the Organic Act of Guam to educate all school children on Guam, regardless of their origin, principally local, military and from our neighboring islands. And I now wonder, if the DoD impetus, having achieved a financial strength of dictating it's educational funding, with a school population significantly divided into 3 basic groups, that is the local, Micronesians, and the military dependents, provided the resulting environment.

AMERICA'S FOREIGN POLICY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Texas [Mr. PAUL] is recognized during morning hour debates for 5 minutes.

Mr. PAUL. Mr. Speaker, it is currently an accepted cliche to say foreign policy is a Presidential matter and Congress should not meddle. Frequently we hear the pleading to remain bipartisan with no dissent, especially when troops are placed in harm's way. Yet no place in the Constitution do we find any such explicit instruction. Instead, we find no mention of foreign policy.

To the contrary, we find strict prohibitions placed on the President when it comes to dealing with foreign nations.

The Constitution is clear. No treaties can be entered into without the consent of the Senate. No war may be fought without the declaration of war by the Congress.

No money shall be spent overseas without Congress first raising the money and then authorizing it and appropriating these funds for specific purposes.

Since the Constitution does not even assume a standing army, let alone stationing troops in peacetime in over 100 countries, with CIA clandestine activities in even more, the current foreign policy that has evolved over the past 100 years would surely be unrecognizable by the authors of that document.

The founders of this country were opposed to standing armies for fear they would be carelessly used. They were right.

The U.S. record of foreign intervention and its failures have not yet prompted a serious discussion of the need for an overall reassessment of this dangerous and out-of-control policy. Not only has Congress failed in its responsibilities to restrain our adventurous Presidents in pursuing war, spying, and imposing America's will on other nations by installing leaders and at times eliminating others throughout the world these past 50 years, we now, by default, have allowed our foreign policy to be commandeered by international bodies like NATO and the United Nations nations. This can only lead to trouble for the United States and further threaten our liberties, and we have already seen plenty of that in this century.

It looks like our current President, who was less than excited about serving in the military himself, was quite eager to promote U.S. complicity in the escalating dangerous activity in Bosnia. What has been done so frequently in the name of peace more often than not has led to war and suffering, considering Korea, Vietnam, Somalia, and even the Persian Gulf war.

Clinton has not been willing to phase out the Selective Service Department and has actually asked for additional funding to include the Selective Service process in his domestic so-called voluntary AmeriCorps program.

But this failed policy of foreign intervention is being pursued once again in Bosnia with full acknowledgment and funding by the Congress. Congress has failed to exert its veto over this dangerous game our President is determined to play in this region.

Sensing that maybe soon the Congress will finally cut the purse strings on this ill-advised military operation, pushed hard by Secretary of State Albright, policymakers are quietly and aggressively escalating the tension, placing our nearly 8,000 troops in even greater danger while further destabilizing a region never prone to be stable over this century, with the certain outcome that Congress will further capitulate and provide funding for extension and escalation of the military operation.

In spite of some resistance in the Congress, the current escalation is likely to prevent any chance of withdrawal of our troops by next summer.

The recent $2 billion additional funds in the supplemental appropriation bill was the cue to the President that the Congress will not act to stop the operation when under pressure to support the troops. Of course, common sense will tell us that the best way to support our troops is to bring them home as quickly as possible. This idea, that support for the troops once they are engaged means we must continue the operation no matter how ill-advised and perpetuate a conflict that makes no sense, but that is what President Clinton is depending on.

Last week the whole operation in Bosnia changed. The arrest and killing

of war criminals by occupation forces coming from thousands of miles away is a most serious escalation of the Bosnia conflict. For outside forces to pronounce judgment on the guilt or innocence of warring factions in a small region of the world is a guarantee that the conflict will escalate. I think those pursuing this policy know this. Prosecuting war criminals is so fraught with danger it seems the need to escalate surpassed all reason.

Yet immediately after the NATO operation, supported by the United States, that resulted in the death of a Serb leader, Clinton strongly suggested that the troops may well not be able to leave in June of 1998 as promised. They were first supposed to leave in December of 1996, and now 18 months after their arrival, the departure date is indefinite, and we in the Congress tragically continue to fund the operation.

This illegal and dangerous military operation will not go unnoticed and will embolden the Serbs and further stir the hatred of the region. Is this policy based on stupidity or is there a sinister motive behind what our world leaders do?

Must we have perpetual war to keep the military appropriations flowing? Does our military work hand in glove in securing new markets? It is not a hidden fact that our own CIA follows our international corporate interests around the globe engaging in corporate espionage and installing dictators when they serve these special interests.

Why would an Air Force plane, with a dozen leading industrialists, be flying into a war-torn region like Bosnia, along with the Secretary of Commerce? I doubt they were on a humanitarian mission to feed the poor and house the homeless.

The lobbyists who pushed the hardest to send troops to Bosnia came from corporations who are now reaping great profits from construction work in Bosnia. It may be the calculation is for a slight escalation of the conflict—that inevitably will accompany any attempt to try war criminals—and no one plans for another great war breaking out in this region.

What might be planned is just enough conflict to keep the appropriations coming. But the possibility of miscalculation is very real. The history of this region should surely warn us of the dangers that lurk around the corner.

We, in the Congress, have a great responsibility in reversing this policy. We must once again assume this responsibility in formulating foreign policy and not acquiesce to the President's pressure to perpetuate a serious misdirected policy of foreign meddling 4,000 miles away from home. We must not fall for the old line that we cannot leave, because to do so, we would not be patriotically "supporting our troops." That is blatant nonsense.

We have already invested $7.7 billion in this ill-advised military adventure. That money should have either remained in the pockets of working Americans or spent here in the United States.

The New York Times has praised this recent action by Clinton and the NATO forces and has called for more of the same. The New York Times and the Washington Post also support the notion that our troops will have to stay in this region for a lot longer than the middle of next year.

The military industrial complex and its powerful political supporters continue to be well represented in the media and in Washington. Unfortunately, the idea that America is responsible to police the world and provide the funding and the backup military power to impose "peace" in all the disturbed regions of the world remains a policy endorsed by leaders in both parties.

The sooner this policy is challenged and changed, the better off we will be. Our budget will not permit it; it threatens our national security, and worst of all, it threatens our personal liberties.

RELIGIOUS PERSECUTION IN RUSSIA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997 the gentleman from New Jersey [Mr. PAPPAS] is recognized during morning hour debates for 5 minutes.

Mr. PAPPAS. Mr. Speaker, less than 2 weeks ago our Nation celebrated its Independence Day, a day in which all Americans celebrate the many freedoms that were fought to achieve. Several hundred years ago, a group of colonists chose to come across the Atlantic Ocean to settle in and explore a new continent. For many, a prime motivation was to flee from restrictions on their ability to express themselves religiously.

One of the freedoms that we as Americans are so fortunate to have is the ability to associate, organize, express and freely believe in the religion that we so choose.

In Russia, several provisions of a piece of legislation threaten the liberties of its citizens by restricting their freedom to express themselves religiously. It is the most extreme attack on the civil rights of the Russian people since the collapse of the Soviet Union. This new law would terminate and restrict the normal legal status of all religious organizations except those that were registered under the former Soviet Government. This action would result in thousands of churches and schools being forced to end their services, including many American and foreign organizations that have gone to Russia to provide humanitarian and medical assistance to those in need. Even those informal groups that meet in someone's home could be under state control.

After making such tremendous progress in establishing a democratic system of government over the past few years, this action by the Russian Duma, or parliament, would clearly be a step backward for the Government of Russia.

The people of Russia have suffered and worked hard to achieve a system of government that would eventually give them the fruits of a truly free nation. While our Nation has no official religion and does not give preference to any religion, we recognize the important role that religious organizations have in the lives of our citizens. We can only hope and pray that the leaders of Russia will recognize the same.

This legislation is now sitting on President Boris Yeltsin's desk. I urge President Yeltsin and the leaders of the Russian Government to have the courage to stand up and protect the basic civil rights of Russia's people to express themselves freely and to worship as they so choose.

JUVENILE CRIME CONTROL ACT OF 1997

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Florida [Mr. MCCOLLUM] is recognized during morning hour debates for 5 minutes.

Mr. MCCOLLUM. Mr. Speaker, I rise today to address what I am seeing as an increasing number of ads and op-ed pieces that mischaracterize H.R. 3, the juvenile crime bill, which passed this body back in May and which is being deliberated in one version or another in the other body right now.

A number of op-eds have said lately things that just are not so. One of the myths is that H.R. 3 mandates that children as young as 13 must be prosecuted as adults and requires States to do the same. That is absolutely false. The juvenile crime bill, H.R. 3, that we passed includes a modest expansion of Federal law which already provides for discretionary prosecution of 13-year-olds. H.R. 3 does not require States to do the same.

Discretionary authority for Federal prosecution of 13-year-old juvenile offenders as adults for the most serious of crimes is nothing new. It became law in the 1994 crime bill through an amendment offered by Senator CAROL MOSELEY-BRAUN of Illinois, a Democrat. Moreover, H.R. 3 does not require States to have this same standard. H.R. 3 provides incentive grants to States to provide prosecuters the option of prosecuting as adults those juveniles who are 15 and older and who have committed murder, rape, or assault with a firearm.

Most States already provide for this option. We wanted to make certain, if they were going to get Federal moneys to improve their juvenile justice systems, that all States did this, and it would not make sense for States to not prosecute murderers and rapists who are 15-, 16-, and 17-year-olds, especially if they are repeat violent offenders, as adults, because if they do not prosecute them as adults and they did it as juveniles, they will be back on the streets when they do reach the age of adulthood.

The second myth that we are hearing a lot about is that H.R. 3 allows youths as young as 13 to be confined in adult jails and prisons. This also is absolutely false. Nothing in H.R. 3 authorizes or even encourages housing of juveniles with adults. In fact, H.R. 3 prohibits such housing in the Federal system and does nothing to change current laws and regulations affecting State housing policies.

Current Federal law explicitly prohibits housing juveniles with adults in the Federal juvenile justice system. The standard has long been codified in Federal law. It is unchanged by H.R. 3. It is one that prohibits any regular contact between juveniles and adult criminals during any stage of the justice process, pretrial, presentencing, or postsentencing.

So the myth that is out there is that somehow those of us who support H.R. 3 are not concerned with prevention. Well, that is not the purpose of the juvenile crime bill that came forward this time, prevention, but we are concerned with it. Trying to stop and interdict the young person before they get involved with a juvenile offense, misdemeanor or otherwise is very important. There are $4 billion of Federal at-risk grant programs already available out there and existing, and we are going to be reauthorizing one of them here very shortly dealing with OJJDP, which is the Office of Juvenile Justice and Delinquency Prevention, Mr. Speaker, 4 billion dollars' worth of prevention programs, 131 of those programs in 16 different agencies.

But what H.R. 3 is all about is an effort to try to fix the broken juvenile justice system of this Nation. Some critics are saying this is a State responsibility and the Federal Government does not have any business there. And that I would suggest is not the right way to look at this. Yes, juvenile justice types of programs are in the States, not the Federal system, but the system is broken and there is a Federal responsibility to deal with it.

Today, if a young person comes in contact with the law by having vandalized a home or a store or by spray-painting graffiti on a warehouse, well, the chances are the police will not even take that young person to a juvenile court. And when they do see a juvenile judge, it is often 10 or 12 appearances before they receive any kind of punishment at all. That is not a working juvenile justice system.

Is it any wonder that when a juvenile, having experienced that and some day does pick up a gun in a situation where he might use it, that he thinks about pulling that trigger, believing there are no consequences? There have to be consequences in the juvenile justice system of this Nation. We need more probation officers, more juvenile judges and more juvenile detention facilities so we can treat juveniles the proper way, and to put consequences into the juvenile justice system again so that there is punishment from the very first juvenile delinquent act.

It is a very important part of what we passed here on the floor with H.R. 3, because it is a requirement in order to get the $500 million a year authorized by that bill to improve the juvenile justice systems of the States that the State demonstrate to the Justice Department of the United States that they will have in place, and do have in place, a system to sanction the very first juvenile misdemeanor crime of every juvenile who commits one, and graduated, increasing sanctions for every one thereafter.

It is also important, and we have in place as part of this incentive grant program, that records be kept of those who commit felony crimes for the second offense.

H.R. 3 is a good bill. It is a juvenile crime bill. Prevention is also important. The myths about this bill are wrong, and we are proud we passed it. We look forward to seeing the bill from the other body so we can get one to the President shortly.

MEDICARE AND THE BUDGET

The SPEAKER pro tempore (Mr. HEFLEY). Under the Speaker's announced policy of January 21, 1997 the gentleman from Florida [Mr. STEARNS] is recognized during morning hour debates for 5 minutes.

Mr. STEARNS. Mr. Speaker, let me take my colleagues back to 1995. Congressional colleagues passed and sent to the President a balanced budget plan that slowed Medicare spending in order to perpetuate and preserve the program. Of course, it being before an election year, the President promptly vetoed the bill, citing, quote, "excessive cuts in Medicare," unquote, as the primary reason for his veto.

Amazingly, the President and his Democrat friends went even further. They based their entire campaign for the Presidency in 1996 and for Congress on the Medicare cuts, the so-called Mediscare campaign.

Of course, most Americans knew that the Democrats' fear tactics were baseless, that there were no cuts in Medicare spending. In fact, the budget we passed 2 years ago contained $1.252 trillion in spending on Medicare for the next 5 years, an increase in funding that more than exceeded twice the rate of inflation.

I call the attention of my colleagues to the first chart on my left. In 1996, the President said, "you remember that budget I vetoed last year because it had excessive cuts in Medicare?" Well, 8 months later the President changed his tune on Medicare, but of course that is not surprising; the election was over.

In 1997, the President said, "America needs a balanced budget that is in balance with our values, that protects Medicare. That is exactly what this budget does. It keeps our fundamental commitment to our parents, preserving and protecting Medicare."

My colleagues, we may be having a heat wave here in Washington, but it just cannot compare with the President's hot air. Look at this second chart. Under our 1995 budget plan, the one of course that was vetoed by President Clinton because it claimed it had excessive Medicare cuts, total spending on Medicare would have exceeded $1.25 trillion from 1998 to the year 2002. The balanced budget agreement reached this year between the President and Congress has total Medicare spending of less than $1.25 trillion over those same years.

The 1995 budget plan, the one which proposes excessive cuts in Medicare, had more funding than the current budget plan. In 1996, $1.25 trillion in Medicare spending was labeled as having excessive cuts. This year, less than $1.25 trillion in Medicare spending, is used to preserve and protect this program. As the chart shows, the 1995 budget plan would have provided $4 billion more in Medicare spending than the current budget. Let me repeat, we spent more on Medicare in the 1995 plan than this 1997 plan endorsed by the President.

I am glad that the President has joined us in an effort to save Medicare, but I hope that he also realizes that Medicare is just too important a program for political theater. If he and his supporters had put politics aside, had rejected petty demagoguery and had rolled up their sleeves to work with us in saving Medicare, be could have put the program in place back then on the path to financial security 2 years ago.

My colleagues, there is no room for partisan games when the health of 30 million Americans is at stake. I am proud of our efforts to protect, preserve, and strengthen Medicare in 1995. It is sad, unfortunately, that others jeopardize the future of Medicare to score political points. We owe it to our 30 million fellow citizens to work together to ensure the solvency of the Medicare Program. Let us put our duty ahead of politics and build a brighter future for all Americans.

STOP TAX HIKES ON GRADUATE STUDENTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Massachusetts [Mr. MCGOVERN] is recognized during morning hour debates for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, a terrible miscarriage of justice is taking place in the House Republican tax bill, an attack on graduate university students across this country. At a time when House Republicans are proposing

that more than 50 percent of tax relief should benefit the wealthiest 2 percent of Americans, they have targeted graduate students for tax increases. This is absolutely outrageous, and it simply must be remedied.

The House Republican tax bill eliminates section 117(d) of the Tax Code, a provision that excludes tuition from taxable income. What this means is simple: Graduate students who work as teaching assistants or research assistants to help pay their tuition currently get a tax break on that income. With the loss of this tuition tax break, many graduate students may actually see their taxes rise by thousands of dollars per year. The National Association of Graduate-Professional Students has indicated that many graduate students will see their take-home pay cut by 50 percent or more, and Federal and State income taxes increased by as much as 350 percent.

Tuition waivers greatly benefit students struggling to finance postgraduate work. The vast majority of these students are studying to earn Ph.D.'s and masters degrees in academic disciplines. Many will go on to modestly paid, but important university positions, or will pursue careers in science and technology research.

While in school, they work hard as teachers and researchers, and their pay is very meager. But because of their hard work and dedication, many of these students can take academic courses for free. Under the House Republican tax bill, the value of this education package would be considered taxable income.

Many of these graduate students will be unable to continue their studies with the loss of the tuition tax waiver, endangering the educational future of America in the process.

In June, the 500 graduate students at the Massachusetts Institute of Technology wrote me expressing their deep concern about this provision in the House-approved tax bill. They stated, and I quote:

> The tuition waiver granted by MIT for graduate teaching and research assistants makes graduate school a financially viable opportunity for us. If tuition is now redefined as taxable income, many of us will no doubt be driven out of graduate school and away from careers in research and teaching.

Mr. Speaker, at a time when Congress should be increasing the affordability of higher education for all Americans, the Republican House tax bill will shut out some of the best and brightest of our students from receiving advanced higher education. If America is to remain competitive in the 21st century, we need more students to become active in scientific research and development, not less. The House Republican tax bill seriously threatens national research efforts in medicine, national defense, product development, and technology.

Graduate students are valuable assets of the academic and research communities. They should not be penalized for their hard work and sacrifice, and they certainly do not deserve to be taxed for their service to our Nation.

But this is not the only attack on graduate students in the House Republican tax bill. Graduate students are also hurt by changes made to section 127 of the Tax Code. This provision allows workers to exclude from their income the first $5,250 of educational benefits paid by their employers. This tax exemption should be permanent for both graduate and undergraduate students. But the House Republican tax bill says no.

More than 800,000 graduate and undergraduate students benefited from this provision in 1994, and those numbers have increased significantly over the past 3 years.

Section 127 has been hailed by both the business and higher education communities as a low-cost measure that makes it possible for hundreds of thousands of workers to return to school while continuing to work full-time jobs. Companies use it to retrain workers who need improved skills, and employees use it to keep abreast of new information and technologies that would help make advances in their field.

At a time when Congress has recognized that lifelong learning will keep the American work force competitive, the House Republican tax bill penalizes workers and businesses who are attempting to achieve this goal.

Mr. Speaker, this is bad public policy; it is bad tax policy, and it is simply unfair. Republicans that give tax breaks to those who fly on corporate jets, but only by raising taxes on our hard-working graduate students. Republicans can cut taxes for those with large investment portfolios, but only by raising taxes on graduate students. Well, Mr. Speaker, I would rather invest in America's future by investing in our graduate students rather than raising taxes on their tuition.

The House Republican tax bill also denies students from deducting the interest on their student loans, and it eliminates tuition waivers for the children of modestly paid academic faculty and staff. These provisions are antieducation, they are antifamily and undermine America's economic and competitive future. I urge my colleagues to lobby the budget conferees to reinstate section 117(d) and permanently extend section 127 to graduate as well as undergraduate students.

Mr. Speaker, I submit for the RECORD a letter from 500 MIT graduate students on these issues.

MASSACHUSETTS INSTITUTE OF TECHNOLOGY,
Cambridge, MA, June 27, 1997.

DEAR CONGRESSMAN: We, 500 MIT graduate students, write to express our great shock and disappointment regarding the proposed elimination of Subsection 117(d) of the Internal revenue code which excludes tuition from taxable income.

A graduate teaching or research assistant who receives a stipend of $1300/month and tuition waiver of $22,000/year (excluding summer tuition) will expect to pay $650/month in State and Federal taxes under the proposed new legislation. For many students this is a 3.5 times increase in tax!

The tuition waiver granted by MIT for graduate teaching and research assistants makes graduate school a financially viable opportunity for us. If tuition is now redefined as taxable income, many of us will no doubt be driven out of graduate school and away from careers in research and teaching.

The proposed changes in tax code will force universities to dramatically increase teaching and research assistant salaries to maintain a reasonable standard of living for graduate students. In turn, this could increase tuition for undergraduates and dramatically increase pressures on already burdened federal research programs. The proposed elimination of Subsection 117(d) is a dramatic step in the wrong direction.

The new provisions will make graduate school unaffordable to millions of Americans throughout the next decade. We urge you to represent our views in the Congress by working against the new legislation which eliminates Subsection 117(d) of the IRS code. We respectfully ask you to oppose this provision in the House bill and to support provisions which are more encouraging of graduate education. The future of our nation requires it.

We thank you for your cooperation.

Sincerely,

GRADUATE STUDENTS AT THE MASSACHUSETTS INSTITUTE OF TECHNOLOGY.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 12 noon.

Accordingly (at 11 o'clock and 11 minutes a.m.), the House stood in recess until 12 noon.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 12 noon.

PRAYER

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

For gifts and grace, for hope and help, for all the marvelous promises that surround us day by day, we offer these words, O God, of thanksgiving and gratitude. We know that we are not worthy of Your blessings, O God, and we too often fail and miss the mark. Yet, in Your mercy the spirit of reconciliation and peace never leaves us, but continues to encourage us and points us in the way of truth. For this blessing and all Your guidance in our daily lives, we offer this prayer. Amen.

THE JOURNAL

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

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

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

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

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

Mr. BALLENGER. 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. Pursuant to clause 5, rule I, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Virginia [Mr. BOUCHER] come forward and lead the House in the Pledge of Allegiance.

Mr. BOUCHER 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.

PRIVATE CALENDAR

The SPEAKER. This is the day for the call of the Private Calendar. The Clerk will call the first individual bill on the Private Calendar.

JOHN WESLEY DAVIS

The Clerk called the bill (H.R. 584) for the relief of John Wesley Davis.

There being no objection, the Clerk read the bill as follows:

H.R. 584

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

SECTION 1. WAIVER OF TIME LIMITATIONS.

The time limitations set forth in section 3702(b) of title 31, United States Code, shall not apply with respect to a claim by John Wesley Davis, of Forestville, Maryland, for the amounts due to him by the—

(1) Department of the Navy in the amount of $42,123.84; and

(2) Department of the Treasury in the amount of $12,508.20.

The amounts due are represented by checks that were received but not negotiated by John Wesley Davis.

SEC. 2. DEADLINE.

Section 1 shall apply only if John Wesley Davis or his authorized representative submits a claim pursuant to such subsection before the expiration of the 6-month period beginning on the date of the enactment of this Act.

With the following committee amendment in the nature of a substitute: Strike out all after the enacting clause and insert:

SECTION 1. WAIVER OF TIME LIMITATIONS.

The time limitations set forth in section 3702(c) and 3328(a)(1) of title 31, United States Code, shall not apply with respect to a claim by John Wesley Davis, of Forestville, Maryland, for the amounts due to him by the—

(1) Department of the Navy in the amount of $42,123.84; and

(2) Department of the Treasury in the amount of $12,508.20.

The amounts due are represented by checks that were received but not negotiated by John Wesley Davis.

SEC. 2. DEADLINE.

Section 1 shall apply only if John Wesley Davis or his authorized representative submits a claim pursuant to such subsection before the expiration of the 6-month period beginning on the date of the enactment of this Act.

Mr. SENSENBRENNER (during the reading). Mr. Speaker, I ask unanimous consent that the committee amendment be considered as read and printed in the RECORD.

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

There was no objection.

The committee 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.

HERACLIO TOLLEY

The Clerk called the bill (H.R. 378) for the relief of Heraclio Tolley.

There being no objection, the Clerk read the bill as follows:

H.R. 378

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

SECTION 1. IMMEDIATE RELATIVE STATUS FOR HERACLIO TOLLEY.

(a) IN GENERAL.—Heraclio Tolley shall be classified as a child under section 101(b)(1)(E) of the Immigration and Nationality Act for purposes of approval of a relative visa petition filed under section 204 of such Act by his adoptive parent and the filing of an application for an immigrant visa or adjustment of status.

(b) ADJUSTMENT OF STATUS.—If Heraclio Tolley enters the United States before the filing deadline specified in subsection (c), he shall be considered to have entered and remained lawfully and shall, if otherwise eligible, be eligible for adjustment of status under section 245 of the Immigration and Nationality Act as of the date of the enactment of this Act.

(c) DEADLINE FOR APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the petition and the application for issuance of an immigrant visa or the application for adjustment of status are filed with appropriate fees within 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBER.—Upon the granting of an immigrant visa or permanent residence to Heraclio Tolley, the Secretary of State shall instruct the proper officer to reduce by 1, for the current or next following fiscal year, the worldwide level of family-sponsored immigrants under section 201(c)(1)(A) of the Immigration and Nationality Act.

(e) DENIAL OF PREFERENTIAL IMMIGRATION TREATMENT FOR CERTAIN RELATIVES.—The natural parents, brothers, and sisters of Heraclio Tolley shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

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.

MICHEL CHRISTOPHER MEILI, GIUSEPPINA MEILI, MIRJAM NAOMI MEILI, AND DAVIDE MEILI

The Clerk called the Senate bill (S. 768) for the relief of Michel Christopher Meili, Giuseppina Meili, Mirjam Naomi Meili, and Davide Meili.

There being no objection, the Clerk read the Seante bill as follows:

S. 768

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

SECTION 1. FINDINGS.

Congress makes the following findings:

(1) The actions of Swiss banks and their relations with Nazi Germany before and during World War II and the banks' actions after the war concerning former Nazi loot and heirless assets placed in the banks before the war have been the subject of an extensive and ongoing inquiry by the Committee on Banking, Housing, and Urban Affairs of the Senate and a study by a United States interagency group.

(2) On January 8, 1997, Michael Christopher Meili, while performing his duties as a security guard at the Union Bank of Switzerland in Zurich, Switzerland, discovered that bank employees were shredding important Holocaust-era documents.

(3) Mr. Meili was able to save some of the documents from destruction and then turned them over to the Jewish community in Zurich and to the Swiss police.

(4) Following Mr. Meili's disclosure of the destruction of the Holocaust-era documents, Mr. Meili was suspended and then terminated from his job. He was also interrogated by the local Swiss authorities who tried to intimidate him by threatening prosecution for his heroic actions.

(5) Since this disclosure, Mr. Meili and his family have been threatened and harassed, and have received many death threats. Mr. Meili also received a hand-delivered note threatening the kidnapping of his children in return for the "Jewish money" he would receive for his actions, and urging him to emigrate to the United States or be killed.

(6) Because of his courageous actions, Mr. Meili and his family have suffered economic hardship, mental anguish, and have been forced to live in fear of their lives.

SEC. 2. PERMANENT RESIDENCE.

Notwithstanding any other provision of law, for purposes of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), Michel Christopher Meili, Giuseppina Meili, Mirjam Naomi Meili, and Davide Meili shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act upon payment of the required visa fees.

SEC. 3. REDUCTION OF NUMBER OF AVAILABLE VISAS.

Upon the granting of permanent residence to Michel Christopher Meili, Giuseppina Meili, Mirjam Naomi Meili, and Davide Meili as provided in this Act, the Secretary of State shall instruct the proper officer to reduce by the appropriate number during the current fiscal year the total number of immigrant visas available to natives of the country of the aliens' birth under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)).

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

The SPEAKER. This concludes the call of the Private Calendar.

MORAL BASIS OF CUTTING TAXES

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

Mr. GINGRICH. Mr. Speaker, yesterday I made the case in a special order on the moral basis of cutting taxes; a moral basis because lower taxes means that parents have more money to raise their children and their family; a moral basis because lower taxes means that citizens have more time and more take-home pay to be good citizens, to be involved in charitable events, to be involved as volunteers in helping their community; a moral basis for cutting taxes because with lower taxes and more take-home pay, people have more opportunity to create jobs, to save, and to invest and to help the economy keep growing.

For every American who is interested in noting how the tax bill we are proposing would help them, they can check on the Internet GOP tax calculator at http://hillsource.house.gov.

I will repeat that. For those who are involved in the Internet, this is an opportunity for them to look directly at the tax bill to check for themselves how they would benefit under our tax relief plan. It is on the Internet, GOP tax calculator, and the address is http://hillsource.house.gov.

Our goal is to have all Americans have an opportunity to look at their tax cut and the opportunity they will have. This is the first tax cut in 16 years. We believe that working middle-class Americans deserve tax relief. We believe that tax relief should focus on families with children. It should focus on small business and family farms. It should focus on job creation, and it should focus on helping people get a better education.

So I urge Members to look at the Internet site to find out the information for the tax cut.

PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Speaker, I was unable to be present for rollcall votes 255 through 266 last week due to a death in my family.

Had I been present I would have voted "yea" or "aye" on roll call votes 255, 256, 257, 258, 260, 261, 263, 264, and 265, and "nay" or "no" on rollcall votes 259, 262, and 266.

EXPRESSING OPPOSITION TO THE INTERIOR APPROPRIATIONS BILL WITHOUT PROVISION FOR CONTINUED FUNDING OF THE NEA

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

Ms. SLAUGHTER. Mr. Speaker, I rise today to reluctantly oppose the Interior appropriations bill we will be voting on today because it contains no funding for the National Endowment for the Arts. The rule did not allow us to have a vote, an up-or-down vote, on NEA on the grounds that the NEA was not authorized. However, later today we will be voting on an appropriations bill that has at least 40 unauthorized and protected measures in it. I believe if we had had an up-or-down vote on the NEA, that it would have been fully funded for the next year.

The Federal support for the arts is an incredibly worthwhile investment, and as many of our Members know, students with 4 years of arts study score 59 points higher on their verbal scores and 45 points higher on the math portion of their SAT's than students with no arts classes.

Recent studies about the development of the human brain show the importance of arts for early childhood development. At the University of California at Irvine, researchers found that music training is far superior to computer instruction in dramatically enhancing children's abstract reasoning skills.

THE JUVENILE CRIME AND DELINQUENCY PREVENTION ACT

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

Mr. GIBBONS. Mr. Speaker, today the House will consider a very important issue of juvenile crime. It should be noted that 20 percent, 1 out of 5, of all murders, rapes, robberies, and assaults in this country are committed by individuals under the age of 18. Furthermore, population experts are predicting a 31 percent increase in the youth population by the year 2010.

We must act on this issue immediately. H.R. 1818, the Juvenile Crime and Delinquency Prevention Act, is a very important piece of legislation in this battle. This bill, authored by my Republican colleague, the gentleman from California [Mr. RIGGS] provides block grants to States in order to fund juvenile crime control activities, giving much greater flexibility to local officials to best utilize their resources. Equally important, this bill reauthorizes programs to serve runaways and homeless youth and the National Missing Children's Center.

Mr. Speaker, earlier this year this body passed H.R. 3, which provided for more effective punishment of juvenile offenders. This legislation will focus on prevention of juvenile crime. I commend the gentleman from California [Mr. RIGGS] and the Republican leadership for bringing this bill to the floor, and I urge its passage.

THE WHITE HOUSE COVERUP ON NAFTA

(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, surprise, surprise. The White House issued a glowing report on NAFTA. However, the Economic Policy Institute says the White House cannot handle the truth. The truth is our trade deficit with Mexico has ballooned to $16 billion. Our trade deficit with Canada has ballooned to $23 billion. In addition, in the first 32 months of NAFTA, America has lost 500,000 jobs, that is half a million; 15,000 jobs a month, 1,850 jobs a week, 765 jobs a day. But the White House says, do not worry, we are going to find new jobs.

Tell me, how many people can "Mickey D" hire in America, Mr. Speaker? Who is kidding whom? The White House has not issued a report on NAFTA, the White House has issued a cover-up on NAFTA. I yield back the balance of any jobs we might have left.

TAX CUTS SHOULD BE FOR THOSE WHO PAY TAXES

(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, remember when a tax cut meant paying less taxes? That was not too long ago. Taxes were something you paid, not something you got. The tax cuts I am talking about are tax cuts that reduce the amount you pay. A tax cut does not mean that anyone gives me anything, it means the Government is taking less.

I have no hope whatsoever that the other side will understand this point, but my constituents asked that I keep trying. When the Government takes a little less from the taxpayers, no one else is worse off. However, when the Government gives somebody some money, like the earned income tax credit, for example, that is at the expense of somebody else. The taxpayers pay for that.

Some Members' idea of a tax cut means that the taxpayers pay more. That is nonsense. A tax cut is not at the expense of other taxpayers. A tax cut to those who do not pay income taxes is at the expense of others. That makes all the difference.

THE REPUBLICAN TAX PLAN FAILS THE SPEAKER'S OWN MORALITY TEST

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

Ms. DELAURO. Mr. Speaker, last week Speaker Gingrich said, and I quote, "We believe there is a moral case for cutting taxes." But unfortunately for American families, the Republican tax plan fails the Speaker's own morality test.

The Republican tax proposal denies the child tax credit to 15 million working American families who make less than $30,000. These parents work hard and in fact they pay taxes. They are trying to raise families and make ends meet. My Republican colleagues say they do not deserve a tax break simply because they do not make a lot of money. We are talking about nurses and policemen. These are the people who, for nearly two decades, have lost ground or have barely been able to keep up.

Are these the values and the priorities of this great Nation? I do not think so. The Republican tax bill leaves behind 15 million American working families, while giving an average $24,000 tax break to the richest 1 percent of American families. Democrats believe it is the middle-class families who could use some tax relief. That is why the Democratic tax proposal gives the tax break to all families who work and who pay taxes.

□ 1215

TAX FAIRNESS

(Ms. PRYCE of Ohio asked and was given permission to address the House for 1 minute.)

Ms. PRYCE of Ohio. Mr. Speaker, I would like to talk about tax fairness. I do not think that it is fair that the Government waste so much of our money.

I do not think it is fair that people have to pay between a quarter and a half of all the money that they earn to the Government, the same government that turns around and wastes it on massive programs that barely work. I also do not think it is fair when I think about how much prior generations paid in taxes compared to how much we have to pay in taxes.

Back in 1950, the average family paid less than 5 percent of its income in taxes to the Federal Government. Now that same family pays over a quarter of everything that it earns. When we add up all the State taxes, property taxes, sales taxes, all the other taxes, families are paying nearly half of what they earn to the Government. It just seems like the Government is not doing much with it. We are becoming less and less accountable every year.

I just do not think it is fair. We are going to change it. Support tax relief for American families.

WELFARE FAMILIES

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

Mr. McDERMOTT. Mr. Speaker, in about 15 minutes the conference committee on taxes will meet downstairs.

I continue to be appalled by the Republican attempt to create the image of people who have children and who have worked and make $24,000 a year and calling them a welfare family.

Now, I do not understand why a rookie policeman making $23,000, has two kids, is considered a welfare family and, therefore, is not entitled to the child tax credit. If there is any family that needs a tax break for its kids, it is families that are working and making less than $25,000. And to call those people, whether they be school teachers or nurse's aides or rookie policemen or road workers or whatever, anybody working ought to be eligible for the $500 tax credit. They are not on welfare.

MORE ON TAX FAIRNESS

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

Ms. DUNN. Mr. Speaker, I would like to continue the discussion of fairness started by the gentlewoman from Ohio.

I begin with the proposition that it is not fair and it is not compatible with freedom that the Government has the power to take half of everything a person earns, no matter how much money that person earns. I would like to focus rather on fairness to the poorest Americans, those who are most in need of an expanding economy, those who are most in need of an economy with job opportunities, and those who are most in need of a tax system that allows for prosperity.

Mr. Speaker, people who do not have a lot of money, even if the liberals do not realize it, realize that there is no substitute for prosperity. When the economy is in hard times, the poor get hurt the most. We know that the Government can set up a tax system that either encourages or discourages prosperity.

Notice I did not say create prosperity because the Government cannot do that, only the people can. The Government can only stand in the way.

Mr. Speaker, taxes are too high. We all know it. That definitely is not fair.

THE MISSING AND EXPLOITED CHILDREN'S CAUCUS

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

Mr. LAMPSON. Mr. Speaker, as chairman of the Missing and Exploited Children's Caucus, it is my pleasure to announce another reunion of a missing child with his family. Fourteen-year-old Vincent Clayton wandered away from his Montrose, MI, home in May 1996. Vincent suffers from seizures and developed amnesia. He was living in a foster home in Toledo, OH.

Recently Vincent's foster mother received a "Have You Seen Me" card in the mail and saw a picture of her foster son. She got in touch with the authorities and Vincent was reunited with his family back in Michigan.

"Have You Seen Me" is a joint effort by the National Center for Missing and Exploited Children and ADVO, a direct mail company.

That is why I have begun printing the pictures and vital statistics of missing children on my office envelopes and why I encourage every Member of this body to do the same. Pictures work. We must work harder to get pictures of missing children in front of as many people as we possibly can.

Mr. Speaker, I urge my colleagues to join me and join the Missing and Exploited Children's Caucus.

FEELING AGGRIEVED ABOUT TAXES

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

Mr. PAPPAS. Mr. Speaker, it turns out that Jerry Seinfeld and George Kastanza are talking about taxes again. As usual, George is feeling aggrieved. Apparently the problem is that George, who works for the New York Yankees and earns $45,000 a year, is upset with what he is hearing from the Democrats in Washington. Let us listen in on their conversation.

Jerry asks, "Okay, George, what is it now?"

George responds, "Did you hear what they're doing to me now?"

Jerry says, "What do you mean, they?"

George says, "I don't know, they, the politicians in Washington."

"Well, what are they doing?"

"They're out of their minds. They're trying to tell me that my income is not $45,000, but it's actually $75,000."

Jerry says, "I'm sorry, George, I don't follow."

George says, "Neither do I. All I know is that there are politicians who are saying that I'm now rich, that I shouldn't get a tax cut."

Jerry says, "George, I never thought I'd see the day, and I'm not exactly sure what you are talking about, but I think I agree with you."

"Well, it's about time."

STUDY THE EFFECTS OF NAFTA

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

Mr. METCALF. Mr. Speaker, the House is considering a fast track for an extension of NAFTA at this time. NAFTA only passed this body by the narrowest of margins back in 1994. I would like to ask, would it not make a lot of sense to have a full congressional study or a hearing to determine the impact that NAFTA has had before we grant this fast track? Do Members suppose a little bit of information or a little more information is not a good idea? I think it is a real good idea. I think we should proceed to get the information before we extend NAFTA, especially on a fast track.

FAMILIES SHOULD HAVE MORE

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

Mr. TIAHRT. Mr. Speaker, there was a fascinating article on the front page of the Washington Post last week. The article is entitled "Voters Feeling Remote From Issues In Capital." One person is quoted as saying, "Politics in Washington doesn't seem to affect me directly."

Well, Mr. Speaker, many people do not realize it but Washington does affect them directly. Political choices made in Washington have a direct impact on the amount of taxes they pay. Perhaps people feel that regardless of what politicians say, they know that the tax bill will keep going up.

That, in fact, is the way things have been going here in Washington. The family tax burden has steadily climbed upwards from 5 percent in 1950 to 25 percent today. Let me remind my colleagues that is only the Federal tax burden. When we add that with hidden taxes, with State and local taxes, it goes to over 50 percent.

Now it is time for a change. It is time for Washington to spend a little less so families can have a little more.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. CALVERT). Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules but not before 5 p.m. today.

JUVENILE CRIME CONTROL AND DELINQUENCY PREVENTION ACT OF 1997

Mr. RIGGS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1818) to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to authorize appropriations for fiscal years 1998, 1999, 2000, and 2001, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1818

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Juvenile Crime Control and Delinquency Prevention Act of 1997".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—AMENDMENTS TO JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT OF 1974

Sec. 101. Findings.
Sec. 102. Purpose.
Sec. 103. Definitions.
Sec. 104. Name of office.
Sec. 105. Concentration of Federal effort.
Sec. 106. Coordinating Council on Juvenile Justice and Delinquency Prevention.
Sec. 107. Annual report.
Sec. 108. Allocation.
Sec. 109. State plans.
Sec. 110. Juvenile delinquency prevention block grant program.
Sec. 111. Research; evaluation; technical assistance; training.
Sec. 112. Demonstration projects.
Sec. 113. Authorization of appropriations.
Sec. 114. Administrative authority.
Sec. 115. Use of funds.
Sec. 116. Limitation on use of funds.
Sec. 117. Rule of construction.
Sec. 118. Leasing surplus Federal property.
Sec. 119. Issuance of Rules.
Sec. 120. Technical and conforming amendments.
Sec. 121. References.

TITLE II—AMENDMENTS TO THE RUNAWAY AND HOMELESS YOUTH ACT

Sec. 201. Findings.
Sec. 202. Authority to make grants for centers and services.
Sec. 203. Eligibility.
Sec. 204. Approval of applications.
Sec. 205. Authority for transitional living grant program.
Sec. 206. Eligibility.
Sec. 207. Authority to make grants for research, evaluation, demonstration, and service projects.
Sec. 208. Temporary demonstration projects to provide services to youth in rural areas.
Sec. 209. Sexual abuse prevention program.
Sec. 210. Assistance to potential grantees.
Sec. 211. Reports.
Sec. 212. Evaluation.
Sec. 213. Authorization of appropriations.
Sec. 214. Consolidated review of applications.
Sec. 215. Definitions.
Sec. 216. Redesignation of sections.
Sec. 217. Technical amendment.

TITLE III—INCENTIVE GRANTS FOR LOCAL DELINQUENCY PREVENTION PROGRAMS

Sec. 301. Duties and functions of the Administrator.
Sec. 302. Grants for prevention programs.
Sec. 303. Repeal of definition.
Sec. 304. Authorization of appropriations.

TITLE IV—GENERAL PROVISIONS

Sec. 401. Effective date; application of amendments.

TITLE I—AMENDMENTS TO JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT OF 1974

SEC. 101. FINDINGS.

Section 101 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601) is amended to read as follows:

"FINDINGS

"SEC. 101. (a) The Congress finds the following:

"(1) There has been a dramatic increase in juvenile delinquency, particularly violent crime committed by juveniles. Weapons offenses and homicides are 2 of the fastest growing crimes committed by juveniles. More than ½ of juvenile victims are killed with a firearm. Approximately ⅓ of the individuals arrested for committing violent crime are less than 18 years of age. The increase in both the number of youth below the age of 15 and females arrested for violent crime is cause for concern.

"(2) This problem should be addressed through a 2-track common sense approach that addresses the needs of individual juveniles and society at large by promoting—

"(A) quality prevention programs that—

"(i) work with juveniles, their families, local public agencies, and community-based organizations, and take into consideration such factors as whether or not juveniles have been the victims of family violence (including child abuse and neglect); and

"(ii) are designed to reduce risks and develop competencies in at-risk juveniles that will prevent, and reduce the rate of, violent delinquent behavior; and

"(B) programs that assist in holding juveniles accountable for their actions, including a system of graduated sanctions to respond to each delinquent act, requiring juveniles to make restitution, or perform community service, for the damage caused by their delinquent acts, and methods for increasing victim satisfaction with respect to the penalties imposed on juveniles for their acts.

"(b) Congress must act now to reform this program by focusing on juvenile delinquency prevention programs, as well as programs that hold juveniles accountable for their acts. Without true reform, the criminal justice system will not be able to overcome the challenges it will face in the coming years when the number of juveniles is expected to increase by 30 percent.".

SEC. 102. PURPOSE.

Section 102 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5602) is amended to read as follows:

"PURPOSES

"SEC. 102. The purposes of this title and title II are—

"(1) to support State and local programs that prevent juvenile involvement in delinquent behavior;

"(2) to assist State and local governments in promoting public safety by encouraging accountability for acts of juvenile delinquency; and

"(3) to assist State and local governments in addressing juvenile crime through the provision of technical assistance, research, training, evaluation, and the dissemination of information on effective programs for combating juvenile delinquency.".

SEC. 103. DEFINITIONS.

Section 103 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5603) is amended—

(1) in paragraph (3) by striking "to help prevent juvenile delinquency" and inserting "designed to reduce known risk factors for juvenile delinquent behavior, provides activities that build on protective factors for, and develop competencies in, juveniles to prevent, and reduce the rate of, delinquent juvenile behavior",

(2) in paragraph (4) by inserting "title I of" before "the Omnibus" each place it appears,

(3) in paragraph (7) by striking "the Trust Territory of the Pacific Islands,",

(4) in paragraph (9) by striking "justice" and inserting "crime control",

(5) in paragraph (12)(B) by striking ", of any nonoffender,",

(6) in paragraph (13)(B) by striking ", any non-offender,",

(7) in paragraph (14) by inserting "drug trafficking," after "assault,",

(8) in paragraph (16)—

(A) in subparagraph (A) by adding "and" at the end, and

(B) by striking subparagraph (C),

(9) by striking paragraph (17),

(10) in paragraph (22)—

(A) by redesignating subparagraphs (i), (ii), and (iii) as subparagraphs (A), (B), and (C), respectively, and

(B) by striking "and" at the end,

(11) in paragraph (23) by striking the period at the end and inserting a semicolon,

(12) by redesignating paragraphs (18), (19), (20), (21), (22), and (23) as paragraphs (17) through (22), respectively, and

(12) by adding at the end the following:

"(23) the term 'boot camp' means a residential facility (excluding a private residence) at which there are provided—

"(A) a highly regimented schedule of discipline, physical training, work, drill, and ceremony characteristic of military basic training.

"(B) regular, remedial, special, and vocational education; and

"(C) counseling and treatment for substance abuse and other health and mental health problems;

"(24) the term 'graduated sanctions' means an accountability-based, graduated series of sanctions (including incentives and services) applicable to juveniles within the juvenile justice system to hold such juveniles accountable for their actions and to protect communities from the effects of juvenile delinquency by providing appropriate sanctions for every act for which a juvenile is adjudicated delinquent, by inducing their law-abiding behavior, and by preventing their subsequent involvement with the juvenile justice system;

"(25) the term 'violent crime' means—

"(A) murder or nonnegligent manslaughter, forcible rape, or robbery, or

"(B) aggravated assault committed with the use of a firearm;

"(26) the term 'co-located facilities' means facilities that are located in the same building, or are part of a related complex of buildings located on the same grounds; and

"(27) the term 'related complex of buildings' means 2 or more buildings that share—

"(A) physical features, such as walls and fences, or services beyond mechanical services (heating, air conditioning, water and sewer); or

"(B) the specialized services that are allowable under section 31.303(e)(3)(i)(C)(3) of title 28 of the Code of Federal Regulations, as in effect on December 10, 1996.".

SEC. 104. NAME OF OFFICE.

Title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611 et seq.) is amended—

(1) by amending the heading of part A to read as follows:

"PART A—OFFICE OF JUVENILE CRIME CONTROL AND DELINQUENCY PREVENTION",

(2) in section 201(a) by striking "Justice and Delinquency Prevention" and inserting "Crime Control and Delinquency Prevention", and

(3) in subsections section 299A(c)(2) by striking "Justice and Delinquency Prevention" and inserting "Crime Control and Delinquency Prevention".

SEC. 105. CONCENTRATION OF FEDERAL EFFORT.

Section 204 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5614) is amended—

(1) in subsection (a)(1) by striking the last sentence,

(2) in subsection (b)—

(A) in paragraph (3) by striking "and of the prospective" and all that follows through "administered",

(B) by striking paragraph (5), and

(C) by redesignating paragraphs (6) and (7) as paragraphs (5) and (6), respectively,

(3) in subsection (c) by striking "and reports" and all that follows through "this part", and inserting "as may be appropriate to prevent the duplication of efforts, and to coordinate activities, related to the prevention of juvenile delinquency",

(4) by striking subsection (i), and

(5) by redesignating subsection (h) as subsection (f).

SEC. 106. COORDINATING COUNCIL ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION.

Section 206 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5616) is repealed.

SEC. 107. ANNUAL REPORT.

Section 207 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5617) is amended—

(1) in paragraph (2)—

(A) by inserting "and" after "priorities,", and

(B) by striking ", and recommendations of the Council",

(2) by striking paragraphs (4) and (5), and inserting the following:

"(4) An evaluation of the programs funded under this title and their effectiveness in reducing the incidence of juvenile delinquency, particularly violent crime, committed by juveniles.", and

(3) by redesignating such section as section 206.

SEC. 108. ALLOCATION.

Section 222 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5632) is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking "amount, up to $400,000," and inserting "amount up to $400,000",

(II) by inserting a comma after "1992" the 1st place it appears,

(III) by striking "the Trust Territory of the Pacific Islands,", and

(IV) by striking "amount, up to $100,000," and inserting "amount up to $100,000",

(ii) in subparagraph (B)—

(I) by striking "(other than part D)",

(II) by striking "or such greater amount, up to $600,000" and all that follows through "section 299(a) (1) and (3)",

(III) by striking "the Trust Territory of the Pacific Islands,",

(IV) by striking "amount, up to $100,000," and inserting "amount up to $100,000", and

(V) by inserting a comma after "1992",

(B) in paragraph (3) by striking "allot" and inserting "allocate", and

(2) in subsection (b) by striking "the Trust Territory of the Pacific Islands,".

SEC. 109. STATE PLANS.

Section 223 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633) is amended—

(1) in subsection (a)—

(A) in the 2nd sentence by striking "challenge" and all that follows through "part E", and inserting ", projects, and activities",

(B) in paragraph (3)—

(i) by striking ", which—" and inserting "that—",

(ii) in subparagraph (A)—

(I) by striking "not less" and all that follows through "33", and inserting "the attorney general of the State or such other State official who has primary responsibility for overseeing the enforcement of State criminal laws, and",

(II) by inserting ", in consultation with the attorney general of the State or such other State official who has primary responsibility for overseeing the enforcement of State criminal laws" after "State",

(III) in clause (i) by striking "or the administration of juvenile justice" and inserting ", the administration of juvenile justice, or the reduction of juvenile delinquency",

(IV) in clause (ii) by striking "include—" and all that follows through the semicolon at the end of subclause (VIII), and inserting the following:

"represent a multidisciplinary approach to addressing juvenile delinquency and may include—

"(I) individuals who represent units of general local government, law enforcement and juvenile justice agencies, public agencies concerned with the prevention and treatment of juvenile delinquency and with the adjudication of juveniles, representatives of juveniles, or nonprofit private organizations, particularly such organizations that serve juveniles; and

"(II) such other individuals as the chief executive officer considers to be appropriate; and", and

(V) by striking clauses (iv) and (v),

(iii) in subparagraph (C) by striking "justice" and inserting "crime control",

(iv) in subparagraph (D)—

(I) in clause (i) by inserting "and" at the end,

(II) in clause (ii) by striking "paragraphs" and all that follows through "part E", and inserting "paragraphs (11), (12), and (13)", and

(III) by striking clause (iii), and

(v) in subparagraph (E) by striking "title—" and all that follows through "(ii)" and inserting "title,",

(C) in paragraph (5)—

(i) in the matter preceding subparagraph (A) by striking ", other than" and inserting "reduced by the percentage (if any) specified

by the State under the authority of paragraph (25) and excluding" after "section 222", and

"(ii) in subparagraph (C) by striking "paragraphs (12)(A), (13), and (14)" and inserting "paragraphs (11), (12), and (13)",

(D) by striking paragraph (6),

(E) in paragraph (7) by inserting ", including in rural areas" before the semicolon at the end,

(F) in paragraph (8)—

(i) in subparagraph (A)—

(I) by striking "for (i)" and all that follows through "relevant jurisdiction", and inserting "for an analysis of juvenile delinquency problems in, and the juvenile delinquency control and delinquency prevention needs (including educational needs) of, the State",

(II) by striking "justice" the second place it appears and inserting "crime control", and

(III) by striking "of the jurisdiction; (ii)" and all that follows through the semicolon at the end, and inserting "of the State; and",

(ii) by amending subparagraph (B) to read as follows:

"(B) contain—

"(i) a plan for providing needed gender-specific services for the prevention and treatment of juvenile delinquency;

"(ii) a plan for providing needed services for the prevention and treatment of juvenile delinquency in rural areas; and

"(iii) a plan for providing needed mental health services to juveniles in the juvenile justice system;", and

(iii) by striking subparagraphs (C) and (D),

(G) by amending paragraph (9) to read as follows:

"(9) provide for the coordination and maximum utilization of existing juvenile delinquency programs, programs operated by public and private agencies and organizations, and other related programs (such as education, special education, recreation, health, and welfare programs) in the State;",

(H) in paragraph (10)—

(i) in subparagraph (A)—

(I) by striking ", specifically" and inserting "including",

(II) by striking clause (i), and

(III) redesignating clauses (ii) and (iii) as clauses (i) and (ii), respectively,

(ii) by amending subparagraph (B) to read as follows:

"(B) programs that assist in holding juveniles accountable for their actions, including the use of graduated sanctions and of neighborhood courts or panels that increase victim satisfaction and require juveniles to make restitution for the damage caused by their delinquent behavior;",

(iii) in subparagraph (C) by striking "juvenile justice" and inserting "juvenile crime control",

(iv) by amending subparagraph (D) to read as follows:

"(D) programs that provide treatment to juvenile offenders who are victims of child abuse or neglect, and to their families, in order to reduce the likelihood that such juvenile offenders will commit subsequent violations of law;",

(v) in subparagraph (E)—

(I) by redesignating clause (ii) as clause (iii), and

(II) by striking "juveniles, provided" and all that follows through "provides; and", and inserting the following:

"juveniles—

"(i) to encourage juveniles to remain in elementary and secondary schools or in alternative learning situations;

"(ii) to provide services to assist juveniles in making the transition to the world of work and self-sufficiency; and",

(vi) by amending subparagraph (F) to read as follows:

"(F) expanding the use of probation officers—

"(i) particularly for the purpose of permitting nonviolent juvenile offenders (including status offenders) to remain at home with their families as an alternative to incarceration or institutionalization; and

"(ii) to ensure that juveniles follow the terms of their probation;",

(vii) by amending subparagraph (G) to read as follows:

"(G) one-on-one mentoring programs that are designed to link at-risk juveniles and juvenile offenders, particularly juveniles residing in high-crime areas and juveniles experiencing educational failure, with responsible adults (such as law enforcement officers, adults working with local businesses, and adults working with community-based organizations and agencies) who are properly screened and trained;",

(viii) in subparagraph (H) by striking "handicapped youth" and inserting "juveniles with disabilities",

(ix) by amending subparagraph (K) to read as follows:

"(K) boot camps for juvenile offenders;",

(x) by amending subparagraph (L) to read as follows:

"(L) community-based programs and services to work with juveniles, their parents, and other family members during and after incarceration in order to strengthen families so that such juveniles may be retained in their homes;",

(xi) by amending subparagraph (M) to read as follows:

"(M) other activities (such as court-appointed advocates) that the State determines will hold juveniles accountable for their acts and decrease juvenile involvement in delinquent activities;",

(xii) by amending subparagraph (N) to read as follows:

"(N) establishing policies and systems to incorporate relevant child protective services records into juvenile justice records for purposes of establishing treatment plans for juvenile offenders;",

(xiii) in subparagraph (O)—

(I) in striking "cultural" and inserting "other", and

(II) by striking the period at the end and inserting a semicolon, and

(xiv) by adding at the end the following:

"(P) a system of records relating to any adjudication of juveniles less than 18 years of age who are adjudicated delinquent for conduct that would be a violent crime if committed by an adult, that is—

"(i) equivalent to the records that would be kept of adults arrested for such conduct, including fingerprints and photographs;

"(ii) submitted to the Federal Bureau of Investigation in the same manner as adult records are so submitted;

"(iii) retained for a period of time that is equal to the period of time records are retained for adults; and

"(iv) available on an expedited basis to law enforcement agencies, the courts, and school officials (and such school officials shall be subject to the same standards and penalties that law enforcement and juvenile justice system employees are subject to under Federal and State law, for handling and disclosing such information);

"(Q) programs that utilize multidisciplinary interagency case management and information sharing, that enable the juvenile justice and law enforcement agencies, schools, and social service agencies to make more informed decisions regarding early identification, control, supervision, and treatment of juveniles who repeatedly commit violent or serious delinquent acts; and

"(R) programs designed to prevent and reduce hate crimes committed by juveniles.",

(I) by amending paragraph (12) to read as follows:

"(12) shall, in accordance with rules issued by the Administrator, provide that—

"(A) juveniles who are charged with or who have committed an offense that would not be criminal if committed by an adult, excluding—

"(i) juveniles who are charged with or who have committed a violation of section 922(x)(2) of title 18, United States Code, or of a similar State law;

"(ii) juveniles who are charged with or who have committed a violation of a valid court order; and

"(iii) juveniles who are held in accordance with the Interstate Compact on Juveniles as enacted by the State;

shall not be placed in secure detention facilities or secure correctional facilities; and

"(B) juveniles—

"(i) who are not charged with any offense; and

"(ii) who are—

"(I) aliens; or

"(II) alleged to be dependent, neglected, or abused;

shall not be placed in secure detention facilities or secure correctional facilities;",

(J) by amending paragraph (13) to read as follows:

"(13) provide that—

"(A) juveniles alleged to be or found to be delinquent, and juveniles within the purview of paragraph (11), will not be detained or confined in any institution in which they have regular contact, or unsupervised incidental contact, with adults incarcerated because such adults have been convicted of a crime or are awaiting trial on criminal charges; and

"(B) there is in effect in the State a policy that requires individuals who work with both such juveniles and such adults in co-located facilities have been trained and certified to work with juveniles;",

(K) by amending paragraph (14) to read as follows:

"(14) provide that no juvenile will be detained or confined in any jail or lockup for adults except—

"(A) juveniles who are accused of nonstatus offenses and who are detained in such jail or lockup for a period not to exceed 6 hours—

"(i) for processing or release;

"(ii) while awaiting transfer to a juvenile facility; or

"(iii) in which period such juveniles make a court appearance;

"(B) juveniles who are accused of nonstatus offenses, who are awaiting an initial court appearance that will occur within 48 hours after being taken into custody (excluding Saturdays, Sundays, and legal holidays), and who are detained or confined in a jail or lockup—

"(i) in which—

"(I) such juveniles do not have regular contact, or unsupervised incidental contact, with adults incarcerated because such adults have been convicted of a crime or are awaiting trial on criminal charges; and

"(II) there is in effect in the State a policy that requires individuals who work with

both such juveniles and such adults in co-located facilities have been trained and certified to work with juveniles; and

"(ii) that—

"(I) is located outside a metropolitan statistical area (as defined by the Office of Management and Budget);

"(II) has no existing acceptable alternative placement available;

"(III) is located where conditions of distance to be traveled or the lack of highway, road, or transportation do not allow for court appearances within 48 hours (excluding Saturdays, Sundays, and legal holidays) so that a brief (not to exceed an additional 48 hours) delay is excusable; or

"(IV) is located where conditions of safety exist (such as severe adverse, life-threatening weather conditions that do not allow for reasonably safe travel), in which case the time for an appearance may be delayed until 24 hours after the time that such conditions allow for reasonable safe travel;

"(C) juveniles who are accused of non-status offenses and who are detained or confined in a jail or lockup that satisfies the requirements of subparagraph (B)(i) if—

"(i) such jail or lockup—

"(I) is located outside a metropolitan statistical area (as defined by the Office of Management and Budget); and

"(II) has no existing acceptable alternative placement available;

"(ii) a parent or other legal guardian (or guardian ad litem) of the juvenile involved consents to detaining or confining such juvenile in accordance with this subparagraph and has the right to revoke such consent at any time;

"(iii) the juvenile has counsel, and the counsel representing such juvenile has an opportunity to present the juvenile's position regarding the detention or confinement involved to the court before the court approves such detention or confinement; and

"(iv) detaining or confining such juvenile in accordance with this subparagraph is—

"(I) approved in advance by a court with competent jurisdiction that has determined that such placement is in the best interest of such juvenile;

"(II) required to be reviewed periodically, at intervals of not more than 5 days (excluding Saturdays, Sundays, and legal holidays), by such court for the duration of detention or confinement; and

"(III) for a period preceding the sentencing (if any) of such juvenile;",

(L) in paragraph (15)—

(i) by striking "paragraph (12)(A), paragraph (13), and paragraph (14)" and inserting "paragraphs (11), (12), and (13)", and

(ii) by striking "paragraph (12)(A) and paragraph (13)" and inserting "paragraphs (11) and (12)",

(M) in paragraph (16) by striking "mentally, emotionally, or physically handicapping conditions" and inserting "disability",

(N) by amending paragraph (19) to read as follows:

"(19) provide assurances that—

"(A) any assistance provided under this Act will not cause the displacement (including a partial displacement, such as a reduction in the hours of nonovertime work, wages, or employment benefits) of any currently employed employee;

"(B) activities assisted under this Act will not impair an existing collective bargaining relationship, contract for services, or collective bargaining agreement; and

"(C) no such activity that would be inconsistent with the terms of a collective bargaining agreement shall be undertaken without the written concurrence of the labor organization involved;",

(O) by amending paragraph (23) to read as follows:

"(23) address juvenile delinquency prevention efforts and system improvement efforts designed to reduce, without establishing or requiring numerical standards or quotas, the disproportionate number of juvenile members of minority groups, who come into contact with the juvenile justice system;",

(P) by amending paragraph (24) to read as follows:

"(24) provide that if a juvenile is taken into custody for violating a valid court order issued for committing a status offense—

"(A) an appropriate public agency shall be promptly notified that such juvenile is held in custody for violating such order;

"(B) not later than 24 hours during which such juvenile is so held, an authorized representative of such agency shall interview, in person, such juvenile; and

"(C) not later than 48 hours during which such juvenile is so held—

"(i) such representative shall submit an assessment to the court that issued such order, regarding the immediate needs of such juvenile; and

"(ii) such court shall conduct a hearing to determine—

"(I) whether there is reasonable cause to believe that such juvenile violated such order; and

"(II) the appropriate placement of such juvenile pending disposition of the violation alleged;",

(Q) in paragraph (25) by striking the period at the end and inserting a semicolon,

(R) by redesignating paragraphs (7) through (25) as paragraphs (6) through (24), respectively, and

(S) by adding at the end the following:

"(25) specify a percentage (if any), not to exceed 5 percent, of funds received by the State under section 222 (other than funds made available to the state advisory group under section 222(d)) that the State will reserve for expenditure by the State to provide incentive grants to units of general local government that reduce the caseload of probation officers within such units, and

"(26) provide that the State, to the maximum extent practicable, will implement a system to ensure that if a juvenile is before a court in the juvenile justice system, public child welfare records (including child protective services records) relating to such juvenile that are on file in the geographical area under the jurisdiction of such court will be made known to such court.", and

(2) by amending subsection (c) to read as follows:

"(c) If a State fails to comply with any of the applicable requirements of paragraphs (11), (12), (13), and (22) of subsection (a) in any fiscal year beginning after September 30, 1997, then the amount allocated to such State for the subsequent fiscal year shall be reduced by not to exceed 12.5 percent for each such paragraph with respect to which the failure occurs, unless the Administrator determines that the State—

"(1) has achieved substantial compliance with such applicable requirements with respect to which the State was not in compliance; and

"(2) has made, through appropriate executive or legislative action, an unequivocal commitment to achieving full compliance with such applicable requirements within a reasonable time.", and

(3) in subsection (d)—

(A) by striking "allotment" and inserting "allocation", and

(B) by striking "subsection (a) (12)(A), (13), (14) and (23)" each place it appears and inserting "paragraphs (11), (12), (13), and (22) of subsection (a)".

SEC. 110. JUVENILE DELINQUENCY PREVENTION BLOCK GRANT PROGRAM.

Title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611 et seq.) is amended—

(1) by striking parts C, D, E, F, G, and H,

(2) by striking the 1st part I,

(3) by redesignating the 2nd part I as part F, and

(4) by inserting after part B the following:

"PART C—JUVENILE DELINQUENCY PREVENTION BLOCK GRANT PROGRAM

"SEC. 241. AUTHORITY TO MAKE GRANTS.

"The Administrator may make grants to eligible States, from funds allocated under section 242, for the purpose of providing financial assistance to eligible entities to carry out projects designed to prevent juvenile delinquency, including—

"(1) projects that assist in holding juveniles accountable for their actions, including the use of neighborhood courts or panels that increase victim satisfaction and require juveniles to make restitution, or perform community service, for the damage caused by their delinquent acts;

"(2) projects that provide treatment to juvenile offenders who are victims of child abuse or neglect, and to their families, in order to reduce the likelihood that such juvenile offenders will commit subsequent violations of law;

"(3) educational projects or supportive services for delinquent or other juveniles—

"(A) to encourage juveniles to remain in elementary and secondary schools or in alternative learning situations in educational settings;

"(B) to provide services to assist juveniles in making the transition to the world of work and self-sufficiency;

"(C) to assist in identifying learning difficulties (including learning disabilities);

"(D) to prevent unwarranted and arbitrary suspensions and expulsions;

"(E) to encourage new approaches and techniques with respect to the prevention of school violence and vandalism;

"(F) which assist law enforcement personnel and juvenile justice personnel to more effectively recognize and provide for learning-disabled and other handicapped juveniles; or

"(G) which develop locally coordinated policies and programs among education, juvenile justice, and social service agencies;

"(4) projects which expand the use of probation officers—

"(A) particularly for the purpose of permitting nonviolent juvenile offenders (including status offenders) to remain at home with their families as an alternative to incarceration or institutionalization; and

"(B) to ensure that juveniles follow the terms of their probation;

"(5) one-on-one mentoring projects that are designed to link at-risk juveniles and juvenile offenders who did not commit serious crime, particularly juveniles residing in high-crime areas and juveniles experiencing educational failure, with responsible adults (such as law enforcement officers, adults working with local businesses, and adults working for community-based organizations and agencies) who are properly screened and trained;

"(6) community-based projects and services (including literacy and social service

programs) which work with juvenile offenders, including those from families with limited English-speaking proficiency, their parents, their siblings, and other family members during and after incarceration of the juvenile offenders, in order to strengthen families, to allow juvenile offenders to be retained in their homes, and to prevent the involvement of other juvenile family members in delinquent activities;

"(7) projects designed to provide for the treatment of juveniles for dependence on or abuse of alcohol, drugs, or other harmful substances;

"(8) projects which leverage funds to provide scholarships for postsecondary education and training for low-income juveniles who reside in neighborhoods with high rates of poverty, violence, and drug-related crimes;

"(9) projects which provide for an initial intake screening of each juvenile taken into custody—

"(A) to determine the likelihood that such juvenile will commit a subsequent offense; and

"(B) to provide appropriate interventions to prevent such juvenile from committing subsequent offenses;

"(10) projects (including school- or community-based projects) that are designed to prevent, and reduce the rate of, the participation of juveniles in gangs that commit crimes (particularly violent crimes), that unlawfully use firearms and other weapons, or that unlawfully traffic in drugs and that involve, to the extent practicable, families and other community members (including law enforcement personnel and members of the business community) in the activities conducted under such projects;

"(11) comprehensive juvenile justice and delinquency prevention projects that meet the needs of juveniles through the collaboration of the many local service systems juveniles encounter, including schools, courts, law enforcement agencies, child protection agencies, mental health agencies, welfare services, health care agencies, and private nonprofit agencies offering services to juveniles;

"(12) to develop, implement, and support, in conjunction with public and private agencies, organizations, and businesses, projects for the employment of juveniles and referral to job training programs (including referral to Federal job training programs);

"(13) delinquency prevention activities which involve youth clubs, sports, recreation and parks, peer counseling and teaching, the arts, leadership development, community service, volunteer service, before- and after-school programs, violence prevention activities, mediation skills training, camping, environmental education, ethnic or cultural enrichment, tutoring, and academic enrichment;

"(14) to establish policies and systems to incorporate relevant child protective services records into juvenile justice records for purposes of establishing treatment plans for juvenile offenders;

"(15) family strengthening activities, such as mutual support groups for parents and their children;

"(16) programs that encourage social competencies, problem-solving skills, and communication skills, youth leadership, and civic involvement;

"(17) programs that focus on the needs of young girls at-risk of delinquency or status offenses; and

"(18) other activities that are likely to prevent juvenile delinquency.

"SEC. 242. ALLOCATION.

"Funds appropriated to carry out this part shall be allocated among eligible States as follows:

"(1) Fifty percent of such amount shall be allocated proportionately based on the population that is less than 18 years of age in the eligible States.

"(2) Fifty percent of such amount shall be allocated proportionately based on the annual average number of arrests for serious crimes committed in the eligible States by juveniles during the then most recently completed period of 3 consecutive calendar years for which sufficient information is available to the Administrator.

"SEC. 243. ELIGIBILITY OF STATES.

"(a) APPLICATION.—To be eligible to receive a grant under section 241, a State shall submit to the Administrator an application that contains the following:

"(1) An assurance that the State will use—

"(A) not more than 5 percent of such grant, in the aggregate, for—

"(i) the costs incurred by the State to carry out this part; and

"(ii) to evaluate, and provide technical assistance relating to, projects and activities carried out with funds provided under this part; and

"(B) the remainder of such grant to make grants under section 244.

"(2) An assurance that, and a detailed description of how, such grant will support, and not supplant State and local efforts to prevent juvenile delinquency.

"(3) An assurance that such application was prepared after consultation with and participation by community-based organizations, and organizations in the local juvenile justice system, that carry out programs, projects, or activities to prevent juvenile delinquency.

"(4) An assurance that each eligible entity described in section 244(a) that receives an initial grant under section 244 to carry out a project or activity shall also receive an assurance from the State that such entity will receive from the State, for the subsequent fiscal year to carry out such project or activity, a grant under such section in an amount that is proportional, based on such initial grant and on the amount of the grant received under section 241 by the State for such subsequent fiscal year, but that does not exceed the amount specified for such subsequent fiscal year in such application as approved by the State.

"(5) Such other information and assurances as the Administrator may reasonably require by rule.

"(b) APPROVAL OF APPLICATIONS.—

"(1) APPROVAL REQUIRED.—Subject to paragraph (2), the Administrator shall approve an application, and amendments to such application submitted in subsequent fiscal years, that satisfy the requirements of subsection (a).

"(2) LIMITATION.—The Administrator may not approve such application (including amendments to such application) for a fiscal year unless—

"(A)(i) the State submitted a plan under section 223 for such fiscal year; and

"(ii) such plan is approved by the Administrator for such fiscal year; or

"(B) the Administrator waives the application of subparagraph (A) to such State for such fiscal year, after finding good cause for such a waiver.

"SEC. 244. GRANTS FOR LOCAL PROJECTS.

"(a) SELECTION FROM AMONG APPLICATIONS.—(1) Using a grant received under section 241, a State may make grants to eligible entities whose applications are received by the State in accordance with subsection (b) to carry out projects and activities described in section 241.

"(2) For purposes of making such grants, the State shall give special consideration to eligible entities that—

"(A) propose to carry out such projects in geographical areas in which there is—

"(i) a disproportionately high level of serious crime committed by juveniles; or

"(ii) a recent rapid increase in the number of nonstatus offenses committed by juveniles;

"(B)(i) agreed to carry out such projects or activities that are multidisciplinary and involve 2 or more eligible entities; or

"(ii) represent communities that have a comprehensive plan designed to identify at-risk juveniles and to prevent or reduce the rate of juvenile delinquency, and that involve other entities operated by individuals who have a demonstrated history of involvement in activities designed to prevent juvenile delinquency; and

"(C) the amount of resources (in cash or in kind) such entities will provide to carry out such projects and activities.

"(b) RECEIPT OF APPLICATIONS.—(1) Subject to paragraph (2), a unit of general local government shall submit to the State simultaneously all applications that are—

"(A) timely received by such unit from eligible entities; and

"(B) determined by such unit to be consistent with a current plan formulated by such unit for the purpose of preventing, and reducing the rate of, juvenile delinquency in the geographical area under the jurisdiction of such unit.

"(2) If an application submitted to such unit by an eligible entity satisfies the requirements specified in subparagraphs (A) and (B) of paragraph (1), such entity may submit such application directly to the State.

"SEC. 245. ELIGIBILITY OF ENTITIES.

"(a) ELIGIBILITY.—Subject to subsections (b) and except as provided in subsection (c), to be eligible to receive a grant under section 244, a community-based organization, local juvenile justice system officials (including prosecutors, police officers, judges, probation officers, parole officers, and public defenders), local education authority (as defined in section 14101 of the Elementary and Secondary Education Act of 1965 and including a school within such authority), nonprofit private organization, unit of general local government, or social service provider, and or other entity with a demonstrated history of involvement in the prevention of juvenile delinquency, shall submit to a unit of general local government an application that contains the following:

"(1) An assurance that such applicant will use such grant, and each such grant received for the subsequent fiscal year, to carry out throughout a 2-year period a project or activity described in reasonable detail, and of a kind described in one or more of paragraphs (1) through (14) of section 241 as specified in, such application.

"(2) A statement of the particular goals such project or activity is designed to achieve, and the methods such entity will use to achieve, and assess the achievement of, each of such goals.

"(3) A statement identifying the research (if any) such entity relied on in preparing such application.

"(b) REVIEW AND SUBMISSION OF APPLICATIONS.—Except as provided in subsection (c), an entity shall not be eligible to receive a grant under section 244 unless—

"(1) such entity submits to a unit of general local government an application that—

"(A) satisfies the requirements specified in subsection (a); and

"(B) describes a project or activity to be carried out in the geographical area under the jurisdiction of such unit; and

"(2) such unit determines that such project or activity is consistent with a current plan formulated by such unit for the purpose of preventing, and reducing the rate of, juvenile delinquency in the geographical area under the jurisdiction of such unit.

"(c) LIMITATION.—If an entity that receives a grant under section 244 to carry out a project or activity for a 2-year period, and receives technical assistance from the State or the Administrator after requesting such technical assistance (if any), fails to demonstrate, before the expiration of such 2-year period, that such project or such activity has achieved substantial success in achieving the goals specified in the application submitted by such entity to receive such grants, then such entity shall not be eligible to receive any subsequent grant under such section to continue to carry out such project or activity.".

SEC. 111. RESEARCH; EVALUATION; TECHNICAL ASSISTANCE; TRAINING.

Title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611 et seq.) is amended by inserting after part C, as added by section 110, the following:

"PART D—RESEARCH; EVALUATION; TECHNICAL ASSISTANCE; TRAINING

"SEC. 251. RESEARCH AND EVALUATION; STATISTICAL ANALYSES; INFORMATION DISSEMINATION

"(a) RESEARCH AND EVALUATION.—(1) The Administrator may—

"(A) plan and identify, after consultation with the Director of the National Institute of Justice, the purposes and goals of all agreements carried out with funds provided under this subsection; and

"(B) make agreements with the National Institute of Justice or, subject to the approval of the Assistant Attorney General for the Office of Justice Programs, with another Federal agency authorized by law to conduct research or evaluation in juvenile justice matters, for the purpose of providing research and evaluation relating to—

"(i) the prevention, reduction, and control of juvenile delinquency and serious crime committed by juveniles;

"(ii) the link between juvenile delinquency and the incarceration of members of the families of juveniles;

"(iii) successful efforts to prevent first-time minor offenders from committing subsequent involvement in serious crime;

"(iv) successful efforts to prevent recidivism;

"(v) the juvenile justice system;

"(vi) juvenile violence; and

"(vii) other purposes consistent with the purposes of this title and title I.

"(2) The Administrator shall ensure that an equitable amount of funds available to carry out paragraph (1)(B) is used for research and evaluation relating to the prevention of juvenile delinquency.

"(b) STATISTICAL ANALYSES.—The Administrator may—

"(1) plan and identify, after consultation with the Director of the Bureau of Justice Statistics, the purposes and goals of all agreements carried out with funds provided under this subsection; and

"(2) make agreements with the Bureau of Justice Statistics, or subject to the approval of the Assistant Attorney General for the Office of Justice Programs, with another Federal agency authorized by law to undertake statistical work in juvenile justice matters, for the purpose of providing for the collection, analysis, and dissemination of statistical data and information relating to juvenile delinquency and serious crimes committed by juveniles, to the juvenile justice system, to juvenile violence, and to other purposes consist with the purposes of this title and title I.

"(c) COMPETITIVE SELECTION PROCESS.—The Administrator shall use a competitive process, established by rule by the Administrator, to carry out subsections (a) and (b).

"(d) IMPLEMENTATION OF AGREEMENTS.—A Federal agency that makes an agreement under subsections (a)(1)(B) and (b)(2) with the Administrator may carry out such agreement directly or by making grants to or contracts with public and private agencies, institutions, and organizations.

"(e) INFORMATION DISSEMINATION.—The Administrator may—

"(1) review reports and data relating to the juvenile justice system in the United States and in foreign nations (as appropriate), collect data and information from studies and research into all aspects of juvenile delinquency (including the causes, prevention, and treatment of juvenile delinquency) and serious crimes committed by juveniles;

"(2) establish and operate, directly or by contract, a clearinghouse and information center for the preparation, publication, and dissemination of information relating to juvenile delinquency, including State and local prevention and treatment programs, plans, resources, and training and technical assistance programs; and

"(3) make grants and contracts with public and private agencies, institutions, and organizations, for the purpose of disseminating information to representatives and personnel of public and private agencies, including practitioners in juvenile justice, law enforcement, the courts, corrections, schools, and related services, in the establishment, implementation, and operation of projects and activities for which financial assistance is provided under this title.

"SEC. 252. TRAINING AND TECHNICAL ASSISTANCE.

"(a) TRAINING.—The Administrator may—

"(1) develop and carry out projects for the purpose of training representatives and personnel of public and private agencies, including practitioners in juvenile justice, law enforcement, courts, corrections, schools, and related services, to carry out the purposes specified in section 102; and

"(2) make grants to and contracts with public and private agencies, institutions, and organizations for the purpose of training representatives and personnel of public and private agencies, including practitioners in juvenile justice, law enforcement, courts, corrections, schools, and related services, to carry out the purposes specified in section 102.

"(b) TECHNICAL ASSISTANCE.—The Administrator may—

"(1) develop and implement projects for the purpose of providing technical assistance to representatives and personnel of public and private agencies and organizations, including practitioners in juvenile justice, law enforcement, courts, corrections, schools, and related services, in the establishment, implementation, and operation of programs, projects, and activities for which financial assistance is provided under this title; and

"(2) make grants to and contracts with public and private agencies, institutions, and organizations, for the purpose of providing technical assistance to representatives and personnel of public and private agencies, including practitioners in juvenile justice, law enforcement, courts, corrections, schools, and related services, in the establishment, implementation, and operation of programs, projects, and activities for which financial assistance is provided under this title.".

SEC. 112. DEMONSTRATION PROJECTS.

Title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611 et seq.) is amended by inserting after part D, as added by section 111, the following:

"PART E—DEVELOPING, TESTING, AND DEMONSTRATING PROMISING NEW INITIATIVES AND PROGRAMS

"SEC. 261. GRANTS AND PROJECTS.

"(a) AUTHORITY TO MAKE GRANTS.—The Administrator may make grants to and contracts with States, units of general local government, Indian tribal governments, public and private agencies, organizations, and individuals, or combinations thereof, to carry out projects for the development, testing, and demonstration of promising initiatives and programs for the prevention, control, or reduction of juvenile delinquency. The Administrator shall ensure that, to the extent reasonable and practicable, such grants are made to achieve an equitable geographical distribution of such projects throughout the United States.

"(b) USE OF GRANTS.—A grant made under subsection (a) may be used to pay all or part of the cost of the project for which such grant is made.

"SEC. 262. GRANTS FOR TECHNICAL ASSISTANCE.

"The Administrator may make grants to and contracts with public and private agencies, organizations, and individuals to provide technical assistance to States, units of general local government, Indian tribal governments, local private entities or agencies, or any combination thereof, to carry out the projects for which grants are made under section 261.

"SEC. 263. ELIGIBILITY.

"To be eligible to receive a grant made under this part, a public or private agency, Indian tribal government, organization, institution, individual, or combination thereof shall submit an application to the Administrator at such time, in such form, and containing such information as the Administrator may reasonable require by rule.

"SEC. 264. REPORTS.

"Recipients of grants made under this part shall submit to the Administrator such reports as may be reasonably requested by the Administrator to describe progress achieved in carrying the projects for which such grants are made.".

SEC. 113. AUTHORIZATION OF APPROPRIATIONS.

Section 299 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5671) is amended—

(1) by striking subsection (e), and

(2) by striking subsections (a), (b), and (c), and inserting the following:

"(a) AUTHORIZATION OF APPROPRIATIONS FOR TITLE II (EXCLUDING PARTS C AND E).—(1) There are authorized to be appropriated to carry out this title such sums as may be appropriate for fiscal years 1998, 1999, 2000, and 2001.

"(2) Of such sums as are appropriated for a fiscal year to carry out this title (other than parts C and E)—

"(A) not more than 5 percent shall be available to carry out part A;

"(B) not less than 80 percent shall be available to carry out part B; and

"(C) not more than 15 percent shall be available to carry out part D.

"(b) AUTHORIZATION OF APPROPRIATIONS FOR PART C.—There are authorized to be appropriated to carry out part C such sums as may be necessary for fiscal years 1998, 1999, 2000, and 2001.

"(c) AUTHORIZATION OF APPROPRIATIONS FOR PART E.—There are authorized to be appropriated to carry out part E, and authorized to remain available until expended, such sums as may be necessary for fiscal years 1998, 1999, 2000, and 2001.".

SEC. 114. ADMINISTRATIVE AUTHORITY.

Section 299A of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5672) is amended—

(1) in subsection (d) by striking "as are consistent with the purpose of this Act" and inserting "only to the extent necessary to ensure that there is compliance with the specific requirements of this title or to respond to requests for clarification and guidance relating to such compliance", and

(2) by adding at the end the following:

"(e) If a State requires by law compliance with the requirements described in paragraphs (11), (12), and (13) of section 223(a), then for the period such law is in effect in such State such State shall be rebuttably presumed to satisfy such requirements.".

SEC. 115. USE OF FUNDS.

Section 299C of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5674) is amended—

(1) in subsection (a)—

(A) by striking "may be used for",

(B) in paragraph (1) by inserting "may be used for" after "(1)", and

(C) by amending paragraph (2) to read as follows:

"(2) may not be used for the cost of construction of any facility, except not more than 15 percent of the funds received under this title by a State for a fiscal year may be used for the purpose of renovating or replacing juvenile facilities.",

(2) by striking subsection (b), and

(3) by redesignating subsection (c) as subsection (b).

SEC. 116. LIMITATION ON USE OF FUNDS.

Part F of title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5671 et seq.), as so redesignated by section 110, is amended adding at the end the following:

"SEC. 299F. LIMITATION ON USE OF FUNDS.

"None of the funds made available to carry out this title may be used to advocate for, or support, the unsecured release of juveniles who are charged with a violent crime.".

SEC. 117. RULES OF CONSTRUCTION.

Part F of title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5671 et seq.), as so redesignated by section 110 and amended by section 116, is amended adding at the end the following:

"SEC. 299G. RULES OF CONSTRUCTION.

"Nothing in this title or title I shall be construed—

"(1) to prevent financial assistance from being awarded through grants under this title to any otherwise eligible organization; or

"(2) to modify or affect any Federal or State law relating to collective bargaining rights of employees.".

SEC. 118. LEASING SURPLUS FEDERAL PROPERTY.

Part F of title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5671 et seq.), as so redesignated by section 110 and amended by section 117, is amended adding at the end the following:

"SEC. 299H. LEASING SURPLUS FEDERAL PROPERTY.

"The Administrator may receive surplus Federal property (including facilities) and may lease such property to States and units of general local government for use in or as facilities for juvenile offenders, or for use in or as facilities for delinquency prevention and treatment activities.".

SEC. 119. ISSUANCE OF RULES.

Part F of title II or the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5671 et seq.), as so redesignated by section 110 and amended by section 118, is amended adding at the end the following:

"SEC. 299I. ISSUANCE OF RULES.

"The Administrator shall issue rules to carry out this title, including rules that establish procedures and methods for making grants and contracts, and distributing funds available, to carry out this title.".

SEC. 120. TECHNICAL AND CONFORMING AMENDMENTS.

(a) TECHNICAL AMENDMENTS.—The Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) is amended—

(1) in section 202(b) by striking "prescribed for GS–18 of the General Schedule by section 5332" and inserting "payable under section 5376",

(2) in section 221(b)(2) by striking the last sentence,

(3) in section 299D by striking subsection (d), and

(4) by striking titles IV and V, as originally enacted by Public Law 93–415 (88 Stat. 1132–1143).

(b) CONFORMING AMENDMENTS.—(1) Section 5315 of title 5 of the United States Code is amended by striking "Office of Juvenile Justice and Delinquency Prevention" and inserting "Office of Juvenile Crime Control and Delinquency Prevention".

(2) Section 4351(b) of title 18 of the United States Code is amended by striking "Office of Juvenile Justice and Delinquency Prevention" and inserting "Office of Juvenile Crime Control and Delinquency Prevention".

(3) Subsections (a)(1) and (c) of section 3220 of title 39 of the United States Code is amended by striking "Office of Juvenile Justice and Delinquency Prevention" each place it appears and inserting "Office of Juvenile Crime Control and Delinquency Prevention".

(4) Section 463(f) of the Social Security Act (42 U.S.C. 663(f)) is amended by striking "Office of Juvenile Justice and Delinquency Prevention" and inserting "Office of Juvenile Crime Control and Delinquency Prevention".

(5) Sections 801(a), 804, 805, and 813 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3712(a), 3782, 3785, 3786, 3789i) are amended by striking "Office of Juvenile Justice and Delinquency Prevention" each place it appears and inserting "Office of Juvenile Crime Control and Delinquency Prevention".

(6) The Victims of Child Abuse Act of 1990 (42 U.S.C. 13001 et seq.) is amended—

(A) in section 214(b(1) by striking "262, 293, and 296 of subpart II of title II" and inserting "299B and 299E",

(B) in section 214A(c)(1) by striking "262, 293, and 296 of subpart II of title II" and inserting "299B and 299E",

(C) in sections 217 and 222 by striking "Office of Juvenile Justice and Delinquency Prevention" each place it appears and inserting "Office of Juvenile Crime Control and Delinquency Prevention", and

(D) in section 223(c) by striking "section 262, 293, and 296" and inserting "sections 262, 299B, and 299E".

(7) The Missing Children's Assistance Act (42 U.S.C. 5771 et seq.) is amended—

(A) in section 403(2) by striking "Justice and Delinquency Prevention" and inserting "Crime Control and Delinquency Prevention", and

(B) in subsections (a)(5)(E) and (b)(1)(B) of section 404 by striking "section 313" and inserting "section 331".

(8) The Crime Control Act of 1990 (42 U.S.C. 13001 et seq.) is amended—

(A) in section 217(c)(1) by striking "sections 262, 293, and 296 of subpart II of title II" and inserting "sections 299B and 299E", and

(B) in section 223(c) by striking "section 262, 293, and 296 of title II" and inserting "sections 299B and 299E".

SEC. 121. REFERENCES.

In any Federal law (excluding this Act and the Acts amended by this Act), Executive order, rule, regulation, order, delegation of authority, grant, contract, suit, or document—

(1) a reference to the Office of Juvenile Justice and Delinquency Prevention shall be deemed to include a reference to the Office of Juvenile Crime Control and Delinquency Prevention, and

(2) a reference to the National Institute for Juvenile Justice and Delinquency Prevention shall be deemed to include a reference to Office of Juvenile Crime Control and Delinquency Prevention.

TITLE II—AMENDMENTS TO THE RUNAWAY AND HOMELESS YOUTH ACT

SEC. 201. FINDINGS.

Section 302 of the Runaway and Homeless Youth Act (42 U.S.C. 5701) is amended—

(1) in paragraph (5) by striking "accurate reporting of the problem nationally" and inserting "an accurate national reporting system to report the problem,", and

(2) by amending paragraph (8) to read as follows:

"(8) services for runaway and homeless youth are needed in urban, suburban and rural areas;".

SEC. 202. AUTHORITY TO MAKE GRANTS FOR CENTERS AND SERVICES.

Section 311 of the Runaway and Homeless Youth Act (42 U.S.C. 5711) is amended—

(1) by amending subsection (a) to read as follows:

"(a)(1) The Secretary shall make grants to public and nonprofit private entities (and combinations of such entities) to establish and operate (including renovation) local centers to provide services for runaway and homeless youth and for the families of such youth.

"(2) Such services—

"(A) shall be provided as an alternative to involving runaway and homeless youth in the law enforcement, child welfare, mental health, and juvenile justice systems;

"(B) shall include—

"(i) safe and appropriate shelter; and

"(ii) individual, family, and group counseling, as appropriate; and

"(C) may include—

"(i) street-based services;

"(ii) home-based services for families with youth at risk of separation from the family; and

"(iii) drug abuse education and prevention services.",

(2) in subsection (b)—

(A) in paragraph (2) by striking "the Trust Territory of the Pacific Islands,", and

(B) by striking paragraph (4), and

(3) by striking subsections (c) and (d).

SEC. 203. ELIGIBILITY.

Section 312 of the Runaway and Homeless Youth Act (42 U.S.C. 5712) is amended—

(1) in subsection (b)—

(A) in paragraph (8) by striking "paragraph (6)" and inserting "paragraph (7)",

(B) in paragraph (10) by striking "and" at the end,

(C) in paragraph (11) by striking the period at the end and inserting "; and", and

(D) by adding at the end the following:

"(12) shall submit to the Secretary an annual report that includes—

"(A) information regarding the activities carried out under this part;

"(B) the achievements of the project under this part carried out by the applicant; and

"(C) statistical summaries describing—

"(i) the number and the characteristics of the runaway and homeless youth, and youth at risk of family separation, who participate in the project; and

"(ii) the services provided to such youth by the project;

in the year for which the report is submitted.", and

(2) by striking subsections (c) and (d) and inserting the following:

"(c) To be eligible to use assistance under section 311(a)(2)(C)(i) to provide street-based services, the applicant shall include in the plan required by subsection (b) assurances that in providing such services the applicant will—

"(1) provide qualified supervision of staff, including on-street supervision by appropriately trained staff;

"(2) provide backup personnel for on-street staff;

"(3) provide initial and periodic training of staff who provide such services; and

"(4) conduct outreach activities for runaway and homeless youth, and street youth.

"(d) To be eligible to use assistance under section 311(a) to provide home-based services described in section 311(a)(2)(C)(ii), an applicant shall include in the plan required by subsection (b) assurances that in providing such services the applicant will—

"(1) provide counseling and information to youth and the families (including unrelated individuals in the family households) of such youth, including services relating to basic life skills, interpersonal skill building, educational advancement, job attainment skills, mental and physical health care, parenting skills, financial planning, and referral to sources of other needed services;

"(2) provide directly, or through an arrangement made by the applicant, 24-hour service to respond to family crises (including immediate access to temporary shelter for runaway and homeless youth, and youth at risk of separation from the family);

"(3) establish, in partnership with the families of runaway and homeless youth, and youth at risk of separation from the family, objectives and measures of success to be achieved as a result of receiving home-based services;

"(4) provide initial and periodic training of staff who provide home-based services; and

"(5) ensure that—

"(A) caseloads will remain sufficiently low to allow for intensive (5 to 20 hours per week) involvement with each family receiving such services; and

"(B) staff providing such services will receive qualified supervision.

"(e) To be eligible to use assistance under section 311(a)(2)(C)(iii) to provide drug abuse education and prevention services, an applicant shall include in the plan required by subsection (b)—

"(1) a description of—

"(A) the types of such services that the applicant proposes to provide;

"(B) the objectives of such services; and

"(C) the types of information and training to be provided to individuals providing such services to runaway and homeless youth; and

"(2) an assurance that in providing such services the applicant shall conduct outreach activities for runaway and homeless youth.".

SEC. 204. APPROVAL OF APPLICATIONS.

Section 313 of the Runaway and Homeless Youth Act (42 U.S.C. 5713) is amended to read as follows:

"APPROVAL OF APPLICATIONS

"SEC. 313. (a) An application by a public or private entity for a grant under section 311(a) may be approved by the Secretary after taking into consideration, with respect to the State in which such entity proposes to provide services under this part—

"(1) the geographical distribution in such State of the proposed services under this part for which all grant applicants request approval; and

"(2) which areas of such State have the greatest need for such services.

"(b) The Secretary shall, in considering applications for grants under section 311(a), give priority to—

"(1) eligible applicants who have demonstrated experience in providing services to runaway and homeless youth; and

"(2) eligible applicants that request grants of less than $200,000.".

SEC. 205. AUTHORITY FOR TRANSITIONAL LIVING GRANT PROGRAM.

Section 321 of the Runaway and Homeless Youth Act (42 U.S.C. 5714–1) is amended—

(1) in the heading by striking "PURPOSE AND",

(2) in subsection (a) by striking "(a)", and

(3) by striking subsection (b).

SEC. 206. ELIGIBILITY.

Section 322(a)(9) of the Runaway and Homeless Youth Act (42 U.S.C. 5714–2(a)(9)) is amended by inserting ", and the services provided to such youth by such project," after "such project".

SEC. 207. AUTHORITY TO MAKE GRANTS FOR RESEARCH, EVALUATION, DEMONSTRATION, AND SERVICE PROJECTS.

Section 343 of the Runaway and Homeless Youth Act (42 U.S.C. 5714–23) is amended—

(1) in the heading of such section by inserting "EVALUATION," after "RESEARCH,",

(2) in subsection (a) by inserting "evaluation," after "research,", and

(3) in subsection (b)—

(A) by striking paragraph (2), and

(B) by redesignating paragraphs (3) through (10) as paragraphs (2) through (9), respectively.

SEC. 208. TEMPORARY DEMONSTRATION PROJECTS TO PROVIDE SERVICES TO YOUTH IN RURAL AREAS.

Section 344 of the Runaway and Homeless Youth Act (42 U.S.C. 5714–24) is repealed.

SEC. 209. SEXUAL ABUSE PREVENTION PROGRAM.

Section 40155 of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322; 108 Stat. 1922) is amended to read as follows:

"SEC. 40155. EDUCATION AND PREVENTION GRANTS TO REDUCE SEXUAL ABUSE OF RUNAWAY, HOMELESS, AND STREET YOUTH.

"(a) AUTHORITY FOR PROGRAM.—The Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) is amended—

"(1) by striking the heading for part F,

"(2) by redesignating part E as part F, and

"(3) by inserting after part D the following:

"'PART E—SEXUAL ABUSE PREVENTION PROGRAM

"'SEC. 351. AUTHORITY TO MAKE GRANTS.

"'(a) The Secretary may make grants to nonprofit private agencies for the purpose of providing street-based services to runaway and homeless, and street youth, who have been subjected to, or are at risk of being subjected to, sexual abuse.

"'(b) In selecting applicants to receive grants under subsection (a), the Secretary shall give priority to non-profit private agencies that have experience in providing services to runaway and homeless, and street youth.'.

"(b) AUTHORIZATION OF APPROPRIATIONS.—Section 389(a) of the Runaway and Homeless Youth Act (42 U.S.C. 5751), as amended by section 213 of the Juvenile Crime Control and Delinquency Prevention Act of 1997, is amended by adding at the end the following:

"'(4) There are authorized to be appropriated to carry out part E such sums as may be necessary for fiscal years 1998, 1999, 2000, and 2001.'".

SEC. 210. ASSISTANCE TO POTENTIAL GRANTEES.

Section 371 of the Runaway and Homeless Youth Act (42 U.S.C. 5714a) is amended by striking the last sentence.

SEC. 211. REPORTS.

Section 381 of the Runaway and Homeless Youth Act (42 U.S.C. 5715) is amended to read as follows:

"REPORTS

"SEC. 381. (a) Not later than April 1, 1999, and at 2-year intervals thereafter, the Secretary shall submit, to the Committee on Education and the Workforce of the House of Representatives and the Committee on the Judiciary of the Senate, a report on the status, activities, and accomplishments of entities that receive grants under parts A, B, C, D, and E, with particular attention to—

"(1) in the case of centers funded under part A, the ability or effectiveness of such centers in—

"(A) alleviating the problems of runaway and homeless youth;

"(B) if applicable or appropriate, reuniting such youth with their families and encouraging the resolution of intrafamily problems through counseling and other services;

"(C) strengthening family relationships and encouraging stable living conditions for such youth; and

"(D) assisting such youth to decide upon a future course of action; and

"(2) in the case of projects funded under part B—

"(A) the number and characteristics of homeless youth served by such projects;

"(B) the types of activities carried out by such projects;

"(C) the effectiveness of such projects in alleviating the problems of homeless youth;

"(D) the effectiveness of such projects in preparing homeless youth for self-sufficiency;

"(E) the effectiveness of such projects in assisting homeless youth to decide upon future education, employment, and independent living;

"(F) the ability of such projects to encourage the resolution of intrafamily problems through counseling and development of self-sufficient living skills; and

"(G) activities and programs planned by such projects for the following fiscal year.

"(b) The Secretary shall include in the report required by subsection (a) summaries of—

"(1) the evaluations performed by the Secretary under section 386; and

"(2) descriptions of the qualifications of, and training provided to, individuals involved in carrying out such evaluations.".

SEC. 212. EVALUATION.

Section 384 of the Runaway and Homeless Youth Act (42 U.S.C. 5732) is amended to read as follows:

"EVALUATION AND INFORMATION

"SEC. 384. (a) If a grantee receives grants for 3 consecutive fiscal years under part A, B, C, D, or E (in the alternative), then the Secretary shall evaluate such grantee on-site, not less frequently than once in the period of such 3 consecutive fiscal years, for purposes of—

"(1) determining whether such grants are being used for the purposes for which such grants are made by the Secretary;

"(2) collecting additional information for the report required by section 383; and

"(3) providing such information and assistance to such grantee as will enable such grantee to improve the operation of the centers, projects, and activities for which such grants are made.

"(b) Recipients of grants under this title shall cooperate with the Secretary's efforts to carry out evaluations, and to collect information, under this title.".

SEC. 213. AUTHORIZATION OF APPROPRIATIONS.

Section 385 of the Runaway and Homeless Youth Act (42 U.S.C. 5751) is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 389. (a)(1) There are authorized to be appropriated to carry out this title (other than part E) such sums as may be necessary for fiscal years 1998, 1999, 2000, and 2001.

"(2)(A) From the amount appropriated under paragraph (1) for a fiscal year, the Secretary shall reserve not less than 90 percent to carry out parts A and B.

"(B) Of the amount reserved under subparagraph (A), not less than 20 percent, and not more than 30 percent, shall be reserved to carry out part B.

"(3) After reserving the amounts required by paragraph (2), the Secretary shall reserve the remaining amount (if any) to carry out parts C and D.

"(b) No funds appropriated to carry out this title may be combined with funds appropriated under any other Act if the purpose of combining such funds is to make a single discretionary grant, or a single discretionary payment, unless such funds are separately identified in all grants and contracts and are used for the purposes specified in this title.".

SEC. 214. CONSOLIDATED REVIEW OF APPLICATIONS.

The Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) is amended by inserting after section 384 the following:

"CONSOLIDATED REVIEW OF APPLICATIONS

"SEC. 385. With respect to funds available to carry out parts A, B, C, D, and E, nothing in this title shall be construed to prohibit the Secretary from—

"(1) announcing, in a single announcement, the availability of funds for grants under 2 or more of such parts; and

"(2) reviewing applications for grants under 2 or more of such parts in a single, consolidated application review process.".

SEC. 215. DEFINITIONS.

The Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) is amended by inserting after section 385, as added by section 214, the following:

"DEFINITIONS

"SEC. 386. For the purposes of this title:

"(1) The term 'drug abuse education and prevention services'—

"(A) means services to runaway and homeless youth to prevent or reduce the illicit use of drugs by such youth; and

"(B) may include—

"(i) individual, family, group, and peer counseling;

"(ii) drop-in services;

"(iii) assistance to runaway and homeless youth in rural areas (including the development of community support groups);

"(iv) information and training relating to the illicit use of drugs by runaway and homeless youth, to individuals involved in providing services to such youth; and

"(v) activities to improve the availability of local drug abuse prevention services to runaway and homeless youth.

"(2) The term 'home-based services'—

"(A) means services provided to youth and their families for the purpose of—

"(i) preventing such youth from running away, or otherwise becoming separated, from their families; and

"(ii) assisting runaway youth to return to their families; and

"(B) includes services that are provided in the residences of families (to the extent practicable), including—

"(i) intensive individual and family counseling; and

"(ii) training relating to life skills and parenting.

"(3) The term 'homeless youth' means an individual—

"(A) who is—

"(i) not more than 21 years of age; and

"(ii) for the purposes of part B, not less than 16 years of age;

"(B) for whom it is not possible to live in a safe environment with a relative; and

"(C) who has no other safe alternative living arrangement.

"(4) The term 'street-based services'—

"(A) means services provided to runaway and homeless youth, and street youth, in areas where they congregate, designed to assist such youth in making healthy personal choices regarding where they live and how they behave; and

"(B) may include—

"(i) identification of and outreach to runaway and homeless youth, and street youth;

"(ii) crisis intervention and counseling;

"(iii) information and referral for housing;

"(iv) information and referral for transitional living and health care services;

"(v) advocacy, education, and prevention services related to—

"(I) alcohol and drug abuse;

"(II) sexually transmitted diseases, including human immunodeficiency virus (HIV); and

"(III) physical and sexual assault.

"(5) The term 'street youth' means an individual who—

"(A) is—

"(i) a runaway youth; or

"(ii) indefinitely or intermittently a homeless youth; and

"(B) spends a significant amount of time on the street or in other areas which increase the exposure of such youth to sexual abuse.

"(6) The term 'transitional living youth project' means a project that provides shelter and services designed to promote a transition to self-sufficient living and to prevent long-term dependency on social services.

"(7) The term 'youth at risk of separation from the family' means an individual—

"(A) who is less than 18 years of age; and

"(B)(i) who has a history of running away from the family of such individual;

"(ii) whose parent, guardian, or custodian is not willing to provide for the basic needs of such individual; or

"(iii) who is at risk of entering the child welfare system or juvenile justice system as a result of the lack of services available to the family to meet such needs.".

SEC. 216. REDESIGNATION OF SECTIONS.

Sections 371, 372, 381, 382, 383, 384, 385, and 386 of the Runaway and Homeless Youth Act (42 U.S.C. 5714b–5851 et seq.), as amended by this title, are redesignated as sections 381, 382, 383, 384, 385, 386, 387, and 388, respectively.

SEC. 217. TECHNICAL AMENDMENT.

Section 331 of the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) is amended in the 1st sentence by striking "With" and all that follows through "the Secretary", and inserting "The Secretary".

TITLE III—REPEAL OF TITLE V RELATING TO INCENTIVE GRANTS FOR LOCAL DELINQUENCY PREVENTION PROGRAMS

SEC. 301. REPEALER.

Title V of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5681 et seq.), as added by Public Law 102–586, is repealed.

TITLE IV—GENERAL PROVISIONS

SEC. 401. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.

(a) EFFECTIVE DATE.—Except as provided in subsection (b), this Act and the amendments made by this Act shall take effect on the date of the enactment of this Act.

(b) APPLICATION OF AMENDMENTS.—The amendments made by this Act shall apply only with respect to fiscal years beginning after September 30, 1997.

TITLE V—MISCELLANEOUS AMENDMENTS

SEC. 501. NATIONAL RESOURCE CENTER AND CLEARINGHOUSE FOR MISSING CHILDREN.

(a) ALTERNATIVE AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to The National Center for Missing and Exploited Children, a nonprofit corporation organized under the laws of the District of Columbia, $5,000,000 for each of the fiscal years 1998, 1999, 2000, and 2001 to operate a national resource center and clearinghouse designed—

(1) to provide to State and local governments, public and private nonprofit agencies, and individuals information regarding—

(A) free or low-cost legal, restaurant, lodging, and transportation services that are available for the benefit of missing children and their families, and

(B) the existence and nature of programs being carried out by Federal agencies to assist missing children and their families,

(2) to coordinate public and private programs which locate, recover, or reunite missing children with their legal custodians,

(3) to disseminate nationally information about innovative and model missing children's programs, services, and legislation, and

(4) to provide technical assistance and training to law enforcement agencies, State and local governments, elements of the criminal justice system, public and private nonprofit agencies, and individuals in the prevention, investigation, prosecution, and treatment of missing and exploited child cases and in locating and recovering missing children.

(b) CONFORMING AMENDMENTS.—Section 404(b) of the Missing Children's Assistance Act (42 U.S.C. 5773(b)) is amended—

(1) by striking ", shall",

(2) in paragraph (1)—

(A) in subparagraph (A) by inserting "shall" after "(A)", and

(B) in subparagraph (B) by striking "coordinating" and inserting "shall coordinate",

(3) in paragraph (2) by inserting "for any fiscal year for which no funds are appropriated under section 2 of the Missing and

Exploited Children Act of 1997, shall" after "(2)",

(4) in paragraph (3) by inserting "shall" after "(3)", and

(5) in paragraph (4) by inserting "shall" after "(4)".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. RIGGS] and the gentleman from California [Mr. MARTINEZ] each will control 20 minutes.

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

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

Mr. Speaker, combating juvenile crime is one of our most important domestic priorities, and it is an issue that has received a great deal of attention in recent months, both in this body and across the land.

Earlier this spring, the House of Representatives overwhelmingly passed H.R. 3, sponsored by the gentleman from Florida [Mr. MCCOLLUM], my good friend. This was the Committee on the Judiciary bill that focused on the punishment of juvenile offenders through graduated sanctions and greater accountability for those offenders and their parents or guardians. At that time when we were debating the McCollum bill, many Members expressed a need to balance punishment with prevention. The bill before us today on the floor does just that.

Mr. Speaker, I want Members to know at the outset that Republicans want to control juvenile crime using a balanced approach which focuses on prevention and accountability and helping young people turn their lives around. As we have said all along, we have to balance harshness with hope through an approach that is tough on punishment but smart on prevention.

H.R. 1818 will assist States and local communities to develop strategies to combat the juvenile crime wave through a wide range of prevention and intervention programs. This juvenile crime wave has been called by some demographers, some criminologists, a time bomb waiting to go off if we fail to deal with the problem in an adequate manner.

H.R. 1818 is a bipartisan bill. It was the result of many hours of discussions involving the gentleman from California [Mr. MARTINEZ], ranking member of the Subcommittee on Early Childhood, Youth and Families that I chair, the gentleman from Virginia [Mr. SCOTT], who played a lead role in crafting this legislation, the gentleman from Pennsylvania [Mr. GREENWOOD] and myself.

The legislation also reflects information gathered during subcommittee hearings, meetings with individuals in the juvenile justice community, and individual visits to juvenile facilities and prevention programs around the country. It draws, as well, from recommendations of the Clinton administration and bills introduced by other Members of both parties. This is good policy. It is a carefully constructed balance among the range of views on this issue.

H.R. 1818 streamlines current law, reduces burdensome State requirements, and provides States and local community-based providers with greater flexibility in addressing juvenile crime. It acknowledges that the most successful solutions to juvenile crime are developed at the State and local level by those who understand the unique characteristics of youth and of the juvenile crime problem in their area.

One of the most important features of this legislation is the creation of a new prevention block grant to States. All of the current discretionary programs, the separate categorical programs, are consolidated into this prevention block grant to the States. States and local communities are provided broad discretion in how to use the funds from this block grant. I would, however, hope that States would continue the same level of active partnership between the State and local governments and private nonprofit community-based organizations that has typified the administration of this act in the past.

For example, H.R. 1818 allows the use of funds for intervention and prevention activities such as antigang programs; mentoring, which we have found to be one of the most successful means of diverting young people who are already in the juvenile justice system or young people at risk of coming into contact with the system from a life of crime; educational assistance; and job training and employment services. It also allows funds to be used for the development of systems of graduated sanctions and additional probation officers to monitor youth to assure that they abide by the terms of their probation.

Both of these activities are in fact forms of prevention. They are forms of prevention targeted at minor offenders, targeted at diverting those minor offenders from the justice system before they graduate to adult crimes and adult prisons. While the bill outlines a number of successful approaches for reducing and preventing juvenile crime, it does not limit the types of prevention activities carried out by local communities.

Mr. Speaker, another very important part of this legislation is the reauthorization of the Runaway and Homeless Youth Act. These effective programs work to protect youth by keeping them off the streets, away from criminal activities and out of desperate circumstances. The act has been successful in meeting the needs of runaway and homeless youth and in reunifying these youth with their families.

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I realize concerns have been raised concerning the elimination of the Independent Coordinating Council on Juvenile Justice and Delinquency Prevention. The committee report accompanying H.R. 1818 clearly points out that we expect the administrator of the Office of Juvenile Justice and Delinquency Prevention to continue coordinating efforts among Federal departments and agencies which work with at-risk or delinquent youth. The report further states that nothing in the law would prevent the administrator from creating an informal coordinating council.

However, I would like to note that another available mechanism to achieve the creation of an official coordinating council would be for the President to establish such a council through an Executive Order.

Mr. Speaker, many members of our staff and the administration have contributed to our success today in moving this bill forward. The very fact we are able to move this bill forward on the Suspension Calendar, which is normally reserved for noncontroversial legislation, is a testament to the cooperative and bipartisan efforts of all parties involved. While it is impossible to thank everyone who has contributed to this legislation, there are several people who have been instrumental in helping us arrive at a consensus. I particularly want to thank our very dedicated staff members, Lynn Selmser, who is seated next to me, Erika Otto, Dan Dodgen, and Cheryl Johnson of the committee's majority and minority staff, Denise Forte with the gentleman from Virginia [Mr. SCOTT] and Judy Borger with the gentleman from Pennsylvania [Mr. GREENWOOD].

I also want to acknowledge the strong personal interest that Attorney General Reno took in this juvenile delinquency prevention legislation early on and express my appreciation to her deputy, Shay Bilchik, who, as the Administrator of the Office of Juvenile Justice and Delinquency Prevention, made a tremendous contribution to this legislation and whose advice was invaluable in crafting this legislation. I also want to extend the same recognition to John Wilson, Deputy Administrator, for his valuable contribution to the legislation.

Mr. Speaker, I believe the bill before us today provides the missing link in our efforts to combat juvenile crime. Combined with H.R. 3, it provides a balanced approach to addressing problems related to juvenile crime in our country, and it therefore deserves our strong support and commitment.

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

Mr. MARTINEZ. Mr. Speaker, I yield myself such time as I may consume and I rise in support of this bill.

Mr. Speaker, for as long as I have been in Congress, Republicans and Democrats have consistently differed on the right way to combat crime, especially juvenile crime. I experienced

this difficulty as the last subcommittee chairman that reauthorized this act back in 1992. Fashioning bills related to crime which can gain the support of both parties was and still is extremely difficult.

The difference of opinion on how we can effectively combat crime, whether through prevention and early intervention or hard sanctions, consistently has divided our parties. As a Member who strongly believed in early intervention and primary intervention, I can attest to the great debate over these differences.

Having said this, though, I must admit I am truly amazed we are here today with a bipartisan bill. When the gentleman from California [Mr. RIGGS], the chairman, first proposed to engage Democrats in bipartisan discussions aimed at producing a bill we could all support, I had reservations. However, I believe the strong commitment of the chairman to work with us on the issues that were important to us on this side of the aisle is what truly held this process together. As a result, I strongly believe that this bill shows that we can work together and produce good public policy.

The legislation we are considering today arguably improves the vital provisions of the Juvenile Justice and Delinquency Prevention Act. The four core mandates of the act are maintained and have been modified in such a way to both strengthen the protections they provide and provide flexibility to deal with the real-life difficulties of dealing with juvenile offenders.

In addition, a dramatic new step is also taken by the creation of the community prevention block grant and the addition of important preadjudication based prevention language. This last point is extremely important, since we all know an ounce of prevention can result in a pound of cure.

Having extolled the virtues of the bill, I would like to thank my colleagues, the gentleman from California [Mr. RIGGS], the gentleman from Pennsylvania [Mr. GREENWOOD], and the gentleman from Virginia [Mr. SCOTT], and others for working through the many, many differences we had on this bill. The hours that we as Members spent and the many more hours which the staff spent have obviously produced the bipartisan and balanced product that we have all been seeking from the beginning and, in my opinion, was, therefore, well worth the efforts. The leadership of my colleagues on both sides of this issue has been essential to working to striking the compromise that we have reached.

Having thanked my Republican friends on the other side of the aisle, I would especially want to thank and single out the gentleman from Virginia [Mr. SCOTT] for being the true leader on this bill and the complex issues surrounding the debates over juvenile delinquency. Congressman Scott's leadership and his driving commitment to ensure that juveniles who commit delinquent acts are fairly treated was invaluable and is reflected in this legislation before us today.

In closing, I want to thank all Members and suggest that Members should realize the importance of this bill and the policies which are reflected in it. The strong primary prevention focus of the bill will give us the tools needed by those in the field to effectively deal with those at risk of committing delinquent acts. With this in mind, I urge all Members to vote for this legislation.

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

Mr. RIGGS. Mr. Speaker, I yield 2½ minutes to the gentleman from Pennsylvania [Mr. GOODLING], chairman of the full Committee on Education and the Workforce.

Mr. GOODLING. Mr. Speaker, when we began this effort, I told the staff to keep working until they could see whether they could satisfy the gentleman from Virginia [Mr. SCOTT], and apparently we have done that, and so we are here today.

Also, when we started, I indicated that we want to deal with juvenile crime using a balanced approach, one of prevention and one of accountability.

In 1995, juveniles accounted for 32 percent of robbery arrests, 23 percent of weapons arrests, 15 percent of rape arrests, 13 percent of aggravated assault arrests and 9 percent of arrests for murder. Those are pretty serious statistics. We also realized that we could not begin to build enough jails to try to deal with that issue, and it also would not be very wise to do only that.

So today we have before us the Juvenile Crime Control and Delinquency Prevention Act. It is an important bill which not only supports making juveniles accountable for their actions but which provides funds to States and local communities to design prevention programs to help youths turn their lives around.

Again, we allow the flexibility that we need to allow if local entities are going to do the things that have to be done to bring about the prevention as well as handling of the juveniles who we have difficulty turning around.

So in this bill we have combined many individual programs, many that were so small that they were totally ineffective, many that were duplicative and, above all, as I indicated, we give an opportunity for the local area to design the programs that they believe will work best for that area.

Mr. Speaker, I encourage all Members to support this legislation.

Mr. MARTINEZ. Mr. Speaker, I yield 3½ minutes to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, I thank the gentleman for yielding me this time and I rise in strong support of the Juvenile Crime Control and Delinquency Prevention Act because I believe prevention programs that provide help to our troubled at-risk kids are key to reducing juvenile crime.

Mr. Speaker, I want to commend the gentleman from California [Mr. RIGGS], the gentleman from Pennsylvania [Mr. GREENWOOD], the gentleman from Virginia [Mr. SCOTT], the gentleman from California [Mr. MARTINEZ], and the staff on both sides for all of the work that they have put into this legislation.

I also support this bill because it retains four core mandates in the current law, especially the mandate that conditions funding under the bill to a bar on incarcerating juveniles in adult facilities.

Overall, children in institutions are five times more likely to be sexually assaulted, twice as likely to be beaten by staff, eight times more likely to commit suicide, and 58 percent more likely to be attacked with a weapon than in a juvenile facility.

Originally the bill provided an exception to that mandate for rural areas that I believe did not have enough safeguards; but because of the extreme dangers juveniles face in adult facilities and the bar placed on this practice for kids in metropolitan areas, I have worked with the subcommittee chairman to ensure that the rural exception is used only after great consideration and caution, and only under limited circumstances.

In that respect, Mr. Speaker, I would like to engage the subcommittee chair in a colloquy, and ask of the chairman whether or not I am correct that the chairman's mark incorporates changes that will help us achieve those goals of providing for the safety of these people under the exception?

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

Mr. MILLER of California. I yield to the gentleman from California.

Mr. RIGGS. Mr. Speaker, I thank the gentleman for yielding and I want to thank him for his contributions to the legislation; and, yes, he is correct in his assumption.

I agree with the gentleman that the rural exception should be just that, an exception. The rule under the bill is that a State is in compliance if it bars juvenile incarceration in an adult facility that exceeds a maximum of 48 hours, excluding weekends and holidays.

For rural areas, where there is no existing acceptable alternative, a juvenile may be placed prior to adjudication and sentencing in an adult facility if a number of conditions are met, and the gentleman may want to discuss those conditions.

Mr. MILLER of California. Mr. Speaker, reclaiming my time, I thank the gentleman.

Again, for a State to be in compliance under the bill, a juvenile in a rural area shall be detained in a juvenile facility unless the judge consults with the juvenile and his attorney and receives the consent of the juvenile's parent, decides that it is in the best interest of the juvenile for that child to be housed in a nearby adult facility.

But such a juvenile may only be incarcerated in an adult facility prior to adjudication and sentencing. Additionally, a parent may withdraw his or her consent to such an incarceration at any time.

Again, we intend for the rural exception to be invoked only in very limited situations.

While we have not detailed in the bill the criteria a judge should consider before invoking the exception, I will submit for the RECORD a list of criteria we believe that the court should consider.

Mr. RIGGS. Mr. Speaker, if the gentleman will continue to yield, we urge the court to use the rural exception carefully, and these criteria should provide the court with some assistance in rendering a decision on this issue. The committee believes it is important that the court consider the criteria in determining the relationship between the juvenile and their parents or guardian, the conditions in the jail or lockup facility, and the potential impact on the general welfare of the juvenile from being housed in such an adult facility.

Mr. Speaker, I am pleased to have worked with the gentleman from California [Mr. MILLER] to address his concerns.

Mr. MILLER of California. Mr. Speaker, once again reclaiming my time, I want to thank the gentleman for his remarks and again I want to thank him very much for his willingness to work on these concerns with both sides of the committee, and I do believe he has reported to the floor a bill that all Members of this House should support.

The criteria mentioned follows:

CRITERIA FOR RURAL EXCEPTION UNDER H.R. 1818

The court, in deciding whether to place a juvenile in an adult jail, should consider the following:

The potential impact on the juvenile's general welfare from being housed in an adult facility;

Whether the nearest juvenile detention facility is so far away as to preclude a parent from visiting the child;

Whether the child would have to be put into solitary confinement in the adult jail in order to comply with the separation requirements of this title;

Whether the staff in the adult jail is able to appropriately supervise the child due to training in the supervision of juveniles, and due to relevant staff/inmate ratios;

Whether, in the adult jail, there are appropriate intake procedures for juveniles, including medical and mental health screening;

Whether the adult jail would provide needed services for the child, especially educational services, social services and mental health services;

Whether there is a classification system in the adult jail that allows vulnerable juveniles to be separated from violent offenders; and

Whether the juvenile's counsel will have access to the juvenile to prepare properly for adjudicatory or other proceedings.

Mr. RIGGS. Mr. Speaker, I yield myself 10 seconds to also recognize Alex Nock, a staff member with the office of the gentleman from California [Mr. MARTINEZ]. That was an oversight on my part when we were citing the individuals, particularly at the staff level, who have made real contributions to this legislation.

Mr. Speaker, I yield 1½ minutes to the gentleman from Nebraska [Mr. BARRETT], a distinguished member of the committee.

Mr. BARRETT of Nebraska. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, this legislation provides relief for small rural law enforcement offices, while also protecting the rights of juveniles during presentencing.

States are currently required to remove juveniles from adult jails, and often juveniles arrested in rural areas have to be transported at great distances to jails that are far away, or perhaps far away from the families as well, and also at great local cost to taxpayers.

As has been indicated, particularly in the colloquy, under H.R. 1818 juveniles could be held in adult jails for longer periods of time if the parents and the court agree. An attorney for the juvenile can represent the concerns of the juvenile, but the ultimate decision rests, again, with the parents and the court. Now, the bill would continue the current requirement for sight and sound separation from adults.

Rural areas have been struggling for a long time to meet the requirements of existing law, often at the expense of providing needed prevention services to troubled youth. The bill would provide rural areas with flexibility to provide prevention programs and also hold a troubled youth in a local jail during presentencing.

Mr. Speaker, the House should pass H.R. 1818.

Mr. MARTINEZ. Mr. Speaker, I yield 3½ minutes to the gentleman from Virginia [Mr. SCOTT].

Mr. SCOTT. Mr. Speaker, as many of my colleagues are aware, I have been actively involved in this issue of juvenile crime, both as a member of the Committee on Education and the Workforce and on the House Committee on the Judiciary.

From the outset of this discussion, I have said that Congress has a decision to make in fighting youth violence, and that is we can either play politics or we can reduce juvenile crime. H.R. 1818, I am happy to say, reflects a bipartisan desire not to play politics by codifying sound bites, instead it reflects a bipartisan commitment to reducing crime by funding proven crime prevention programs.

Mr. Speaker, we know that prevention programs work. We know that they often save more money than they cost. Head Start, for example, saves money by reducing the need for remedial education, welfare; in crime, Job Corps saves money by increasing employment and reducing crime; drug rehabilitation programs have been shown to save $7 to $10 for every dollar put in the program by reducing crime in health care expenses.

□ 1245

So we know of prevention programs that work to reduce crime and save money. This bill encourages communities to review the available research, to develop a crime prevention plan and to fund these prevention programs, programs that will help communities in their fight against crime and programs that are cost effective. Communities across the country are already doing this and they are seeing results.

In addition to the emphasis on prevention, H.R. 1818 keeps intact several important principles of juvenile justice. Since 1974, there have been concerted efforts to provide fundamental protections for youth who come into contact with the juvenile justice system.

Many may not know that prior to 1974 it was common practice to lock up youth who commit what are called status offenses, noncriminal acts such as running away or being truant. These children, who had not committed crimes and were often in need of social services and not punishment, they were being locked up, often in adult jails. As a result, kids were increasingly at risk of assault or committing suicide.

The Juvenile Justice and Delinquency Prevention Act was enacted in 1974 to provide protection for children in these circumstances. The act required States to divert status offenders from the juvenile criminal system and place them in community-based alternatives where they would receive the appropriate interventions and appropriate services.

Due to the enactment of this law, the number of children committing suicide in detention has decreased dramatically. I applaud the cosponsors of the bill for this fundamental protection. This decision did not come easily.

But in May of this year, the House Subcommittee on Early Childhood, Youth and Families heard unanimous, passionate, and eloquent testimony on this very issue from a bipartisan panel of witnesses. They implored us not to turn the clock back on these children and to maintain the current law, that no status offenders should be locked up.

H.R. 1818 maintains this protection and continues the underlying principle

that no juveniles should be locked up with adults. These principles are the heart and soul of the act of 1974, and H.R. 1818 makes sure that there is no change.

Finally, Mr. Speaker, I want to thank the gentleman from California [Mr. RIGGS] for his bipartisan leadership and also the gentleman from Pennsylvania [Mr. GOODLING], the gentleman from Missouri [Mr. CLAY], and my other colleagues, the gentleman from California [Mr. MARTINEZ], the gentleman from Pennsylvania [Mr. GREENWOOD], the gentleman from California [Mr. MILLER], and the gentleman from New Jersey [Mr. PAYNE] for their contributions and for the contribution of our staffs.

I urge all of my colleagues to vote for this bill. This is a vote for prevention and a vote to take politics out of the debate on juvenile crime.

Mr. RIGGS. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. GREENWOOD], another member of the committee and one of the original bipartisan cosponsors of the legislation, and I want to thank him again for his role in helping to craft the legislation.

Mr. GREENWOOD. Mr. Speaker, the juvenile judges of the juvenile courts in this country face a wide variety of young people. Sometimes brought before them are teenagers who already, because of the brutality of their upbringing, the deprivation of their upbringing, are so violent and vicious and predatory that they may in fact not be able to be redeemed or rehabilitated; and for the benefit and safety of society, they indeed do need to be locked away, sometimes for the rest of their lives.

Other kids come before the courts who, because of their immaturity, because of lack of proper parental guidance, have done some stupid things, got in trouble with the law, and these kids need to be treated firmly, but they need to be treated fairly and we need to see that they are steered away from a life of crime.

Some of the group of kids come before the courts because they have committed status offenses, something that would not be a crime if they were adults, but they are chronic truants, they run away from home. And they do that for a lot of reasons, and the courts need to decide whether this is a child who is simply incorrigible and needs some firmness, or whether this is a kid who is running away from abuse at home and needs to be protected from his or her own parents.

This act needs to thread that needle. This act needs to balance all those considerations, and we in the Congress have to give the State juvenile court judges the latitude they need. I think we have done this, and I would like to commend the gentleman from California [Mr. RIGGS], the chairman of the subcommittee, for his excellent work, the gentleman from Virginia [Mr. SCOTT], the gentleman from California [Mr. MARTINEZ], the gentleman from California [Mr. MILLER], and all the others. In all of our deliberations, never once did I feel that any of the participants were grandstanding or trying to politicize the issue. These are all Members who care deeply about children, and this product shows that and I would commend it to my colleagues.

Mr. MARTINEZ. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts [Mr. DELAHUNT].

Mr. DELAHUNT. Mr. Speaker, I rise to strongly support this bill because I prosecuted violent criminals for more than 20 years; and unlike the juvenile crime bill we passed last May, I know this bill will work. It will reduce violence because instead of dictating policy from Washington, it relies on balanced, proven local initiatives which have worked in the real world, and it focuses on preventing crime, which is the best use of tax dollars.

In Boston, this balanced approach has already worked. Boston has not had a single juvenile homicide for more than 2 years. Yet the Washington-imposed mandates in the bill passed last May would preclude Boston and most other cities and towns in this Nation from even applying for Federal help.

Our communities do not need Washington telling them how to reduce violence. What they do need is resources to get the job done, and that is what this bill is about. I support it, and I want to extend my congratulations to the gentleman from California [Mr. RIGGS], the gentleman from California [Mr. MARTINEZ] the ranking member, and the gentleman from Virginia [Mr. SCOTT] for the fine work and the product which they have produced.

Mr. RIGGS. Mr. Speaker, I yield 4 minutes to the gentleman from Florida [Mr. MCCOLLUM], the distinguished chairman of the Subcommittee on Crime and the author of H.R. 3, which we have referred to before.

Mr. MCCOLLUM. Mr. Speaker, I thank the gentleman from California [Mr. RIGGS] for yielding to me, and I want to commend the Committee on Education and the Workforce and the subcommittee for this bill today that I rise to support, H.R. 1818.

It is an excellent bill. I believe that H.R. 3 and H.R. 1818 provide complements to each other in the juvenile justice system. We passed the juvenile crime bill, H.R. 3, back in May. It is designed to fix the broken juvenile system, to help the judges and repair the systems that are broken in terms of providing accountability and consequences to juveniles who commit misdemeanors and who commit even more serious crimes.

Today we are passing a bill which is carefully crafted on the prevention side, one that reauthorizes and revitalizes the Office of Juvenile Justice and Delinquency Prevention, and I think it is a very excellent product.

I would like to remind my colleagues that, unfortunately, one out of every five violent crimes in this country are committed by juveniles, that more murders are committed by 18-year-olds than any other age group the last time that data was collected, and more rapes by 17-year-olds. Yet we see many young people who come in contact with the juvenile justice system who do not have those kinds of crimes. We have the truants that we heard about. We have lots who commit misdemeanor crimes that are not getting sanctions.

This bill today would modify some of the onerous burdens that were placed on the States in previous law, particularly that with regard to sight and sound separation, which resulted in some really unusual circumstances where you could not even have a juvenile walk past a booking desk where an adult prisoner might be seen; or you could not have the same cook, cook the food for juveniles who might cook for an adult, even though the child was separated completely from the adult prisoner, in a situation like that for presentencing periods or whatever it might be. I commend the committee for doing that.

I also think that the block grant program in this bill is a good improvement over the existing law, many kinds of categorical grants that were confusing. I believe that more flexibility for the States would allow for better results.

I want to make it explicitly clear that neither H.R. 3, the crime bill that passed in May, nor this bill, in any way authorizes or encourages housing juveniles with adults. There is a great myth out there in some of the op-ed pieces recently that says to the contrary. That is simply not true. There is nothing in the Federal system that has been changed with regard to current law in this regard.

To the extent that the language that is used in this bill is any different than that which has been used in the past, that is nonsense. No regular contact between juveniles and adult criminals during any stage of the justice process, pretrial, presentencing, or postsentencing, is allowed by H.R. 1818 or H.R. 3.

Furthermore, I would like to point out that in H.R. 3 we tried to get at putting consequences back into the system, the most important part of it being consequences for early juvenile delinquent acts, such as vandalizing a home or store or spray painting graffiti upon a warehouse. Right now, the system is overtaxed and overworked. There are not enough probation officers, judges, or detention facilities, and

these early delinquent acts are not getting the kind of attention they need to get.

In many cases, the law enforcement officers are not even taking those vandals and misdemeanor juveniles before juvenile authorities, and when they do go before a judge, they do not get any kind of punishment until the 10th or 12th appearance. That is wrong. We need to put consequences in the act. We need to repair that broken system. It is badly broken right now.

For violent juvenile offenders, less than 10 percent of the violent offenders serve a single day in any institutionalized form of incarceration outside of the home. That is wrong, and that is what H.R. 3 is about repairing, as the primary thrust of that bill, not to treat juveniles as adults or house them with adults or whatever so much the language is about.

On the other hand, it needs to be complemented, that money, that $500 million a year in H.R. 3 for helping those juvenile justice systems to be repaired in the States needs to be complemented by the prevention programs that are here in this bill, to get at those youth primarily before they get involved in the juvenile court, and those options that are there for juvenile courts to prefer for prevention.

That is why this bill is so important. It provides that balance that is so carefully crafted, as part of $4 billion for at-risk youth that is available today in the Federal system. I urge the passage and adoption of H.R. 1818, and I thank the gentleman from California [Mr. RIGGS] for yielding.

Mr. MARTINEZ. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. STUPAK].

Mr. STUPAK. Mr. Speaker, I thank the gentleman from California [Mr. MARTINEZ] for yielding me the time.

Let me compliment everyone who has worked so long and hard on this bill to finally bring forth a juvenile justice bill which will focus on prevention, early prevention, and early detention if necessary.

I rise in support of this legislation, and in my support of this legislation I have a word of caution for the U.S. Congress, because I believe this bill is really a day late and a dollar short. This bill is a step in the right direction, although being a small juvenile step. It is in the right direction because this bill will address early prevention, early detection of juvenile crime.

Thus far in this Congress what we have seen with the Republican majority was H.R. 3, which was passed in May 1997 over strong objection on this side of the aisle, because what we did was put $1.5 billion over 3 years to lock up everybody.

Now the Federal Government really has no role in locking up juveniles when we only handle about 197 juveniles every year anyway. Where the focus should be, and we know these statistics, one out of every five juveniles are involved in serious juvenile crime, should be at the local level, the local initiative to try to have early prevention and early detention.

It is necessary that we have this type of bill. I wish we would have had it earlier. I wish this bill had money placed in it instead of just a sum certain, because it is necessary. The only way for people to feel safe in their homes and their communities is to prevent crime in the first place, prevent it before it occurs, prevent it before the juvenile is caught up in a never-ending juvenile justice system, and this bill will address that through early intervention.

So H.R. 1818 takes a step and one of the first steps in prevention and early intervention, but it is only a step. When it comes to funding it, it just says a sum certain. I am certain, after 12 years of working the streets and highways of Michigan in law enforcement, that we will never arrest our way out of juvenile crime. We must address it at the early initiatives and give flexibility to local units of government for local concerns and local needs and local issues.

Mr. RIGGS. Mr. Speaker, I yield 2½ minutes to the gentleman from Connecticut [Mr. SHAYS].

Mr. SHAYS. Mr. Speaker, first let me thank the gentleman from California [Mr. RIGGS], the chairman, and the gentleman from California [Mr. MARTINEZ], the ranking member, as well as the gentleman from Pennsylvania [Mr. GREENWOOD], the gentleman from Virginia [Mr. SCOTT], and the gentleman from Pennsylvania [Mr. GOODLING], the chairman of the full Committee on Education and the Workforce. This is a bipartisan effort, and it is a recognition that one of the most important things we can do is to have preventive programs for our young people.

I serve a district with 10 communities. There are three major cities, the cities of Stamford, Norwalk, and Bridgeport, where we have serious juvenile crime problems. If you meet with the chiefs of police of any of those three cities, they will tell you one basic thing: "Give us prevention programs for our kids."

I attended a Memorial Day parade in Fairfield, CT, a suburban community next to Bridgeport, CT. The parade route was lined with people and lots of kids. Then came the Indian Princesses, the Indian Guides, the Boy Scouts, the Girl Scouts, the soccer team, the high school band, the junior high school band. It went on for almost 2 hours.

□ 1300

That kind of parade in the city of Bridgeport would have lasted about 10 minutes. I think that sometimes, those of us who live in the suburbs take these extra curricular programs for granted. In the town of Fairfield, the challenge for kids is what don't you do after school. They have a tremendous overload of choices. But in the neighboring city of Bridgeport, the question is what do you do. A kid in many of our urban areas, when 2 o'clock is out, they are out, without adult supervision, without the kind of programs we need. I am absolutely convinced that preventative programs are the best way to combat crime. The city of Bridgeport has a program in Longfellow School. On Saturdays they bring kids in to do academic programs and to have some recreational programs. All are adult supervised, with discipline and rules. The kids hunger for this. They show up in droves. They want to be in school on Saturdays. In addition to this kind of program, we clearly need to make better use of our schools, before school and after school, and that is what this legislation allows as well.

I thank the gentleman from California [Mr. MARTINEZ] for what he has done, I thank the gentleman from California [Mr. RIGGS] for what he has done. This is just the beginning. Such sums as are necessary. Now we have to go to the Committee on Appropriations and make sure that the real sums that are necessary are appropriated.

Mr. MARTINEZ. Mr. Speaker, I yield 2½ minutes to the gentlewoman from the Virgin Islands [Ms. CHRISTIAN-GREEN].

Ms. CHRISTIAN-GREEN. I thank the gentleman from California [Mr. MARTINEZ] for yielding me this time to speak in support of H.R. 1818.

Just a few months ago, Mr. Speaker, this Congress missed an opportunity to pass a bill that would have controlled and prevented juvenile crime, and voted instead for a misguided, punitive one which ignored input from experts and communities and which sought to employ measures that have been proven not to work in preventing juvenile crime and delinquency.

In H.R. 1818 we are given something rare today, another chance to do the right thing. The bill I rise to support today, H.R. 1818, incorporates key programs which we have been implored to implement by a broad cross-section of America, prosecutors, corrections officers, police, community organizations, public health officials, family oriented groups, young people and, most poignantly and convincingly, parents of murdered children.

H.R. 1818 contains funding for States and communities to support prevention programs. It provides for research and technical assistance to those communities. It understands and treats children as children and protects them from incarceration with adults. It recognizes that minorities are disproportionately incarcerated and in part funds States based on their initiatives to address this inequity.

During debate on H.R. 3, our Republican colleagues said time and time

again that they would support this prevention bill when it came to the floor.

Mr. Speaker, I am pleased to be here today to speak in support of H.R. 1818, and I urge all of my colleagues, including those on the other side of the aisle who said they would, to vote yes for this bill.

Mr. Speaker, it breaks my heart that this bill would come too late for young people like Albert Nicholas and Rashawn Lewis from my district. But if we pass H.R. 1818 today, it will not be too late for millions of our other children who cry out for our help. The time is now for us to reclaim our children and our neighborhoods rather than to allow our future leaders to become victims of a system that has failed them.

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

Mr. WATT of North Carolina. Mr. Speaker, as vigorously as I rose in opposition to the juvenile crime bill, H.R. 3, do I rise in support of this bill, which authorizes prevention programs that will prevent juvenile crime rather than reacting after the fact when it is too late.

My colleagues should understand that this is just the first step. This is an authorizing bill that has no money in it. So the challenge going forward will be to make sure that moneys are devoted to fund the programs in this bill instead of taking all of the money and putting it in support of H.R. 3, the crime prevention bill, which would provide more jails and more punitive sanctions against young people. If we do not pay the price in advance to prevent crime, we can never build enough prisons to accommodate it.

Mr. MARTINEZ. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Texas [Ms. JACKSON-LEE].

Ms. JACKSON-LEE of Texas. Mr. Speaker, may I commend the gentleman from California [Mr. RIGGS], the gentleman from California [Mr. MARTINEZ], and the gentleman from Virginia [Mr. SCOTT] for a commendable job on recognizing that juvenile crime can be prevented and can be reduced. The Rand study says in fact that early intervention programs can prevent as many as 250 crimes per $1 million spent. Therefore, I rise to support vigorously H.R. 1818, the Juvenile Crime Control and Delinquency Prevention Act of 1997, which will help Texas.

Mr. Speaker, I would like to continue this discussion by entering into a colloquy with the gentleman from California [Mr. RIGGS]. I wish to engage in this colloquy because I appreciate that this bill reaches out to communities and States on the issue of juvenile crime prevention. In particular, in Texas there is now a center devised for the study and prevention of juvenile crime and delinquency at Prairie View A&M University. This center will have an impact on Houston, the surrounding community, and Texas. According to the center's key objectives, they want to conduct and evaluate research, provide degree programs, continuing education, training, and serve as an information source, along with collaborating with communities, State agencies, and private entities to implement programs and policies to target prevention of juvenile crime.

I see this bill as a light at the end of the tunnel because its provisions on juvenile delinquency and crime prevention, block grant programs, research evaluation, technical assistance training, and training in technical assistance are the kind of provisions that would allow this center to apply for grants under this particular legislation. That will move our communities closer to really solving juvenile crime by early intervention and prevention.

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

Ms. JACKSON-LEE of Texas. I yield to the gentleman from California.

Mr. RIGGS. I thank the gentlewoman for yielding and I appreciate her bringing to our attention the good work that Prairie View A&M University is doing. The gentlewoman is exactly right. What they are proposing would fulfill some very important functions under this legislation, such as conducting academic programs, conducting policy research and developing and assisting with community outreach programs focused on the prevention of juvenile violence, crime, drug use, and gang-related activities. The gentlewoman is correct. We look forward to working with her and with Prairie View A&M as this legislation is implemented.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman from California [Mr. RIGGS], the gentleman from California [Mr. MARTINEZ], and the gentleman from Virginia [Mr. SCOTT] for this innovative legislation, and as a member of the House Judiciary Committee, chair of the Congressional Children's Caucus, and a member of the Democratic Caucus Juvenile Task Force, I believe this bill is the right direction that should be taken for long-lasting solutions to the problem of rising juvenile crime.

I commend Mr. RIGGS, Mr. MARTINEZ, and Mr. SCOTT for their outstanding work.

Mr. Speaker, I rise today in support of H.R. 1818, the Juvenile Crime Control and Delinquency Prevention Act of 1997. As Chair of the Congressional Children's Caucus, I believe that promoting the solution for preventing juvenile crime is the most valid approach. My colleagues, reducing and preventing juvenile crime is one of the most critical issues facing our Nation today. H.R. 1818, the Juvenile Crime Control and Delinquency Prevention Act of 1997 is important to helping us address the rising crime problem facing our America's youth. It is a balanced bill which provides the States with the tools they need to help troubled youth.

H.R. 1818 is a step in answering the need for effective prevention programs to stop young people from engaging in delinquent activities in the first place and to prevent those youths already in the juvenile justice system from committing additional, more serious offenses. By investing in strong prevention programs, we can help our young people turn their lives around. The vast majority of at-risk and delinquent youth, if provided early with care, support, appropriate discipline and real opportunities, can grow up to be responsible citizens.

Earlier this year, the House considered and passed H.R. 3, directed at increasing the penalties for juvenile crime. H.R. 1818 is the critical companion to H.R. 3. It helps in providing a more balanced approach to juvenile crime and provides the prevention component of a comprehensive approach to addressing juvenile crime.

Across America, violent crime committed by and against juveniles is a crisis that threatens the safety and security of communities and the future of our children. In 1995, law enforcement agencies in the 50 States made approximately 2 million arrests of persons under age 18. This is a 28-percent increase from the more than 1.5 million arrests made in 1985. During this period, juvenile arrests for both violent and nonviolent offenses increased significantly

Sanctions are only one part of the solution to this crisis. As one parent who had just lost his 10-year old daughter to murder recently stated, "stopping crime by using more prisons is like trying to cure death by using more cemeteries."

Most public policy analysts argue that early prevention programs offer the best hope to stem juvenile crime. They emphasize the importance of better schools and more job training, recreation, and mentoring programs. Such initiatives provide children with positive role models and increase economic opportunities.

Dozens of crime prevention programs across the country have been held up as successful models. An ongoing program in Orange County, CA—the 8 Percent Early Intervention Program—has proven remarkably successful in reducing repeat offenses. The Orange County program calls for screening delinquents to identify children likely to go on to more serious crime. This is typically 8 percent of the children who pass through the juvenile system. The program targets resources to those children—including intensive delinquency supervision and such services as mentoring and tutoring. Over the last few years in Orange County, this program is credited with reducing repeat offenses by 50 percent—at one-third the cost of incarceration.

In Dallas, police noted a 26-percent decrease in juvenile arrests due to a Cooperative Gang Prevention Program that focuses on education, counseling, recreation services, and job training to reduce crime. In Fort Worth, TX after implementing a Gang Prevention and Intervention Program city-wide gang related crimes declined 30 percent from the previous year. In Yakima, WA, increases in youth violence led to the creation of a Gang Intervention/Intervention Coalition to provide positive opportunities for youth through community centers. In the neighborhoods where

the coalition is active, youth violence has decreased by 80 percent in a 3 year period.

In fact, studies show that prevention not only works but is far more cost-effective than incarceration in reducing the rates of juvenile crime. A study by the Rand Corp., titled "Diverting Children from a Life of Crime, Measuring Costs and Benefits," is the most recent comprehensive study done in this area. The Rand study determined that early intervention programs can prevent as many as 250 crimes per $1 million spent. In contrast, the report said investing the same amount in prisons would prevent only 60 crimes a year. In California, research on delinquency programs in California indicated that $1.00 spent on prevention programs resulting in savings of $1.40 to the juvenile justice and law enforcement systems alone.

My colleagues, all the evidence highlights the fact that prevention is effective in reducing and preventing juvenile crime. Juvenile crime and violence can be reduced and prevented, but doing so will require a long-term vigorous investment. H.R. 1818 is an excellent first installment in that investment. I urge my colleagues to support this very important legislation.

Mr. MARTINEZ. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. LAMPSON].

Mr. LAMPSON. Mr. Speaker, I rise in strong support of H.R. 1818. I bring the attention of this body to title 5 of the bill. The bill will provide $5 million per year for the next 4 years for the National Center for Missing and Exploited Children. The National Center has done many things that I discovered after the loss of a child to a murder in my district. The National Center uses pictures of missing children and family members to create age progression likenesses to help locate growing children who have been missing for years. It has an international office to work with law enforcement overseas to locate children taken to other nations. Their Internet site has a comprehensive data base of missing children including pictures. That site is hit over a half-million times a day.

Since its inception in 1984, the National Center has helped recover over 35,000 missing children and reunited them with their families. The stories of these recoveries are absolutely overwhelming. As chairman of the Congressional Missing and Exploited Children's Caucus, I can assure my colleagues that funding for the National Center is money well spent. I thank the committee for its support and I ask my colleagues to please support this bill.

Mr. MARTINEZ. Mr. Speaker, I yield the balance of my time to the gentleman from Minnesota [Mr. VENTO].

Mr. VENTO. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise in support of this legislation. I will place in the RECORD an editorial that was in the local Minnesota papers concerning the importance of prevention.

It is time to quit putting the problems on the conveyor belt and quit reacting. I think this provides an opportunity for proactive focused activities for the Boys and Girls Clubs for a myriad of different programs. It is interesting to note that so many of our professionals in law enforcement today, whether first prosecutors, whether police officers, cops on the beat, are recognizing the importance of prevention in terms of dealing with our escalating juvenile crime problems.

Prevention works. Let's invest in kids—the extended school day and year, the extracurricular activities, sports programs, summer jobs—and keep them on the positive path and off the conveyor belt of juvenile delinquency by enacting H.R. 1818.

[From the Star Tribune, July 15, 1997]

JUVENILE CRIME—DON'T WAIT FOR KIDS TO STRAY

The bleeding hearts have been saying it for years: If you want to curb crime, you can't just punish the guilty. You've also got to invest in the innocent. But that proposition can no longer be dismissed as liberal claptrap, and it's no longer just a theory. The vast majority of America's police chiefs believe that helping children get a good start in life prevents crime, and hard evidence shows they're right.

This truth deserves mention now because Congress is on the verge of ignoring it. Lawmakers in both chambers are pushing juvenile-crime bills that would pour a torrent of money into prisons, punishment and prosecution, and only a dribble into crime prevention.

That unbalanced recipe may feed the public appetite for retribution, but it won't be satisfying over the long haul. A flood of research points to the folly of putting so many eggs in the punishment basket. A Rand Corp. study released last year, for instance, found that imprisonment is among the lamest and least economical of crime-fighting strategies.

A new lobbying group called Fight Crime: Invest in Kids insists that riding that lame horse amounts to being soft on crime. Led by some of the nation's top police chiefs and prosecutors—as well as crime survivors like Marc Klaas, father of young murder victim Polly Klaas—the group is pushing anticrime approaches proven to work well. The list includes enrolling at-risk kids in Head Start, matching up troubled parents with parenting coaches, assigning mentors to delinquent teens, nudging damaged families into therapy and luring restless latchkey kids into meaningful after-school activities.

Practical souls that they are, you'd think lawmakers would seize upon such tactics. No such luck. The House juvenile-crime measure, passed in May, expressly forbids the use of its funds for crime prevention. And though a similar bill now spinning through the Senate Judiciary Committee would allow some block-grant spending on prevention, it so far does nothing to require such investment. The upshot, some onlookers fear, could be a net reduction in federal dollars spent on prevention—and a consequent upturn in youth crime.

Certainly Congress intends no such calamity. That is why its members should take a lesson from the nation's leading law-enforcers, who know a thing or two about fighting crime. In a poll of police chiefs conducted last year by Northeastern University's Center for Criminal Justice Policy Research, nine of 10 favored investing more in prevention programs.

No thoughtful person would dispute the need to lock up violent lawbreakers. But only an ostrich would settle for a juvenile-crime bill that serves that need alone. What is missing from the congressional approach is balance. To fight juvenile crime effectively, this country must focus not just on its most dangerous young people, but also on its most vulnerable.

Mr. RIGGS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I just want to point out again to my colleagues that not only does this bill have bipartisan support in the House, it has the support of numerous organizations interested in the prevention of juvenile crime including the National District Attorneys Association, the National Collaboration for Youth representing American Red Cross, Big Brothers, Big Sisters, the Boys and Girls Club of America, Boy Scouts, Girl Scouts, YMCA, YWCA of America, the National Association of Homes and Services for Children, One-to-One, the National Mentoring Partnership, and the National Network for Youth.

This is a bipartisan bill that also has the support of the administration, as I indicated earlier. I urge my colleagues to support this legislation. This is the important prevention component, the missing piece, if you will, to our national effort to reduce juvenile crime and help youth turn their lives around so they can go on to lead a successful and prosperous adult life.

Mr. CLAY. Mr. Speaker, today, I rise to support H.R. 1818, the Juvenile Crime Control and Delinquency Prevention Act of 1997. This reauthorization bill is based on well-founded public policy. The bill balances the needs of juveniles and society at large by promoting quality prevention programs and programs that assist in holding juveniles accountable for their actions.

Most importantly, the bill retains a fundamental tenet of the juvenile justice system, namely that juvenile delinquents shall not be jailed with adult criminals. Not surprisingly, research demonstrates that juveniles jailed in adult prisons are more likely to commit serious crimes after their release. In separating juveniles from adult criminals, we not only save children from life-threatening circumstances, we also reduce crime.

This reauthorization bill strengthens the mandate requiring States to reduce the disproportionate number of minorities confined in jails and other secure facilities. State are required to reduce minority overrepresentation by addressing both the lack of prevention programs in minority communities and by addressing racial bias within the juvenile systems.

In addition, the bill provides that employees shall be treated in a fair and equitable manner, and that there shall be no diminution of employment rights, including the continuation of collective bargaining rights. The American people deserve assurances that taxpayer funds will not be used to undermine existing labor standards.

I would like to thank Chairman RIGGS, ranking member MARTINEZ, and Representative

SCOTT for their many hours of work toward producing this truly balanced legislation. Given the choice between playing politics and reducing crime, I am glad that my colleagues chose to reduce crime.

Mr. CASTLE. Mr. Speaker, I rise in support of H.R. 1818, the Juvenile Crime Control and Delinquency Prevention Act.

This bipartisan legislation provides us with a balanced approach to addressing juvenile crime, and endorses the concept of holding juveniles accountable for their crimes while also providing for prevention programs that can help young people turn their lives around.

This legislation is particularly important for States that have large rural areas like Delaware.

Under current law, States are required to remove juveniles from facilities which also house adult prisoners. While present law provides a limited exception for rural areas, in some instances it requires juveniles in rural areas to be transported great distances to facilities far from their families.

Under this legislation, juveniles can be held for longer periods of time if their parents and the court agree and the judge believes the placement is in the best interest of the juvenile. Though this provision will probably see limited use, it provides long-needed relief for rural areas like those in my State.

This bill also contains a provision that I am particularly proud of.

H.R. 1818 incorporates a bill I sponsored to give the National Center for Missing and Exploited Children funds to serve as the Nation's primary resource center for child protection.

For more than 13 years, the National Center has been instrumental in locating and recovering missing children and preventing child abductions, molestations, and sexual exploitations.

The center has worked with clearinghouses in all 50 States in locating over 35,000 children and preventing child abductions, molestations, and sexual exploitations.

One of the National Center's success stories hit very close to my home. Just last month it assisted local authorities in the recovery of two missing Delawareans, who were located in Florida.

Mr. Speaker, by adequately funding the National Center for Missing and Exploited Children, we can solidify our resources, hone our message and assure every family and every law enforcement agency that we are committeed to long-term child protection.

I urge my colleagues to support H.R. 1818.

Mr. BLUMENAUER. Mr. Speaker, H.R. 1818 provides States with needed flexibility in addressing juvenile crime, and for that reason, it has my support.

But this bill is, at best, a partial solution. In a country where kids and guns are a deadly combination, any juvenile justice bill which fails to deal with access to guns is seriously flawed.

Earlier this year, the House had a chance to pass meaningful legislation that would have addressed this problem. By adding a simple child safety lock provision to the juvenile crime bill, we would have taken a significant step toward reducing access to guns and to dramatically reducing the number of accidental gun deaths in this country.

But that vote never happened, thanks to pressure on the Republican leadership from the national gun lobby. And so a gun lock amendment, supported by 80 percent of the American people, still has yet to be directly voted upon by this House.

This is an astonishing failure for this House. Shootings are now the fourth leading cause of accidental death of children, and for every child killed, four more are wounded. This is a national tragedy, and the House is doing nothing about it.

While the House continues to bury its head in the sand, a group of concern citizens in my district is taking matters into their own hands. Together, we've organized the Oregon Safe Handgun Storage Coalition, composed of people and organizations concerned about this problem. Partnering with a similar coalition in King County, WA, the Oregon coalition is made up of a highly unusual mix of doctors, nurses, law enforcement officials, sporting good stores, neighborhood associations, gun safety advocates, and gun owner organizations. These organizations may disagree on some issues relating to gun ownership, but they all agree on these points: Guns and kids don't mix, and gun owners need to child proof their homes by safely securing firearms.

The Oregon Safe Handgun Storage Coalition has the support of people and organizations across the political spectrum who are willing to work together in an attempt to reduce violence in our community. It is uniting parties on both sides of the gun control issue, by stressing one common concern—the safety of our children.

Mr. Speaker, hopefully this House will vote on a gun lock amendment this year, but failing that, I encourage Members to start similar coalitions in their districts. By working together, we can do more than merely address the problem of juvenile crime, we can prevent it in the first place.

Mr. PAUL. Mr. Speaker, juvenile crime is a problem that should concern all Americans. As a doctor of obstetrics I have enjoyed the privilege of bringing more than 3,000 new lives into the world, I know there are few things more tragic than when a young person disregards the rights of their fellow citizens and jeopardizes their own future by engaging in criminal activity. Furthermore, as the number and severity of crimes committed by juvenile offenders increase, juvenile crime becomes a greater threat to the social order.

Therefore, no one can argue the need for action taken to discourage juveniles from embarking on criminal careers. However, the voluntary actions of private individuals, supported by local communities and State governments, are much more capable of preventing juvenile crime than the Federal Government. Individuals acting at the local level know the needs of the youths in their community much better than Washington bureaucrats, so they can best develop programs that effectively prevent children from engaging in criminal activity.

Unfortunately, the Juvenile Crime Control and Delinquency Prevention Act—H.R. 1818—furthers Congress' unconstitutional interference in crime control and prevention by dictating the nature and shape of juvenile crime programs for each of the 50 States. Therefore, Congress should reject H.R. 1818 and instead repeal all mandates that interfere with the States' sovereign right to conduct juvenile prevention programs, and defund all Federal crime control and prevention programs, in order to return money and, at the same time authority, for juvenile crime prevention where it constitutionally belongs: To the States or to the people.

H.R. 1818 provides States with—two Federal block grants for juvenile crime, a formula—part B—grant and a prevention—part C grant. Some proponents of the act claim that this bill is worthy of support as it loosens the chains on State juvenile prevention programs imposed by previous Congresses. However, any federally imposed mandate, no matter how flexible, violates the 10th amendment to the U.S. Constitution.

The 10 amendment limits the Federal Government to those functions explicitly enumerated in the Constitution. Other than in these few areas, the States are sovereign. Therefore the Federal Government has no authority to finance or manage State programs regarding social problems such as juvenile crime.

Block grants may appear to allow for greater State autonomy than programs directly controlled by Washington, but they still involve Federal control and, more importantly, financing. Taxing the people of Texas to pay for programs in New York or Montana is an insult to the Constitution and the donor States.

Under the part B mandate, States must comply with four core Federal mandates to receive Federal tax dollars. The Federal Government would have the power to reduce a State's funding if a State failed to comply with one of these mandates. When the Federal Government assumes the power to reduce funding according to the State's level of compliance with the Federal mandates, it transforms the relationship between the States and the Federal Government from one of two sovereign entities into one resembling that of a teacher scolding a disobedient pupil.

Furthermore, Federal mandates employ a one-size-fits-all model, which ignores differences between individual States and between various areas within a State. For example, there may be areas that will incur tremendous costs in removing a juvenile from an adult facility within 48 hours. Complying with this Federal mandate may thus divert an area's resources from other projects that may better serve the needs of that particular jurisdiction's youth.

H.R. 1818 also lists permissible uses for which the States may expend their federally provided funds. One of these permissible uses of Federal funds is for programs aimed at preventing hate crimes by juveniles. Preventing crimes based on prejudice is certainly a worthy goal, however, by punishing certain crimes more harshly than others because of this motivation, the government is, in effect, punishing people for holding certain views. Punishment for one's thoughts, as distinct from one's actions, is in conflict with the constitutional guarantees against government restrictions on freedom of speech and thought. Federal tax money certainly should not be spent to encourage localities to disregard the first amendment in the name of crime control.

H.R. 1818 also encourages States to create a system of records for juvenile criminals similar to that kept by each State on adult criminals, including the transmission of those records to the FBI. Given the recent controversy over the misuse of FBI files, all citizens should be wary of expanding the records kept on private citizens by the FBI, particularly given the conspicuous lack of language in the bill guarantying that someone who committed a crime as a juvenile but reformed oneself to become a respected member of the community will not be haunted by his past because some vengeful person acquired his FBI file.

H.R. 1818 also provides States with a second block grant, not contingent upon compliance with the four Federal mandates. Under this block grant, States distribute their funds to local governments and private organizations to run prevention programs. While States do not have to comply with any specific Federal mandates to receive these funds, they do have to submit a plan to the Federal Government for approval.

States may distribute funds only to those local governments that have taken the time and effort to prepare a comprehensive plan for combating juvenile crime. Organizations with prevention programs that wish to receive Federal funding must submit a plan to their local unit of government. Organizations must meet the goals of the local plan and include the goals of the program, the means of measuring their goals, and any research relied upon in developing their application. Before they can begin serving children, after the local government approves the plan, it must be submitted to the State government for approval. If the State government approves the plan, the operations may begin. Surely, States, communities, and local citizens could design a less bureaucratic system to help get funds to worthy programs serving juveniles than the system outlined in this bill.

Among the organizations that may apply for funding under H.R. 1818 are faith-based organizations. I have little doubt that instilling a child with a deep and abounding faith is, second to a loving family, the best way to ensure that child refrains from criminal activities. However, allowing faith-based organizations access to Federal taxpayer dollars may change those organizations into lobbyists who will compromise their core beliefs rather than risk alienating Members of Congress and thus losing their Federal funds. Thus, allowing faith-based organizations to receive Federal funds may undermine both future attempts to reduce the Federal role in juvenile crime and undermine America's tradition of nonestablishment of religion.

The drafters of the Bill of Rights knew quite well that it would be impossible for a central government to successfully manage juvenile prevention programs for as large and diverse a country as America. The founders also understood that Federal involvement in crime prevention and control would lead to a loss of precious liberty.

The current system of sending money to Washington, only to return it, in part, to the States, local communities, and individual citizens, serves only to drain resources away from those best able to create and manage effective juvenile crime programs; people at the local level who know best the needs of the children in that area.

Forcing States to comply with Federal mandates and forcing local providers to comply with Federal paperwork requirements is a further waste of valuable resources that could be used to directly benefit the area's youth.

Mr. Speaker, H.R. 1818 insults the constitutional sovereignty of the individual State, and continues Federal involvement in crime prevention and control. Therefore, all Representatives who support the Federal system as specified in the original Constitution should oppose the Juvenile Crime Control and Delinquency Prevention Act.

Mr. KUCINICH. Mr. Speaker, I rise today in strong support of the Juvenile Crime Control and Deliquency Act of 1997, a bill that comprehensively addresses the rise in youth-related violence.

I am pleased to join the chairman of the subcommittee, Mr. RIGGS of California, as an original cosponsor of this measure. The result of bipartisan efforts, H.R. 1818 is a balanced bill that combines firm efforts to hold youths accountable for theie actions, while promoting measures that work toward the prevention of juvenile delinquency. The combination of accountability measures and promising new prevention programs is, in my view, the proper approach to take.

As juvenile crime has increased throughout communities across the Nation, including some of the communities in my congressional district, it is the emphasis on prevention that will truly reduce the number of youths who commit acts of violence. In this way, H.R. 1818 puts forth measures that genuinely address the social and economic root causes of youth crime.

H.R. 1818 assists State and local governments by providing them with the resources and the flexibility to effectively face the challenge of youth crime through the development of programs for runaway and homeless youth, as well as programs for the recovery of missing and exploited children.

However, while it is important to intervene in the lives of at-risk youth before they become involved with the criminal justice system, it is also essential to address the needs of those juveniles already in the system.

Mr. Speaker, this bill places the responsibility for developing intervention programs on local communities. The potential for innovatible community based programs for rehabilitation of youth, as provided by this bill, is critical to the prevention and control of juvenile crime. These programs include treatment for victims of child abuse, mentoring services, youth clubs, recreation, peer counseling and teaching, educational programs, as well as job training and employment, in addition to numerous other anticrime related services.

Intervention programs for at-risk youth have been proven in several studies to be cost-effective in reducing crime rates. They clearly reduce crime and save taxpayers' money.

That, Mr. Speaker, should be the bottom line for this reauthorization legislation; reduce crime and save taxpayers' money.

Mr. MINGE. Mr. Speaker, I rise today with regard to H.R. 1818, the Juvenile Crime Control and Delinquency Prevention Act of 1997. Recently I was contacted by local officials from Lyon County, MN, who wish to build a juvenile detention center with four beds. Lyon County is a rural community in my district that is populated by approximately 25,211 people in 708 square miles with the closest metropolitan area, Minneapolis and St. Paul, located about 150 miles away.

It is economically infeasible for Lyon County to build a juvenile detention center unless staff can be shared and the juvenile detention center can be co-located with the jail. Under current law, the sharing of staff between these two types of institutions is prohibited. The county officials have been frustrated by this law, because it is inefficient and costly for the county to hire individuals to deal solely with juvenile offenders, as the county rarely needs to house more than two juvenile as a time.

Transporting juveniles to beds in other areas has also proven inefficient. It is estimated that Lyon County will spend about $50,000 in programming and transport costs to send minors to other detention centers in Minnesota next year. Lyon County sheriff deputies are known to spend up to 8 hours a day transporting juveniles from their proper facilities to court appearances, as these facilities can be as far as 188 miles away. Costs accumulate with overtime and mileage for the deputy who is unable to provide law enforcement while on the road. The juvenile in transport spends time in transport that could be spent in treatment.

I am pleased that H.R. 1818, the Juvenile Crime Control and Delinquency Prevention Act of 1997, establishes greater flexibility for States in dealing with juvenile crime. H.R. 1818 gives the State authority from the Federal level to permit a co-located jail and juvenile detention center to share staff if the personnel have been trained to deal with both adults and juveniles by a legitimate State program and parental consent and court approval have been given. I believe this legislation provides the flexibility needed to help America's rural communities address juvenile crime appropriately.

Mr. DAVIS of Florida. Mr. Speaker, I rise in strong support of H.R. 1818, the Juvenile Crime Control and Delinquency Prevention Act. This bill will give States the flexibility and resources they need to best address the problem of juvenile crime.

Earlier this year, we passed a bill intended to strengthen the penalties for those juveniles who have committed crimes. I supported that legislation because I believe the rising rate of serious crimes committed by juveniles warrants tougher penalties and strengthened prosecution and some States, such as Florida, have already demonstrated success in expediting the prosecution of juvenile criminals. That bill, however, only addressed those juveniles who have already committed crimes. This bill aims to prevent youth from entering the justice system in the first place.

H.R. 1818 recognizes that the solutions to the problem of juvenile crime are best designed at the State and local level. The role of the Federal Government should be to provide communities with the information, flexibility, and resources they need to craft comprehensive prevention plans which include education, mentoring, work, boot camps, or other programs which would best address particular

community's needs. In my conversations at home with police officers and not for profits, I hear over and over again that the Federal Government shouldn't micromanage this issue, we should work in concert with State and local governments, providing them the resources and flexibility they need to continue their efforts.

This bill will do exactly that and as a cosponsor, I urge all of my colleagues to support H.R. 1818.

Mr. ABERCROMBIE. Mr. Speaker, today I rise in strong support of H.R. 1818, the Juvenile Crime Control and Delinquency Prevention Act of 1997. Earlier this year, the House considered and passed H.R. 3, the Juvenile Crime Control Act of 1997, which is directed at increasing the Federal penalties for violent juvenile crime. H.R. 1818 provides a complement to H.R. 3. It provides the prevention component of a comprehensive approach to addressing juvenile crime. This bill proves that both sides can work together and craft a balanced approach to juvenile crime. I am proud to be a cosponsor of it.

H.R. 1818 makes a number of changes to current law to increase the flexibility of States to treat status offenders in the most appropriate manner. For example, it retains the four core requirements of the Juvenile Justice and Delinquency Prevention Act of 1974 and slightly modifies three of them. The core requirement mandating States to reduce the disproportionate number of minorities confined in secure facilities was strengthened and clarified. H.R. 1818 requires States to reduce disproportionate minority confinement by addressing both delinquency prevention efforts and system improvement efforts. However, it prohibits the establishment of numerical standards or quotas. The measure tries to ensure that prevention efforts are targeted to communities where a disproportionate number of minorities are committed to the juvenile justice system. H.R. 1818 also altered the sight and sound separation requirement to prohibit regular contact, but allow for supervised, incidental contact such as passing in a hallway. This does not mean that Congress is reducing its focus on this important core requirement.

Last, the core requirement that prohibits the housing of juveniles in adult facilities was modified to build additional flexibility into the law by extending the period of time for which juveniles can be held in a facility with adults, prior to an initial court appearance, to 48 hours, excluding weekends and holidays. States must still enforce the sight and sound separation requirement. In addition, it allows juveniles to be held for longer periods of time in facilities with adults in rural areas as long as there is no existing acceptable alternative placement, the parent or legal guardian of the juvenile involved consents, and it is approved in advance by the court. Such placement is, however, required to be reviewed periodically, at intervals of not more than 5 days for the duration of the detention or confinement to ensure it is the appropriate placement for such youth. Also, courts are urged to use this exception carefully.

Compliance with the four core requirements is still Congress' goal. H.R. 1818 tries to make it easier for States to comply with the core requirements by allowing States to receive 50 percent of the formula money and the other 50 percent depending on their compliance with the four requirements. Under current law, if a State is not in compliance with the four requirements, then it loses all of the formula money.

In addition, H.R. 1818 consolidates current discretionary programs into a flexible block grant program entitled the Juvenile Delinquency Prevention Block Grant Program. In order for a State to receive any money under the prevention block grant, States must participate in the formula grant program and agree to use 95 percent of the funds they receive to fund local projects. H.R. 1818 also requires States to develop a plan to reduce and prevent juvenile crime with the assistance of community-based organizations and organizations in the local juvenile justice system which carry out programs, projects, or activities to prevent juvenile delinquency.

The block grants will be allocated in the following manner: 50 percent on the basis of how many people in the State are under the age of 18, and the other 50 percent on the annual average number of arrests for serious crimes committed in the eligible State by juveniles. The prevention block grant will help juvenile justice officials in Hawaii and in other States fund prevention programs, substance abuse programs, support programs for children who have little or no family life, and programs that would give State court judges an alternative program to deal with certain juvenile offenders instead of sending them to correctional facilities.

Everyone here knows that the nature of juvenile crime has changed drastically over the years. We have only to look through the paper to see younger people committing more violent crimes. Today's youths need to understand that they will be punished accordingly for crimes committed. However, that is only half of the battle. It is our duty to reach to our children, to get them involved in their communities, and to prevent them from taking part in dangerous activities in the first place. H.R. 1818 is an important component in our fight to meet this new challenge. It will help States prevent, reduce, and control juvenile crime. I urge my colleagues to support H.R. 1818.

Mr. BENTSEN. Mr. Speaker, I rise in strong support of H.R. 1818, the Juvenile Crime Control and Delinquency Prevention Act. Juvenile crime is one of the most serious problems facing our communities, especially law enforcement officers. No population poses a larger challenge to public safety than juvenile criminals. Between 1965 and 1993, the number of 12-year-olds arrested for violent crimes rose 211 percent, the number of 13- and 14-year-olds rose 301 percent, and the number of 15-year-olds rose 297 percent.

This dramatic increase has put a severe strain on our States' juvenile crime system because the overwhelming majority of juvenile offenses are handled by State, not Federal authorities. Very few juveniles who commit crimes wind up in the Federal courts. This legislation is a good step toward empowering States with more tools to fight this growing problem, while also ensuring that we do not give up on young offenders by exposing them to hardened adult convicts.

H.R. 1818 would consolidate the various Department of Justice juvenile programs into one State block grant program. Texas and other States would have the ability and flexibility to target at-risk youth to deter them from entering a life of violence and crime. I believe this is the right approach to addressing the very difficult problem of juvenile crime. There is no single answer to this problem, and we must provide States with both the resources and the flexibility to develop their own approaches so that we can test various strategies and determine what works best. Harris County, TX, for example, is using a $1.4 million Federal grant to expand a boot camp program designed to reform at-risk, nonviolent juvenile offenders in the Houston area and free up prison and jail space for the most violent criminals. Such boot camps have proven to be successful and cost-effective alternatives to reduce criminal behavior and get young people back on the right track.

This legislation will strengthen the Federal Government's role as a partner in these innovative State and local efforts to fight crime and help high-risk youth. It will give States and localities necessary assistance with a range of programs, including prevention and effective punishment and rehabilitation targeted to getting young people back on track to productive lives.

Again, I rise in strong support of this bill and I urge my colleagues to support this valuable piece of crime legislation.

The SPEAKER pro tempore (Mr. CALVERT). The question is on the motion offered by the gentleman from California [Mr. RIGGS] that the House suspend the rules and pass the bill, H.R. 1818, as amended.

The question was taken.

Mr. RIGGS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. RIGGS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 1818.

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

There was no objection.

GENERAL LEAVE

Mr. RIGGS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the Senate bill, S. 768.

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

There was no objection.

AUTHORIZING TRANSFER OF NAVAL VESSELS

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 2035) to authorize the transfer of naval vessels to certain foreign countries, as amended.

The Clerk read as follows:

H.R. 2035

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

SECTION 1. AUTHORITY TO TRANSFER NAVAL VESSELS.

(a) BRAZIL.—The Secretary of the Navy is authorized to transfer to the Government of Brazil the "HUNLEY" class submarine tender HOLLAND (AS 32).

(b) CHILE.—The Secretary of the Navy is authorized to transfer to the Government of Chile the "KAISER" class oiler ISHERWOOD (T-AO 191).

(c) EGYPT.—The Secretary of the Navy is authorized to transfer to the Government of Egypt the "KNOX" class frigates PAUL (FF 1080), MILLER (FF 1091), JESSE L. BROWN (FFT 1089), and MOINESTER (FFT 1097), and the "OLIVER HAZARD PERRY" class frigates FAHRION (FFG 22) and LEWIS B. PULLER (FFG 23).

(d) ISRAEL.—The Secretary of the Navy is authorized to transfer to the Government of Israel the "NEWPORT" class tank landing ship PEORIA (LST 1183).

(e) MALAYSIA.—The Secretary of the Navy is authorized to transfer to the Government of Malaysia the "NEWPORT" class tank landing ship BARBOUR COUNTY (LST 1195).

(f) MEXICO.—The Secretary of the Navy is authorized to transfer to the Government of Mexico the "KNOX" class frigate ROARK (FF 1053).

(g) TAIWAN.—The Secretary of the Navy is authorized to transfer to the Taipei Economic and Cultural Representative Office in the United States (which is the Taiwan instrumentality designated pursuant to section 10(a) of the Taiwan Relations Act) the "KNOX" class frigates WHIPPLE (FF 1062) and DOWNES (FF1070).

(h) THAILAND.—The Secretary of the Navy is authorized to transfer to the Government of Thailand the "NEWPORT" class tank landing ship SCHENECTADY (LST 1185).

(i) FORM OF TRANSFERS.—Each transfer authorized by this section shall be on a sales basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761; relating to the foreign military sales program).

SEC. 2. SENSE OF THE CONGRESS REGARDING TRANSFER OF NAVAL VESSELS AND INTERNATIONAL COOPERATION WITH THE REPUBLIC OF THE PHILIPPINES

(a) FINDINGS.—The Congress makes the following findings:

(1) The United States and the Republic of the Philippines have a long tradition of international cooperation and mutual support.

(2) The United States strongly desires to continue mutual cooperation as a partner in matters of international security and scientific research.

(3) The President and the Department of Defense possess assets which can contribute positively to international security and scientific research.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that the President should use the authority under section 21 of the Arms Export Control Act (22 U.S.C. 2761) to transfer on a sales basis, subject to vessel availability, to the Republic of the Philippines, not more than one "STALWART" or "VICTORIOUS" class ocean surveillance ship (T-AGOS).

SEC. 3. COSTS OF TRANSFERS.

Any expense of the United States in connection with a transfer authorized by this Act shall be charged to the recipient.

SEC. 4. EXPIRATION OF AUTHORITY.

The authority granted by section 1 shall expire at the end of the 2-year period beginning on the date of the enactment of this Act.

SEC. 5. REPAIR AND REFURBISHMENT OF VESSELS IN UNITED STATES SHIPYARDS.

The Secretary of the Navy shall require, to the maximum extent possible, as a condition of a transfer of a vessel under this Act, that the country to which the vessel is transferred have such repair or refurbishment of the vessel as is needed, before the vessel joins the naval forces of that country, performed at a shipyard located in the United States, including a United States Navy shipyard.

The SPEAKER pro tempore (Mr. PETRI). Pursuant to the rule, the gentleman from New York [Mr. GILMAN] and the gentleman from Indiana [Mr. HAMILTON] each will control 20 minutes.

The Chair recognizes the gentleman from New York [Mr. GILMAN].

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

Mr. Speaker, this legislation provides for the transfer by sale of certain surplus naval vessels. It would authorize the transfer of 14 vessels, in all, to 8 countries: Brazil, Chile, Egypt, Israel, Malaysia, Mexico, Thailand, and Taiwan.

This legislation was approved unanimously by our Committee on International Relations on June 25.

I would like to underscore that none of these proposed transfers is a grant. As a result of these sales, our Treasury will be receiving $162.6 million. These 14 ships involve 5 classes: 7 *Knox* class frigates, 3 *Newport* class tank landing ships, 2 *Perry* class guided missile frigates, 1 *Hunley* class submarine tender and 1 *Kaiser* class oiler.

It is important to note that our Navy expects that by proceeding with these sales, our Nation will realize an additional $195 million for training, for supplies, for support, and for repair services.

I would also like to note to my colleagues that the proposed legislation includes language similar to that included in prior ship transfer legislation requiring the Secretary of the Navy to the maximum extent feasible to require that any repair or reactivation work be done in the United States in our own shipyards. It is my understanding from the Navy that each of the recipient countries have agreed to that proviso with respect to these proposed transfers.

Finally, I understand that our Navy strongly supports the transfer of these vessels to advance the valuable cooperative relationships that we have developed with each of these nation's navies. Accordingly, I urge my colleagues to support this legislation.

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

Mr. Speaker, I rise in support of H.R. 2035. I want to extend my commendation and congratulations to the chairman for bringing what I consider to be an excellent bill before the House.

□ 1315

I believe because of the gentleman's leadership and the work of the Committee on International Relations the Congress, over a period of months, has been able to effect an important change in ship transfer policy.

Now the clear emphasis, as the gentleman from New York has said, in U.S. policy today is on the sale of naval vessels instead of grants. All 14 naval vessels in this package are sales, and the bill will result in $162.6 million in revenues to the United States Treasury. The United States Navy will also save money not spent on storage or scrapping costs. Work in the U.S. shipyards prior to ship transfer will result in an additional $190 million in contracts for American workers. Now this package also benefits U.S. foreign policy and U.S. defense policy through enhanced navy-to-navy ties and improved interoperability.

So, Mr. Speaker, I think the bill has positive benefits for the United States Navy, positive benefits for U.S. shipyards, positive benefits for the United States Treasury, and positive benefits for U.S. foreign policy. I urge its adoption.

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Guam [Mr. UNDERWOOD].

Mr. UNDERWOOD. Mr. Speaker, I thank the ranking member for yielding, and, Mr. Speaker, I wish to engage the distinguished chairman of the Committee on International Relations in a colloquy.

Mr. GILMAN. Mr. Speaker, if the gentleman will yield, I will be pleased to engage in a colloquy with the gentleman from Guam.

Mr. UNDERWOOD. Mr. Speaker, in section 5 of H.R. 2035 concerning the repair and refurbishment of vessels in U.S. shipyards, the Secretary of the Navy is compelled to require to the maximum extent possible as a condition of transfer of a vessel to a foreign country that the country have repair or refurbishment of that vessel performed at a shipyard located in the United States.

Is it the gentleman's intention that in this provision territories, including a place that the gentleman from New York lived in for a while, Guam, is included in the definition of the United States?

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

Mr. UNDERWOOD. I yield to the gentleman from New York.

Mr. GILMAN. The answer is, yes, the committee intends that the territories be included in a definition of the United States for purposes of this provision.

Mr. UNDERWOOD. Mr. Speaker, I thank the gentleman from New York for this clarification, and both him and the ranking member for their hard work on this issue. This will serve to clarify the legislation, and, hopefully, we will not have to do this again in future legislation regarding naval vessels and that this could be an important item for the people of Guam in particular, since the ship repair facility has recently closed down and has become privatized.

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

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

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from New York [Mr. GILMAN] that the House suspend the rules and pass the bill, H.R. 2035, as amended.

The question was taken.

Mr. GILMAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the legislation just considered.

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

There was no objection.

GENERAL LEAVE

Mr. REGULA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 2107, and that I may be permitted to include tables, charts, and other material.

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

There was no objection.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

The SPEAKER pro tempore. Pursuant to House Resolution 181 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2107.

□ 1320

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2107) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1998, and for other purposes, with Mr. CALVERT, Chairman pro tempore, in the chair.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on Friday, July 11, 1997, a request for a recorded vote on the amendment offered by the gentleman from Ohio [Mr. CHABOT] had been postponed and the bill has been read through page 76, line 22.

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

Mr. Chairman, I know some of my colleagues will be interested in the schedule, so I might advise the body that it would be our intent to finish the amendments this afternoon, whatever amount of time that takes. We also have some limitations to debate. Then any votes will be rolled until 5 o'clock. We presently have the vote on the National Endowment for the Humanities pending, and I am sure there will be some additional votes.

At 5 o'clock we will vote on the amendments, and then it is my understanding from the leadership that they would like to vote on the suspensions, and the Journal, and then we would hope to get to final passage on the Interior bill some time around 8 o'clock tonight.

I might say to my colleagues I hope that in the intervening time this afternoon that they will take the opportunity to look at the bill. There are a lot of good features in this bill. I am pleased that we can say we are a little under last year's amount, but at the same time we have taken care of a lot of high priority items within the funds provided in this bill.

It goes without saying we have dozens and dozens of Member projects in this bill. We had 2,000 requests from Members for projects. Many of them overlapped obviously. But we tried, as much as possible, to prioritize these without regard to party, or to region, then simply make the best judgment we could in light of the availability of resources.

In terms of priorities, and I think this is very important, we added $78 million to the National Parks; that is a $78 million increase over last year, recognizing the pressures on the parks for visitations, to manage those who would seek the opportunity to visit our parks and to ensure that they have a positive experience.

We added $57 million for the National Forest System. We are getting enormous pressure on the national forests. Most people do not realize how important these lands are for the recreation users. And I have repeated this fact many times, but it bears another statement, and that is that the National Forest System has triple the visitor days of the Park System. Why? Because it has available a multiplicity of uses: We can hunt, we can fish, we can camp, we can bird watch, we can hike. In some areas we can run an all terrain vehicle; some areas, a snowmobile, a wide diversity of opportunities that are available in the national forests.

And I think a very important point is that the national forests provide an opportunity for family vacations, where the individual has got a couple weeks, can either rent or own a camper, go into a national forest and spend a couple of weeks with his or her family getting a better understanding of our natural heritage.

The allowable timber cut in our national forests, which this committee establishes as a cap, has been declining. In 1990 it was more than 11 billion board feet. Today it is down to 3.8 billion board feet.

And I would also point out in conjunction with that that we are growing each year 17 billion board feet, which means that we have a net increase in board feet in our national forests of almost 14 billion board feet.

Also, I think one of the good features in this bill is that we have emphasized forest health. We have a forest health program to address the problem of insects, of diseases, of the many things that create problems for our national forests, and we have recognized also the President's Northwest Forest Plan, which was the result of a compromise that President Clinton and Vice President Gore worked out some years ago, and we have supported that with significant dollars and language.

We often do not think of wildlife refuges necessarily in terms of visitors, but they are vital to the preservation of this Nation's wildlife resources. We have increased funding for the refugee system by $42 million.

We have synificantly increased funding for the Land and Water Conservation Fund, $239 million, and I think there are many other good features in this bill, and I hope that our colleagues will, all of them, take a look at it between now and the time we go to final passage and recognize that in supporting this they are supporting a very responsible and a very productive approach to the challenges that confront the Subcommittee on Interior.

AMENDMENT OFFERED BY MR. GIBBONS.

Mr. GIBBONS. Mr. Chairman, I ask unanimous consent to offer an amendment which amends a portion of the bill that has been previously read for amendment.

The Clerk read as follows:

Amendment offered by Mr. GIBBONS:

On page 14, line 4 before the words "water rights" insert surface". On page 31, line 24

before the words "water rights" insert "surface".

The CHAIRMAN pro tempore. Is there objection to the consideration of the amendment en bloc to portions of the bill already passed in the reading?

Mr. DICKS. Reserving the right to object, Mr. Chairman, could the gentleman explain to us what the amendment is about?

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

Mr. DICKS. I yield to the gentleman from Nevada.

Mr. GIBBONS. Mr. Chairman, yes. To the gentleman from Washington, I would be happy to explain.

This amendment simply is a small technical amendment which changes a phrase on page 14, line 14, to add the word "surface" to "water rights," and let me explain by way of this.

The U.S. Fish and Wildlife Department, the Department of the Interior, Bureau of Indian Affairs are buying and acquiring water rights in a specific location in the Lahontan Valley for the stillwater wildlife and for preservation of an endangered species fish. They are buying property with surface water rights attached to them so that they can acquire the water right, then take away the water right and resell the land.

The language in the bill itself provides that the Secretary cannot sell any water rights attached to the land when he puts it back up for resale after his acquisition, after taking the surface water rights away. All we want to do is reassure the folks, and we have a letter from the Secretary of the Interior to this effect, that he does not object to this proposal, that what they are selling is not land without any water. There are surface water rights and subsurface water rights. What we are trying to do is preserve the right for the Department of the Interior to sell land which has subsurface water rights like wellwater so that land can be sold. In this area of Nevada land without water is valueless.

Mr. DICKS. Mr. Chairman, I have been assured that the Secretary of the Interior has written a letter in support of this.

Mr. Chairman, I withdraw my reservation of objection.

□ 1330

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Nevada?

There was no objection.

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

Mr. GIBBONS. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, I thank the gentleman for yielding to me.

We would have no objection to a limited amendment for the purpose described by the gentleman from Nevada [Mr. GIBBONS].

I think this is an important sentence in the Department's letter. It says, "The Department will consult with the State and local jurisdictions, including appropriate planning and regulatory agencies and other interested persons, concerning the sale of such lands." We have no objection. We think this is a good amendment and support it.

Mr. GIBBONS. Mr. Chairman, I include for the RECORD a letter of July 14, 1997, with regard to this matter:

THE SECRETARY OF THE INTERIOR,
Washington, July 14, 1997.

Hon. RALPH REGULA,
Chairman, Subcommittee on Interior and Related Agencies, Committee on Appropriations, U.S. House of Representatives, Washington, DC.

DEAR MR. REGULA: Language was included in the fiscal year 1998 appropriations requests for the Department of the Interior in two places to allow, generally, the sale of lands and other real estate acquired incidental to the acquisition of water rights in the Truckee and Carson River basins in Nevada with the revenue from the sale to be deposited to the Lahontan Valley and Pyramid Lake Fish and Wildlife Fund for acquisition of additional water rights for purposes related to the initial acquisitions (i.e., restoration of Lahontan Valley wetlands and recovery of threatened and endangered fish at Pyramid Lake). The two provisions, one for the Fish and Wildlife Service (FWS) and the other for the Bureau of Indian Affairs (BIA), use parallel language with minor changes to correspond to the two separate water-right acquisition programs authorized. Both sets of language stem from the fact that a majority of water-right holders who want to sell their irrigation water rights (and only purchases from willing sellers are allowed) also want to sell the land and other real estate interests that go with the water rights. Except in limited circumstances, the Department of the Interior does not want to retain the land and other realty interests but rather wants to resell the land into the local private market and apply the receipts to continuation of the water-right acquisition programs.

I am advised that three questions have been raised with regard to this language. This letter will address each of those in turn:

1. A question has been raised as to whether the language in the pending appropriations measure on page 14, line 4 for FWS and page 31, line 24 for BIA allowing for the sale of land and interests in land ". . . other than water rights . . ." means that rights to subsurface water could not be sold. Our understanding is that the only water other than water-righted surface water acquired has been water in domestic wells that is not technically "water-righted." In any case, it was not the Department of the Interior's intent to transfer any rights to these wells to the wetlands but, rather, to sell the domestic wells along with the land and other incidental real property. A suggestion has been made that the intent be clarified by adding the word "surface" before "water rights" in the language for both bureaus. The Department of the Interior would have no objection to a limited amendment for that purpose.

2. A question has also been raised as to whether the revenue from the sale of lands and interests in lands, other than surface water rights, will be used exclusively for acquisition of water rights tied to the original purpose of the initial acquisition. In other words, will revenue from the sale of lands acquired incidental to acquiring water rights for the Truckee River Water Quality Settlement be used exclusively for further acquisition of water rights to carry out the Settlement and, similarly, will such revenue from the sale of lands acquired incidental to acquiring water rights for the wetlands be used exclusively for water rights acquisition for the wetlands. The Department's intent is that the revenues be used exclusively for acquisitions related to the purpose of the original acquisitions. Accordingly, both bureaus will be advised to use their respective revenues exclusively in accord with this intent.

3. A question has also been raised as to whether the Department of the Interior would consult with the State of Nevada and units of local government with regard to the sale of lands and interests in lands under the proposed provisions. Extensive consultation has taken place previously with the state and with local jurisdictions regarding the purchase of lands under the wetlands restoration and endangered species recovery programs. In implementing these sale provisions, the Department will consult with the state and local jurisdictions, including appropriate planning and regulatory agencies, and other interested persons concerning the sale of such lands.

Sincerely,

BRUCE BABBETT.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Nevada [Mr. GIBBONS].

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, $13,900,000, to remain available until expended, of which $8,000,000 shall be available to the National Endowment for the Humanities for the purposes of section 7(h): *Provided*, That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the Chairman or by grantees of the Endowment under the provisions of subsections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

OFFICE OF MUSEUM SERVICES

GRANTS AND ADMINISTRATION

For carrying out Subtitle C of the Museum and Library Services Act of 1996, $23,390,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided*, That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U.S.C. 104), $907,000.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99-190 (20 U.S.C. 956(a)), as amended, $6,000,000.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89-665, as amended), $2,700,000: *Provided*, That none of these funds shall be available for the compensation of Executive Level V or higher positions.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

For necessary expenses, as authorized by the National Capital Planning Act of 1952 (40 U.S.C. 71-71i), including services as authorized by 5 U.S.C. 3109, $5,700,000: *Provided*, That all appointed members will be compensated at a rate not to exceed the rate for Executive Schedule Level IV: *Provided further*, That beginning in fiscal year 1998 and thereafter, the Commission is authorized to charge fees to cover the full costs of Geographic Information System products and services supplied by the Commission, and such fees shall be credited to this account as an offsetting collection, to remain available until expended.

UNITED STATES HOLOCAUST MEMORIAL COUNCIL

HOLOCAUST MEMORIAL COUNCIL

For expenses of the Holocaust Memorial Council, as authorized by Public Law 96-388 (36 U.S.C. 1401), as amended, $31,707,000 of which $1,575,000 for the Museum's repair and rehabilitation program and $1,264,000 for the Museum's exhibitions program shall remain available until expended.

TITLE III—GENERAL PROVISIONS

SEC. 301. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive Order issued pursuant to existing law.

SEC. 302. No part of any appropriation under this Act shall be available to the Secretary of the Interior or the Secretary of Agriculture for the leasing of oil and natural gas by noncompetitive bidding on publicly owned lands within the boundaries of the Shawnee National Forest, Illinois: *Provided*, That nothing herein is intended to inhibit or otherwise affect the sale, lease, or right to access to minerals owned by private individuals.

SEC. 303. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which congressional action is not complete.

SEC. 304. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 305. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency except as otherwise provided by law.

SEC. 306. No assessments may be levied against any program, budget activity, subactivity, or project funded by this Act unless advance notice of such assessments and the basis therefor are presented to the Committees on Appropriations and are approved by such Committees.

SEC. 307. (a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c; popularly known as the "Buy American Act").

(b) SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.—

(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 308. None of the funds in this Act may be used to plan, prepare, or offer for sale timber from trees classified as giant sequoia (Sequoiadendron giganteum) which are located on National Forest System or Bureau of Land Management lands in a manner different than such sales were conducted in fiscal year 1995.

SEC. 309. None of the funds made available by this Act may be obligated or expended by the National Park Service to enter into or implement a concession contract which permits or requires the removal of the underground lunchroom at the Carlsbad Caverns National Park.

SEC. 310. Beginning in fiscal year 1998 and thereafter, where the actual costs of construction projects under self-determination contracts, compacts, or grants, pursuant to Public Laws 93-638, 103-413, or 100-297, are less than the estimated costs thereof, use of the resulting excess funds shall be determined by the appropriate Secretary after consultation with the tribes.

SEC. 311. Notwithstanding Public Law 103-413, quarterly payments of funds to tribes and tribal organizations under annual funding agreements pursuant to section 108 of Public Law 93-638, as amended, beginning in fiscal year 1998 and therafter, may be made on the first business day following the first day of a fiscal quarter.

SEC. 312. None of the funds appropriated or otherwise made available by this Act may be used for the AmeriCorps program, unless the relevant agencies of the Department of the Interior and/or Agriculture follow appropriate reprogramming guidelines: *Provided*, That if no funds are provided for the AmeriCorps program by the VA-HUD and Independent Agencies fiscal year 1998 appropriations bill, then none of the funds appropriated or otherwise made available by this Act may be used for the AmeriCorps programs.

SEC. 313. None of the funds made available in this Act may be used (1) to demolish the bridge between Jersey City, New Jersey, and Ellis Island; or (2) to prevent pedestrian use of such bridge, when it is made known to the Federal official having authority to obligate or expend such funds that such pedestrian use is consistent with generally accepted safety standards.

SEC. 314. (a) None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

(b) The provisions of subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned: (1) a patent application was filed with the Secretary on or before September 30, 1994, and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims and sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date.

(c) On September 30, 1998, the Secretary of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the United States Senate a report on actions taken by the Department under the plan submitted pursuant to section 314(c) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104-208).

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected by the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

SEC. 315. None of the funds appropriated or otherwise made available by this Act may be used for the purposes of acquiring lands in the counties of Gallia, Lawrence, Monroe, or Washington, Ohio, for the Wayne National Forest.

SEC. 316. None of the funds available to the Department of the Interior or the Department of Agriculture by this or any other Act may be used to prepare, promulgate, implement, or enforce any interim or final rule or regulation pursuant to Title VIII of the Alaska National Interest Lands Conservation Act to assert jurisdiction, management, or control over any waters (other than non-navigable waters on Federal lands), non-Federal lands, or lands selected by, but not conveyed to, the State of Alaska pursuant to the Submerged Lands Act of 1953 or the Alaska

Statehood Act, or an Alaska Native Corporation pursuant to the Alaska Native Claims Settlement Act.

SEC. 317. No funds appropriated under this or any other Act shall be used to review or modify sourcing areas previously approved under section 490(c)(3) of the Forest Resources Conservation and Shortage Relief Act of 1990 (Public Law 101–382) or to enforce or implement Federal regulations 36 CFR part 223 promulgated on September 8, 1995. The regulations and interim rules in effect prior to September 8, 1995 (36 CFR 223.48, 36 CFR 223.87, 36 CFR 223 subpart D, 36 CFR 223 subpart F, and 36 CFR 261.6) shall remain in effect. The Secretary of Agriculture or the Secretary of the Interior shall not adopt any policies concerning Public Law 101–382 or existing regulations that would restrain domestic transportation or processing of timber from private lands or impose additional accountability requirements on any timber. The Secretary of Commerce shall extend until September 30, 1998, the order issued under section 491(b)(2)(A) of Public Law 101–382 and shall issue an order under section 491(b)(2)(B) of such law that will be effective October 1, 1998.

SEC. 318. No part of any appropriation contained in this Act shall be expended or obligated to fund the activities of the western director and special assistant to the Secretary within the Office of the Secretary of Agriculture.

SEC. 319. Notwithstanding any other provision of law, for fiscal year 1998 the Secretaries of Agriculture and Interior are authorized to limit competition for watershed restoration project contracts as part of the "Jobs in the Woods" component of the President's Forest Plan for the Pacific Northwest to individuals and entities in historically timber-dependent areas in the States of Washington, Oregon, and northern California that have been affected by reduced timber harvesting on Federal lands.

SEC. 320. Section 101(c) of Public Law 104–134 is amended as follows: Under the heading "TITLE III—GENERAL PROVISIONS" amend section 315(c)(1), subsections (A) and (B) by striking each of those subsections and inserting in lieu thereof:

"(A) Eighty percent to a special account in the Treasury for use without further appropriation, by the agency which administers the site, to remain available for expenditure in accordance with paragraph (2)(A).

"(B) Twenty percent to a special account in the Treasury for use without further appropriation, by the agency which administers the site, to remain available for expenditure in accordance with paragraph (2)(B)."

SEC. 321. None of the funds collected under the Recreational Fee Demonstration program may be used to plan, design, or construct a visitor center or any other permanent structure without prior approval of the House and the Senate Committees on Appropriations.

SEC. 322. Section 303(d)(1) of Public Law 96–451 (16 U.S.C. 1606a(d)(1)) is amended by inserting before the semicolon the following: "and other forest stand improvement activities to enhance forest health and reduce hazardous fuel loads of forest stands in the National Forest System".

SEC. 323. The Secretaries of Agriculture and Interior, in their conducting the Interior Columbia Basin Ecosystem Management Project, including both the Eastside Draft Environmental Impact Statement and the Upper Columbia River Basin Ecosystem Management Strategy Draft Environmental Impact Statement as described in a Federal Register notice on January 15, 1997 (Vol. 62, No. 10, page 2176) (hereinafter "Project"), shall analyze the economic and social conditions, and culture and customs of communities at the sub-basin level of analysis within the project area to the extent practicable and delineate the impacts the alternatives will have on the communities in the 164 subbasins. The project managers shall release this more thorough analysis for public review as an addition to the draft environmental impact statements for the project, and incorporate this analysis and public comments to this analysis in any final environmental impact statements and record of decisions generated by the project.

SEC. 324. Notwithstanding section 904(b) of Public Law 104–333, hereafter, the Heritage Area established under section 904 of title IX of division II of Public Law 104–333 shall include any portion of a city, town, or village within an area specified in section 904(b)(2) of that Act only to the extent that the government of the city, town, or village, in a resolution of the governing board or council, agrees to be included and submits the resolution to the Secretary of the Interior and the management entities for the Heritage Area and to the extent such resolution is not subsequently revoked in the same manner.

AMENDMENT OFFERED BY MR. CRAPO

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. CRAPO:

Page 89, after line 15, insert the following new title:

TITLE IV—DEFICIT REDUCTION LOCK-BOX

SEC. 401. SHORT TITLE.

This title may be cited as the "Deficit Reduction Lock-box Act of 1997".

SEC. 402. DEFICIT REDUCTION LOCK-BOX LEDGER.

(a) ESTABLISHMENT OF LEDGER.—Title III of the Congressional Budget Act of 1974 is amended by adding at the end the following new section:

"DEFICIT REDUCTION LOCK-BOX LEDGER

"SEC. 314. (a) ESTABLISHMENT OF LEDGER.—The Director of the Congressional Budget Office (hereinafter in this section referred to as the 'Director') shall maintain a ledger to be known as the 'Deficit Reduction Lock-box Ledger'. The Ledger shall be divided into entries corresponding to the subcommittees of the Committees on Appropriations. Each entry shall consist of three parts: the 'House Lock-box Balance'; the 'Senate Lock-box Balance'; and the 'Joint House-Senate Lock-box Balance'.

"(b) COMPONENTS OF LEDGER.—Each component in an entry shall consist only of amounts credited to it under subsection (c). No entry of a negative amount shall be made.

"(c) CREDIT OF AMOUNTS TO LEDGER.—(1) The Director shall, upon the engrossment of any appropriation bill by the House of Representatives and upon the engrossment of that bill by the Senate, credit to the applicable entry balance of that House amounts of new budget authority and outlays equal to the net amounts of reductions in new budget authority and in outlays resulting from amendments agreed to by that House to that bill.

"(2) The Director shall, upon the engrossment of Senate amendments to any appropriation bill, credit to the applicable Joint House-Senate Lock-box Balance the amounts of new budget authority and outlays equal to—

"(A) an amount equal to one-half of the sum of (i) the amount of new budget authority in the House Lock-box Balance plus (ii) the amount of new budget authority in the Senate Lock-box Balance for that bill; and

"(B) an amount equal to one-half of the sum of (i) the amount of outlays in the House Lock-box Balance plus (ii) the amount of outlays in the Senate Lock-box Balance for that bill.

"(3) CALCULATION OF LOCK-BOX SAVINGS IN SENATE.—For purposes of calculating under this section the net amounts of reductions in new budget authority and in outlays resulting from amendments agreed to by the Senate on an appropriation bill, the amendments reported to the Senate by its Committee on Appropriations shall be considered to be part of the original text of the bill.

"(d) DEFINITION.—As used in this section, the term 'appropriation bill' means any general or special appropriation bill, and any bill or joint resolution making supplemental, deficiency, or continuing appropriations through the end of a fiscal year.".

"(b) CONFORMING AMENDMENT.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by inserting after the item relating to section 313 the following new item:

"Sec. 314. Deficit reduction lock-box ledger.".

SEC. 403. TALLY DURING HOUSE CONSIDERATION.

There shall be available to Members in the House of Representatives during consideration of any appropriations bill by the House a running tally of the amendments adopted reflecting increases and decreases of budget authority in the bill as reported.

SEC. 404. DOWNWARD ADJUSTMENT OF 602(a) ALLOCATIONS AND SECTION 602(b) SUBALLOCATIONS.

(a) ALLOCATIONS.—Section 602(a) of the Congressional Budget Act of 1974 is amended by adding at the end the following new paragraph:

"(5) Upon the engrossment of Senate amendments to any appropriation bill (as defined in section 314(d)) for a fiscal year, the amounts allocated under paragraph (1) or (2) to the Committee on Appropriations of each House upon the adoption of the most recent concurrent resolution on the budget for that fiscal year shall be adjusted downward by the amounts credited to the applicable Joint House-Senate Lock-box Balance under section 314(c)(2). The revised levels of budget authority and outlays shall be submitted to each House by the chairman of the Committee on the Budget of that House and shall be printed in the Congressional Record.".

(b) SUBALLOCATIONS.—Section 602(b)(1) of the Congressional Budget Act of 1974 is amended by adding at the end the following new sentence: "Whenever an adjustment is made under subsection (a)(5) to an allocation under that subsection, the chairman of the Committee on Appropriations of each House shall make downward adjustments in the most recent suballocations of new budget authority and outlays under subparagraph (A) to the appropriate subcommittees of that committee in the total amounts of those adjustments under section 314(c)(2). The revised suballocations shall be submitted to each House by the chairman of the Committee on

Appropriations of that House and shall be printed in the Congressional Record.".

SEC. 405. PERIODIC REPORTING OF LEDGER STATEMENTS.

Section 308(b)(1) of the Congressional Budget Act of 1974 is amended by adding at the end the following new sentence: "Such reports shall also include an up-to-date tabulation of the amounts contained in the ledger and each entry established by section 314(a).".

SEC. 406. DOWNWARD ADJUSTMENT OF DISCRETIONARY SPENDING LIMITS.

The discretionary spending limits for new budget authority and outlays for any fiscal year set forth in section 601(a)(2) of the Congressional Budget Act of 1997, as adjusted in strict conformance with section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985, shall be reduced by the amounts set forth in the final regular appropriation bill for that fiscal year or joint resolution making continuing appropriations through the end of that fiscal year. Those amounts shall be the sums of the Joint House-Senate Lock-box Balances for that fiscal year, as calculated under section 602(a)(5) of the Congressional Budget Act of 1974. That bill or joint resolution shall contain the following statement of law: "As required by section 406 of the Deficit Reduction Lock-box Act of 1997, for fiscal year [insert appropriate fiscal year] and each outyear, the adjusted discretionary spending limit for new budget authority shall be reduced by $ [insert appropriate amount of reduction] and the adjusted discretionary limit for outlays shall be reduced by $ [insert appropriate amount of reduction] for the budget year and each outyear." Notwithstanding section 904(c) of the Congressional Budget Act of 1974, section 306 of that Act as it applies to this statement shall be waived. This adjustment shall be reflected in reports under sections 254(g) and 254(h) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 407. EFFECTIVE DATE.

(a) IN GENERAL.—This title shall apply to all appropriation bills making appropriations for fiscal year 1998 or any subsequent fiscal year.

(b) DEFINITION.—As used in this section, the term "appropriation bill" means any general or special appropriation bill, and any bill or joint resolution making supplemental, deficiency, or continuing appropriations through the end of a fiscal year.

The CHAIRMAN pro tempore. Pursuant to House Resolution 181, the gentleman from Idaho [Mr. CRAPO] and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Idaho [Mr. CRAPO].

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

Mr. Chairman, we are here, I think for the fourth time, to debate the critical lockbox legislation which will correct one of the more significant problems in our current budgetary process.

Before I describe this legislation, the amendment, I want to first of all give thanks to the gentleman from Florida [Mr. FOLEY] and the gentlewoman from California [Ms. HARMAN] who both have, because of their schedules, been unable to be here on the floor today but are strong supporters and have been with us from the outset in fighting to make sure this critical legislation makes it not only to the floor once again, but ultimately becomes law.

The gentleman from Florida [Mr. FOLEY] has been a tireless fighter for deficit reduction, and the gentlewoman from California [Ms. HARMAN] has been with us from the outset, showing this is a strong bipartisan effort to correct a serious problem in the budget process we have.

What is that problem? I indicated earlier, this is the fourth time we have brought this legislation before the House. Each time it has passed resoundingly, with votes well in excess of 300 votes. The problem that has been addressed, and hopefully one of these times we will be able to make it through not only the House but through the conference committee and send it to the President for his signature, which we expect would be forthcoming, the problem is simply this: As we put together our budgets each year and as we debate and vote on motions to restrict spending, cut spending, or eliminate spending on various programs or projects, all that happens when we succeed in paring back the budget in those votes is that the funding for those projects becomes free and available to be shifted into other spending. It does not necessarily go to deficit reduction, and in most cases does not go to deficit reduction.

This bill would be very simple, but is very needed. It would require that when the House and the Senate both make the same cuts, so that both the House and Senate have agreed to eliminate spending in a particular program or project area, that those cuts go into a lockbox, and in conference those funds cannot then be siphoned off or moved into other spending. They must be dedicated to deficit reduction.

If there are different amounts between the House and Senate, the conference committee has the freedom to decide a figure between the two amounts, but the conference committee is required to allocate those funding reductions to the deficit.

Mr. Chairman, some Members have said, well, why not allow us, if we want to make a cut or a reduction in spending, to designate that to some other program if we so choose? This legislation allows that. It simply says that if Members want to shift spending instead of cut spending, then they have to say so in their amendment. If they do not say so, then we assume, as most debate assumes, that the cuts or the reductions are specified for deficit reduction. I think it is a very valuable amendment.

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

Mr. REGULA. Mr. Chairman, we have no problem on this side with the amendment. We are prepared to accept it.

Mr. YATES. Mr. Chairman, I rise to claim time on the amendment.

The CHAIRMAN pro tempore. The gentleman from Illinois [Mr. YATES] is recognized for 10 minutes.

Mr. YATES. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I am not quite sure I understand the gentleman's amendment fully. As we pass this bill and the Senate passes its bill and we agree on a reduction, the gentleman's amendment would require that we cannot use that money of the reduced amount for any other program. Is that a correct interpretation?

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

Mr. YATES. I yield to the gentleman from Idaho.

Mr. CRAPO. Yes, Mr. Chairman, that is a correct interpretation, with this explanation. If the Member bringing the amendment wants the funding to be utilized in another program, he can easily do so in the amendment. But most of the time when we debate these matters, they are debated as though they were budget issues and we are reducing unnecessary spending. This amendment says if we do not designate it to another spending source, then the conference committee is not allowed to redesignate it to another source. It is designated to the deficit.

Mr. YATES. If I understand the purpose of the amendment, it is to reduce the deficit. Is that correct?

Mr. CRAPO. That is correct, Mr. Chairman.

Mr. YATES. Why, then, Mr. Chairman, I would ask the gentleman, is his party advocating the tax reduction bill? Will that not increase the deficit?

Mr. CRAPO. Mr. Chairman, I would say to the gentleman, because as he knows, we have a strong difference of opinion on both sides of the aisle with regard to tax reduction and what impacts it will have on revenue.

Take, for example, the capital gains tax reduction. Many of us believe very strongly that that tax cut is going to actually free up and stimulate the economy sufficiently to generate more tax revenue. The bottom line is that the tax debate is not this debate, and although many of us support tax cuts, we also support a good fiscal control over the spending habits of this Congress. That is what this amendment would address.

Mr. YATES. Personally, Mr. Chairman, I support neither tax cut, and I support reducing the deficit.

Ms. HARMAN. Mr. Chairman, I rise in strong support of the amendment offered by my friend MIKE CRAPO to add the bipartisan deficit reduction lockbox amendment to the 1998 Interior appropriations bill.

As the lead Democratic sponsor of the Crapo-Harman deficit reduction lockbox bill, H.R. 126, I also want to thank the Rules Committee and, in particular, its chairman, JERRY SOLOMON, for making the request by the gentleman from Florida, Mr. FOLEY, and me in order.

Deficit hawks—listen up. As the mother of the deficit reduction lockbox, passage of this amendment is imperative now—at the front-end of the appropriations process, or we will again mislead our constituents who think a cut means a cut when, in fact, a cut in one spending program is reallocated to another bill's spending program.

The House has on three occasions overwhelmingly passed the deficit reduction lockbox, twice as amendments to appropriations bills and once as a free-standing bill, H.R. 1162. Regrettably, the other body failed to match our efforts and the measures died with the adjournment of the 104th Congress.

Mr. Chairman, the deficit reduction lockbox is a very simple mechanism. When Members vote for floor amendments to cut spending, under current budget rules, the savings generated can later be earmarked and spent by the Appropriations Committee on other programs. With the enactment of the lockbox, a separate account is created in each appropriation bill into which savings from cutting amendments are deposited. Those savings cannot be respent or reused by the Appropriations Committee.

During the fiscal 1997 appropriations process, the House adopted floor amendments cutting nearly $1 billion in spending. That billion dollars could have been locked for deficit reduction as the proponents of the amendments intended.

A table prepared at my request by the Congressional Research Service shows that $40 million in energy and water cuts ware reprogrammed, $543 million in national security cuts were reprogrammed, and $349 million in VA–HUD cuts were reprogrammed.

Mr. Chairman, without lockbox, more than large sums of money are at stake. So are our reputations. As the Rules Committee said in its report accompanying last year's lockbox bill:

> Not only is (the Lock-box) important for fiscal accountability, but it is also important to the credibility of the Congress with the American people. The Committee strongly believes that our procedures should make it clear that a cut is really a cut . . . (and the Lock-box) . . . meets this requirement.

The lockbox is supported by a broad bipartisan group of deficit hawks both here in the House and among the public. Fiscal watchdog groups like Americans for Tax Reform, Citizens Against Government Waste, the National Taxpayers Union, the U.S. Chamber of Commerce, the Concord Coalition and Citizens for a Sound Economy have strongly endorsed this legislation.

Mr. Chairman, show me—and our constituents—the money. Vote for the Crapo-Harman-Foley deficit reduction lockbox amendment to the Interior Appropriations Act so we can get it into conference with the Senate.

Table 1. Total savings of House adopted amendments reducing budget authority, by FY 1997 regular appropriations bill

[In millions of dollars]

Bill	*Amount*
Agriculture	(1)
Commerce-Justice-State	(1)
District of Columbia	(1)
Energy and Water Development	$40.573
Foreign Operations	2.525
Interior	(1)
Labor-Health and Human Services-Education	(1)
Legislative Branch	(1)
Military Construction	(1)
National Security	[2] 543.000
Transportation	(1)
Treasury-Postal Service	[3] 2.000
Veterans' Affairs-Housing and Urban Development	[4] 349.000
Total	$937.098

[1] The House did not adopt any amendments to this bill reducing budget authority.

[2] Most of the reduction of appropriations ($508 million) was contained in the floor manager's amendment to comply with the recently adopted 602(b) spending ceilings.

[3] The House adopted an amendment denying an FY 1997 cost-of-living allowance for Members of Congress, senior executive branch officials, and Federal judges. An accurate estimate of the amount of the savings from the amendment was excluded from Table 1. The amount provided for the Treasury-Postal Service bill in Table 1 represents the total savings from the only amendment adopted that reduced a specific amount of budget authority, $2 million.

[4] The House adopted two amendments. Each amendment increased budget authority for certain activities and decreased budget authority for other activities. However, the net effect of each amendment was a reduction in budget authority.

Sources: Congressional Records, vol. 142, 1996; and each of the 13 FY 1997 regular appropriations bill (House Appropriations Committee's reported version).

Mr. FOLEY. Mr. Chairman, the deficit reduction lockbox is an idea that, when adopted, will genuinely lower our Nation's deficit and benefit every American's pocketbook.

Had the lockbox been in place during the appropriations process last year we would have saved the taxpayer almost $1 billion.

I expect you'll see Mr. CRAPO, Ms. HARMAN, and myself a few more times this year unless this measure is permanently adopted.

As Members of Congress, we work hard and round up the votes to eliminate unnecessary spending only to have the savings swept away by another Member and utilized for their pet project.

This institution has played that kind of shell-and-pea game in the appropriations process for years—we shift money from shell to shell with such speed and agility that our baffled constituents soon lose track of the funds.

They have a right to know that a cut is a cut and we have a right to expect our hard work toward reducing the deficit will amount to something more than a bank account to finance pork-barrel spending.

Simply put, this amendment will guarantee that the spending cuts approved in this appropriations bill would be designated for deficit reduction.

Our national debt isn't going away any time soon, but a small step like this is at least a step in the right direction to reduce it.

We should close this legislative loophole.

We have to get serious about deficit reduction and fulfill the pledge we made to our constituents to reduce the debt our children will ultimately be responsible for.

Mr. GOSS. Mr. Chairman, I appreciate the gentleman from Idaho yielding me time and I rise in strong support of his Lockbox amendment. I want to also commend him for his leadership and persistence in this effort.

Mr. Chairman, this is not a new concept—the House overwhelmingly voted three times in support of the Lockbox. The proposal, originally introduced by Mr. CRAPO, went through a thorough vetting process in the Rules Committee during the 104th Congress. We worked hard to smooth the rough edges and resolve the various technical problems. The end result is the proposal before us—and I am proud to have played a part in getting us to this point. The Lockbox simply makes sense. In the real world, when you say you are going to spend less money, you should spend less money. Only in Washington can you say you are cutting spending and then allow the money to mysteriously reappear for spending somewhere else. It is disingenuous; it hurts the taxpayer; and it contributes to the cynical popular view of this body. The idea is simple—create a deficit reduction account to ensure that hard fought spending cuts are realized. When the House votes to save money—the Lockbox mechanism ensures that the money will truly be saved. Simple though it seems, we have had some resistance to this idea in the other body and I urge the "mothers" and "fathers" of the Lockbox in the House to continue to press our friends over there to look favorably on this proposal. On the larger subject of reforming our budget process, as chairman of the Subcommittee on Legislative and Budget Process, I am continuing to work with Chairman SOLOMON, Chairman KASICH, and other interested members to develop a more rational and understandable approach to how we spend the Nation's money and enforce our commitments to balance the Federal books.

In the interim, this is a good amendment and I urge my colleagues to support it.

Mr. YATES. Mr. Chairman, I have no objection to the amendment offered by the gentleman from Idaho, and I yield back the balance of my time.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Idaho [Mr. CRAPO].

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

Mr. CRAPO. Mr. Chairman, on that I demand a recorded vote, and pending that I make a point of order that a quorum is not present.

The CHAIRMAN pro tempore. Pursuant to House Resolution 181, further proceedings on the amendment offered by the gentleman from Idaho [Mr. CRAPO] will be postponed.

The point of no quorum is considered withdrawn.

Are there further amendments?

AMENDMENT OFFERED BY MR. ISTOOK

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

The Clerk read as follows:

Amendment offered by Mr. ISTOOK:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds made available in this Act may be used by the Bureau of Indian Affairs to transfer any land into trust under section 5 of the Indian Reorganization Act (25 U.S.C. 465), or any other Federal statute that does not explicitly denominate and identify a specific tribe or specific property, except when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) a binding agreement is in place between the tribe that will have jurisdiction over the land to be taken into trust and the appropriate State and local officials; and

(2) such agreement provides, for as long as the land is held in trust, for the collection and payment, by any retail establishment located on the land to be taken into trust, of State and local sales and excise taxes, including any special tax on motor fuel, tobacco, or alcohol, on any retail item sold to any nonmember of the tribe for which the land is held in trust, or an agreed upon payment in lieu of such taxes.

Mr. Chairman, I ask unanimous consent that total debate on the amendment be limited to 30 minutes, equally divided, 15 minutes per side.

Mr. YATES. Mr. Chairman, I object to the limitation of time on this amendment.

The CHAIRMAN pro tempore. Objection is heard.

□ 1345

PARLIAMENTARY INQUIRY

Mr. KOLBE. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN pro tempore (Mr. CALVERT). The gentleman will state it.

Mr. KOLBE. Mr. Chairman, did the gentleman offer what was known as amendment No. 2? I was not clear. I had an amendment that I thought he was offering and when it got read, it was something different.

Mr. YATES. Mr. Chairman, this is Istook-Visclosky, which is the Indian amendment, so-called.

POINT OF ORDER

Mr. KOLBE. Mr. Chairman, if that is the case, I rise to a point of order against the amendment.

The CHAIRMAN pro tempore. Since there has been no recognition for debate the gentleman is timely and will state his point of order.

Mr. KOLBE. Mr. Chairman, I make a point of order against this amendment because it proposes to change existing law and therefore violates clause 2 of House rule XXI. The rule states in pertinent part, "no amendment to a general appropriation bill shall be in order if changing existing law."

The amendment first gives affirmative direction, in effect. Second, it imposes additional duties. Third, it modifies existing powers and duties. And fourth, it modifies existing law.

The Istook-Visclosky amendment prohibits the Secretary of the Interior from taking land into trust for an Indian tribal government unless the tribe negotiates a binding agreement with State and local governments for collection and payment of State and local sales and excise taxes on retail purchases made on that land by nontribal members. The amendment also applies similar restrictions on the Secretary's authority to take land into trust for individual Indians.

The Istook-Visclosky amendment constitutes a violation of clause 2 of House rule XXI, and I would ask that the Chair give a ruling on this point of order.

The CHAIRMAN pro tempore. Does the gentleman from Oklahoma [Mr. ISTOOK] wish to be heard on the point of order?

Mr. ISTOOK. Mr. Chairman, I would note this is the identical amendment that was offered and withstood a point of order last year on the House floor and was enacted by this House 212 to 206.

The CHAIRMAN pro tempore. Does the gentleman from Rhode Island [Mr. KENNEDY] wish to be heard on the point of order?

Mr. KENNEDY of Rhode Island. Mr. Chairman, I would like to second the Parliamentarian's request that we review this amendment and concur with the gentleman from Arizona that this amendment is not in proper order.

The CHAIRMAN pro tempore. Does the gentleman from Illinois [Mr. YATES] wish to be heard on the point of order?

Mr. YATES. Mr. Chairman, I raise the same point of order that was raised by the gentleman from Arizona and cite the same reason; namely, that it is legislation on an appropriation bill and therefore out of order.

The CHAIRMAN pro tempore. The Chair is prepared to rule.

Pursuant to clause 2(c) of rule XXI, as amended in the 105th Congress, an amendment to a general appropriation bill changing existing law is defined to include an amendment making the availability of funds contingent upon the receipt or possession of information not required by existing law for the period of the appropriation. Precedents to the contrary from prior Congresses are no longer dispositive. The amendment thus constitutes legislation and is in violation of clause 2(c) of rule XXI.

The Chair sustains the point of order.

Mr. ISTOOK. Mr. Chairman, for clarification may I inquire of the Chair, is it correct that the point of order is sustained even though the amendment is the same as last year because of a revision in the House rules from last year to this year?

The CHAIRMAN pro tempore. The gentleman is correct.

AMENDMENT OFFERED BY MR. ISTOOK

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

The Clerk read as follows:

Amendment offered by Mr. ISTOOK:

Page 89, after line 15, insert the following new section:

SEC. 325. None of the funds made available in this Act may be used to carry out the provisions of section 5 of the Act of June 18, 1934 (25 U.S.C. 465; commonly known as the "Indian Reorganization Act"), or the first section of the Act of June 26, 1936 (25 U.S.C. 501 et seq.), to acquire, through relinquishment, gift, exchange, or assignment, any interest in lands or surface rights to lands, outside of existing Indian reservations.

Mr. ISTOOK. Mr. Chairman, I would note this amendment is offered on behalf of the gentleman from Indiana [Mr. VISCLOSKY] and myself, and again I ask unanimous consent that total debate on this amendment be limited to 30 minutes, to be divided equally 15 minutes per side.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Oklahoma?

Mr. KENNEDY of Rhode Island. Mr. Chairman, I object.

The CHAIRMAN pro tempore. Objection is heard.

Mr. ISTOOK. Mr. Chairman, I will speak from the well on this.

Mr. Chairman, this amendment is offered to address the same problem that this House addressed last year by a vote of 212 to 206. It is based upon a very simple principle. All people should be equal in the eyes of the law. We should not say that some person should be entitled to evade their taxes because they make a purchase at a place that does not wish to follow the law and does not collect taxes that are due on certain commodities. Usually it happens to be fuel, gasoline, diesel for automobiles. It is cigarettes. It is alcohol. It is other items that are purchased that normally have a sales tax.

Mr. Chairman, about $1 billion a year that is supposed to go to State and local governments to support roads, to pay for schools, to pay for hospitals, to pay for public health and public safety is being evaded with the complicity of the Federal Government. Why? Because the Bureau of Indian Affairs is transferring land at the request of Indian tribes to what is called tribal trust status, which makes it Federal Government property operated by an Indian tribe which has gotten this land not because it is part of their historic property, not because it is any land that had special significance. It may not even be in the same State where the tribe has ever been. It may be hundreds of miles away from any other tribal property.

But it is in a prime location for traffic, and they erect there convenience stores and gasoline stations to take advantage of their failure to collect the taxes because the U.S. Supreme Court has ruled that although taxes are due on the transactions, on the sales to nonmembers of the tribes, they have not granted the States an enforcement mechanism, and that is up to Congress. The tribes have no sovereign immunity, the Supreme Court says, but Congress has not acted.

Mr. Chairman, if you could buy your gasoline at two locations and one is being operated by an Indian tribe which refuses to help collect the tax and the other operated by someone else, you will find that on average it is 26 cents a gallon less if you go to the one where the tribe is assisting the tax evasion. If you are buying a pack of cigarettes, on average around this country it is 41 cents a pack less on a

purchase of cigarettes. No wonder a person that is trying to play fair and live by the rules and obey the law, that is trying to compete, finds that they cannot because the Federal Government is helping them to acquire the prime real estate locations with no relation to Indian tradition or custom or heritage but with only one thought in mind: They want the extra money.

It is huge. New York State estimates they are losing over $100 million a year already, and my State of Oklahoma, the total loss is in the vicinity of $30 to $40 million a year already and it is accelerating year after year after year.

This amendment very simply says we are going to have a moratorium on that sort of thing until we can get a handle on it, until we can reinstate the principle of fair play.

Mr. Chairman, if you look at some of the advertisements that they run in newspapers, grand opening, for example, of this particular facility in Oklahoma in this newspaper ad, they were not charging the tax on cigarettes. The U.S. Supreme Court says the purchaser, for example, still owes the tax, but they are not helping collect it as all other merchants are required to do by law. They do not collect it on beer, on gasoline.

No wonder legitimate operators find that they cannot compete. No wonder that people from the U.S. Chamber of Commerce, or the National Federation of Retailers, or Governors of State after State, or the National League of Cities and the National Association of Governors have all said we need this legislation.

The gentleman from Indiana [Mr. VISCLOSKY] and I have sponsored House bill 1168 which puts in place the protective mechanism. We have even been denied a hearing so we have to come with this amendment to try to work on the travesty, on the tax evasion. That is what it is, pure and simple, do not take my word for it. Take the word of the U.S. Supreme Court that has said that is what is at issue. It is tax evasion which is illegal.

Mr. Chairman, the adoption of this amendment is simply a fair play amendment. It is saying that the U.S. Government will no longer be a party to the widespread tax evasion that not only is taking honest people who try to compete and putting them out of business, but it is draining the resources and the opportunities in State and local government.

I ask adoption of the amendment.

Mr. YATES. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, there is one basic fallacy in the argument of the gentleman from Oklahoma, and that is to equate Indian tribes with individual people. Indian tribes are sovereign nations. They are entitled to make the laws that they want to with respect to their trust lands. If they do want to sell merchandise and not charge State taxes, they can do that.

It is true that they find themselves in a favorable position as against other merchants who have to charge taxes, but the same rule is applicable to other States in the Union. There is no reason why the gentleman should not make the same attack for the States surrounding the State of Oklahoma because they, too, have the right to charge whatever taxes they want to charge. If they choose not to charge any taxes, that is their right as well. Indian tribes have been recognized as having those powers.

The Department of the Interior strongly opposes this measure. It would infringe upon tribal sovereignty. It would impede the 60-year Federal policy of promoting tribal economic self-governing. On this appropriation subcommittee over the years we have tried to formulate procedures that will permit the Indian tribes to benefit and to foster their self-government. This would abolish all recognition of that kind. It would say that the Indian tribes are no different than any other American people and, as a matter of fact, that they are not States. They have been recognized as States by the courts.

So, Mr. Chairman, this is an invasion of Indian sovereignty, and the Indians have suffered enough over the years. This is another attack upon their right to self-sufficiency and to self-government. I urge opposition to the amendment.

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

Mr. YATES. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, I rise in support and concur with the remarks of my colleague, the gentleman from Illinois [Mr. YATES], the ranking member.

Furthermore, this amendment has nothing to do with the tax structure that exists. It makes a direct attack on trust lands. The fact is in my home State of Minnesota the native American groups have often lost much of the land that was trusted to them, ceded to them under treaties. This would put a moratorium on any type of action that might take place with regard to acquiring the lands that they initially had or other lands that would provide for a reservation or the economic viability of those reservation the native American people. This is a mean-spirited amendment.

As far as that goes, the ranking member, the gentleman from Illinois is exactly right. We have South Dakota advertising that they offer various tax benefits, so this goes on quite regularly. It is true that many of these native American groups do of course impose taxes or other means of raising money from various sources, except it goes back to that native American group. In fact, they at times agree to collect a portion of the sales tax or all of the sales tax. The native American groups provide law enforcement. They make many contributions on a voluntary basis.

The fact is that this amendment is an argument over power. This is an argument over the basic sovereign power of these independent Native American groups. That is what this amendment represents. The fact is that there are more of us than there are of these minority group native Americans today, but the fact is that we have made a commitment, a series of treaties, to respect the dignity, the governance, the culture, the lifestyle of native American groups.

I think finally now, with some of the activities that are going forward within the law, obviously, there is a means to address and redress these problems; that is, to sit down at a negotiating table, as many States have done, and deal with compacts; to come to an agreement with the native American groups just as States do with one another.

□ 1400

We need to learn to live with the type of pluralism that is present in our Nation. That is the epitome of what this Nation is about. It is such pluralism that defines us, and it is high time we recognize the same.

These various groups that I've heard listed in favor of the Istook amendment, supposedly the defenders of the free enterprise system, ironically are very anxious to eliminate the competition to their ventures and to their profit.

That is what this particular amendment is targeted to, but on the face of it it stops in place the trust transfers of native American lands. That is wrong, it should be avoided, we should not let that go forward. This is an amendment that is trying to do something indirectly that it cannot address directly. They should directly address the native American sovereignty, which all of us have worked for. Is it perfect? No, but we will not get there by pulling the rug out from under the credibility of the U.S. Government commitments and treaty obligations, defeat this amendment.

Mr. KOLBE. Mr. Chairman, I move to strike the last word, and I do rise in opposition to this amendment.

I cannot help but remember the very bitter and contentious debate we had on a similar amendment during floor consideration of last year's Interior appropriations bill. As some here may recall, that amendment was adopted by a very narrow six-vote margin. What happened after that, well, we know it was stripped from the bill after the administration objected to its inclusion.

Things have not changed this year. Let me quote from Secretary Babbitt's

letter to the gentleman from Louisiana [Mr. LIVINGSTON] about this particular amendment:

The Department of the Interior strongly opposes "this measure" because it would infringe upon tribal sovereignty, thwart the longstanding Federal policy of promoting tribal economic self-sufficiency, and undermine ongoing efforts of tribes and States to negotiate joint taxation agreements to accommodate the needs of both parties.

It is clear that the administration opposes this, but, Mr. Chairman, we should oppose it in the House of Representatives. Members on both sides of the aisle ought to oppose it. Very simply put, this is bad public policy.

The Member offering the amendment, and I have the greatest respect for the gentleman from Oklahoma, but he talked a lot about tax evasion. And yet the fact of the matter is that, when polled by the Bureau of Alcohol, Tobacco and Firearms on the subject of evasion of taxes, only 5 out of 28 States that were polled could respond that they could make any determination.

They could make no distinction between what was the legal loss of revenue and what was the contraband loss of revenue; in other words, what was legally sold on the reservations for use there by the people buying it and what was sold for resale, which would be contraband. So they could not make any distinction between what was the actual loss of revenue between what is legal and what was illegal. I think that is an important point to keep in mind.

It is, I think, important to note that this would have a tremendous impact on a lot of the tribes and their ability to carry out their responsibilities. Pending land acquisitions would be put on hold, brought to a halt.

Let me give my colleagues a couple that would be affected, one by the Oneida tribe of Wisconsin to acquire land for housing of tribal members; a pending application from the Sauk and the Fox tribe of Kansas to acquire land to be used to provide tribal elders with senior citizen centers.

Let us face it, this is going to have a tremendous impact on the ability of tribes to provide for the self-sufficiency of their own people. It is another attempt to get back at tribal governments because they have the ability to negotiate, on their terms, tax compacts with State and local governments. This amendment would prevent the expenditure of any Federal funds to take lands into trust for individual Indians or tribal governments.

Why are we considering this action? Apparently there are some that think that we should penalize native American tribes because they are on the way to providing for their own self-sufficiency with a variety of things, some of which we do not like, and some of which I do not personally agree with and do not believe we should be doing but, nonetheless, they are legal and they are doing it to provide for their own self-sufficiency.

Mr. Chairman, I am concerned that instead of promoting positive thought-provoking legislative initiatives that benefit native Americans, we have embarked on a policy that would impose punitive punishment.

We cannot be sure what the impact of this limitation amendment is going to have on the Native American population. I do not think there is anyone that can tell us what its impact will be because we have never held any hearings on this issue.

Again, let us make it clear. Why are we having this debate at all? It is because some people are angry, but not all. The tribal governments pay no State or local sales tax on retail sales that take place on Indian trust land, but we should not be doing this today to punish them. But we should find out before we do this, if we are going to do this, what the impact would actually be on tribes.

We need to hold hearings on this, but we have not held any hearings on this issue. I understand the problem the gentleman has of not being able to get hearings. I think there should be hearings on this subject, should be debate on this, but we should not do it on an appropriations bill.

Consider what would be the impact this would have on, for example, the Oglala Sioux in Pine Ridge, South Dakota.

The CHAIRMAN. The time of the gentleman from Arizona [Mr. KOLBE] has expired.

(By unanimous consent, Mr. KOLBE was allowed to proceed for 1 additional minute.)

Mr. KOLBE. Mr. Chairman, what would be the impact on the Oglala Sioux in Pine Ridge, SD? They have 400 families on the waiting list for home repair. What about the Turtle Mountain tribe in North Dakota, who report that only half of the adult members have high school diplomas? Or the Navajo people in my own State? They have 13,000 eligible students from the scholarship program this year, and there are over 20,000 homeless families on the reservation, and they do not have funds for this kind of thing.

So I would implore anyone and everyone in this body to think about the impact on relations between Indian tribes and State governments, between Indian tribes and the Federal Government. There will be a serious negative impact, and I urge my colleagues to vote against this amendment.

Mr. KILDEE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this amendment seeks to resolve a problem that really does not exist. There are numerous problems with the amendment, starting with the fact that the language is so unclear that the Department of the Interior really does not know what it means. Apparently, it would mean one thing in Oklahoma and something quite different in the other 49 States.

Complex issues like this should not be really added as an amendment to an appropriations bill but reviewed by the authorization committee. This is certainly no way to write a public policy and certainly no way to treat the native Americans of this country, who have not been treated well.

You know, we stole a great deal of land from the Indians. In my own State of Michigan, land was stolen which is no longer part of a reservation, no longer part of a trust. Up near Burt Lake, around the turn of the century, the sheriff came in and drove all the Indians off their land and, to make sure they did not come back, burned their village down. That was in my dad's lifetime. My dad remembers that.

About 3 years ago, the Catholic church gave to that tribe three acres so they could start again to preserve their culture. Now, under this legislation, that tribe could not have those acres put under trust. That is why the Secretary of the Interior will recommend that the President veto this bill. He issued that statement this morning.

Now, authors of this amendment assert that State tax agreements with Indian tribes are virtually nonexistent. Nothing could be further from the truth. The facts are that 18 different States have already entered into tax agreements with over 200 Indian tribes. The current process is working, it works well in the State of Michigan, its works well in most of the States, and people are compacting more and more as we speak here today between the tribes and the various States.

Mr. Chairman, if we were to listen to the authors of this amendment, one would believe that State and local governments have no role in determining whether the BIA takes land into trust. Again, that could not be further from the truth. The fact is before the BIA does that and before the Secretary puts land into trust, he has to consult with State and local governments to see what the impact upon them will be. And those State and local governments have an appeal process both within the Department of the Interior and through the Federal courts.

There are safeguards built into this, but if this amendment would be passed today, the Governors and local officials would hold all the cards in these negotiations that are taking place throughout the country. The tribes would have no recourse if the State did not negotiate in good faith, and this amendment would give the Governors the incentives not to negotiate in good faith. If my colleagues want to see how States negotiate with Indian tribes, they should take a look at the compacting process after the recent Seminole decision.

There has been, I do not believe, one new compact reached since that Seminole decision. That decision put in the

hands of the Governor in that one area of law the power really not to be sued and not to be taken into court. This amendment will go even further treating Oklahoma in one way and the other 49 States in another way.

Mr. Chairman, I look back at my State and I look at the tribes in my State and see the land they at one time owned, look at that one band who lost all their land and now have three acres, and are joyful because the Catholic church gave them the three acres. And the amendment of the gentleman from Oklahoma [Mr. ISTOOK] would say that not even those three acres could be taken into trust for those Indians.

We have a moral obligation. I carry within my suit every day this Constitution, which all of us have taken the oath to uphold. We recognize three types of sovereignties in this constitution; article I, section 8: those sovereignties that are foreign countries, the several States, and the Indian tribes.

This is a frontal attack upon that sovereignty and it is a frontal attack by an amendment through an appropriations bill. Last week I begged for the language so I could look at it and was only given the language yesterday. The language is still defective.

Let us uphold our oath to this Constitution and respect that sovereignty and do what we do in due process and encourage the tribes and the States to negotiate.

Mr. CHRISTENSEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of this amendment, and I thank my friends from Oklahoma and Indiana for their leadership on this issue in support of small business. This is commonsense legislation that will level the playing field for small businesses across this country.

The problem is not difficult. We have already heard it outlined this morning. Native American tribes are currently exempt from charging excise taxes on sales of things like gas and food and liquor and tobacco products when selling these products to members of their own tribe.

I do not think anybody in this Chamber disagrees with the underlying law and where we stand today, except for the fact that it puts tax-exempt Indian tribes in direct competition with small businesses and it drives small businesses out of business.

I have to admit that a year ago I voted with the opposition, those that are opposing this amendment today. But over the last year I have sat and studied this issue, I have talked with a lot of small business owners, I have examined the treaty, and I do not believe that it is fair for small businesses in America to have to compete on a head-to-head matchup with those people who are not paying their fair share.

This amendment takes an important first step in ending the Federal Government's role in creating an unfair playing field. The amendment states that, before new lands are transferred by the Bureau of Indian Affairs into the tribal trust, the tribe must reach a binding agreement regarding State and local sales and excise taxes on sales to non-Indian customers.

Currently, native American tribes can purchase any land they want to and then move that land into trust, which eliminates any State or Federal taxes that they would otherwise have to pay. What many times happens is that after the land is put in trust, these tribes establish for-profit businesses on land that are exempt from taxes.

This amendment will not affect any Indian reservation lands nor any lands currently held in trust estates. Tribes can still operate businesses on their lands, and this legislation says nothing to the contrary. It simply levels the playing field for those small businesses wishing to sell fuel, food, and tobacco products around reservations.

This year I am going to join a number of individuals that have come out in strong support of this amendment. The U.S. Chamber of Commerce, the National League of Cities, the National Conference of State Legislators have all come around to agreeing that this amendment makes common sense; that this amendment is the right way in terms of fairness for the American business man and woman.

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

Mr. CHRISTENSEN. I yield to the gentleman from Oklahoma.

Mr. ISTOOK. Mr. Chairman, I thank the gentleman for yielding to me.

I appreciate the study the gentleman and so many others have made in the time since. Even though we requested hearings in Congress, we were denied those by the chairman of the particular committee and, thus, we are here, because we know that the problem is accelerating.

□ 1415

If you look, Mr. Chairman, at the total amount, for example, the State and local governments rely on motor fuel taxes, it is $25 billion a year. Mr. Chairman, if we can sell gasoline for 25 cents a gallon cheaper, and if the Bureau of Indian Affairs, which currently has hundreds of thousands of acres of requests pending, continues to transfer property at patchwork, prime real estate, high-traffic locations, it does not take long for the motorist to say, my goodness, it is 25 cents cheaper over here, I am going to buy my gasoline there, not understanding that they are dealing with a merchant that is marketing tax evasion.

They are not trying to develop marketable skill. They are not trying to build legitimate businesses. They are trying to take advantage of the failure of this Congress to act as the U.S. Supreme Court has said clearly we have the authority to act. It is not violating sovereign immunity, it is not violating any treaties, it is merely reinstating fair play.

Mr. Chairman, this is a very significant amendment. And if we believe that we want to help tribal members with legitimate businesses, instead of having false delusions that the way to get ahead in life is to find and create tax loopholes and profit off of them, then we need to support this amendment.

This is recognized as a threat to the ability to provide care for people in public hospitals, to provide roads, to provide education.

Mr. KENNEDY of Rhode Island. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the Istook-Visclosky amendment is simply disgraceful. It is disgraceful because it demonstrates the ignorance of this U.S. House of Representatives when it comes to the fundamental issues of native American sovereignty.

Proponents of this legislation just do not get it. They are building on the callous history of this Nation towards our native Americans. When 40 percent of our native Americans are unemployed, when thousands are sick and dying, when Indian children live in substandard housing and get insufficient moneys for education, the lowest per capita health care and education spending of any group in this country are native Americans. When Indians have four times the suicide rate of other groups in this country, the proponents of this legislation would like us to believe that it is the States that are getting a raw deal.

Excuse me. This amendment states that it is States who are getting the raw deal. Guess what? We are the ones who took away the native American land to begin with. Everyone is talking, the gentleman from Oklahoma [Mr. ISTOOK] is talking about the native Americans are trying to put all this land in trust. Do I need to remind my colleague that we have taken over 90 million acres to States and local governments since 1887, and yet there are only 9 million acres given to native Americans in the form of trust lands? Boy, that sounds to me like a real power grab.

This rider claims that Indians are fortunate because they have sovereignty. Let me say that sovereignty is all that these native Americans have left. Sure, let us get behind the simple idea of subordinating native American governments and all native Americans to pull the poverty stricken status they are already in.

The truth of the amendment is that it gives States the upper hand. By

eliminating the ability to take lands into trust or by giving local governments absolute veto power over new trust lands, we forsake the government-to-government relationship, as my colleague, the gentleman from Michigan [Mr. KILDEE], said, which is the Constitution of these United States.

Read the Constitution of the United States, article I, section 8, clause 2, regarding native American lands. They treat them as States. They are sovereignties. And yet the gentleman from Oklahoma [Mr. ISTOOK] would not like to have us believe they are other people.

Well, what are Rhode Islanders in my State? Are they other people because we pay different sales taxes than my colleague might have in his State? No, they do not because they are a separate sovereignty. And that is no different from native American lands, and it is an elementary fact to this whole debate.

Of course, the great concept here is that we break treaty obligations and violate this Constitution because the States are getting a raw deal.

Let us be clear. This amendment's goal is to give some county executives veto power over the president or governor of a native American nation and violate the trust responsibility that our Constitution gives native Americans.

Istook-Visclosky incorrectly assumes that there is no process for protecting State and local government interests when lands are being considered for transfer into trust. As my colleagues have stated over and over again, that is not the case. Many States are currently in the process of working this out so that nonmembers of native American tribes are taxed and those taxes are reverted to the States.

But the gentleman from Oklahoma [Mr. ISTOOK] and the gentleman from Indiana [Mr. VISCLOSKY] would preempt and preclude any State from being able to work out a negotiation with their native American tribe for that State to be able to work out an arrangement where they revert the taxes back to the State.

We are talking about a discriminatory measure here. And that is what this legislation does, it furthers the intolerance towards native Americans by calling them tax evaders. That is shameful, saying native Americans are tax evaders.

My God, does my colleague not understand the situation that sovereignty is all about?

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

Mr. KENNEDY of Rhode Island. Would the gentleman from Oklahoma [Mr. ISTOOK] like to put in an amendment, bill commissaries at our military bases? Because it seems to me they are unfair competition, too. Commissaries in my district are charging well under the market price for goods that they sell to our enlisted people.

Would the gentleman from Oklahoma [Mr. ISTOOK] put in an amendment that would say that is unfair competition? No, he would not.

Mr. ISTOOK. Mr. Chairman, I would answer the question if the gentleman from Rhode Island [Mr. KENNEDY] is posing the question to me.

Mr. KENNEDY of Rhode Island. This amendment treats native Americans as if they are criminals, and it is dead wrong. I ask my colleagues to join me in voting against the Visclosky-Istook amendment and upholding the Constitution of the United States, which we were sworn to uphold in article I, section 8, clause 2 of the U.S. Constitution.

Mr. STEARNS. Mr. Chairman, I move to strike the requisite number of words, and I yield to my colleague, the gentleman from Oklahoma [Mr. ISTOOK].

Mr. ISTOOK. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I find it interesting if someone would claim that we are disregarding the needs of American Indians in this country, if they will look, for example, at page 5 of the report of the very bill that is on this floor right now, they will find that we are appropriating approximately $6.5 billion for American Indian programs. Agriculture, Commerce, Justice, Education, Health and Human Services, Indian Health Services, all of these other matters.

Why? Because we have undertaken certain obligations and we seek to honor them. We do not permit, for example, a member of the general public to go into a commissary on Federal military property and buy goods at any sort of reduced rate. That is only limited to military personnel, and reserves cannot even do it if they are not on active duty.

Now, if we were to open up those or any other place and say that the general public is invited to come in and do their shopping, in competition with those that are not there for a special purpose, then I would agree with the analogy that the gentleman from Rhode Island [Mr. KENNEDY] raises.

Mr. KENNEDY of Rhode Island. Mr. Chairman, would the gentleman yield?

The CHAIRMAN. The time is controlled by the gentleman from Oklahoma.

Mr. ISTOOK. Mr. Chairman, the gentleman from Rhode Island [Mr. KENNEDY] did not wish to yield to have this interspersed with his comments.

But you see, what the tribes are doing, if they were establishing something that is basically a commissary for the Indian tribes, there is nothing that we are seeking to do that interferes with that.

The U.S. Supreme Court has said, if they are making a transaction with a tribal member, they do not have to charge any State or local sales tax or gasoline tax or cigarette tax, and we are not trying to do that. But what they are doing is saying, we do not want just a location that is maybe in the middle of a military business and we do not want to just handle transactions for the benefit of our own members. They say, we are wanting locations at prime areas.

For example, I have a copy of the letter that says Cheyenne-Arapaho tribes are seeking to buy up existing convenience store locations along Interstate 40, not because it is next to their tribal lands or has any relation or is trying to serve the needs of the members of the tribe, but because there are hundreds of thousands of people every day that pass through and they want to be able to sell to them and to undercut the competition and to get all that business, not by selling to members of the tribes but by putting people out of business who are following the law.

Mr. KENNEDY of Rhode Island. Mr. Chairman, would the gentleman yield?

Mr. ISTOOK. Mr. Chairman, I will not yield. I tried to engage in a dialog.

You see, they are saying, we do not want to take care of our tribal members. We want an advantage that nobody else has—26 cents a gallon on gasoline. Now, you go to the corner, and I do not care who you are, you drive up to a corner and see the price over here is maybe a $1.20 a gallon and over here it is $1.45. Where are you going buy your gasoline? It does not take a rocket scientist to figure out what happens here.

And this is not sales to tribal members. The U.S. Supreme Court in a series, a series, of decisions have said that the tax is still due when they are making the sales to the nontribal customers. Unfortunately, the tribes are not doing that. They are refusing to cooperate with the State and local governments in collecting the taxes that the U.S. Supreme Court says are due, and they are profiting off the tax evasion. They are marketing the tax evasion to their customers.

If this were just a matter of tribes trying to deal with their own tribal members and help out and bring people up to compete, that would be a very different situation. But it is not what they are doing.

I have a letter from a tribal member who operates a convenience store, and guess what? She collects tax from customers. She follows the law. She does not have the special advantage that the BIA has given some land and trust to her. And she is being out competed by a tribal gasoline station that is knocking out the ability of one of their own members to work hard and to make an honest living because they are not looking to build up regular businesses.

As the newspaper ad which I held earlier shows, they are trying to sell to

people who say, let us not pay gasoline tax, let us not pay beer tax, let us not pay cigarette tax, let us not pay sales tax. And that is what is costing us all around this country, and it is getting bigger every year if we do not stop it.

Mr. MILLER of California. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. MILLER of California. Mr. Chairman, I yield to Mr. YATES.

Mr. YATES. Mr. Chairman, the gentleman from Oklahoma [Mr. ISTOOK] cites the statistic in the committee's report to the effect of $6 billion in various programs as being spent for the Indian people.

In our appropriation subcommittee, we have been reviewing the plight of the Indian people and making funds available for, I guess, since the committee was in organization. For 25 years, I have been reviewing these programs. I will tell the gentleman that $6 billion still is not enough to take care of the Indian people. They are still the poorest segment of our population. And year after year, that continues.

The fact that they are given recognition as a State, I should like to ask the gentleman from Oklahoma [Mr. ISTOOK], what happens if the State of Texas, which is next to the gentleman's State of Oklahoma, what if the State of Texas were to charge lower amounts and people went to the State of Texas instead? Would the gentleman try to get a law passed by the Congress that would hurt the State of Texas? Of course he would not.

These are sovereign nations, Indian people deserve recognition as such.

Mr. MILLER of California. Mr. Chairman, I thank the gentleman from Illinois [Mr. YATES] for his remarks because I think he is quite on point.

This amendment is a very blunt instrument to go on what the gentleman from Oklahoma [Mr. ISTOOK]) perceives to be some wrong that the Indian nations of this country would engage in economic activity and that they would do that on tribal land, which is sovereign land and which they have the right if they so desire not to charge a tax on the sales of those products.

□ 1430

The gentleman from Illinois just pointed out, people drive across the State line into Nevada to buy goods, because they do not have a sales tax because they have gambling. People drive to Oregon from California because they do not have a sales tax, because they have got an angry constituency that will not let them have one, so people go there to buy their goods. People call up L.L. Bean and Lands End and they buy goods by mail to avoid the sales tax, and we are not shutting down all mail order houses in this country. We are not shutting down the service station across the State line. People go to Juarez, Mexico across the line to buy pharmaceuticals, and we do not shut down the country of Mexico because it is sovereign.

We made a decision a long time ago that Indian lands in this Nation were going to be sovereign and they were going to be treated like States and they were going to be treated like foreign nations. That is what this is about. The suggestion here that because somebody has put up a competitive truck stop on Interstate 50 or Interstate 80 or whatever the highway and that now we should shut down, and that is what this amendment does, shut down the ability of Indian nations to bring additional land into tribal land and take away the right of the Secretary of the Interior to engage in that process, is ludicrous. It is ludicrous. We act like there is a run on the lands of this country. The fact of the matter is there is not. The fact of the matter is the Indians have lost more lands out of trust than they have brought into trust.

The gentleman cites the suggestion that somehow the Indians are taking a huge amount of land. Yes, they have applications. What has the general rule been? The general rule has been if there is a local controversy, if the Governor does not like it or the local State legislature does not like it, the Secretary more or less has hands off. Why? Because we try to tell people to sort it out.

The fact of the matter is that a number of States, 200 tribes, 18 States have tax treaties, tax policies, lands have been brought into trust and there have been various controversies. Very often the tribes have said we will accede to this, we will agree to that, we will agree to that condition, that is a process of negotiation. But that is a process of negotiation between equals, between a sovereign State, a sovereign tribe and the Secretary of the Interior, someone who is an arbiter. That is the process as it is designed to be. That is the process that should be allowed to continue.

Sometimes we argue over lands being brought into sovereignty, whether or not they should have gambling or not. Some tribes have said, we will agree not to do that; California in one instance, and I think in North Carolina.

Other questions may be taxable, they have been engaged in tax treaties. Other policies about the uses of those lands, the riparian uses of those lands, forest practices. A lot of this has been negotiated and discussed and hammered out. But what we do not do is, we do not take away the rights of every Indian nation in this country because we have got some problem with truck stops. That just is not going to work.

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

Mr. MILLER of California. I yield to the gentleman from Oklahoma.

Mr. ISTOOK. I want to ask the gentleman from California, because he mentioned examples of different places that have static borders.

The CHAIRMAN. The time of the gentleman from California [Mr. MILLER] has expired.

(On request of Mr. KOLBE, and by unanimous consent, Mr. MILLER of California was allowed to proceed for 2 additional minutes.)

Mr. ISTOOK. Is the gentleman aware that the examples he cites are States, for example, that have static borders and that what is happening, we have applications and grants of trust status where basically the borders are shifting one plot of land at a time. An application is not, for example, for thousands of acres. The applications may be for one lot, for example, in a State and then another lot in a different state.

Mr. MILLER of California. Absolutely. One of the things that is made part of the whole question of lands being taken into trust by the Secretary in behalf of various Indian nations is that a number of applications have been made remote to the land base that the tribes have now or some people believe to be the historical base that the tribes have and that has always been controversial.

There was a controversy in Milwaukee a few years ago about those lands being brought into trust. But that is the process of negotiations. That is the process that the State or the State legislature or the local county officials or interested citizens comment on, and that is the process where the Secretary makes the decision for the purposes and the use of these lands and the connection of the tribes to these lands and the rightful claim to these lands. That is a process.

The Istook amendment wipes that process out and says no other lands can be brought into trust by an Indian nation. It is just an unacceptable suggestion to what may not even be a real problem. The House ought to reject this amendment.

Mr. FALEOMAVAEGA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition to the Istook-Visclosky amendment. There are many reasons to oppose this amendment, Mr. Chairman. First, as a matter of procedure, this is more than a matter of setting a level of appropriations. This amendment sets legislative policy on a subject under the jurisdiction of the Committee on Resources. The subject of this amendment has not been considered by the committee of jurisdiction. By proceeding with an appropriation rider, we lose the value of public input to Congress available through committee hearings. Those of us who serve on the authorization committees are again locked out of the full deliberative process.

Many of us have seen conflicting statements of the many "Dear Colleagues" that have been floating around. In many cases these letters are in direct conflict with one another, which raises the question all the more, we need to have hearings on this issue.

I believe, Mr. Chairman, it is not controverted that current law and regulations mandate that the Secretary of the Interior provide notice to State and local governments prior to making a final determination on taking Indian lands into trust status. State and local governments who disagree with a decision of the Secretary can appeal adverse decisions within the Department of the Interior and in the Federal courts. This procedure is already in place.

If this amendment is enacted into law, Mr. Chairman, State and local governments would be given an absolute veto over all future transfers to or of land trust status. This is a significant change of national policy. I submit this cannot be done.

Finally, Mr. Chairman, as matter of equity, I find it very disturbing that we are debating today yet another attack on Native American Indians. I fear that efforts like this are a renewal of the efforts of Congress in prior decades when actions were taken to make sure our first Americans were never given the opportunity to achieve success. There was a recent advertisement I heard that pretty well sums up, Mr. Chairman, our treatment of our Nation's Native Americans. It went something like this: 200 years of exploitation and neglect, more than 700 broken treaties, 700 broken treaties; $2 billion in tribal trust funds lost or mismanaged, $200 million in funding cuts last year, and now the Chamber of this hallowed hall wants to levy new taxes against tribal governments. Have Native Americans not paid enough, I submit, Mr. Chairman? This ad was a brutally accurate summary of our past treatment of American Indians.

The question today is, do we continue along the destructive line of reasoning or do we provide today's tribes with the opportunity to determine their future through their own self-initiative? Mr. Chairman, I have heard that we talk about fair play. Let us propose a law to honor every one of these 700 broken treaties that our government broke and let us see what happens. If we talk about fair play, let us honor the 700 treaties that our government committed itself with these Native Americans and let us see what the landscape is going to be with what this Nation is all about.

Mr. Chairman, I submit we ought to vote against this proposed amendment.

Mr. REGULA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I regret that the legislative procedures of this body forces the gentleman to offer this amendment as a limitation on the appropriations bill. I am sympathetic to the concerns that the gentleman has and I think his legislative language targets those much more precisely than the limitation before us and should be addressed by the authorizing committee.

Unfortunately, the authorizing committee has chosen, at least to this point, not to have hearings, and I think it is a subject that deserves a full hearing in the authorizing committee. Because the gentleman from Oklahoma is forced to use a limitation amendment, it is broader than we should have it because it prohibits acquiring through gift or exchange any interest, for essentially any purpose, and there are a lot of reasons why there should be lands transferred that have nothing to do with this question of taxes.

Another problem with this approach is that it is only a 1-year limitation. Because of being on an appropriations bill, it cannot be extended beyond 1 year, and I think it would be very difficult for any group to make economic decisions either to construct or to open up a facility, knowing that in 1 year this could be changed by virtue of the fact that this limitation language would expire at the end of fiscal year 1998, which would be September 30, 1998. I hope that the authorizing committee will address this problem.

I might point out that there are already in existence 200 agreements with 18 different States where the States and the tribes, exercising their sovereign rights, have addressed this problem. I would hope that a lot of tribes and States would continue on that path to bring about fairness in the marketplace, but at this point, because of the sovereignty of the Indian nations, this is a decision that has to be made by the tribes and the States.

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

Mr. REGULA. I yield to the gentleman from Arizona.

Mr. KOLBE. Mr. Chairman, I want to commend the chairman of the subcommittee for his statement. I think he has made a very important point, and that is that this is a very broad amendment. I will come back to that in a moment.

I certainly agree with the gentleman from Oklahoma, this is a significant debate we are having and a significant amendment. It is one of great importance and it deserves the kind of debate that it gets here today. I think what must be emphasized here is the issue of sovereignty. These are sovereign tribes. They do have sovereign rights. They have the right to approach the Federal Government when they negotiate on an equal basis, and yet the thrust of this amendment is to put a limitation on the Secretary from taking lands into the reservation unless there is a binding agreement between the tribes, States, and local governments that would require the tribe to pay State and local taxes on reservation lands; in other words, unless they give up their sovereignty, unless we limit that sovereignty for this purpose. So they are not going into some negotiation on an equal basis when not one but both hands are tied behind their back, as this amendment would do.

I think it is very important to keep that in mind. It is also important to recognize that we are really talking about enterprise zones here. In many cases the lands we are talking about are not part of the reservation itself but are adjacent to it, because very often the reservation lands originally set aside were not the best lands, were not good lands. They have had to bring in some of these other lands in order to have the kind of enterprise zones that we are talking about. The Republicans on this side of the aisle have supported it in inner cities, we supported it in rural areas. Native Americans have that. They have it by virtue of the sovereignty that they have, by virtue of the fact that they are not subject to the taxation that the rest of us have. That kind of enterprise zone we should be supporting for these people who have been among the very poorest.

Finally let me make this final point, that what is missing here is this is a limitation amendment. As the chairman said, it is much broader. It goes far beyond simply being a limitation. It goes too broad. We are talking about putting a limitation on bringing lands in for any purpose whatever. I think of in my State, legislation that this body has debated for a long time, the Hopie-Navajo land settlement. Part of that has to do with bringing certain lands under the jurisdiction of the two tribes. That is critical to making that settlement work. Yet this would put a prohibition on making that happen, on making that work.

I would urge my colleagues to vote against this amendment. As much as I sympathize with what the gentleman from Oklahoma is trying to do, it is not the right place, it is not the right way to go about it, and it certainly is not the right time without having the committee of jurisdiction take this up and take this under consideration.

Mr. MORAN of Virginia. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to this amendment. I certainly want to associate myself with the remarks of the chairman of our subcommittee and the gentleman from Illinois [Mr. YATES], the ranking member of our subcommittee. They have made the point that this is a very profound change in legislation that we are attempting to add to an appropriations bill, but that is a technical reason for opposing this amendment. There are

moral and substantive reasons for opposing this amendment. Let me suggest the first moral argument. The Native Americans in this land are the poorest of the poor in the United States. Why? Because we, descendants of those European colonists, took their land and their life-style. By 1887, they had about 138 million acres, a minute fraction of the land that they used to live on, and then over the next 47 years we took 90 million acres back from them.

□ 1445

Since 1934, the Department of the Interior has restored 10 percent of that land, about 9 million acres, and that is the kind of land we are talking about, a very small fraction, virtually all of it land that used to be within the original boundaries of their reservations that we are talking about here.

Let me suggest another moral reason. In 1886, the Supreme Court noted that: "The tribes owe no allegiance to the States and receive from them no protection. Because of the local ill feeling, the people in the States where tribes are found are often their deadliest enemies." And for that reason a law was passed called the General Allotment Act. It actually did not accomplish what was intended originally, but the fact is we have acknowledged that the only way that the American Indian can be respected and protected in terms of their rights is for the Federal Government to have a unique relationship between federally recognized Indian tribal governments and the Congress. Only the U.S. Congress, has the responsibility to defend tribal governments from intrusion by State governments.

Let me suggest some other reasons though, that this amendment should be defeated. This amendment would unconstitutionally give State and local governments absolute veto power over each tribal application to place Indian owned land in trust status. It would provide no remedy to a tribe if a State or local government flatly refused to negotiate a tax agreement with the tribe, and the result would be years of costly litigation. It purports to fix a problem that simply does not exist. State governments can and do collect lawfully imposed sales taxes on Indian trust lands. The Supreme Court has held time and again that product sales to nonmembers on trust lands for use off reservation are subject to State sales taxes. Most states, including Oklahoma, have developed a variety of methods for collecting those taxes.

It assumes that there is no process for protecting State and local government interests when lands are considered for transferring to trust status. In fact, the current law already protects State and government interests when the Secretary considers land for trust status. Under the current secretarial regulations, the Secretary must consult with State and local governments prior to making a final determination on taking land into trust status, and the Secretary must specifically consider the impact on State and local governments of removal of the land from the tax rolls.

This amendment is not necessary. This amendment violates our Constitution, our constitutional protection of Native Americans. This amendment is legislation on an appropriations bill. This amendment does an injustice to the poorest of the poor Americans in this country. This amendment certainly should be defeated, and I urge my colleagues to defeat it in the strongest possible terms.

Mr. BROWN of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I apologize for belaboring this subject even further. I think that the debate so far has indicated a clear preponderance of views, and I am not an expert on this subject, so I feel doubly guilty. But I did have the opportunity of experiencing this problem of multiple sovereignty and its application from my earliest days.

Mr. Chairman, I was born and raised in that southeast corner of California which borders on Arizona and Mexico and abounds with Indian reservations, and from my earliest days I can recall going across the border to Mexico because the gasoline was cheaper, and the steaks were better and cheaper, and when I got a little older I went across the border to Arizona to help my brother get married because one can get married more cheaply over there and with less waiting time and less restrictions. Each governmental institution, each organization had different rules, and separate sovereignty.

And of course I can, from where I live now, which is a little further north, pass through a half dozen Indian reservations and have assorted gambling opportunities on my way down to Mexico or to Arizona or wherever I choose to go. And I frankly gloried in this. I valued this rich diversity, and I would not have changed it for the world because it allowed for people who were seeking opportunity to acquire it.

We still have that going on. A lot of people come down to this corner of the United States because it is very warm in the wintertime and it is a rich recreational resource, and they come down there, and they camp out on the desert if they are totally broke because it does not cost anything. If they are senior citizens, and many of them are, they can go across the border to Mexico and buy all of their prescription drugs at ridiculously low prices, and most of them take advantage of that opportunity. And it contributes to the economic vitality of the region, as a matter of fact.

Now I would suggest that, and I am saying this without any exhaustive investigation, but that we may actually benefit from this diversity of sovereignty and the opportunity that it creates and that if there is a solution, maybe we ought to try the market solution. If too many people are going across the border to Arizona or to Mexico to find something cheaper, maybe we ought to look at ways of attracting some people from Arizona and Mexico over to California to buy something cheaper over here. That would be a good competitive way to balance out the playing field, and actually this is happening in many situations.

I know of Indian gambling casinos, for example, which have a monopoly and maybe are using that monopoly to extort a little more from the white man than they really should, and other tribes have come in and opened up competitive operations and kind of leveled the playing field in the process of doing that.

This is legitimate, and I think in the long run justice will be served, the free market will be glorified for what it can really do to keep unreasonable prices or unreasonable regulation out of existence, and we can continue with the kind of a system that we have.

Of course, basically I think we ought to let the Indians have this kind of an opportunity. It is an economic development program for them. It has encouraged them to get into business and become self-sufficient.

We have enterprise zones in which we do exactly the same thing for non-Indians for example. We give them tax advantages, we give them freedom from regulation in order to encourage them to create jobs and to provide opportunities for poor people. Well, is that not what we are doing with the opportunities that the Indians now have as sovereign States with the ability to control their own future? Those are enterprise zones for them.

I say God bless the enterprise zones; let us keep them.

Mr. JOHNSON of Wisconsin. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today in opposition to the Istook amendment and urge my colleagues to vote against this amendment because, as we have heard over and over today, it is overly broad, and it is also unnecessary.

I come from an area of Wisconsin representing an area which has seven different separate Native American Indian tribes, all of whom have land holdings in the district. Of the seven tribes who have businesses on trust lands in Wisconsin, all of them are paying taxes.

I read from a letter from the state revenue agent in Wisconsin: "I have reviewed our records. I am unaware of any Indian organization not collecting Wisconsin taxes."

We have had agreements in place between the tribes and the State of Wisconsin for years for the payment of

these taxes, and the adoption of the Istook amendment would jeopardize these agreements between two recognized bodies, the State of Wisconsin and the Native American tribes.

The Indian tribes in Wisconsin are not unique in this regard. In fact, almost every State with significant Indian population have similar agreements with their State governments, and according to a study we have heard cited before, conducted in 1995 by a State, the Arizona Legislative Council, 200 tribes from 18 States have reached similar agreements. I have a letter from the Oklahoma Tax Commission which describes the compact the tribes in Oklahoma have made with the State, and as for the ad that appeared in Roll Call and was held up earlier on the House floor, it is an old ad. It no longer runs, since the law in Oklahoma has been changed. It is, I think, a misleading problem, and the Choctaw tribe no longer runs it.

We have also heard about the collection of taxes in New York State. However, I have been told the Istook amendment would not even apply to New York State since, as one of the original 13 colonies, they have a different relationship with their tribes. And, moreover, the Governor of New York has stated he thinks it is not proper or beneficial for New York to impose taxes on sales made on Indian lands. So New York is not losing tax revenues, it is choosing not to collect these taxes.

There have been no hearings, as has been cited before on this amendment. It is another case of trying to create new policy with a very serious amendment to a serious appropriations bill. Indians tribes, native Americans, are creating jobs, paying taxes, helping this Nation's economy as well as their own. I urge my colleagues to look to Wisconsin as a good example. I urge my colleagues to reject this amendment and to protect the current agreements between the States and tribes to collect taxes.

Mr. BARR of Georgia. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the way the Congress operates really is not that dissimilar from the way the rest of the world operates in several respects. One of those respects, Mr. Chairman, is the fact that usually there is a reason why things happen, there is a reason why positions are taken, there is a reason why Members vote the way they do, there is a reason why Members say certain things, and I think we are faced with a good example of that, Mr. Chairman.

We have heard from those opposed to this amendment that they are opposed to it because it is unconstitutional. Well, let us examine that, and I suspect that if we examine it, Mr. Chairman, we will find that there is indeed another reason because the amendment that the gentleman from Oklahoma is proposing is not unconstitutional either on its face or in any reasonable interpretation of it.

So let me assure those colleagues on either side of the aisle who truly are concerned about the constitutionality of this provision that it is not unconstitutional, and that is a position born not just of my opinion or the author's opinion, but of a learned treatise that we would be happy to make available to any Member, conducted and composed by the Congressional Research Service, that has looked at this proposal and has concluded that because of its narrow scope, because it does not, would not, establish any burden on the constitutional rights of Indians, but simply provide a mechanism whereby legitimate taxes that are constitutional can more easily and more effectively for the benefit of all citizens be collected, and I think that their concerns, if indeed those concerns are born of an interest in making sure that this provision is constitutional, that it would, in fact, be constitutional.

The legislation simply involves establishment of a mechanism for collecting State and local retail excise taxes on retail items sold by tribal vendors on tribal lands to nontribal members and utilizing that mechanism as a precondition for taking land into trust for an individual Indian or an Indian tribe. It does no more than that, which would possibly get it into an area of constitutional activity or restrictions.

□ 1500

It does not do that. There is a line of cases, Mr. Chairman, that clearly establishes that assuring the collection of legally valid estate taxes of sales occurring on lands to be taken into trust certainly is constitutional.

In the case of Oklahoma Tax Commission versus Citizens Band Potawatomi Tribe in 1991, Chief Justice Rehnquist, speaking for a unanimous Court, indicated that the States could look for agreements with the tribes for tax collection, or to Congress to vindicate their rights to tax sales to nonmembers on Indian reservations.

So if in fact we are looking for a mechanism that is fair, and that is, after all, what we all purport to want here is basic fairness, then the proposal of the gentleman from Oklahoma [Mr. ISTOOK] is patently fair. It is not unconstitutional. It has been found that it likely will not be unconstitutional, the word implemented by the Congressional Research Service, and I suspect any legitimate constitutional analysis of it would indeed bear that out.

In my own State, Mr. Chairman, we are facing the situation right now with a tribe from Oklahoma seeking to come into Georgia, not a contiguous State, and establish a gambling or gaming organization or institution or business therein.

This is one of the legitimate concerns of all of our citizens, those of large means as well as those of small means; that is, that the tax base not be eroded. It is not any diminution of the rights of our native American citizens to simply establish that as a precondition for enjoying the benefits of instituting gambling or gaming institutions, that they set up a mechanism to collect taxes, which indeed helps not only them but all of the citizens of that State in which that institution is resided.

In conclusion, Mr. Chairman, let me assure our colleagues and those who might be legitimately concerned about the constitutionality of this provision that it is thoroughly constitutional, both in its intent as well as the way it would be carried out, and urge adoption and a favorable vote on the proposal of the gentleman from Oklahoma [Mr. ISTOOK].

Mr. VISCLOSKY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise for four purposes. First of all, as the cosponsor of this amendment, I rise to emphasize to the body that this is a bipartisan proposal authored by the gentleman from Oklahoma [Mr. ISTOOK] as well as myself.

My second purpose in rising is to ask that we view this issue on the merits and the factual basis. Such words as intolerance, disgraceful, bitter, mean-spirited, angry, stolen, have all been used today during the debate, but we ought to look at the factual basis as to what the gentleman from Oklahoma [Mr. ISTOOK] and myself want to do.

The first thing we want to do is as a national Government, we are asking States and local governments to do more, but we are not providing them in this instance the tools to collect the necessary revenue to proceed.

Second, for all those entrepreneurs who want to make a living and pay taxes themselves and support their families, they are placed at a significant competitive disadvantage. That is all we are trying to do.

In my remaining time, the fourth point I want to address is what we are not trying to do. The gentleman from Oklahoma [Mr. ISTOOK] and I often disagree. One area we have never disagreed on is the issue of the Constitution of the United States. We are not violating any provision of that document, and the High Court of this land has said that the collection of taxes on sales to non-Indians does not violate tribal sovereignty or any treaties the United States has with tribes. We are not attacking the sovereignty of Indians.

I would also point out that our country has agreements and treaties with other sovereign nations as far as the collection and disposal of taxes.

Finally, if we were trying to do something that was in violation of the sovereignty of these nations, a number of Members who have stood up in opposition to our amendment have also talked about the compacts and the value that these compacts have already had that have been entered into by various units of government and the tribes. That is all we are asking be done. That has been found to be constitutional.

The second argument put forth today is that we have essentially called for a shutdown on the transfer of tribal lands. We are trying to kill that process. We are asking for a moratorium. The fact is, and I would acknowledge that this is not the most precise amendment that has ever been offered on this issue, we tried to do that last year on June 20, and we were prohibited from doing so today. We have tried to address this issue surgically in authorizing legislation that has not had hearings held on it, despite the fact that there are now 56 cosponsors of that legislation.

What we are simply saying, to capture people's attention and to make sure this situation is addressed, is if the desire to purchase new lands takes place, we have to submit that process to the congressional authorization and appropriation process and it can proceed. We do not prohibit them.

The issue of the compacts, we have compacts. The system is working just fine. The problem is the U.S. Supreme Court on six different occasions has said that the States have the right to collect these taxes, but the Court has barred the States from filing suit. There is no incentive at all on behalf of any of the tribes to enter into good faith negotiations.

All we are trying to do is to level that playing field to ensure that there is an incentive by the tribes to sit down in good faith, with governmental entities of good faith, to make sure that these compacts do proceed so we can protect State and local revenues as well as small entrepreneurs.

There has been a dispute as to what is really the loss of revenues. I went to St. Mark's grade school in Gary, IN. All I know is if you are selling a tank of gasoline and not paying 7½ cents to 34²⁄₁₀ cents of that gasoline you are losing revenues. If you are selling a pack of cigarettes and not collecting 2.5 cents per pack up to 81½ cents per pack, you are losing money as an institution of the Government. States like New York are claiming they are losing up to $100 million; New Mexico, $2.7 million; California, $30 to $50 million a year.

We are told that, by a number of speakers, we have not held any hearings. What we need are hearings. I could not agree more. On June 10 of last year, when the gentleman from Oklahoma [Mr. ISTOOK] and I offered the amendment we were not allowed to offer today, the chairman of the authorizing committee in the House, the gentleman from Alaska [Mr. YOUNG] got up on this House floor, he got up and said, "Since I have been chairman of the Committee on Resources, not a single Member of Congress has introduced a single bill on this subject."

The CHAIRMAN. The time of the gentleman from Indiana [Mr. VISCLOSKY] has expired.

(By unanimous consent, Mr. VISCLOSKY was allowed to proceed for 2 additional minutes.)

Mr. VISCLOSKY. He said, Mr. Chairman, "Since I have been chairman, we have never had a single hearing on this subject. No witnesses have offered any testimony on this subject." The chairman was right. The chairman was right.

That is why the gentleman from Oklahoma [Mr. ISTOOK] and myself introduced authorizing legislation in this Congress. That is why 54 of our colleagues have joined us in a bipartisan fashion to sponsor that legislation and to ask for hearings. Here we are, almost 13 months after the fact, and yes, no hearings have been held and the gentleman from Oklahoma [Mr. ISTOOK] and I have been very, very patient.

The final objection raised on the floor today is that this is a new tax, and nothing could be further from the truth. We are simply suggesting that there should be an even playing field; that compacts ought to be entered into to preserve the revenue flow of the States and the locales, to preserve the ability of private business to compete in this society. That is all we are doing. There are no new taxes here involved.

I would urge my colleagues on the facts and the issues involved, not to the emotion, and on a bipartisan basis, to please on this vote support the Istook-Visclosky amendment.

Mr. HINCHEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, my reading of this amendment is that it would effectively prohibit the Secretary from recognizing new Indian trust lands. I therefore am opposed to the amendment, and I ask others to join me in that position.

Mr. Chairman, this amendment, if it were to succeed, would be destructive not only to native Americans but also in many instances to the communities around which they reside or nearby where they reside. Why do tribes petition to the Secretary to take lands into trust for them in the first place? In some cases they are reacquiring lands they have lost because of their historical or religious significance and they want those lands back again. In most cases they are acquiring lands which have the potential to produce income for the tribe, to help them become economically self-sufficient.

Because of the discrimination that they have faced, because of poverty and limited education and a host of other disadvantages, and because they lost their lands which they depended upon, many tribes cannot build self-sufficiency without building on their trust lands; that is, taking advantage of the edge that sovereignty gives them.

In effect, this is no different from States that make use of their statehood to draw business or create industry; gambling in Nevada, for example, or credit cards in Delaware or South Dakota, or communities that offer tax breaks to attract industries. But they cannot take their advantage of their sovereignty unless they have land, and specifically land that has some commercial potential. If they open a business 200 miles from nowhere, then obviously they are not going to get people to travel there to do business with them.

If we take away their opportunity to have new lands taken into trust, lands where they are sovereign, we are taking their only real competitive edge from them, the only real edge they have. We are denying them the best chance they have to become a self-sufficient community. We are taking their livelihood away from them, just as surely as we did a century or two ago.

But some will ask this question: Does this opportunity not hurt their neighbors? Does this not hurt the States? When the Secretary considers petitions for trust lands, and this point has been made here earlier this afternoon, he must take into account the interests of the affected State and local governments, and he does so in every instance. But he does not allow a State or a local government to veto a petition. He has to consider the objections to it, look at those objections in context, but that does not give the opportunity for a veto.

In many cases the State and local governments benefit from the designation of new trust lands. This is true in my State and in my district. One of the counties I represent is in fact eager to see tribes acquire new trust lands in their midst, because they expect that by so doing, that will also bring in profitable businesses that will benefit all the other businesses that currently exist in that community, and will exist there in the future.

So this amendment would not only deny an economic opportunity for Indian tribes, it would also block, in many instances, opportunities for the communities they live with and work with.

So for those reasons, that it impinges unnecessarily, unfairly, and I believe unconstitutionally on the sovereignty of Indian tribes, and that also in many instances as a result it will do damage to the communities that adjoin those

Indian tribe lands, those Indian trust lands, I oppose this amendment, and I hope that enough others will oppose it so it will be defeated.

Mr. STUPAK. I move to strike the requisite number of words, Mr. Chairman.

Mr. Chairman, I rise in opposition to this amendment. We are told, Mr. Chairman, that this amendment is needed because it is the only way to stop native Americans from avoiding paying taxes. But in the debate we are having here today I hope we all understand that we have Indian tribes, we have individual members of that tribe, and then we also have just individual members of this country.

This amendment, as written by the authors, is really directed at native American tribes, not individuals. So even if we pass this amendment, and I hope we do not, but even if we passed it, individuals can still continue to avoid taxes. Unfortunately, every day in this country people think of ways and schemes on how to avoid paying taxes.

Our Constitution does recognize the sovereignty of native American tribes. Land that is placed in trust then goes underneath that sovereignty, and on that land there may not be taxes imposed by the Federal Government, just like the Federal Government does not impose taxes on each and every State in a direct manner, but we do on individuals.

Each State in this country is a sovereign State, and each State has different workers' compensation laws, unemployment laws, single business taxes, and also competes against each other in attracting businesses.

But this amendment's intent, I believe, is to start chipping away at sovereignty for native American tribes. The intent is to take away those sovereign rights, and to in fact tax the native American tribes and not individuals.

The authors indicate that the States can do more, and they are trying to level the playing field, but the States have in fact entered into many agreements; like my State of Michigan, they have entered into agreements.

In fact, we have heard throughout this debate today that there are these 200 State tribal taxation agreements in 18 different States. If 18 different States can enter into 200 agreements, why cannot those States who feel they are coming up a little short on their taxation in their States enforce those agreements?

The primary author of this agreement, the gentleman from Oklahoma [Mr. ISTOOK], the Oklahoma Tax Commission has passed legislation as early as 1992 which does impose taxes and does impose taxes on cigarettes and gasoline in the State of Oklahoma. In fact, I have a letter here from Kathryn Bass, deputy general counsel, that says that "in lieu of State tobacco and sales taxes in the amount of 25 percent of all applicable State excise taxes on all cigarettes and tobacco products purchased by the Nation or its licensees for resale in Indian country without reference to the membership or nonmembership status of the purchasing public."

Mr. Chairman, I include for the RECORD the letter of July 9, 1997, from Kathryn Bass to Mr. Baker-Shank.

The letter referred to is as follows:

OKLAHOMA TAX COMMISSION,
Oklahoma City, OK, July 9, 1997.

PHILLIP BAKER-SHANK, DORSEY & WHITNEY,
Washington, DC.

DEAR MR. BAKER-SHANK: Pursuant to your inquiry, this will confirm that the State of Oklahoma and the Choctaw Nation signed a Tribal/State Tobacco Tax Compact dated June 8, 1992, effective January 1, 1993.

Pursuant to the Compact, the Nation agreed to make payments to the State in lieu of state tobacco and sales taxes in the amount of 25% of all applicable State excise taxes on all cigarettes and tobacco products purchased by the Nation or its licensees for resale in Indian country without reference to the membership or non-membership status of the purchasing public. The payments in lieu of state taxes are collected by the wholesalers selling cigarettes and tobacco products to the Nation and its licensees and are included in the wholesale purchase price of the products.

The Compact is authorized pursuant to 68 O.S. §346 et seq.

Very truly yours,

KATHRYN BASS,
Deputy General Counsel.

□ 1515

So they put in a 25-percent payment in lieu of taxes. That is sort of a creative way in which one State has addressed this issue. I think each and every State should do it that way.

My own State of Michigan, we have come up with ways to place not only excise taxes but also sales tax on whether it be gasoline, tobacco sold by native American tribes or individuals within our State. The problem that we have here is really a State issue. The States have shown the ingenuity to address this issue.

I do not want the Federal Government, this Congress or anyone else telling Michigan how to enter into these agreements with native Americans. I do not want the Federal Government telling us how to do our job back in our States. We have creative State legislators. We have creative Governors. We have creative State tax commissions. They are the best to issue or address this issue. I do not believe it is necessary for us, the U.S. Congress, to start telling the States how to address this issue.

With that, Mr. Chairman, I see this as an attack on the sovereignty of native American tribes throughout this Nation. I would hope that we would defeat this amendment.

Mr. HERGER. Mr. Chairman, I move to strike the requisite number of words.

I rise today in strong support of the amendment offered by the gentleman from Oklahoma [Mr. ISTOOK] and the gentleman from Indiana [Mr. VISCLOSKY] to promote tax fairness and relieve our Nation's small businesses from unfair competition by Indian tribes.

Let me make it very clear what this amendment does. It simply says that no new Federal lands can be transferred into tribal trust until Indian tribes reach a binding agreement regarding State and local sales tax on sales to non-Indians. The Supreme Court has made it very clear that only sales to members of the Indian tribes holding the land in trust are properly exempted from State and local taxes. But what is actually happening?

Many Indian tribes are using property in tribal trust to operate truck stops, gas stations, convenience stores and other retail outlets without charging any State or local fuel sales or excise taxes. This in turn means that they are selling goods to non-Indians at prices far below what any other small business can charge; in the case of gasoline, some 20 to 30 cents less per gallon.

Mr. Chairman, this is patently unfair. It is unfair to our Nation's small business owners. It is unfair to our State governments which are losing millions of dollars annually in tax revenue. Mr. Chairman, I am all for lower taxes on consumers, but I am also for tax fairness. This is a serious loophole that Congress must close. I strongly urge my colleagues to support the Istook-Visclosky amendment.

Mr. Chairman, I yield to the gentleman from Oklahoma [Mr. ISTOOK].

Mr. ISTOOK. Mr. Chairman, I would like to address a couple of issues that have been mentioned by some of my colleagues. For example, we heard the argument, well, is this not the same as States having different levels of taxes for gasoline or cigarettes or whatever it might be. No, it is not the same, because this is a patchwork quilt.

This is where the Bureau of Indian Affairs is, for example, taking applications for a tribe in Oklahoma to open up a convenience store at a crossroads of two interstate highways in Ohio where they have never had any historical connection, they do not have any sort of tribal lands or any relevance there except it is a nice location to get a lot of traffic and make a lot of money. An Oklahoma tribe with applications in Arizona, an Oklahoma tribe with applications in Georgia. And it goes on, too, with different States.

We have cities finding that different residential lots, not in one block as part of an Indian area or reservation but in a patchwork quilt, they will come in and take one residential lot in the middle of a community and open up a store and say they are exempt from the zoning laws, as well.

This is more like if one State said, I am going to buy a piece of property in another State, and if I go out of Oklahoma and I go to Missouri and I say, "Now this land I bought is no longer under the laws of the State of Missouri, it is under the laws of the State of Oklahoma." So you could have, for example, Florida with a gas tax of a nickel a gallon saying, "We are going to buy pieces of property in Connecticut where it is 38 cents a gallon. And we are going to undercut the price and we will tell everybody they are not in Connecticut anymore, they are in Florida."

So if they go into Rhode Island where it is 28 cents a gallon, or if North Carolina, with 5 cents a pack cigarette taxes says, "We are going to open up pieces of North Carolina in New York State where the cigarette tax is 56 cents a pack or in New Jersey where it is 40 cents a pack or Massachusetts where it is 51 cents a pack, and we are going to sell it for the taxes only a nickel a pack," you see what happens with this patchwork quilt that is being created.

These are not tribes wanting to have operations on their reservations or on Indian lands. These are tribes that want to pick and choose the premier locations anyplace in the country with no connection, no next door neighbor situation with any existing tribes, not contiguous land, but just say "We want to buy up different tracts and create a checkerboard. And our tribal lands are checkerboarded all over the place, and they all just happen to be locations where lots of people come by to buy gasoline and cigarettes and groceries and evade the tax."

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words, and I yield to the gentleman from Arizona [Mr. KOLBE].

Mr. KOLBE. Mr. Chairman, I will not take much time.

As we conclude this debate, I think it is important that we understand what this debate is not. I will not debate the merits. I made it clear earlier that on the merits, the substance of this, I think this is bad public policy. I think it is extraordinarily important that every Member that votes on this understand what this amendment is about or, more to the point, what it is not about.

I just heard a moment ago the gentleman from California talking about how this would prevent the transfer of any lands until, and then he went on to say, until the tribes have entered into such an agreement dealing with the collection of taxes.

Mr. Chairman, that had to do with an amendment that was stricken on a point of order. This amendment, this amendment that we are considering right now says only that the Secretary may not use any funds in this act to carry out purposes, provisions of the act to acquire through relinquishment, gift, exchange or assignment any interest in lands or surface rights to lands outside of existing Indian reservations.

Mr. Chairman, it does not have anything to do with the issue that we have all been talking about, myself included, about taxes, about whether it is fair that tribes should collect taxes, pay taxes for sales to non-Indians on their reservations. It does not have anything to do with that. It says only that the Secretary may not acquire, do anything, spend any money to acquire any land to put it into trust status. For whatever reason it is being done, no money may be spent.

Mr. DICKS. Mr. Chairman, I yield to the gentleman from Oklahoma [Mr. ISTOOK].

Mr. ISTOOK. Mr. Chairman, is the gentleman aware there are actually some 30 different laws under which property is taken into trust and the amendment only addresses one specific one, leaving in place a multitude of others which, among other things, permit tribes to acquire hospital property and so forth? Is the gentleman aware that this is only 1 of some 30 different sections under which lands can be taken in and put into trust?

Mr. KOLBE. Mr. Chairman, if the gentleman will continue to yield, I am aware that it is only one of the various provisions, but that one provision does not have to do with just taxes. It does not have anything to do with taxes.

It is only one provision for bringing them in but it is also one that is extraordinarily important and would limit, could have severe limitations on the ability of the Secretary to bring lands into tribal trust status. It is for that reason, Mr. Chairman, I believe that we should reject this amendment.

I understand why the gentleman has proposed the amendment, because it was the only way that it could be brought to the floor, but it is too broad. It does not do what it is intended to do. It goes far beyond that and prevents the Secretary from bringing any land under tribal trust status at any point.

I believe that that is a mistake. I would urge Members of this body to reject this amendment.

Mr. DICKS. Mr. Chairman, I call for a vote on the amendment.

Mr. WELDON of Florida. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this has been a very interesting debate. I know my father raised me with the belief always that the American Indians had gotten a raw deal in our Nation's history. I have tried to be very sympathetic to many of the problems they have had.

Clearly, from listening to the debate today, this issue of tax collection is being handled very well in some States. But also it is very clear that there are some very serious problems with what is going on in some other areas. Indeed, I think the gentleman from Oklahoma has spelled out very clearly the nature of this problem and the severity of the problem.

Indeed, it is worth noting that if we did not have a problem here and that if it did not need to be dealt with, we would not have a situation where the U.S. Chamber of Commerce, the National Conference of State Legislators, these are all our colleagues who work in the State houses, have supported this. The National League of Cities, no less, is supporting this. So I would encourage my colleagues to vote "yes" on the Istook-Visclosky amendment.

Mr. Chairman, I yield to the gentleman from Oklahoma [Mr. ISTOOK].

Mr. ISTOOK. Mr. Chairman, I hope we can wrap this up.

I think it is important to stress what is happening here, what the Federal Government is making possible because of the patchwork quilt, hundreds of thousands of acres but sometimes it is a quarter acre here, a quarter acre there, maybe a full acre here for a truck stop, convenience store, smoke shop, whatever it may be, with total disregard to the States where a tribe may normally operate, with total disregard to its historic boundaries, whether you are talking about 20th century history or 19th century or 18th century or whatever. It is the basic rule of real estate, location, location, location, that is what is driving this, that and the ability, not because of sovereign immunity, not because of treaties, but, as the U.S. Supreme Court has stated, solely because Congress has failed to act that they are marketing the failure to charge taxes which the U.S. Supreme Court says are owing and are due when non-tribal Members make these purchases.

This is not an old advertisement. This ad is about 8 months old. It is after Oklahoma had tried to get tribes to enter into compacts. Only 3 out of 39 tribes in Oklahoma were willing to do so, despite some very heavy financial incentives, because they can make more money by saying, "Come buy from us, no tax on cigarettes, no tax on gasoline, no tax on beer." And what difference does it make if they are not charging those taxes?

Look at the difference. If you do not charge on gasoline, 26 cents a gallon, you go to the corner, one station has a price 26 cents each and every gallon lower than the other. Where do you take your business? Cigarettes, average of 41 cents a pack. Where do you take your business?

North Carolina cannot come into Massachusetts and say, "We have a 40 cents a pack, 46 cents a pack differential. We are going to open up a branch of North Carolina in the middle of Massachusetts so the Massachusetts businesses cannot do business."

I heard someone on this floor say, well, that is okay, everybody can make

a deal with the tribes. That means if you do not do business with the tribes you cannot stay in business if you do not let them take over your operation. What a difference it makes. This is from an actual retail location. It goes through their grocery, tobacco, beer profit, personnel, expenses, everything. If they have to pay the tax, the business operates an annual loss of $5,500 a year. If they do not have to collect the tax, they make $927,000 profit.

Who can stay in business if the Federal Government permits people to thumb their nose at the law? This is basic fairness. This is basic justice. This is basic playing by the rules. We have $6.5 billion in this bill and in other bills going directly to the benefit of Indian tribes. Do we also say that we want to give them the key to every business in the country, so that those that are trying to abide by the law cannot compete and our local communities do not have the billions of dollars they are losing in gasoline, cigarette, and sales taxes that pays for our roads, that pays for our schools, that pays for public safety?

□ 1530

I urge Members to vote for the amendment.

Mr. OBEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am of a split mind, frankly, on the Istook amendment. I am concerned about some of the issues that he raises, and I frankly think that some of the tribes have abused their ability to have land put in trust. And I think, for that reason, that the authorizing committee in charge of basic law ought to hold hearings and ought to produce a legislative vehicle that corrects that problem.

While the Istook amendment is advertised as attacking a problem such as the differential in tax law that the gentleman has referred to, in fact that is not what this amendment does. This amendment simply says, cold turkey, that none of the funds may be made available for the purposes of acquiring trust lands. That goes too far. It is not consistent with the traditions or obligations of this country, and for that reason I think that the amendment ought to be defeated.

I would also say that I would be much more inclined to vote for the gentleman's amendments in the future if they are not accompanied by an effort to use the congressional frank in order to send material into other Members' districts which is essentially misleading and is not descriptive of the actual amendments before the House.

I am very willing to respond to legitimate suggestions for change in the law, but I do not respond very well to lobbying pressure from anybody, especially when it comes from another Member of Congress. It seems to me that Members of Congress have an obligation to tend to their own districts. I think they ought to be very careful about the nature of mail which they send into other Members' districts under the frank.

The frank is a privilege that Members of this House have that should not be used to create internal lobbying. The gentleman from Oklahoma is well-known as someone who does not like to see Federal agencies or Federal grantees lobbying with Federal money. I also do not like to see Members of Congress lobbying with Federal money, especially when they are lobbying each other through the use of the frank and when frank material is sent into congressional districts which is not consistent with amendments that are actually offered on the House floor.

So, Mr. Chairman, I would simply say that I think there are two problems with the gentleman's approach. First, I do not, for one, think that it is appropriate to engage in what is in essence a lobbying operation with taxpayers' money by sending franked material into other Members' congressional districts.

Second, if that material is sent in, I think it ought to accurately reflect the situation which exists in each of those States, and the material I saw did not.

And, third, I would suggest that the amendment ought to be offered which in fact attacks the problem that is described in the speeches accompanying the amendment. Eliminating all ability to take land in as trust lands is not the correct remedy for the problem at hand.

The gentleman from Oklahoma is correct about the problem. I, for one, very deeply resent the fact that some of the tribes have used existing law to take land into trust and then operate casinos on that land far from their reservation. I think that is an outrageous abuse of the trust privilege.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. OBEY] has expired.

(By unanimous consent, Mr. OBEY was allowed to proceed for 1 additional minute.)

Mr. OBEY. Mr. Chairman, I also think that it is wrong to convey a misinterpretation of what some of our Governors and some of our State legislatures have been able to negotiate by way of agreements with tribes so that they do, in fact, collect the correct amount of tax revenues from those States.

I would simply say that the gentleman is partially correct in his concern, but this is not the way to go about it. I do not think it is legitimate to wipe out the Secretary's ability to take land into trust across the board when, in fact, the problem is much narrower than this amendment would lead one to believe.

Mr. Chairman, I thank the House for its indulgence in allowing me the additional minute.

Mr. COBURN. Mr. Chairman, I move to strike the requisite number of words.

First of all, Mr. Chairman, I would like to answer what has just been put forth as an abuse of the frank. In fact, the information sent by the gentleman from Oklahoma [Mr. ISTOOK] was to public officials, cleared by the House Committee on Frank; and its erroneous nature will be determined by the facts and not by a Member standing on the floor.

I would rise to support the Istook amendment but begrudgingly. I come from the second largest tribal district in the United States, and I want to describe for the Members of this body what is occurring. In fact, extortion is occurring today as members of tribes go out and tell people who are independent private businessmen, many of which are members of that same tribe, that if they do not sell their fast food stores to them, if they do not sell their gas stations to them, that they will open one across the way and eliminate their business.

So not only is there an unfair competitive advantage, not only is there an unethical approach, but in fact there is extortion, which is under investigation by the FBI at the present time.

This is well-placed common sense. It does not limit all tribal lands coming under trust. What it says, simply, is that there must be an agreement between the tribes.

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

Mr. COBURN. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I think the gentleman was not here, and the only point I would want to make is that, first of all, the first Istook amendment that did what the gentleman wanted to do was struck down on a point of order, so now he has this secondary amendment. Under this amendment, remember now, the Secretary of the Interior must approve this.

I would say to the gentleman, if it was ever done in this kind of a threatening way, we will drive you out of business, that application I think would be turned down summarily by the Secretary of the Interior.

The CHAIRMAN. The time of the gentleman from Oklahoma [Mr. COBURN] has expired.

(On request of Mr. DICKS, and by unanimous consent, Mr. COBURN was allowed to proceed for 2 additional minutes.)

Mr. DICKS. Mr. Chairman, will the gentleman continue to yield for one further comment?

Mr. COBURN. I will continue to yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, the second comment is the parties would have a right to go to court, into federal district court, to stop the transfer into

trust. I would think under that kind of a practice that the courts would strike down the application.

Mr. COBURN. Mr. Chairman, I will be happy to allow the other gentleman from Oklahoma to answer that, but I will tell the gentleman from Washington that presently those very things that he is describing are ongoing without interference from the BIA or the Secretary and, in fact, there is extortion ongoing.

Mr. DICKS. Mr. Chairman, if the gentleman will continue to yield, I will join the gentleman in going to the FBI, if that is accurate.

Mr. COBURN. Mr. Chairman, reclaiming my time, I would tell the gentleman that I have been to the FBI.

I want to bring one additional point before I yield to the other gentleman from Oklahoma. We have before us an historic agreement on tobacco which has associated with it taxes on tobacco. Do my colleagues know where all the cigarettes will be sold in the future? They will be sold on tribal properties throughout the United States.

The Cherokee Nation, the Creek Nation, the Choctaw Nation, anywhere in history that they have lands, they will come and buy land and claim it as tribal lands, and they will be the sellers in fact of gasoline, they will be the sellers in fact of tobacco, they will be the owners of casino gambling, of bingo halls, and, in fact, the revenue lost to individual localities, municipalities and States will be enormous.

We have to deal with the greater issue: Can there truly be a sovereign country inside a sovereign country? That is one we will not attack. Nobody wants to deal with that issue. That is why we face this problem. And until we say the Indians cannot be truly sovereign, until we stop giving to the Cherokee Nation $100 million a year and allowing them to waste a large portion of that through the problems, if the gentleman is familiar now with what is going on with the Cherokee Nation, then we will not solve this problem.

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

Mr. COBURN. I yield to the gentleman from Oklahoma.

Mr. ISTOOK. Mr. Chairman, I think the important thing to recall is, as has been pointed out before, there are approximately 30 laws on the books under which the Bureau of Indian Affairs can take property into tribal trust. This amendment only creates a restriction, a moratorium, upon one of them.

The only reason hearings have not been held, of course, is that despite requests many months old to do so, the authorizing committee has not held the hearings although we have requested them.

We have advised people of the provisions which were passed by this House last year by a vote of 212 to 206 which are incorporated in House Resolution 1168 sponsored by the gentleman from Indiana [Mr. VISCLOSKY] and myself and over 50 other Members of this body.

That was what the original amendment was that was offered on this floor because a point of order was raised and sustained against it. Then we came with the substitute amendment which only enacts the moratorium on one of the some 30-odd mechanisms. It leaves in place, for example, the mechanism where they can still acquire property for hospitals and other what is called eleemosynary institutions for public assistance and public good and so forth.

We are trying to target this as narrowly as the House rules permit us. And of course with the assistance of the Senate and the conference committee, we expect to improve upon that yet further.

This is an important amendment, Mr. Chairman, because the problem, as the gentleman from Oklahoma [Mr. COBURN] states, is accelerating, it is growing, and nobody can stay in business when their competitors have this advantage and can locate anywhere they wish without being tied to existing tribal lands.

The moratorium is only on new lands. It does not affect what they may do with lands which the tribes already have, whether they own them outright or are in trust.

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

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

Mr. VISCLOSKY. Mr. Chairman, I would use the time remaining to emphasize that this is a bipartisan proposal between the gentleman from Oklahoma [Mr. ISTOOK] and myself.

What we were trying to do was to ensure that States and locales have the resources to provide for the people that they represent; to provide for a fair playing field for entrepreneurs in this country.

I would emphasize we are not imposing a new tax. We are not taking anything away from Indians in the United States of America. What we are simply asking for is appropriate negotiations as far as State compacts.

Mr. Chairman, I urge my colleagues to support this endeavor.

Mrs. LINDA SMITH of Washington. Mr. Chairman, I rise in support of the Istook-Visclosky amendment. I believe that this legislation will protect small businesses from unfair competition and will ensure that states receive the nontribal tax revenues due them.

The Istook amendment addresses several important issues: Should a program designed to help native Americans tribes acquire lands for agriculture, industrial, and cultural purposes be instead used to drive out local competition? Should the American taxpayer be expected to foot the bill? The answer to both these questions is "no." In fact, the U.S. Supreme Court has ruled that nontribal customers must pay State taxes on goods purchased on tribal land.

For States such as Washington, New York, California, Oklahoma, and Michigan—which are home to sizable tribal lands covering hundreds or thousands of square miles—the costs are extremely significant. My home State of Washington has lost $63 million in lost revenue from the sale of cigarettes alone. This figure, of course, does not include the lost opportunity costs to small business, men and women who were forced out of business because they could not compete with tax exempt tribal lands.

Mr. Chairman, I submit to you that it is unfair that programs and funds intended to be used by tribes to provide low cost food, housing, and to foster native American economic development, and heritage be used instead to fund anticompetitive activities.

The Supreme Court has also ruled that the issue of native American tribes collecting State excise taxes on sales to nontribal individuals that occur on tribal land does not involve native American tribes' claims of sovereign immunity. Nor does it involve any existing treaty obligation of the U.S. Government. It is, instead, a problem which Congress has created and which Congress must rectify. The amendment before us would do that, and I urge my colleagues to support it.

Mr. YOUNG of Alaska. Mr. Chairman, I oppose this amendment. This is a classic example of overreaction by Congress. This is curing a sprained ankle with a sledgehammer.

The gentleman from Oklahoma is trying to solve a problem that exists in a very few instances. I am told that a few Indian businesses are selling large amounts of tobacco and motor fuels without collecting State and local sales and excise taxes. I can appreciate how this gives a competitive advantage to a few Indian businesses.

I will support legislation which will straighten out this problem to the satisfaction of the States and local communities as well as the tribes.

However, I cannot support this amendment because it would place a limitation on appropriated funds that will adversely affect all Indian tribes.

Most lands being taken into trust have nothing whatsoever to do with taxes or commercial businesses. Most lands being taken into trust are small home sites which lie within an existing Indian reservation, parcels of nontrust land scattered from one end of a reservation to the other. Out west this is a very common land ownership pattern and is called checkerboarded land ownership. Administering these checkerboarded lands is a nightmare both for the States and the tribes.

Let me point out that small parcels of Indian land are still going out of trust every year. As a matter of fact, more land is going out of trust each year than is being taken into trust. In 1996, for example, 130,000 acres of land went out of trust and only 55,000 acres were taken into trust.

For decades the Interior Department has been trying to block up these checkerboard lands by taking back into trust those lands purchased by tribes which were originally part of a reservation and then went out of trust under the 1887 General Allotment Act.

The effect of this amendment would be catastrophic for any Indian tribe which has spent years and years and thousands and thousands of dollars buying back their lands. In many instances, these lands purchased by tribes will have little value to anybody unless they are taken into trust.

Tribes are doing this for reasonable, practical purposes. The Bureau of Indian Affairs operates law enforcement programs, road maintenance programs, environmental services programs, real estate services programs, water resources programs, and a large number of other programs which only apply to trust lands. Tribes want their members living on these lands to benefit from these programs.

Trust status defines the jurisdictional powers exercised by a tribal government. It also defines the extent of State jurisdiction. It determines Federal criminal jurisdiction.

The gentleman from Oklahoma wants to solve a commercial tax problem which many of the States have already solved. I am told that even the State of Oklahoma has worked out most of its tax problems with most of its tribes.

This amendment, however, ignores all of these State solutions. Instead, this amendment would completely eliminate the Secretary of the Interior's ability to take any land into trust, in any State for any reason.

Mr. Chairman, this sledgehammer approach is wrong and I urge my colleagues to oppose this amendment.

Ms. DELAURO. Mr. Chairman, I encourage my colleagues to oppose the Istook amendment because it improperly interferes with established practices for placing Indian lands into trust. In addition, the Interior appropriations bill is not the place to consider this ill-advised amendment.

Our country has struggled to address the needs of native Americans who lost more than 90 million acres near the turn of the century. But we have arrived at a process that works under the Indian Reorganization Act of 1934. The Secretary of the Interior is able to consider applications to place Indian land in trust. Placing land in trust is intended to promote self-determination and economic self-sufficiency for tribes. It is important to keep in mind that 40 percent of applications to place land in trust are not approved. In addition, many acres of land are removed from trust status each year. In 1995, more than 130,000 acres went out of trust while only 55,000 acres went into trust.

The Istook amendment rewrites the process for placing lands in trust and could unfairly block Indian lands from entering trust status. It would backtrack on the principle that relations between native Americans and the United States should be at the level of the Federal Government, rather than at the State level where, historically, Indian tribes have been treated fairly. Under the Istook amendment, a State would only need to refuse to negotiate with an Indian tribe in order to block that tribe's lands from being placed in trust.

Finally, the Istook amendment should be opposed on procedural grounds alone. This amendment constitutes a substantial revision of policy toward native American lands that ought not to be attached to the Interior appropriations bill. But at the very least, it should be fully considered before the House makes such a dramatic policy change. Unfortunately, hearings have not been held on the Istook amendment, nor was it considered by the Interior Subcommittee or the full Appropriations Committee.

I urge my colleagues to vote against the Istook amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma [Mr. ISTOOK].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. ISTOOK. Mr. Chairman, I demand a recorded vote, and pending that, I make a point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 181, further proceedings on the amendment offered by the gentleman from Oklahoma [Mr. ISTOOK] will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT NO. 14 OFFERED BY MR. HILL

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 14 offered by Mr. HILL: Page 89, after line 15, insert the following new section:

SEC. 325. None of the funds appropriated or otherwise made available to the Indian Health Service by this Act may be used to restructure the funding of Indian health care delivery systems to Alaskan Natives.

Mr. HILL. Mr. Chairman, I offer this amendment on behalf of the gentleman from Alaska [Mr. YOUNG], chairman of the Committee on Resources. He has been asked by the Alaska regional nonprofit health corporations to offer an amendment to the Interior appropriations bill.

Currently, health care in Alaska's 226 Native villages is provided by 12 regional nonprofit health corporations.

□ 1545

These corporations are governed by elected village government representatives. They set policies and priorities for health care delivery to Alaska Natives within their regions and villages.

This tribally-controlled health delivery structure implements self-governance and self-determination legislation as mandated by Congress. Chairman YOUNG was actively involved with the passage of these important legislative measures to promote self-governance and self-determination by villages in Alaska.

As I just described, these 12 regional nonprofit health corporations provide health care services to 226 federally recognized Alaska Native villages or tribes, consisting of approximately 86,000 Alaska Natives. However, as mandated under Public Law 93-638, as amended, the Indian Health Service has recently let several villages break away from these regionalized health care delivery systems.

This mandatory provision allows the villages to administer their own health care programs, on a fragmented basis, which the IHS funds directly. At the same time, corresponding resources are siphoned off almost quid pro quo from the regional nonprofit health corporations. This, of course, diminishes the quality and extent of health care services provided by the regional health corporations to thousands of village residents.

Chairman YOUNG has fought long and hard for village self-governance and will continue to do so. However, he frankly cannot justify fragmenting and destroying a workable regionalized health care system which at least meets the minimal health care needs of Alaska Natives.

We, as a Congress, have a duty to protect and advance Alaska Native villages and peoples. The provision of adequate health care services must be a top priority in Congress's protection of Alaska Native peoples. After all, we are talking about the life and death of Alaska citizens.

This amendment seeks to protect the health and lives of Alaska Natives by maintaining health care delivery on a regional basis under the nonprofit corporations, which again are governed by elected Alaska Native village representatives. This has proven to be a very effective delivery system in meeting the minimum health care needs of the people. Why monkey around with a program that works?

In the interim, it is the position of the Alaska delegation that Congress, in honoring the U.S. trust responsibility, not allow any more villages to separate from the regional health corporations until Congress takes further action after the General Accounting Office issues a report on the impacts of costs and health care delivery to Alaska Natives.

I urge the adoption of this Alaska-specific amendment.

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

Mr. Chairman, this amendment will have no adverse impact on the delivery of health services to Alaska Natives. It simply codifies IHS's current policy with respect to the compact between the agency and the Indian health care corporations. To the best of my knowledge, there is no opposition. We are prepared to accept the amendment on this side.

Mr. Chairman, I yield to the gentleman from Washington [Mr. DICKS].

Mr. DICKS. Mr. Chairman, the only thing we have heard is that Health and Human Services is concerned that the proposed amendment could infringe on the right of tribal governments to participate in self-determination contracting and compacting, which is

their right pursuant to the Indian Self-Determination and Education Act.

We understand that GAO will be asked to study the complexities of this situation. It would be prudent to delay action on this matter until the results of this analysis are completed and reviewed by the tribal governments, Congress, and the administration. And this language comes up, this statement comes up with the blessing of OMB and the Indian Health Service.

I am not going to object to the amendment. I think we can check with the administration during conference and make certain that we are on solid ground here. The gentleman has offered the amendment for the gentleman from Alaska [Mr. YOUNG], and I have no objection to it, but I wanted to put this in the RECORD at this point.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Montana [Mr. HILL].

The amendment was agreed to.

AMENDMENT NO. 15 OFFERED BY MR. STUPAK

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 15 offered by Mr. STUPAK: Page 89, after line 15, insert the following:

SEC. 325. None of the funds made available by this Act may be used for the eviction of any person from real property in Sleeping Bear Dunes National Lakeshore that the person was authorized, on July 10, 1997, to occupy under a lease by the Department of the Interior or a special use permit issued by the Department of the Interior.

Mr. STUPAK. Mr. Chairman, I will be brief. My amendment is strictly a limitation amendment which simply prevents the eviction of individuals at Sleeping Bear Dunes National Lake Shore until the abandoned buildings or previous structures are removed and taken care of.

Basically, what it says, Mr. Chairman, is my understanding right now over at Sleeping Bear Dunes National Lake Shore there are over 100 abandoned buildings from folks who had leases with the Park Service. The Park Service was then to tear those buildings down and let the area go back to its natural state.

Unfortunately, the Park Service has not had the money to clean up these abandoned sites, so today there are over 100 abandoned dwellings on the lake shore. There is no money to tear them down, to allow it to go back to its natural state. So they do not have money to do it, but yet we are still evicting people. We are still evicting people. We do not have money to clean up the past abandoned buildings. This year alone 11 more people will be evicted.

What my amendment simply does, it is not a permanent amendment, but what it simply does is holds eviction for the length of this legislation, which is approximately 1 year. There is no reason in the world for an additional eyesore upon the Sleeping Bear National Lake Shore. There is no reason to have abandoned buildings. There is no reason to have deteriorating buildings when we cannot take care of the ones we already have. In a way, it is a 1-year moratorium.

I understand that there is no objection. I want to thank the gentleman from Ohio [Mr. REGULA], for helping me along on this process; the gentleman from Illinois [Mr. YATES], the gentleman from Washington [Mr. DICKS], and others who have worked with us on this process to put the amendment in this legislation.

Mr. REGULA. Mr. Chairman, I move to strike the last word. We are prepared to accept the amendment of the gentleman from Michigan [Mr. STUPAK], but I do want to make it clear that this is only a 1-year, temporary withholding and that ultimately these residents will be required to move. Of course, they will be compensated, but they will eventually be required to sell to the Government. But in view of the fact that the Park Service currently has 100 structures that they have not had the funding to remove, I do not think it would be fair to those that are still there to make them move during the next fiscal year.

I would urge the Park Service to get on with removing the structures that are already there and have been purchased by the Service. By imposing a 1-year moratorium, we give the residents confidence that they will, at least, be able to stay through fiscal year 1998. We support the amendment.

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

Mr. REGULA. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I share the concern of the gentleman from Ohio [Mr. REGULA] about letting this go on beyond 1 year. The Park Service has, in fact, written a letter of concern about this. But under the circumstances, if they have not torn down the structures, the gentleman I think makes a persuasive case that for 1 year, at least, we ought to go along with this.

I appreciate the gentleman yielding.

Mr. REGULA. Mr. Chairman, reclaiming my time, I yield to the gentlemen from Minnesota [Mr. VENTO].

Mr. VENTO. Mr. Chairman, I am concerned about the type of precedent. I understand there is a special problem asserted in this particular instance, but the word "eviction" used by the amendment author very much surprises me. I expect that most of these individuals had a 25-year contract that they made to, in fact, utilize the property, and I might add at generally reasonable prices, and receive then the compensation for their property under specific terms of a contract.

I am surprised to hear that there are so many sites. I do not know every year if you look at what is happening with these properties that were largely voluntarily sold, maybe some years ago, that you may be getting into an issue here where every year, even this year in 1997, you may have individuals that are now expected to in fact give up the properties in accord with their agreements. When an amendment like this passes, I think it raises all sorts of issues and questions.

This is not an unusual problem. We had the same thing with the Indiana Dunes, and I think that you will find that there are many Members that have come before our authorizing committee on this sort of matter. So I understand the concerns being expressed here by my friend and colleague from Michigan [Mr. STUPAK], but I also would suggest that there is an issue here that is going to obviously open up the floodgates with regards to this type of orderly agreements and contracts by land management agencies acquiring lands and properties.

I hope the dollars are available for demolishing and moving these empty buildings out, these acquisitions were painful decisions that were made at some expense and time to the taxpayer, Mr. Chairman.

Mr. REGULA. Mr. Chairman, reclaiming my time, I understand the concerns of the gentleman from Minnesota [Mr. VENTO]. This is one of the reasons that we have given the Park Service additional money to deal with backlog maintenance. This would fall within that category, and I emphasize that we are only contemplating this limitation for 1 year.

Mr. Chairman, I yield to the gentleman from Michigan [Mr. STUPAK], who may want to comment.

Mr. STUPAK. Mr. Chairman, I thank the gentleman for yielding. In response to my friend from Minnesota, this has been going on for some time. This lake shore property in my district, there are over 100 abandoned buildings.

Today is the first time I heard where the Park Service, not from the chairman, but we had a letter from the Park Service that said suddenly we have money. For 3 years we have been trying to address it. If this is the only way we can address this issue, then this legislation has a lot of merit because we at least got to addressing the issue after 3 years.

It is not just my district. I know in Delaware and Indiana and other places we have to address it and there has to be some kind of fairness. If we are telling people their time is up, they have to move off, and it is just going to sit there, for a lot of these folks this lake shore property goes through two counties in my district. They are the eyes and ears, and they help out the Park

Service and they keep the buildings maintained. I think that is better than some abandoned building that becomes an attractive nuisance and we have liability issues.

So while I understand the concerns about all the limitations of only 1 year, at the same time I think we have to start addressing it in a very practical manner. I appreciate the cooperation I have received from everyone on this issue.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. STUPAK].

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. COBURN

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. COBURN:

Page 89, after line 15, insert the following new section:

SEC. 325. (a) None of the funds made available by this Act may be obligated or expended for the Man and Biosphere Program or the World Heritage Program administered by the United Nations Educational, Scientific, and Cultural Organization (UNESCO).

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

Mr. COBURN. Mr. Chairman, I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 60 minutes and that the time be equally divided.

Mr. DICKS. Mr. Chairman, reserving the right to object, unfortunately, I have been instructed by our leadership that we have to object to any time agreements at this point. I regret that, but I have no choice.

The CHAIRMAN. Objection is heard.

The gentleman from Oklahoma [Mr. COBURN] is recognized for 5 minutes.

Mr. COBURN. Mr. Chairman, this is not truly about biosphere reserves. This is not about the United Nations. What this is about is us as a body and whether or not we are going to follow our constitutional process in this body. This is just one example of many where this body has violated and continues to violate its own rules in terms of authorized programs.

In the last several years millions of dollars have been spent on this program as well as hundreds of other programs without any authorization whatsoever from this body. This amendment seeks to eliminate just one of the many hundreds of areas where money is spent, taxpayer money is spent, never being approved by Congress in an authorizing body, never being looked at completely by that authorizing body.

Second, it lacks complete oversight. There is no oversight into the money, the taxpayer money that is spent. There has been no oversight function whatsoever.

What this amendment attempts to do is to talk to the Congress about returning to do what it is supposed to do. Now if you oppose this amendment, then what you really do is you oppose us operating under the rules that we have set for ourselves, because what in fact we have said is that we are not going to fund money for programs that are not authorized. We are not going to spend American taxpayers' money in a way that we cannot go and see that it is spent properly.

We are not going to spend money on authorizing programs. There were exclusions in the first three authorizing programs that came through this House floor that said we will not allow money to be spent on this until it will be authorized.

So I would simply ask, Mr. Chairman, that we in fact apply the rules of the House and the disciplines that were put there on purpose so that we do the right job with the American taxpayers' money.

Mr. Chairman, I yield to the gentlewoman from Idaho [Mrs. CHENOWETH].

□ 1600

Mrs. CHENOWETH. I thank the gentleman from Oklahoma [Mr. COBURN] for yielding.

Mr. Chairman, I want to very briefly identify with the remarks of my colleagues. This has less to do with the United Nations, but it has more to do with the fact that we as Congressmen must abide by the constitutional responsibilities that we have and, that is, not only to protect the pocketbooks of the taxpayers dollars in good and wise expenditures but also their ability to make a living. A lot of Americans are still having to make a living off the land.

I just want to call attention to the fact that there are 47 biosphere reserve sites already designated in the United States without congressional authority, sites whose acreages would total the land base of the State of Colorado.

We can see Colorado here designated in black. That is the land base that has been designated as biosphere reserves, without any authorization from Congress and without the local people realizing or being informed that this was happening to their land base. It is a serious problem. It needs congressional oversight and congressional authority.

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

Mr. Chairman, I strongly oppose the gentleman's amendment to prohibit U.S. funds for the U.S. Man and the Biosphere Program and for the World Heritage programs which are both administered by the United Nations Educational, Scientific and Cultural Organization [UNESCO].

As the gentleman points out, I think erroneously, these programs do report on how the money is expended on those particular programs. Regrettably we are not members of UNESCO, the United Nations group. President Reagan made sure of that by taking us out during his administration. I contend that we ought to be back in the organization so that we could sit at the table with other nations and obviously have a better sense of monitoring. But this amendment, Mr. Chairman, caters to the ill-founded fears of a tiny minority of people in this population of ours who sees a worldwide conspiracy behind every UNESCO program.

Frankly, the debate on this issue has surfaced some of the grossest distortion of facts that I have witnessed in a long time. Digressing a bit, I might talk about a small minority in this country who many years ago was known as the Know-Nothing Party. The Know-Nothing Party talked about a great world conspiracy to take over the United States. As a matter of fact, they said that the Washington Monument was being built by the Pope to commemorate his taking over the sovereign United States. To prove that, they said that the marble to build the Washington Monument was coming no less from Italy.

Well, the Know-Nothing Party was effective. They scared everybody in town and they stopped building the Washington Monument. They stopped for about 50 years, as a matter of fact. The Washington Monument lay by itself there, a third built. If Members go out and look at the Washington Monument today, they will notice that it is two-toned. It is two colors. Years later when Abraham Lincoln was elected into office, he said, "that is enough of this scare tactics, let us finish the monument". However, when they went back to Italy to the quarry, they were out of that marble. So they had to go to another quarry to try to match the marble but they never could. Instead the marble was a shade lighter. That is why the Washington Monument is of two colors.

The Know-Nothing Party had been effective in their panic to stop it. That is what I think this group is doing today. Those who support this amendment maintain that the inclusion of Federal lands in the World Heritage list somehow transfers U.S. sovereignty over our lands. It is just plain false. It is plain untrue. It is a scare tactic. It is going back to the Know-Nothing Party. Perhaps, as I said, even deliberately misconstrued.

The World Heritage program and the U.S. Man and the Biosphere Program in no way transfers any lands from the United States to the United Nations or any other sovereignty. These programs are simply voluntary vehicles for designated areas around the world as international treasures that must be preserved, and to protect the people of

the world from the problems of pollution that, as we are well aware, knows no national boundaries.

The World Heritage list has no force of law. Rather, it is a statement of principles that acknowledges the value to the world of our national treasures. I do not know of anyone who does not agree that Yosemite National Park, or the Grand Canyon, or similar areas must be protected from overdevelopment and from pollution.

UNESCO program bashing, in my opinion, is a cover which attempts to remove the United States from any multilateral efforts to address the negative effects of pollution and development. This amendment attempts to continue this coverup. It is not honest in its goals of information, and it is viewed by our allies around the world as further proof that the U.S. legislative process is being dominated by a minority of people whose vision of the world, if enacted, would guarantee our children and their children with an environmental nightmare devoted only to exploitation and greed.

Mr. Chairman, this is a bad amendment. It caters to fear and misinformation. It is not worthy of enlightened people. It is not worthy of our Nation, and it deserves to be soundly defeated.

Mr. WELDON of Florida. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Oklahoma. While we all want to see our national parks preserved, I believe we have a responsibility in this body to have some oversight of a program such as this where we are designating huge areas of our country to be involved in an international program. This is not something that has been debated by an authorizing committee at all. We have no legal language on it.

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

Mr. WELDON of Florida. I yield to the gentleman from Minnesota.

Mr. VENTO. I appreciate the gentleman yielding. This is just the first misunderstanding, I guess, about whether or not there has been authorization action or oversight action on it. I would just suggest to the gentleman that each year that I chaired a subcommittee that, the ICOMOS which is one of the arms or organizations, did come before us and ask for and talked about funding for some of the programs. Furthermore, the World Heritage site is not only authorized under the Historic Preservation Act but has also been passed as a 1973 treaty.

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

Mr. WELDON of Florida. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, I would point out again, there has been absolutely zero authorization in this body for this program or for the expenditure of any money associated with it. There is no question. Questions have been asked. This has nothing to do with the United Nations. I can give the gentleman a list of 100 other programs that this body is spending money on that we have no right spending money on because we have abandoned our own rules.

I would bring out an additional point. The gentleman from California [Mr. BROWN], the ranking member on the Committee on Science, is bringing forth legislation to authorize this, as it should be. The Congress ought to debate this issue in the appropriate committee, which is his committee. We ought to have the testimony of those people who are both for and against it come before Congress, a reasoned and thoughtful decision ought to be made, and once that decision is made, then that ought to be brought to the floor of this House. That has not happened. It violates the very principle of the democracy under which we operate and the rules under which we operate this House. When that in fact does come, then we should have the vote on it. In the meantime, we violate our principle of trust to the American people for spending money that has never been looked at by Congress and never been oversighted.

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

Mr. WELDON of Florida. I yield to the gentleman from Minnesota.

Mr. VENTO. I appreciate the gentleman yielding, getting between me and the gentleman from Oklahoma [Mr. COBURN].

Of course, I think he is speaking of the Man and the Biosphere Program, not the World Heritage Convention, which is, after all, a treaty which has been approved and which is authorized in the Historic Preservation Act. The Man and the Biosphere Program draws funds from a series of different research allocations from various agencies in the Federal Government, I think some 14 different agencies, if my memory is correct, all of which are authorized to expend such research funds.

The fact is that they have general authority to spend money on research. We do not design their projects. Congress appropriately permits some discretion. The issue is whether or not the MAB Program has general authority. If there is a contest about it, and the gentleman from California [Mr. BROWN], I respect him and the gentleman from California [Mr. MILLER] for submitting legislation on authorization, but it is sort of like the redundant reiteration of the self-evident. Someone is doing it because they want to take on that challenge, but meanwhile we should not stop the funding.

Mr. WELDON of Florida. Reclaiming my time, some serious concerns exist with this Member regarding the authorization of this in terms of serious concerns raised by a lot of my constituents in terms of what this actually involves. I think to ridicule the opponents of this as though they are members of a flat earth society is wrong. I am on the Committee on Science along with the gentleman from California [Mr. BROWN] and the gentleman from Oklahoma [Mr. COBURN]. We really need to have a serious vetting of this issue, exactly what the program involves, what exact bearing it may have in the future in terms of our control as a body as the U.S. Congress of these national parks and these so-called biosphere areas and exactly what will be the United Nations involvement in them. After that process, it may be determined that this is certainly nothing that we need to be concerned about and it may garner the support of this body. On the other hand, I have yet to be convinced.

Therefore, I feel that the gentleman from Oklahoma's amendment is a good amendment, I support his amendment, and I have supported his amendment in the committee.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, first of all, I would like to just get a few facts out here on the table. I think this is important. Under the World Heritage Convention, each nation nominates its own most important natural and cultural sites and pledges to take the necessary steps to preserve and protect them under its own legal system. The treaty implementing legislation and program regulations mandate a process that is orderly, predictable, and exacting, requiring a minimum of more than 2 years between the proposal of a site for study and its consideration by the World Heritage Committee. The U.S. nomination process is clearly delineated in law and regulation, title IV of the Historic Preservation Act of 1980 and 36 CFR 73, the World Heritage Convention.

Under the regulation, the National Park Service staffs the Interagency Panel on World Heritage, which is advisory to and chaired by the Assistant Secretary for Fish and Wildlife and Parks. The panel meets in public sessions to consider proposed nominations and to review completed studies. Proposals to nominate have originated from private organizations and citizens and local governments as well as from park superintendents.

Every proposed nomination has a strictly defined boundary. The criteria and documentation requirements for nominations are highly selective. Many proposed properties have been turned down or deferred for cause. Relevant committees of the House and Senate are notified of all pending proposals and again informed when the department has decided to nominate a property. Over the years when Members

have commented, they have commonly supported proposed nominations in their respective States. This whole thing started under the Nixon administration.

Since 1979, when Yellowstone and Mesa Verde were placed on the World Heritage list, 18 other U.S. sites have been added, for a total of 20. A handful of others have been nominated but not listed.

□ 1615

No new proposed nominations are being actively considered. The World Heritage Committee, composed of representatives-elect from 21 member countries, review all national nominations. At present 506 properties have been listed. The committee also places properties on the list of World Heritage in Danger. Only the committee can place properties on either list. Neither listing action imposes any legal requirement for U.S. sites beyond those already contained in U.S. law.

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

Mr. DICKS. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, I just want to say I think the gentleman is making a very good statement in pointing out the preparation and the information that is available to the public generally and to Members of Congress specifically, and I realize that many of us have not had the opportunity to learn all of this in detail, but the presumption, I think, should be on two decades of bipartisan support under both Republican and Democratic administrations.

I point out that the gentleman pointed out 16 of the sites are actually national parks and 4 are not, but that no private site would be listed without the consent of the owner.

Mr. DICKS. That is correct.

Mr. VENTO. And that this places no additional restrictions or interferes in any way with the sovereignty or the property rights of any individuals in terms of these World Heritage sites.

Is that the gentleman's understanding?

Mr. DICKS. That is correct, that is my understanding.

Mr. VENTO. I appreciate the gentleman's having yielded to me.

Mr. COBURN. Mr. Chairman, would the gentleman yield to me? He has given me so much data with which to look at, so for just a second?

Mr. DICKS. Yes; I am glad the author of the amendment wants to be informed. I think it is quite good, and I yield to him.

The CHAIRMAN pro tempore (Mr. LAHOOD). The time of the gentleman from Washington [Mr. DICKS] has expired.

(By unanimous consent, Mr. DICKS was allowed to proceed for 2 additional minutes.)

Mr. DICKS. Mr. Chairman, I yield to the gentleman from Oklahoma.

Mr. COBURN. First of all, there have been no statements from me in putting forth this amendment that I objected to the World Heritage Reserve Program. Never said; no, I have never said that.

No, the point is, and authorizing language that the gentleman, the implementing language that the gentleman from Washington states, title IV of the Historic Preservation Act; could he please inform me the date in which we signed on to this treaty?

Mr. DICKS. 1973.

Mr. COBURN. And could the gentleman in fact tell me whether since that time this has come before the Committee on Science or the other authorizing committees to, in fact, implement this treaty and the language associated with same?

Mr. DICKS. The gentleman, I would refer him to the Constitution of the United States, under which the Senate of the United States has the responsibility for the ratification of treaties, giving its advice and consent.

Mr. COBURN. Mr. Chairman, would the gentleman continue to yield to me?

Mr. DICKS. Yes; I continue to yield.

Mr. COBURN. But the Senate can originate no spending, and therefore the House has to originate spending, and to do that it has to have authorized programs under which to do that, and I would just like a reference to where the authority comes for the House to spend money that has never been agreed to by the respective committees that have jurisdiction over that money.

Mr. DICKS. Mr. Chairman, as I understand it, and I quoted, and I will try to go back and find the section under the Historic Preservation Act, there is authorization for this program. That is my understanding.

So I guess the point I am trying to make here is I think we have a program that is working very effectively, and the idea of cutting off the money for it and saying no money shall be spent I think is unnecessary.

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

Mr. DICKS. I yield to the gentleman from Minnesota.

Mr. VENTO. Well, I mean it is authorized under title IV of the Historic Preservation Act, the amendments of 1980, the subsequent amendments of 1982, the reauthorization of it in 1988 for 25 years.

Mr. COBURN. Mr. Chairman, if the gentleman would continue to yield, how much money is authorized?

Mr. VENTO. There is not a specific amount autorized.

Mr. COBURN. Exactly my point.

Mr. VENTO. Mr. Chairman, that is not the gentleman's point. The point is that we do not always authorize a specific amount.

Now, the gentleman may object to the fact that there is not a specific amount authorized, but general authority exists within the rules of the House and the Constitution.

Mr. COBURN. Mr. Chairman, if the gentleman would continue to yield?

Mr. DICKS. Mr. Chairman, I am not going to yield any further. It is under the Historic Preservation Act. I think there is legal authority for this. Here it is.

Title IV of the Historic Preservation Act of 1980 and 36 CFR 73, the World Heritage Convention.

I would also point out that not only was this done under the Nixon administration, but finally the Reagan administration chose to highlight one of its most major initiatives in private sector fund raising for parks, the restoration of the Statue of Liberty, by nominating the statue to the World Heritage list in 1984.

The CHAIRMAN pro tempore. The time of the gentleman from Washington [Mr. DICKS] has again expired.

(By unanimous consent, Mr. DICKS was allowed to proceed for 1 additional minute.)

Mr. DICKS. Mr. Chairman, I would urge my colleagues to oppose this amendment. I think it is unnecessary. I think there has been a lot of fear mongering about this. My view is that it is a very solid, common sense oriented program that also has done a lot of good, but the World Heritage parks, sites that have been named have actually, we have seen an increase in tourism. More people want to go to those sites.

So I think it has been an advantage to the communities where there has been such a designation.

Mr. STEARNS. Mr. Chairman, I move to strike the requisite number of words.

I rise today in support of the Coburn amendment. As my colleagues know, in these debates now and then we get off track. I think we have to go back and read what the amendment really says. So let me just refresh everyone's mind. It is not dealing with tourism, it is not dealing with talking about past accomplishments of different Government agencies or Government owned projects. It is basically dealing with the present funding of programs that originated in the U.N. These programs are being funded illegally.

The amendment reads "none of the funds made available by this act may be obligated or expended for the Man and Biosphere Program or the World Heritage Program administered by the United Nations Educational, Scientific and Cultural Organization."

Now I would remind all my colleagues that on June 11, 1997, in Rollcall 198 we had this same vote. It passed 222 to 202. So for the folks on that side of the aisle I think they should remember this has already been

voted on by the House and was passed overwhelmingly.

Second, the gentleman from Alaska [Mr. YOUNG], chairman of the Committee on Resources, had a vote on what is called the American Land Sovereignty Act. That passed overwhelmingly, 246 to 178. That act would require specific congressional approval before any area within the United States is included in an international land reserve and require specific accounting of all funds used to support the Biosphere Program.

So we have on record two votes that clearly show that the majority of the Members here in Congress at least on the House side supported it.

Now the Biosphere Program and the World Heritage Sites Program have designated a combined total of 67 different U.S. sites and hundreds of thousands of dollars of taxpayers' contributions without any authorization from State and local governments or any Members of Congress, from either body. These two programs are under the jurisdiction of the United Nations Educational, Scientific and Cultural Organization which is UNESCO. UNESCO was so poorly run and physically mismanaged that the United States withdrew from this agency in 1984. I say again, we withdrew. The United States withdrawal from UNESCO included disallowing any U.S. funds from going to this agency.

Unfortunately, that is not the end of the story, and that is why we are here today, and that is why we have had the two previous votes on this matter. The State Department doesn't get it. Overwhelmingly, the House approved it. UNESCO and the Biosphere Program have been illegally funded by usurping U.S. tax dollars. This has been done by the creation of the U.S. Man and the Biosphere Program as a separate office within the State Department.

Now, there is no one here in this House who wants to have a separate program in the State Department funded without the approval of the duly elected Members of Congress. So our responsibility is to pass this amendment, and that is what we have done previously.

Mr. Chairman, the committing of U.S. lands to the terms of an international agreement, particularly without approval of the people in this body, is flagrantly violating constitutional responsibility and infringes on the most sacred and important individual property rights that we have. First and foremost, State and local governments should have the full authority to choose whether an area within their jurisdiction should be part of any international designation. Then and only then should Congress become involved by also approving and then by authorizing funds to be used in such programs; under the current status, neither of these cases is occurring. But frankly, we don't want our lands ever being controlled by anyone except the U.S.A.

This little simple amendment which has passed overwhelmingly twice this year is a correct and appropriate execution of our constitutional responsibilities to account for the expenditures of all public moneys. We need to do this amendment on every appropriations bill so that we stop the use of unauthorized funds.

I strongly support this measure and urge my colleagues to do the same, and I would conclude by citing an article from the Jacksonville, FL, Times Union reported in May of this year that the Man and Biosphere Program and the American Heritage Program, agreed to pay for food, lodging and other expenses for a hundred experts to travel and to attend a conference in Maine dealing with the repair of the Everglades in Florida. They went up to Maine. Right? Maine is where they have their meeting, and the Everglades is in the southern tip of Florida. I am certain many taxpayers would question the use of Federal funds to pay for individuals in Florida to attend a conference in Maine to discuss solutions occurring in Florida.

Mr. Chairman, we cannot let this continue. So I urge my colleagues to pass this amendment. And remember we have passed it overwhelmingly before.

Mr. BROWN of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment before us. I would not normally take the floor on something like this, but I need to point out that the Man and the Biosphere Program is essentially a research program within the jurisdiction of the Committee on Science, and I am constrained to speak on the matter because of that.

Now, it seems to me that there is a number of different motivations or reasons behind the opposition of the proponents of this amendment, and most of these have been stated: that it does not have an authorization, that it is under the control of the UN and that it deprives State and local government of certain prerogatives to which they are entitled. I think that a review of all of these matters would indicate that the proponents of the amendment are stretching things just a little bit.

There is, in fact, no specific authorization for the Man and the Biosphere Program. On the Heritage Program, there apparently is authorization contained in both treaty and authorizing legislation.

With regard to authorization for the Man and the Biosphere Program, as my good friend, the gentleman from Minnesota [Mr. VENTO] has pointed out, funding for this program comes from 14 different agencies, which is more than I recognized, and in each case the agency is authorized to conduct the kind of research which it supports in the Man and the Biosphere Program. So within the general authority to do the research in each of these 14 agencies they are supporting research in the Man and the Biosphere Program.

Now I will admit, and it is a good point that the proponents of this amendment make, that there is no specific line item authorization for this in any legislation, but I would point out that that is not an unusual situation in this great Congress of ours. There are many programs which have gone on for years, which do not have specific line item authorization. The most vivid that I can point to right now is this wonderful Mars Pathfinder Program, a multi-hundreds of millions of dollars program, far more expensive than Man and the Biosphere, and there is nowhere an authorization for this program, which is continuing for the next couple of decades.

Now I might regret this, I might like to have a specific line item authorization for the Mars program because it would provide more control and oversight and attention and be very desirable. The Congress has to make judgments about what detail it goes to in the authorizing process. In the case of the Man and the Biosphere Program, I think it should be authorized. I concur with the proponents of this amendment that it would be helpful to conduct oversight, to have an authorizing committee with the responsibility to make sure that there was no hanky-panky going on here, in case there is any allegations that there is, and to specify the policy direction of the program, the degree of State and local interventions and the amount of money that should be spent. And I hope that the gentleman will join with me in attempting to pass such an authorization bill.

□ 1630

Because of the ambiguity of congressional committee jurisdictions, I think the Committee on Resources will have some claim to jurisdiction here. The ranking member of the Committee on Resources and I have jointly sponsored this amendment, and we welcome sponsorship from the majority side of both of these committees as well.

Most of the arguments that I have heard with regard to the merits of the Man in the Biosphere Program I do not agree with. I think this is a meritorious research program. It is one which, as has been indicated, is extremely important to develop comparative scientific data about conditions that exist all around the world.

There is no other way to get this comparative analysis without having research sites, sites that have been identified as being unique, that can be studied in various different parts of the world, where they represent different ecological conditions and other factors.

I think that the only thing some can say against it is that it was conceived by UNESCO, which my good friend, the gentleman from California [Mr. TORRES] used to serve as ambassador from the United States. He is not responsible for the program, though. However, the international scientific community is heartily in support of this program.

Mr. FARR of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise on this issue. I was not intending to speak here, but I was monitoring this in my office. I just heard some statements I could not believe. I think the authors of this amendment have not done their homework and they are leaping before they are looking.

This program, as the gentleman from Washington [Mr. DICKS] has said, has been around since 1971. We have 15 Federal agencies that participate in it voluntarily. The total amount they spend is $115,000 of contributing money. That is about $10,000 per agency that they contribute. In my State of California we have 25 sites that have been designated. I might add that they have been designated out of the initiative of the local community to do it.

What they are suggesting here is that Federal agencies should not participate in this, and essentially that we ought to be the micromanager, the mother of every kind of interest in our local communities, because it has some kind of United Nations attached to it. We will get to a Congress that will want to screen every tourist that comes to our district from out of State, we will want to make sure that every type of weather satellite going over our country is monitored, and so on.

Mr. Chairman, the point is that this program is absolutely harmless. There are 15 State parks in California that have applied for this and have been designated, including some public water districts, like Marin Municipal Water District, a private ranch owned by the Audubon Society, and in fact, I am up here speaking about it because property that my family and other families own, private land, eagerly sought this designation because we want to be part of this international monitoring station.

Mr. Chairman, I want to make the point here, that it was stated that there was no local knowledge of it, that it was some kind of umbrella brought out of some kind of international community. You do not participate in getting these nominations; it is a competitive nomination. You do not get any junk land in here, you do not get any land in here that does not have any scientific interest in it, that there is not an ongoing monitoring by the scientific community. All of these people want to be in this. They want to be part of this.

This is a biosphere all over the world. How are we going to learn about global warming, how are we going to learn about the impacts of air quality, how are we going to learn about migratory birds that do not know that they have to fly under United States rules? These are the kinds of things that biostations give us information for.

We cannot be here in Congress and say because we are participating in this in an international community that we have to strike the money and we cannot do anything with this program. Do not be so ignorant about this globe. It needs international monitoring and these biospheres do it, and the properties that are in it have been eagerly sought after to get into the program. It is tough to become nominated for a biosphere. It is an honor. I am proud that my land, our land, is in that.

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

Mr. FARR of California. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, the question I have is one or two, really. No. 1, the gentleman desires to be part of the boundary area around this biosphere reserve program, and the gentleman did of course check with everybody else that was going to be involved in that?

Mr. FARR of California. I did not check with the U.S. Congress.

Mr. COBURN. I am talking about local property rights, to make sure everybody that was included in it had their individual rights as property owners checked as well. That is one of the real complaints. We can ignore it and say everybody is fanatics, flatlanders, and the know-nothings. But the fact is there are some genuine concerns about property rights associated with this issue. The gentleman can step on it, ignore it, and say they are just goofballs and ignorant.

Mr. FARR of California. Name one single property right issue that is violated by naming this as a biosphere.

Mr. COBURN. There are three States that have already issued through the State legislatures a requirement that they not have this U.S. Man and the Biosphere: Kentucky, Colorado, and the third is Alaska.

Mr. FARR of California. What is the restriction? What is the point of the gentleman's question?

Mr. COBURN. They have had impact on the lands.

Mr. FARR of California. What impact? Name one.

Mr. COBURN. Use. Use of their lands; land value, changing land value.

Mr. FARR of California. What? There is a restrictive use because you might measure the weather, because you might measure the rainfall?

Mr. COBURN. Would the gentleman from California continue to yield to me and let me give him an answer?

Mr. FARR of California. I am trying to get an intelligent answer.

Mr. COBURN. Having been unintelligent and ignorant, what I would put forth and focus on is there are people who do not have the right to do what they had the right to do before the Man and the Biosphere Program came into their own land.

The gentleman can say that does not exist, but there was testimony in the Committee on Resources about the State of New York, the Adirondacks, and I would refer the gentleman to that testimony, where local landowners and officials referred to that.

The CHAIRMAN pro tempore. The time of the gentleman from California [Mr. FARR] has expired.

(By unanimous consent, Mr. FARR of California was allowed to proceed for 1 additional minute.)

Mr. FARR of California. Mr. Chairman, I will give a very clear answer to the gentleman's question. The U.S. Constitution protects us on a takings issue, and most constitutions, including that of the State of California, protect us on a takings issue. There is absolutely no taking by nominating and being accepted as a biosphere property. It is simply——

Mr. COBURN. If that is the case, then let us authorize it and do it right, rather than do it in an unauthorized fashion.

Mr. FARR of California. It has been done by treaty.

Mr. COBURN. The U.S. Man and the Biosphere Program has never been authorized, never. The gentleman's side does not dispute that fact. It has never been authorized. So let us authorize it, if that is the case.

Mr. FARR of California. When we sign a treaty that authorizes it.

Mr. COBURN. No, that is the World Heritage preserves. All treaties, all treaties have to have implementing language and also appropriations that come from authorizing; that is, if we would look at the Camp David accords, we do not just automatically let the State Department spend what they want to spend on it.

Mr. FARR of California. In closing, Mr. Chairman, there is absolutely no violation on property rights; I am talking about biosphere, that applies to property. I know it, I own it, I participate in it, and there is no violation. Therefore, there is no need for this amendment.

Mrs. EMERSON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am sorry I missed part of this debate, but let me talk about a specific example of a Man and the Biosphere reserve program that had been set up in my district in Missouri. It was called the Ozark Highlands Man in the Biosphere Preserve.

Mr. Chairman, we would have had two-thirds of my district and probably

the northern third of the Arkansas district that borders mine, a little bit of the district of the gentleman from Arkansas, Mr. MARION BERRY, and a little bit of the district of the gentleman from Arkansas, Mr. ASA HUTCHINSON, tied up as a Man and the Biosphere Reserve Program. Let me just talk to the gentleman about how this came about.

First of all, if you do designate a Man and the Biosphere preserve area, local citizens and local presiding commissioners and county officials need to be involved in the process. This did not happen in my district.

All of a sudden the Park Service and all of the other land management departments decided that this would be created. There was no local input whatsoever. We were not told about it. We were not told about it. Then finally our folks heard about it through the grapevine, if you will, and, consequently, with the outrage and an outcry from thousands of residents within our district.

That was not because necessarily of the core area. The core area was on public lands. But the surrounding buffer zone would have tied up two-thirds of my district, and limited land use and economic development and other things in an already very poor part of my district, with no local input whatsoever. That is not right.

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

Mrs. EMERSON. I yield to the gentleman from California.

Mr. FARR of California. First of all, Mr. Chairman, the local planning is done by zoning that is under control of local government and cannot be violated by a biosphere agreement.

Second, it was on public lands, as the gentlewoman indicated, not private land. The management plan for that biosphere is done by those agencies that govern that land.

Mrs. EMERSON. However, Mr. Chairman, first of all, the buffer zone, which was much larger than the core area which would be designated by the Park Service and other land management people, is private land for the most part. I can assure the gentleman that not one local official, and there are no zoning Commissions in my particular part of Missouri, but the presiding commissioners of the counties involved, as well as local citizens, were not alerted, not asked for their opinion whatsoever.

Mr. FARR of California. What was exactly proposed in the biosphere that made it so controversial?

Mrs. EMERSON. The fact that private property management would be restricted.

Mr. FARR of California. That cannot be done.

Mrs. EMERSON. I know that it cannot technically be done, but let me tell the gentleman, I will share with the gentleman all of the proposals as they existed before they were pulled back by the Park Service and others, because there was such an outcry. I will show them to the gentleman, and they indicate very emphatically that there were limitations, restrictions put on it.

Mr. FARR of California. I would say to the gentlewoman, it is my experience that you cannot create anything greater than what has already been created by the local planning process. In the gentlewoman's State, she may have less of a degree of planning process than our State does. That is why in our State when we have quality areas, they want to become biospheres, because it is almost bragging rights that says, as the gentleman from Washington [Mr. DICKS] says, it becomes a tourist attraction for the area, like a national marine sanctuary does or a national park does. Those are much more restrictive because we actually write rules and regulations.

The biosphere is a bottoms-up, applied-for process.

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

Mrs. EMERSON. I yield to the gentleman from Oklahoma.

Mr. COBURN. I just think the point needs to be made, Mr. Chairman, the core area of the biosphere, I do not have any objection to it at all. The fact is, it has a tremendous impact on other people, without a good representative walk through our body.

If Members will look, this is an exact diagram of what they all look like in terms of their impact. There is a core area that is designated. Then there is a managed use area that limits—and these are all private lands that the gentleman has agreed to, himself, that in his land he wants it managed in a certain way, but it has to be agreed to. But a third area is a zone of cooperation which impacts people's ability to do with they want with their land.

Mr. FARR of California. If the gentlewoman will continue to yield, it does not, Mr. Chairman, I would say to the gentleman. Nothing changes by a biosphere.

Mr. COBURN. It does not in the gentleman's area, but it does so in many other areas in this country. That is the difference.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair would appreciate it if Members would not speak until they have been yielded to or control the time.

Mr. VENTO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment. Mr. Chairman, I think it is abundantly clear that the sponsor of the amendment and others first of all have tried to portray this as not being authorized. That did not sell, because of course there has been authorization, and while Man and the Biosphere receives funding from 14 different agencies and departments, all of which are authorized with some discretion to spend such research money, there is no such clear-cut case. If that were the case, Members could get up on this floor during an appropriation bill and strike it from the bill because it is not authorized.

I might say, the lack of authorization process in this House has never received such attention as it has in this particular case, suggesting ironically in error that there is not authorization. If that were the case, Members could have struck this on a point of order, but Members cannot because that is not the case.

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

Mr. VENTO. I yield to the gentleman from Oklahoma.

Mr. COBURN. We would be happy to strike it on a point of order, but they would not specify putting the money out on a line item, so we cannot.

Mr. VENTO. Reclaiming my time, Mr. Chairman, that is not the issue, I would say to the gentleman. Now we are getting to some theory about how biospheres are functioning and how they may limit activities.

The fact is, Members cannot come up with a single example, a single example, of anyone that has had any limitation placed on their private or on public property that is due to these listings. When the gentleman is asked to do that, he will not do that.

Mr. COBURN. Mr. Chairman, if the gentleman will continue to yield, I will give the example, in upper New York State, the Adirondacks. In the district of the gentleman from New York, Mr. JERRY SOLOMON, there was testimony before the Committee on Resources in his district. I would be happy if the gentleman would read that.

Mr. VENTO. The gentleman had better have it for the RECORD. When we get out here, we are not dealing on testimony itself. Sometimes it is erroneous. Individuals can say anything, but what are the facts.

□ 1645

I understand one aspect and that is that some have fears and concerns. I think that you are representing those fears and concerns. I regret that. But that is the case, that there are those type of concerns, but I think there is not a basis for this fear and accusations about these two programs.

I would think that each of us that brought a serious amendment, as this is a serious amendment, that we would back that up. The fact is that this amendment does great harm in terms of what would occur, and the message sent if it is enacted. We are the leader, basically, the United States. These programs were initiated by the United States, both the World Heritage Convention and the Man and The Biosphere Program. To date, nearly 150 nations have joined with us on the World

Heritage Convention, 125 in terms of Man and The Biosphere.

What this amendment has the effect of doing is relegating us to a cultural and environmental isolationism which suggests that we are no longer going to cooperate, in an era when we look at the international and national boundaries of our Nation and recognize the inherent logic in terms of working and collaborating and cooperating with other nations in terms of dealing with, as in the case of Man and The Biosphere, which the gentleman from California [Mr. BROWN] rightly said is a research program.

Where are these research dollars being spent? I found it interesting that so many of my colleagues from Florida had opposition to this, because I found that the University of Miami is one of the sources of a couple of the different grants, of some half million dollars of research grants. They receive a significant amount; the University of Alaska, the University of Boston. Of course they did find that the Danish polar center in Copenhagen received $6,000. I guess that is with regard to polar bear migration.

The purpose is clear with these programs, to try to come together and intelligently do research. There is no sovereignty loss. There is no property rights affected by these two voluntary programs.

I think the true nature of this particular amendment is reflected when we get somebody up here with a map of the United States with a black hole in the middle of it, the fact that they are attempting to try to portray these programs as something that they are not. I think that is the reason, because of the misunderstandings and misconceptions that persist, that any amendment like this has ever passed. There is no basis for the enactment or passage of this type of amendment or other negative amendments that deal with the Man and The Biosphere or the World Heritage Convention.

These two programs are important steps where the United States has actually led the world in, and attempted through voluntary means to gain cooperation and recognition by listing those sites that are important to ecosystems, for research or preservation on a collaborative basis, or those sites that have special cultural or environmental significance.

It defies me that the opposition here has tried to, first on a technical basis and then on a substantive basis, but with no facts, there are certainly fears, there is emotion, but there is not the type of substantive criticism that would justify any type of retreat from these two programs. In fact we ought to be doing more of this type of work as we look into the next century. We ought to do much more of this type of work. I think these are important programs. I urge my colleagues to oppose this amendment as the poorly conceived amendment that it is.

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

Mr. VENTO. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, one example is the Mammoth Cave Area Biosphere Reserve.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. VENTO] has expired.

(On request of Mr. DICKS, and by unanimous consent, Mr. VENTO was allowed to proceed for 2 additional minutes.)

Mr. DICKS. Mr. Chairman, if the gentleman will continue to yield, the Mammoth Cave Area Biosphere Reserve, with the national park as its core protected area, has therefore utilized its stature to better address local conservation and development issues, including securing additional financial resources not previously available. Landowners and communities have derived tangible benefits, received recognition for working together to resolve complex conservation and development issues and protect resource values.

A survey of biosphere reserve managers in 1995 suggests that in cases where their cooperative activities identify explicitly with biosphere reserve concepts, there are more cooperating parties and more participation of local organizations than in cases where such cooperation was merely consistent with these concepts.

The point here I think is that these have worked to the benefit of the local community. I have got two in my State, the Olympic national biosphere reserve and Mt. Rainier. Both of those have been very popular. We are in the heart of marbled murrelet, spotted owl country out there, where disputes rage over Federal involvement. But in this case the biosphere reserve has had the local support and, therefore, I think is a good deal.

What I worry about here is by putting in this amendment, this kind of a meat-ax approach saying no money shall be spent, that means we just cut off this program. We have not had any hearings to cut off this program. It has been in existence.

Mr. VENTO. Mr. Chairman, the gentleman is exactly right.

Mr. DICKS. Mr. Chairman, we ought to stay with this. If the gentleman and the Committee on Resources want to have hearings, have hearings until the cows come home. Then bring some legislation out here.

Mr. VENTO. Mr. Chairman, this is an entirely voluntary program on the part of the Nation and on the part of private landowners. We have provided the impetus, the United States has, to provide encouragement, the education, the preservation of these sites on a voluntary basis. It defies logic to have an amendment like this which would completely arbitrarily withdraw us for no good reason other than to satisfy some conspiracy theories which have cropped up in recent years. Let us be led by reason not emotional falsehoods.

Mrs. EMERSON. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Missouri?

There was no objection.

Mrs. EMERSON. Mr. Chairman, I would like to ask my good colleagues the gentleman from Minnesota [Mr. VENTO] and the gentleman from Washington [Mr. DICKS] if they all have proposed in their districts, their specific districts, a Man and The Biosphere Program?

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

Mrs. EMERSON. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, yes, I have on the Olympic Peninsula, and it is in the Olympic National Park.

Mrs. EMERSON. Mr. Chairman, were the gentleman's local citizens included in the process? Which of his local constituents were?

Mr. DICKS. Mr. Chairman, if the gentlewoman will continue to yield, I think it was Olympic National Park. We have an active advisory group that nominated it to be part of this.

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

Mrs. EMERSON. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, I represent a largely urban area, but there is a 2-year notice provision that is given prior to the Man and The Biosphere listing. These voluntary listings that do not affect sovereignty. That is the intention. I regret that it engendered great controversy in the area of the gentlewoman because of what I believe are misunderstandings. But it must have worked. When that did occur, there was a withdrawal.

But they have interspacial centers in Kentucky. They have the coho salmon program in my colleague's district in Washington. This is a wonderful program in terms of research, and the fact that you are attempting to hang this up and crucify it on the cross of process with regard to some trumped-up issue with regard to reauthorization, I think, is not worthy of this House.

Mrs. EMERSON. Mr. Chairman, reclaiming my time, I guess I just look at it from the point of view of my constituents. The counties, the several counties that would be tied up in my district are those of the poorest part of my district where there is a great deal of unemployment and a great deal of poverty. The buffer zone where they live is limited in land use for the future, or that is how the proposal was. Consequently, we could not economically develop that area so we could not

get more jobs there. The only few jobs we have are tourism-related jobs. We cannot bring in big trucks. We cannot build better highways in that kind of a situation.

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

Mrs. EMERSON. I yield to the gentleman from Washington.

The CHAIRMAN. The time of the gentlewoman from Missouri [Mrs. EMERSON] has expired.

(On request of Mr. DICKS, and by unanimous consent, Mrs. EMERSON was allowed to proceed for 1 additional minute.)

Mr. DICKS. Mr. Chairman, it seems to me that in the situation where there is not local unanimity that we, as a local representative, have a responsibility either to try to help create it or to tell the department we should not go forward with this. If we do not have the unanimity locally, I do not think we should do it.

Mrs. EMERSON. Mr. Chairman, that is true. We did not, and we were able to keep our land from being used for this purpose. But the problem is, the problem that I have is that there was no community involvement whatsoever during the 2-year process that they were trying to make this designation, I suppose because there is really no authorization for it.

Mr. DICKS. Mr. Chairman, I would not say that. What I would say is, let us work with the people in the executive branch who are involved in this and insist that there be local involvement. That is something we all can agree on. None of us on this side of the aisle that I know of are objecting to the local people being involved in how this is structured and the nomination process, et cetera. But to cut off the money when we have really no example of anything damaging being done is just not fair.

Mrs. EMERSON. Mr. Chairman, how can the gentleman say there is no example if, in fact, two-thirds of my district was going to be tied up?

Mr. MARKEY. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, this amendment that we are debating right now divides into two parts. One part deals with the Man and The Biosphere Program. The other deals with the World Heritage sites. That basically designates areas of countries that the countries are really quite proud of, in our country, Yellowstone, the Grand Canyon, and it goes on a list. The list is one that kind of makes the whole country feel proud.

If a travel magazine was listing the top 10 sites to visit in the United States, any one of these places would be thrilled to have their names on the list, but because the United Nations is participating in this process, there is some kind of threat that there is an international conspiracy to somehow or other take over the local rights of citizens in the United States, when in fact there is absolutely no infringement upon the local or the State or the national laws of the United States by having either one of these designations made, either the Biosphere or the World Heritage sites.

I think that what might be going on here is that we might in fact be engaging in a bit of, I think there is a term for it but essentially it is an anniversary syndrome, because 50 years ago this month something landed in the desert near Roswell, New Mexico, and early reports indicated that the wreckage consisted of the remains of a flying disk but those reports were quickly changed to identify the flying object which had crashed to be a mere weather balloon.

Those are only reports which suggested the only recorded statement by the U.S. military that ET might exist, now form the basis for one of the most convoluted conspiracy theories in history, in this solar system anyway. Eighty percent of Americans believe that the U.S. Government has covered up what it knows about aliens from outer space.

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

Mr. MARKEY. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, I thought we were talking about the U.S. Man and The Biosphere Program.

Mr. MARKEY. Mr. Chairman, we are.

Mr. COBURN. And the gentleman is talking about supposed UFO's.

Mr. MARKEY. Mr. Chairman, I am Irish and my points are made by parables. So my colleagues have to sit back. If they just wait a little bit, there is a point to the story.

So the book entitled "The Day After Roswell" purportedly documents the U.S. Government's real cold war against the extraterrestrial biological entities. To my great relief, the book does say that the deployment of our space-based advanced particle beam weapon has scared the aliens away for now.

So I think it is a particularly auspicious month, this 50th anniversary, for us to be debating this issue out on the floor, because clearly it is going to take its rightful place at the center of paranoid conspiratorial theories. There is no infringement on State or local or national laws in any way. These are just designations that the country itself embraces.

Now, for reasons that make about as much sense as that we are communicating with little green men telepathically into outer space, we now have a discussion over this subject. What is the plan? What is the plot?

The plot is that Secretary Bruce Babbitt of the Department of the Interior is playing a role, coordinated with the U.N., UNESCO continues to be mentioned out here, to coordinate the subordination of American land to international authorities, compromising the local zoning, the State zoning laws all across our country, and Bruce Babbitt is part of this conspiracy. Who does he work with? He clearly works with Bill Richardson, our Ambassador in the U.N. What State is he from? New Mexico. Think about it. Where is Roswell? Is Richardson a Hispanic name? I do not think so. Where did he come from? And why is he participating in this conspiracy at the U.N. to subordinate the local and State zoning laws of our country.

We do not have any evidence, of course, as yet of a single local or State zoning law having been changed, despite the many years that this process has taken place, but yet we are supposed to believe that this theory, along with other theories of black helicopters with U.N. troops flying over public lands in the United States, continuing to operate without the detection of ordinary Americans.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. MARKEY] has expired.

Mr. MARKEY. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

Mr. WELDON of Florida. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the requisite number of words, and I yield to the gentleman from Massachusetts [Mr. MARKEY].

□ 1700

Mr. MARKEY. Mr. Chairman, I thank the gentlewoman for yielding to me, and I ask the Members of the other side if they would please not have this amendment pass. These are two great programs, the Man and the Biosphere and the World Heritage Recognition Program are both wonderful programs that make America proud without restricting our laws in any manner, shape, or form.

Please, anyone who is listening to this debate, we must reject this amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, reclaiming my time, I want to thank the chairman of this Committee on Appropriations for this opportunity to speak in a colloquy. I also thank the gentleman from Washington [Mr. DICKS] for his kindness in this very important issue.

Mr. Chairman, I rise today to join my colleague, who has been detained, the gentlewoman from California [Ms. MILLENDER-MCDONALD] and the gentleman from Ohio [Mr. REGULA], chairman of the Subcommittee on Interior of the Committee on Appropriations, in this colloquy about the need to recognize the contributions of a great American, Sojourner Truth, to the American suffrage movement.

I thank my colleague, the gentleman from Ohio [Mr. REGULA], for his participation in this colloquy, for his sensitivity to this issue, and for his consistent dialog on matters that promote communication and understanding on both sides of the aisle.

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

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, it is a pleasure to join the gentlewoman from Texas [Ms. JACKSON-LEE] and the gentlewoman from California [Ms. MILLENDER-MCDONALD] to discuss the important contributions of Sojourner Truth to the American woman's suffrage movement.

Ms. JACKSON-LEE of Texas. Mr. Chairman, reclaiming my time, I understand I was putting too much emphasis on the "u" in the gentleman's name.

Mr. REGULA. If the gentlewoman will continue to yield, it is not the first time someone has made that mistake.

Ms. JACKSON-LEE of Texas. Well, the gentleman is a "regula" gentleman, and I appreciate that very much.

Mr. Chairman, we are working with others of my colleagues, including the gentlewoman from Georgia [Ms. MCKINNEY], the gentleman from Florida [Mr. HASTINGS], who is on floor today, and the gentleman from New York [Mr. OWENS], and over 100 organizations, including the NPCBW, to appeal to the committee for help in identifying sources of funding for the erection of a statue honoring Sojourner Truth in the Nation's Capitol.

We feel strongly that the African-American woman's role in the suffrage movement should be recognized and Sojourner Truth should be recognized along with her white suffragette sisters.

Mr. REGULA. If the gentlewoman will continue to yield.

Sojourner Truth was a very powerful vocal voice in the suffrage movement. She was a renaissance woman who played a pivotal role in ensuring American women and African-American women the right to vote.

As a nonviolent peaceful force for change in our history, Sojourner Truth proved that an equal society would make a better America.

Ms. JACKSON-LEE of Texas. Mr. Chairman, reclaiming my time once again, born Isabella Baumfree, a slave in upstate New York in approximately 1797, Sojourner Truth labored for a succession of five masters until July 4, 1827, when slavery was finally abolished in New York State.

After prevailing in a courageous court action demanding the return of her youngest son, who had been illegally sold away from her to a slave owner in Alabama, Isabella moved to New York City. She then changed her name to Sojourner Truth, which means "itinerant teacher." She became deeply involved in religion. She had always been very spiritual and, soon after being emancipated, had a vision which affected her profoundly, leading her, as she described it, to develop a perfect trust in God and prayer.

After 15 years in New York, Isabella felt a call to become a traveling preacher. She took her name, Sojourner Truth, and with little more than the clothes on her back, began walking through Long Island and Connecticut, speaking to people in the countryside about her life and her relationship with God. She was a powerful speaker and singer. When she rose to speak, wrote one observer, "her commanding figure and dignified manner hushed every trifler to silence." Audiences were, and I quote, melted into tears by her touching stories.

Mr. REGULA. Mr. Chairman, I am well aware of her contributions to the suffrage movement. In her most famous speech at a woman's rights conference in Akron, OH, which is, of course, quite near my district, in 1851, she coined the phrase which continues to embrace the concerns of many women today: "Ain't I A Woman." This powerful speech catapulted her to the forefront of the woman suffrage movement.

It is my understanding that as a political activist, Sojourner Truth campaigned for Ulysses S. Grant in the Presidential election in 1868. She demanded that the board of registration place her name on the list of voters but was denied this right. Then in 1872, she went to Michigan, where she repeated her demand to vote and again was denied.

Undaunted, she sat in President Abraham Lincoln's office until he personally heard her suggestion for dealing with freed and unemployed slaves. The President told her that he had heard her speeches long before.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I would not be here in this body with the gentleman today, speaking on this Interior bill, if it was not for Sojourner Truth. Her leadership and dedication more than a century ago paved the way for literally millions of women, and I might add that I historically supported President Grant as well.

The CHAIRMAN. The time of the gentleman from Texas [Ms. JACKSON-LEE) has expired.

(By unanimous consent, Ms. JACKSON-LEE of Texas was allowed to proceed for 2 additional minutes.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, she was passionate and determined, even when others told her to sit back and hold tight. Her booming voice of reason could not be silenced throughout her 84 years of life. She devoted her life to educating and preaching on women's rights and abolitionism, knowing that everyone would benefit from this equality.

Mr. Chairman, a statue would memorialize the image as well as the real accomplishments of those courageous and uniquely nonconformist individuals who have had a profound and lasting impact on the United States.

The women's suffrage movement forever changed the role of women in American society. It was the catalyst for lifting the status of women from one of disenfranchisement to free and equal partners in our Nation's political, social, and economic systems.

As beneficiaries of the women's suffrage movement in the United States, the gentlewoman from California [Ms. MILLENDER-MCDONALD] and myself are both appreciative of all the contributions of the women of the historic movement.

This body must work to acknowledge the contributions to our Nation's history of all Americans, whether they were born male or female, free or slave, Native American or immigrant.

Sojourner Truth was without equal. She must not be forgotten. She embodied a special human spirit which sought to promote justice and to improve society.

A Sojourner Truth statue is necessary to honor both the women and the larger vision which inspired her. A tangible memorial is important to keeping her story alive for our children and for future generations.

Acknowledging the presence of an African-American suffragette will provide a role model in history for African-American girls today and other girls across the Nation who are learning the importance of speaking in the face of wrong.

Mr. REGULA. Mr. Chairman, I assure both gentlewomen that I will assist their efforts to identify appropriate means of recognizing these many accomplishments of Sojourner Truth, including identifying the appropriate source of funding and a location for a statue in the Nation's Capitol.

I also thank the gentlewoman for giving us a great history lesson today.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman for his commitment as well on the Commission on Martin Luther King. We know of the gentleman's history, and we thank him very much for this commitment and we look forward to working with him.

Mr. REGULA. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. REGULA. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, I just want to finish up our debate on this amendment and make a couple of points.

We have heard about UFO's, we have heard about black helicopters, we have

heard about flatlanders, we have heard about Know-nothings, but what we have not heard about is the Congress doing its job. And this is about authorizing. This is about the Congress being responsible for the money they spend.

There is no doubt in my mind that some of these biosphere programs are excellent; that they have been great for their communities; they have been great for the heritage sites that they surround. But the fact is that we are, as officers of this body and representatives of our constituents, responsible to make sure how we spend the money.

I thought I might just give a short notice of the money and where it came from and who supplied it and where it has been spent because it is rather interesting. We heard today that it is not much money and it is under control. We spent $23,000 in Russia, of our money, for biodiversity, unauthorized. We spent money in Denmark, unauthorized, for biodiversity and the biosphere program. We spent $12,000 on the continent of Europe. We spent over $12,000 in Mexico. All of this money has been unauthorized, money with no chance for oversight.

I do not believe in flying saucers, I do not even believe in black helicopters, but I believe in following the oath of my office. If this is a good program, then take it through the right committees, authorize it, appropriate the money and then let us do it together. But let us not violate the trust that the country has given us in terms of what we do and how we do it.

I want to thank the chairman for being patient on this amendment. I appreciate his input. And I would say to those that oppose this amendment that they can oppose it on technical grounds because they support the U.S. Man and Biosphere and they support the U.S. World Heritage reserves, but if they oppose it on that basis, then they have an obligation to have those programs authorized and then funded individually, not hidden in other budgets, like the Air Force spending $70,000 last year, the State Department spending $50,000, EPA spending $50,000.

Let us talk about the money, where it comes from and make sure it is under the oversight.

Mr. HASTINGS of Washington. Mr. Chairman, I rise today in support of the amendment offered by Congressman COBURN and Congressman STEARNS to prohibit any Federal funds from being used to support the U.S. Man and the Biosphere Program or the World Heritage Program. This same amendment has also been included in the National Science Foundation authorization, the foreign affairs authorization and the defense authorization.

It is hard to believe, but over 68 percent of the lands within our national parks, preserves, and monuments have now been designated as United Nations World Heritage Sites or Biosphere Reserves. As a result, these areas and the land areas surrounding them may be subject to international land management rules ignoring the rights of private property owners in the area. State and local governments are left out of the decision making process when lands are designated as a part of these programs. In my own State of Washington, citizens and local officials have expressed the desire to have input into land use decisions. This is an opportunity they do not have when the United Nations makes land use policy.

In 1996, the National Park Service, the Forest Service, the Smithsonian, and the Bureau of Land Management contributed a total of $170,000 to the Biosphere Program, which has operated for the last 30 years, without authorization or oversight. It is time to eliminate this waste of taxpayer dollars and exercise our constitutional responsibility to account for the expenditures of all public money. This amendment will protect the rights of private property owners, and the integrity of our national park system.

As a result, I urge you to support the Coburn-Stearns amendment.

Mr. BONO. Mr. Chairman, today I rise in support of the supremacy of the U.S. Constitution over the organization known as the United Nations. Through the text of our constitution, the greatest legal document in governmental history, the Founders of our government spoke with both common sense and comprehensible language. If we would simply follow the genius of that document, we would eliminate so many of the arguments and disputes that arise. Therefore, in respect of the Constitution, I urge my colleagues to support the amendment to the Interior Appropriations bill that protects our Nation's land and America's heritage from the United Nations' sovereignty grab.

This important amendment to the Interior bill accomplishes several important goals: (1) it protects the sovereignty of the states; (2) it protects the constitutionally protected rights of U.S. citizens; and (3) it safeguards the private property rights of landowners. It also sends a message for the one-worlders to keep their hands off.

In my view, the best form of government, especially the federal government, should be a limited government. The Constitution spells out the functions of the respective branches, and based on this equation, something is very wrong with the Executive branch's interpretation of their legitimate authority. Of course, just as the key Founders of our Republic advocated limited federal powers, it is clearly appropriate for Congress to exercise its oversight duty when necessary to prevent an abuse.

The proposals for the U.S. Man and the Biosphere program (USMAB) and the World Heritage Program are not endeavors that I support. As many of my constituents in the 44th District know, these sites are under the jurisdiction of the United Nations Educational, Scientific and Cultural Organization, better known as UNESCO. Further, I do not believe that the Executive Branch, the part of our federal government that our federal Constitution charges with enforcing the law, has the ability to make the law binding our citizens and land-owners regarding our participation in this agenda.

Some may wish to capture the majesty and assets of our country through the bloated U.N. bureaucracy. As a member of Congress, I must strenuously object to these efforts. Through our vote this afternoon, the position of the House of Representatives is made clear. Tax payer dollars must not go to fund these ill-advised U.N. projects. I wish to thank my colleague, the gentleman from Oklahoma, Dr. TOM COBURN, for his attention to this matter over the years. He can trust that he has my support in safeguarding the rights of all citizens against the influence of foreign agents.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma [Mr. COBURN].

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

Mr. YATES. Mr. Chairman, I demand a recorded vote, and pending that, I make a point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 181, further proceedings on the amendment offered by the gentleman from Oklahoma [Mr. COBURN] will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT OFFERED BY MR. WELDON OF FLORIDA

Mr. WELDON of Florida. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment printed in House Report 105–174 offered by Mr. Weldon of Florida:

Page 89, after line 15, insert the following new section:

SEC. 325. None of the funds made available in this or any other Act for any fiscal year may be used to designate, or to post any sign designating, any portion of Canaveral National Seashore in Brevard Country, Florida, as a clothing-optional area or as an area in which public nudity is permitted, if such designation would be contrary to county ordnance.

The CHAIRMAN. Pursuant to House Resolution 181, the gentleman from Florida [Mr. WELDON] and a Member opposed each will be recognized for 5 minutes.

Mr. YATES. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. Pursuant to House Resolution 181, all points of order against this amendment are waived.

The Chair recognizes the gentleman from Florida [Mr. WELDON].

Mr. WELDON of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I have a beach in my district, Canaveral National Seashore. It is a beautiful beach, a pristine beach, considered by many to be one of the most beautiful on the entire East Coast of the United States. Several years ago this beach began to be taken over by nudists and other people who engage in lewd and lascivious activity. I have with me today a binder containing more than 250 police reports indicating the nature of this lewd and lascivious behavior.

This amendment is not about simply prohibiting people from sunbathing in the nude or swimming in the nude. This amendment is about sexual harassment of a form and nature that pales in comparison to what we see on the job sites in many of our places today. Indeed, if I were to describe some of the content of what is going on on this beach in my district, we would need a rating system for C-SPAN.

I repeat, this is not just about nude sunbathers. This is about a lot of behavior that I would rather not even describe here on the floor of the House.

Now, I approached the National Park Service and asked them to deal with Canaveral National Seashore like they dealt with Cape Cod in 1991 under the Bush administration, where they designated that nudity would not be allowed, and the National Park Service refused.

In response to that, the county commission in Brevard County, FL, where the beach is located, passed an ordinance designating no nudity. And then, against my recommendations, the National Park Service chose to post signs designating a portion of the beach as "clothing optional." What happened subsequent to that was that there were people arrested for violating the county's nudity ordinance, and then they used the existence of those signs in their defense and the charges were dropped.

Now, in the defense of the National Park Service, they have now since removed those signs designating a portion of the beach as "clothing optional." However, people in my community remain concerned that the National Park Service will not respect local authority on this issue and may choose to redesignate an area of the beach as clothing optional.

My amendment is very simple. It basically states that the Park Service cannot designate a portion of the beach as clothing optional in the future. Additionally, my amendment states that this will not be in effect if the county should repeal its county ordinance.

I therefore encourage all my colleagues to support the amendment. My amendment is very simple. It basically states it is limited to Canaveral National Seashore. Its also states that if the local ordinance is repealed, that this amendment is no longer in effect.

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

Mr. YATES. Mr. Speaker, I yield myself such time as I may consume to say that I originally rose in opposition because I was not sure of what the facts were in this case.

□ 1715

As explained by the gentleman, a question comes to my mind, and that is this: The gentleman stated that the Park Service had removed its signs, if I understood the gentleman correctly. If that be true, why then is the amendment needed?

Mr. WELDON of Florida. Mr. Chairman, will the gentleman yield?

Mr. YATES. I yield to the gentleman from Florida.

Mr. WELDON of Florida. We asked the Park Service to designate Canaveral National Seashore as "no nudity," like they had at Cape Cod in Massachusetts, and they have refused, for reasons that I do not understand, and we continue to have a serious ongoing problem. And then when they posted those signs, there were a lot of constituents in my district who were very disturbed about that. And there is concern amongst my constituents, because of their unwillingness to designate this beach as no nudity, that they may in the future again try to set aside a portion of the beach.

So I am responding to my constituents, putting into law language that prohibits the Park Service from doing this again. And frankly, I think it was very inappropriate for the Park Service to do that in the first place.

Mr. YATES. Mr. Chairman, reclaiming my time, based on the explanation of the gentleman from Florida [Mr. Weldon], perhaps I may be inclined to support his amendment.

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

Mr. WELDON of Florida. Mr. Chairman, I yield myself the balance of my time.

In closing, I would like to thank the gentleman from Illinois [Mr. YATES] for supporting my amendment. I would encourage all of my colleagues to support this amendment. This is about whether moms can go to the beach with their kids and enjoy themselves.

I have lots of case reports that I can share with any of my colleagues here of how the enjoyment of those families on the beach was very, very much intruded upon.

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

Mr. WELDON of Florida. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Chairman, I ask if the gentleman would put some of those in the RECORD to support his position?

Mr. WELDON of Florida. Reclaiming my time, I would be happy to do that.

Mr. Chairman, I yield to the gentleman from Ohio [Mr. REGULA].

Mr. REGULA. Mr. Chairman, we have no objection to the amendment. I join with my colleague from Illinois [Mr. YATES] in accepting it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. WELDON].

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

Mr. WELDON of Florida. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 181, further proceedings on the amendment offered by the gentleman from Florida [Mr. WELDON] will be postponed.

The Clerk will read the final lines of the bill.

The Clerk read as follows:

This Act may be cited as the "Department of the Interior and Related Agencies Appropriations Act, 1998".

Mr. REGULA. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore [Mr. GIBBONS], having assumed the chair, Mr. LATOURETTE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill, H.R. 2107, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1998, and for other purposes, had come to no resolution thereon.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 5, rule I, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed earlier today in the order in which that motion was entertained, followed by the question de novo on approval of the Journal.

Votes will be taken in the following order: H.R. 1818 by the yeas and nays; H.R. 2035 by the yeas and nays; and on the approval of the Journal de novo.

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

JUVENILE CRIME CONTROL AND DELINQUENCY PREVENTION ACT OF 1997

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 1818, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. RIGGS] that the House suspend the rules and pass the bill, H.R. 1818, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 413, nays 14, not voting 7, as follows:

[Roll No. 267]

YEAS—413

Abercrombie	Baesler	Bartlett
Ackerman	Baker	Barton
Aderholt	Baldacci	Bass
Allen	Ballenger	Bateman
Andrews	Barcia	Becerra
Archer	Barr	Bentsen
Armey	Barrett (NE)	Bereuter
Bachus	Barrett (WI)	Berman

Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Christensen
Clay
Clayton
Clement
Clyburn
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Molinari
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Serrano
Sessions
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velázquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Wynn
Yates
Young (FL)

NAYS—14

Blunt
Chenoweth
Coble
Davis (IL)
Hostettler
Metcalf
Paul
Pombo
Royce
Sanford
Scarborough
Sensenbrenner
Shadegg
Stump

NOT VOTING—7

Brown (FL)
Engel
Eshoo
Reyes
Schiff
Woolsey
Young (AK)

□ 1743

Messrs. COBLE, DAVIS of Illinois, ROYCE, and METCALF changed their vote from "yea" to "nay."

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

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1745

AUTHORIZING TRANSFER OF NAVAL VESSELS

The SPEAKER pro tempore [Mr. GIBBONS]. The pending business is the question of suspending the rules and passing the bill, H.R. 2035, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York [Mr. GILMAN] that the House suspend the rules and pass the bill, H.R. 2035, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 426, nays 1, not voting 7, as follows:

[Roll No. 268]

YEAS—426

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Molinari
Mollohan
Moran (KS)
Moran (VA)
Morella

Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Towns
Traficant
Turner
Upton
Velázquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Wynn
Yates
Young (FL)

NAYS—1

Taylor (MS)

NOT VOTING—7

Brown (FL)
Eshoo
Reyes
Schiff
Torres
Woolsey
Young (AK)

□ 1801

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GIBBONS). Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on the approval of the Journal.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, the pending business is the question de novo of the Speaker's approval of the Journal.

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

RECORDED VOTE

Mr. BURR of North Carolina. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Members are reminded this is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 373, noes 50, not voting 11, as follows:

[Roll No. 269]

AYES—373

Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Boswell
Boucher
Boyd
Brady
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Christensen
Clayton
Clement
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
Etheridge
Evans
Ewing
Farr
Fattah
Fawell
Flake
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefner
Herger
Hill
Hilleary
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Molinari
Mollohan
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pappas
Parker
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Rangel
Regula
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryun
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stokes
Strickland
Stump
Talent
Tanner
Tauscher
Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Thurman
Tierney
Torres
Towns
Traficant
Turner
Upton
Velázquez
Vento
Walsh
Wamp
Watkins
Watt (NC)
Weldon (PA)
Wexler
Weygand
White
Whitfield
Wise
Wolf
Wynn
Yates
Young (FL)

NOES—50

Abercrombie
Becerra
Borski
Brown (CA)
Chenoweth
Clay
Clyburn
Costello
Cunningham
DeFazio
English
Ensign
Everett
Fazio
Filner
Foglietta
Gutierrez
Gutknecht
Hastings (FL)
Hefley
Hilliard
Hulshof
Kingston
Kucinich
Lewis (GA)
LoBiondo
McDermott
Meek
Moran (KS)
Pallone
Pascrell
Pickett
Pombo
Poshard
Ramstad
Redmond
Rush
Sabo
Sessions
Stenholm
Stupak
Sununu
Taylor (MS)
Thompson
Tiahrt
Visclosky
Waters
Watts (OK)
Weller
Wicker

NOT VOTING—11

Brown (FL)
Eshoo
Franks (NJ)
Kennedy (RI)
Markey
Reyes
Schiff
Waxman
Weldon (FL)
Woolsey
Young (AK)

□ 1810

So the Journal was approved.

The result of the vote was announced as above recorded.

PROVIDING FOR CONSIDERATION OF H.R. 2158, DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1998

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 184 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 184

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2158) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, commissions, corporations, and offices for the fiscal year ending September 30, 1998, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 2(l)(6) of rule XI, clause 7 of rule XXI, or section 306 of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 or 6 of rule XXI are waived except as follows: on page 25, line 17, through page 27, line 4; beginning with ": *Provided*" on page 28, line 20, through "loans" on page 29, line 11; beginning with ": *Provided*" on page 48, line 3, through "program" on line 7; and on page 76, line 7 through line 12. Where points of order are waived against part of a paragraph, points of order against a provision in another part of such paragraph may be made only against such provision and not against the entire paragraph. The amendments printed in the report of the Committee on Rules accompanying this resolution may be offered only by a Member designated in the report and only at the appropriate point in the reading of the bill, shall be considered as read, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendments printed in the report are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be fifteen minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

□ 1815

The SPEAKER pro tempore (Mr. GIBBONS). The gentleman from Georgia [Mr. LINDER] is recognized for 1 hour.

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

Mr. Speaker, House Resolution 184 is an open rule providing for consideration of H.R. 2158, the VA, HUD and Independent Agencies Appropriations bill for fiscal year 1998. The rule waives points of order against consideration of the bill for failure to comply with clause 2(l)(6) of rule XI related to the 3-day availability of the report, clause 7 of rule XXI related to the 3-day availability of printed hearings on appropriations bills, or section 306 of the Budget Act related to the prohibition on including matters within the jurisdiction of the Committee on the Budget in a measure not reported by it. I assure the House that this is a technical violation and not a substantive budget violation.

House Resolution 184 provides for one hour of general debate divided equally between the chairman and ranking minority member of the Committee on Appropriations.

The rule waives points of order against provisions in the bill for failure to comply with clause 2 and clause 6 of rule XXI, except as specified in the rule. The rule also waives all points of order against the amendments printed in the Committee on Rules report which may, one, only be offered by a Member designated in the report and only at the appropriate point in the reading of the bill; two, shall be considered as read; and, three, shall not be subject to further amendment or to a demand for a division in the House.

This rule also continues to implement two approaches that have been used effectively in recent Congresses by according priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD and allowing the chairman to postpone recorded votes and reduce to 5 minutes the voting time on any postponed question, provided that voting time on the first in any series of questions is not less than 15 minutes. These provisions will facilitate consideration of amendments and guarantee the timely completion of the appropriations bills.

House Resolution 184 also provides for one motion to recommit, with or without instructions.

I mentioned earlier that there are a few exceptions to the waiver of clause 2 of rule XXI specified in the rule. I want to briefly describe those exceptions at this time.

First, the Committee on Rules has left exposed two provisions objected to by the Committee on Banking and Financial Services, one related to a program under the Community Development Block Grant Program for supportive services, and the other relating to an expansion of the secondary market for nonconforming home mortgage loans under the HOME program.

In addition, the Committee on Science objected to a provision relating to $35 million in funds being transferred from the EPA to the NIH, and the Committee on Transportation and Infrastructure objected to a provision related to the implementation of comprehensive conservation and management plans. Each of these provisions has been exposed to a point of order under House Resolution 184.

Mr. Speaker, House Resolution 184 is an open rule providing Members with every opportunity to amend this appropriations bill. As I stated earlier, the Committee on Rules has also made in order two amendments to be offered by the chairman of the Committee on Transportation and Infrastructure, the gentleman from Pennsylvania [Mr. SHUSTER], and the chairman of the Committee on Rules, the gentleman from New York [Mr. SOLOMON]. I will leave it to those Members to fully explain the substance of their amendments.

H.R. 2158 appropriates a total of $70.1 billion for fiscal year 1998, and I want to mention a number of important provisions in this bill.

First, regarding appropriations for our veterans, this country has a commitment to our men and women in uniform, and we as Americans owe those dedicated men and women a debt of gratitude. This bill will meet our obligation to our veterans by providing $40.4 billion for the Department of Veterans Affairs, $21.7 billion for the Veterans Benefits Administration compensation and pensions, $17.5 billion for the Veterans Health Administration medical care, and $267 million for veterans medical and prosthetic research. It is important to note that these are increases above the fiscal year 1997 appropriations.

I also believe our space program has been sufficiently funded this bill. We have all been captivated in the past few weeks by the images broadcast back to us from the planet Mars by the Pathfinder mission via NASA's Jet Propulsion Laboratory. I am pleased that H.R. 258 provides $13.6 billion for NASA, which is $148 million more than the President requested.

The Committee on Appropriations has once again had to balance a wide array of interests, and as we work to get our fiscal house in order, we must ensure that all funding is spent efficiently and where it is needed most. This bill achieves this goal. I want to commend the chairman, the gentleman from California [Mr. LEWIS] and the ranking member, the gentleman from Ohio [Mr. STOKES] for the bipartisan manner in which they constructed this appropriations bill.

H.R. 2158 was favorably reported out of the Committee on Appropriations, as was the open rule by the Committee on Rules. I urge my colleagues to support the rule so that we may proceed with general debate and consideration of the merits of this very important bill.

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 from Georgia [Mr. LINDER] for yielding me the customary half hour.

Mr. Speaker, I want to begin by congratulating my colleagues on the appropriations subcommittee, the ranking member, the gentleman from Ohio [Mr. STOKES], and the chairman, the gentleman from California [Mr. LEWIS], for their outstanding efforts on this bill. The gentleman from California [Mr. LEWIS] and the gentleman from Ohio [Mr. STOKES] and the members of their committee worked extremely hard and came up with a relatively bipartisan bill that many of us can support.

They recognize the need to fund American housing and veterans programs fully, as well as the Federal Emergency Management Program and NASA. I know that the Space Rover on Mars is a lot more exciting to some Members than housing rehabilitation in south Boston, but as a former resident of public housing I can tell my colleagues it is very important. Lucky for us, Mr. Speaker, that the members of the subcommittee have decided that we could have our Rover and our houses, too.

This bill will allow Housing Secretary Cuomo to continue his outstanding work in securing affordable housing for the less fortunate Americans and providing grants to spur economic development.

The bill also funds all renewals of section 8 contracts so nobody will have to move and nobody will lose their housing assistance.

It will also allow the Secretary to reform the project-based section 8 program through which HUD has been paying incredibly high rents.

It also increases HOME grants to cities and States for building affordable housing. Mr. Speaker, one of my cities in my district, the city of Brockton, just received a HOME grant. I can tell Members it is going to do a tremendous amount of good. Thanks to last year's grant, Brockton has been able to help 200 people buy homes. This year they will be able to even help more people. It is a very good program and very well worth funding.

Mr. Speaker, the bill will also provide funding for the Veterans Administration and the Consumer Product Safety Commission. It funds the Environmental Protection Agency, which keeps our air and our water clean. And most of the funding levels are at or above President Clinton's requests.

Mr. Speaker, I am very proud to see how well Members from both sides of the aisle have worked on getting this bill together. I urge my colleagues to support the rule.

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

Mr. LINDER. Mr. Speaker, I yield 3 minutes to the gentleman from Florida [Mr. GOSS], a colleague on the committee.

Mr. GOSS. Mr. Speaker, I thank my friend, the distinguished gentleman from Georgia [Mr. LINDER] for yielding me this time. I rise in strong support of this fair and open rule. It is the right process, as each Member can have the opportunity to address the issues that we have in this appropriations bill, the committee's product.

I would like to focus my limited time on an area of great concern to my constituents and perhaps constituents of other Members; that is, veterans, the veterans' health care aspects of this. I am very pleased that we are going to provide $549 million more for veterans' medical care this year. That is going to mean a lot to our veterans. I think it is a very responsible increase when you measure it against the resources available.

For the first time we are going to try something different. Not all the money for veterans' care is going to come from the appropriators. A portion of it is going to come from allowing the VA to retain third party insurance collections and user fees, something like $600 million, we expect. This is in response to an administration request and a provision in the bipartisan budget agreement.

I think it is a good idea, but I understand that the veterans' community is a little concerned that we have not planned realistically enough, given recent trends of collecting these kinds of fees. I share that concern, and I am going to be supporting an amendment that is going to be offered by the gentleman from New York [Mr. SOLOMON], chairman of the Committee on Rules, to place a fail-safe provision in the bill in case the funds are not sufficient. So either way the veterans can be assured they are going to have the moneys they need for veterans' care. There is nothing wrong with experimenting with new ways to fund the VA as long as we are certain that the money gets to the veterans, and that it is done fairly and equitably and put where the veterans are.

That gives me the biggest pause with this bill we have got before us. The report accompanying the bill contains controversial language that would reinstate the funding inequities of previous years that we saw in the VA medical care system, and it could deprive many veterans in my district and elsewhere of needed health care. That language seeks to reverse a funding formula put in place by the VA and approved in last year's VA-HUD bill, in fact, overwhelmingly approved, to ensure that the dollars flow to the veterans where the veterans are. The numbers paint a very clear picture.

Since 1980, Florida and Arizona and other similar places have registered a large growth rate, in fact in Florida and Arizona nearly 25 percent in their veterans' populations. While in other States, New York comes to mind, that is dropped by nearly 20 percent. Obviously we have to adjust the funding. There is no reason why veterans in southwest Florida with service-connected disabilities should be turned away in order to serve lower priority, routine needs of nondisabled counterparts in other areas of the country. That is unfair. It is bad policy. I hope that the gentleman from California [Mr. LEWIS] and the gentleman from Louisiana [Mr. LIVINGSTON] will not pursue that language in the conference.

I urge a "yes" vote, nevertheless, on this wide-open rule and for the bill that it makes in order. I believe that the Committee on Rules has done an excellent job on this. I thank the distinguished gentleman from Georgia for yielding me this time.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana [Mr. ROEMER].

Mr. ROEMER. Mr. Speaker, I thank the gentleman from Massachusetts for yielding me the time. I rise in support of the rule but with concerns about the NASA budget.

First of all, I would like to congratulate NASA and the Jet Propulsion Laboratory out in California for pulling off one of the most spectacular scientific accomplishments and achievements that we have seen in decades in this country. The Mars Pathfinder and the Sojourner have returned us marvelous scientific data, exceeding all expectations. What they have done for $267 million has restored some of the public's confidence in our ability not only to get into space in faster, cheaper, better methods but they have also, I think, opened up a new thing to the American people, that it does not particularly have to always be men and women in space, although I support men and women in space. It does not always have to be something like a space station to captivate the public. This unmanned vehicle on Mars has excited the entire Nation and the world for what it is bringing back home to America.

The space station, which has been capped at $2.1 billion per year, and I believe this bill, if the Rohrabacher-Roemer amendment is not agreed to, will exceed that cap, the space station flies in the face of what the Mars Pathfinder, Galileo, Hubbell, Clementine and a host of other projects have been able to accomplish, which is a great deal for the taxpayer, phenomenal science, and maintaining a budget.

As we are trying to make difficult decisions here in this Congress to fairly balance the budget, do it structurally and do it with the right values, do it fairly to education, fairly to the environment and fairly to science, then the Mars Pathfinder, the Hubbell, these are the kinds of projects, Mr. Speaker, that really will captivate the public's attention and support, that return NASA to the glory days of the 1960's and 1970's, that for every $1 we invest in NASA, we return $7 in new technology, in new experimentation and knowledge, in new things that really would help not only support NASA in the future but would bring us the knowledge and the science for us to leverage those kinds of discoveries into new things here on earth.

□ 1830

So I would continue to applaud NASA for its wonderful achievement on Mars with the Pathfinder, but to further push them to do things like the Pathfinder, and Galileo and Hubbell, and reusable launch vehicles, and to not only sustain the cap on the space station but I would advocate eliminate the space station and find even more things that we can do in manned and unmanned ways to return NASA to the public confidence and excitement that we have seen NASA achieve in the past.

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

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. KUCINICH].

Mr. KUCINICH. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise with great concern about the United States' efforts in the space station program, not agreeing with my colleague from Indiana who so eloquently stated the achievements of the space program, but specifically stating that the United States has made a very strong commitment in elevating the vision of this Nation and the potential of this Nation in building a space station, in paving the way for international cooperation, which would have been undreamed of in those fiercest days of the cold war; and that the space station presents not just a bridge to outer space but a bridge across the oceans for cooperation and for peace in our time and for the future.

The very thought of people being up in outer space working together shows certainly what the manifest possibilities here are on earth. And any efforts to try to change that program, any effort to try to lessen the resources that program needs to be successful inadvertently attacks the underpinnings of this great effort that has been made to try to achieve peace. It is the cooperation of the United States and Russia in space which has shown the world that great powers can work together.

How can we put a dollar value on that? We must in the program and we have. And I submit that the benefits of the space station have not only been certainly for the private sector programs, which are looking for that public-private partnership that enables the growth of many industries, but even more importantly than that, the benefit of that station has been to enable this country to achieve peace that we would not have been able to dream of.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. MANTON].

Mr. MANTON. Mr. Speaker, I thank my good friend and colleague, the ranking member of the Committee on Rules, the gentleman from Massachusetts [Mr. MOAKLEY], for yielding me this time.

Mr. Speaker, I believe the rule before the House today is a reasonable and fair measure which will allow for a free and open debate of the fiscal year 1998 VA HUD appropriations bill. While I support and will vote for the rule, I am concerned about a number of provisions and omissions in the underlying bill.

Mr. Speaker, I must concur in the additional views submitted by the gentleman from Wisconsin [Mr. OBEY], the ranking member of the full Committee on Appropriations, which accompanied the report on H.R. 2158 and question the judgment of numerous outlays contained in the bill. The bill falls short in one area of environmental protection which I simply cannot allow to go unchallenged, and that is the failure of the subcommittee to include the President's requested increase in funding to double the pace of Superfund cleanups.

Mr. Speaker, I am deeply disappointed in the failure to include an additional $650 million for the Superfund Program. This increase in the Superfund response, or cleanup account, was requested by the President and concurred in by the bipartisan leadership of both the House and the Senate budget agreement.

This money is vitally important if we are to expedite the cleanup of hundreds of toxic waste sites located in virtually every State of the Union. The failure to include the requested funding in this bill will ensure that at least 250 additional Superfund invites will not be cleaned up over the next 3 years.

Mr. Speaker, as the ranking minority member of the Subcommittee on Finance and Hazardous Materials, I am uniquely aware of the importance of the Superfund Program and the President's initiative to double the pace of cleanups.

If there is one clear and overriding call I have heard regarding the Superfund Program, it is that the pace of cleanups is too slow. Time and time again over the past several years of hearings, concerns have been expressed that the program has not cleaned up hazardous waste sites quickly enough, that the program is mired in bureaucracy, resulting in unnecessary and costly delays in cleanups.

Mr. Speaker, I have several letters that I received which emphasize the importance of approving the President's initiative to speed cleanups and stress the administration's understanding that the initiative was indeed a significant part of the budget agreement and was not, let me repeat, was not contingent upon the enactment of Superfund reauthorization. I submit these letters from Vice President GORE, Administrator Browner and OMB Director Raines to be included in the RECORD.

The letters referred to are included as follows:

OFFICE OF THE VICE PRESIDENT,
Washington, DC, June 25, 1997.

Hon. THOMAS J. MANTON,
U.S. House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE MANTON: I am writing to you because you have a strong supporter of our efforts to protect communities from toxic waste and to address the problem of brownfields. Our shared commitment to these issues reflects an important bipartisan consensus concerning the importance of toxic waste cleanup to restoring both the environment and the economy in communities burdened with toxic waste sites.

As part of their landmark agreement with the President on a balanced budget, the House and Senate leadership committed to support the President's brownfields tax incentive. This proposal is a targeted tax incentive that should generate cleanup and redevelopment at approximately 14,000 sites in distressed communities by the year 2000.

Unfortunately, the tax bill recently reported by the Ways and Means Committee does not include the brownfields tax incentive. I hope you will join me in urging the House leadership to meet its commitment by addressing this issue before final passage of the bill.

I also hope that the Administration can rely on your support for other aspects of the budget agreement that protect communities from toxics, including the funding needed to achieve cleanup at two-thirds of the national priority list sites by the year 2000, and significantly expand funding of brownfields cleanup and redevelopment efforts by the Environmental Protection Agency. This acceleration of toxic waste cleanup highlights the importance of reinstating the taxes that support the Superfund program. Superfund taxes fund emergency removals of hazardous substances, support long-term cleanups at more than a thousand toxic waste sites, and provide assistance to brownfields and other cleanup efforts by state and local governments.

Several Members of Congress are suggesting that all of these proposals must await the outcome of protracted negotiations on a Superfund reauthorization bill. While this Administration is participating actively in those negotiations and hopes to achieve a bipartisan reform bill with broad support, we must draw the line of attempts to hold communities and their cleanup funds hostage pending the outcome of that process. The accelerated cleanup funding and brownfields tax incentive are needed now.

I know that, given your leadership on brownfields issues, you understand how important these initiatives are to empowering our communities. Therefore, I hope you will

join me in pressing the Congressional leadership to honor the commitments in the budget agreement regarding brownfields. Additionally, I hope you will support expedited action to fully fund our initiative to accelerate toxic waste cleanup and to reinstate the taxes that support the Superfund program. I would be most grateful for your support.

Sincerely,

AL GORE.

ENVIRONMENTAL PROTECTION AGENCY,
Washington, DC.

Hon. THOMAS J. MANTON,
U.S. House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE MANTON: The House Appropriations Committee marked up the VA, HUD and Independent Agencies FY 1998 Appropriations Bill on July 8, 1997. While I appreciate the overall funding provided to EPA by the House, the Committee failed to include funding to restore the environment and the economy in communities burdened with toxic waste sites. The President's initiative to clean up an additional 500 Superfund sites by the end of the year 2000 was designed to protect the public from the risks these sites pose to health and the environment. The importance of this initiative was recognized by Congress and the President's request for Superfund was accommodated in the Bipartisan Budget Agreement.

As Vice President Gore and the Office of Management and Budget Director Raines have recently indicated, the Administration remains committed to working with Congress to enact a consensus-based Superfund reform bill. However, it is not agreed that additional Superfund cleanup funding provided in the Budget Agreement is contingent on any prior legislation, much less a comprehensive reform bill. Agreement still needs to be reached on ways in which the supplemental cleanup funds would be spent, but not on the level of funding.

In the Budget Agreement, Congress and the Administration increased funding for the Superfund program to accelerate the cleanups affecting the quality of life for millions of Americans. Failing the increase, up to 120 fewer sites would begin cleanup. This would mean hundreds of communities nationwide waiting even longer before the hazardous waste sites in their neighborhoods are cleaned up. Not only will this put their health and the environment at risk, it will prevent economic redevelopment in those areas.

EPA, through our administrative reforms, has done much to improve the overall pace, cost, and fairness of the program. These administrative reforms represent permanent changes in the way EPA does business and reflect the Administration's vision for the future of Superfund—a future that builds upon our progress over the past four years. These reforms are building a faster, fairer, more efficient Superfund program which: (1) achieves our goal of 20% reduction in total cleanup process time, with 439 completed cleanups (as of 7/7/97) and more than 480 site cleanup constructions underway; (2) includes 75% of Superfund long-term cleanups performed by responsible parties; and (3) reduces cleanup costs towards our goal of 20% cost reduction.

Based on the Agency's administrative reforms, EPA is ready to accelerate the cleanup program. Much of the pre-cleanup work has been completed and actual cleanup work is ready to begin at many toxic waste sites. The necessary contracts to implement an accelerated cleanup program are in place. We have worked with state offices in identifying sites ready for cleanup and will continue to coordinate with them on cleanup activities.

I urge you to support the funding level for the Superfund program as outlined in the Budget Agreement while we continue our discussions on Superfund reauthorization.

Sincerely,

CAROL M. BROWNER.

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC. June 25, 1997.

Hon. JOHN D. DINGELL,
Ranking Member, Committee on Commerce, U.S. House of Representatives, Washington, DC

DEAR REPRESENTATIVE DINGELL: I am writing to clarify the Administration's views regarding the Superfund funding that was included in the recent Bipartisan Budget Agreement.

On June 5th, Congressmen Kasich and Oxley conducted a colloquy on this subject on the floor of the House of Representatives. As they discussed, the Budget Agreement establishes a reserve fund to provide $200 million per year for Superfund orphan shares. As this would be mandatory spending, the reserve fund requires authorizing legislation to be reported by the Committees on Commerce and Transportation and Infrastructure, although the reserve fund could be authorized in a reconciliation bill, a Superfund reform bill, or other legislative vehicle. The Administration does not agree that these funds should become available only after the Congress passes a Superfund reform bill.

Regarding the $700 million of additional requested funding, the Administration adheres to the language of the Budget Agreement, which provides that Superfund appropriations will be at the President's level "if policies can be worked out." We have always understood this to mean that the Administration needs to reach agreement with the appropriate Committees regarding the way in which the supplemental cleanup funds would be spent. We do not agree that the additional Superfund cleanup funding agreed to in the budget Agreement is contingent on any prior legislation, much less a comprehensive reform bill.

The Administration remains committed to working with Congress to enact a bipartisan consensus-based Superfund reform bill. However, we believe that the increased Superfund appropriations should not be held up until this occurs, since these funds are urgently needed to eliminate the backlog of Superfund cleanups and improve the quality of life for more than 27 million Americans, including over four million children, who live within four miles of a Superfund site.

Please do not hesitate to contract me if I can be of further assistance in this matter.

Sincerely,

FRANKLIN D. RAINES,
Director.

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

Mr. LINDER. 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.

GENERAL LEAVE

Mr. LEWIS of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill (H.R. 2158) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, commissions, corporations, and offices for the fiscal year ending September 30, 1998, and for other purposes, and that I be permitted to include tables, charts and other extraneous material.

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

There was no objection.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1998

The SPEAKER pro tempore. Pursuant to House Resolution 184 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for consideration of the bill, H.R. 2158.

□ 1830

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2158) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, commissions, corporations, and offices for the fiscal year ending September 30, 1998, and for other purposes, with Mr. COMBEST in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from California [Mr. LEWIS] and the gentleman from Ohio [Mr. STOKES] will each control 30 minutes.

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

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

Mr. Chairman, it is my pleasure today to outline the work of the Subcommittee on VA, HUD and Independent Agencies as well as the full Committee on Appropriations in developing the fiscal year 1998 VA–HUD and Independent Agencies appropriations bill.

First, I want to thank my friend and colleague, the gentleman from Ohio [Mr. STOKES], and his staff for their helping in crafting this bill. Our working relationship, I believe, is a model of how appropriations subcommittees can and should work together on a bipartisan basis. We have effectively controlled the rate of growth of Federal

spending through our bill while making sure that the needs of our constituents are met in communities across the country.

Mr. Chairman, beginning with the fiscal year 1995 rescission bill, this subcommittee has led the way in our battle with the budget by reducing spending and fully paying for the emergency supplemental. While the administration and Congress have finally agreed in principle to balancing that budget by 2002, this subcommittee has been moving in that direction for well over 2 years now, and so far we have produced some $20 billion in spending cuts to show for our efforts.

Because of the bipartisan budget agreement with the President, this year the subcommittee had the chance to catch its breath. The subcommittee's 602(b) allocation for fiscal year 1998 will provide us with the funding levels necessary to continue our commitment to serving veterans, protecting the environment, providing housing for the poorest of the poor, and ensuring America's future leadership in space.

With regard to space programs, I hope that each of my colleagues have had an opportunity to focus upon the remarkable NASA Pathfinder mission to Mars. If this mission does not provide the catalyst for our next generation of scientists, then I certainly do not know what will.

We are able to achieve all of these important results while still holding a line on spending of hard-earned taxpayers' dollars. Our allocation should allow us to go through the process quickly and eventually gain a signature by the President.

Since our counterparts in the Senate received an allocation well below ours in the House, we are in for some very tough decisions nonetheless as we go down this road. Not everything in this bill will find its way in the final conference report. While the President may not wholeheartedly endorse every decision reflected in this bill, it is my hope that when we conference in September, we can come to a mutual agreement on a final bill that will be signed.

Let me quickly move to some of the specifics of this bill beginning with our 602(b) allocation.

Due to the structure of the budget resolution, there is some confusion about our allocation. Basically, when we take into account the recent rescission of $3.6 billion we enacted to pay for the emergency disaster supplemental, our allocation this year is the same as for fiscal year 1997, amounting to some $60.8 billion. When we consider that, it would be a mistake, however, not to look at the fact that within this whole package there is an additional $9.2 billion that is necessary to pay for HUD's section 8 program, a program that suddenly has blown up before us and creates ongoing problems that all of us must deal with.

Since the gentleman from Ohio and I have proposed funding the section 8 program at the administration's request of $9.2 billion, our allocation increased by that amount once we reported our bill from the full committee. With that in mind, even this funding level may not be enough if the administration, in dealing with section 8, working along with the House and the Senate housing authorizing committees, do not work in a way to solve this critical section 8 problem, a difficulty which, as I have indicated, will balloon in the years ahead of us.

Now, let me explain the highlights of the larger agencies funded through this measure.

First, the veterans medical care is funded at the full budget request of $17 billion, and we expect an additional $468 million will be made available when the reconciliation bill becomes law.

Veterans research operating expenses and construction activities are moderately increased over the budget request levels.

For the Department of Housing and Urban Development, the section 8 program, as I have indicated, at $9.2 billion, is a part of the package.

Severely distressed housing and drug elimination grants are at the President's request of $524 million and $290 million respectively. CDBG, HOPWA, and Homeless Assistance Grants are also funded at the budget request level.

□ 1845

The native American housing block grant program is funded at $650 million, an increase of some $165 million above the budget request. Likewise, the HOME Program has also increased by $191 million to a figure of $1.5 billion for fiscal year 1998.

Finally, and thanks to an amendment offered during our subcommittee markup by the gentlewoman from Florida [Mrs. MEEK] and the gentleman from New Jersey [Mr. FRELINGHUYSEN], the section 202 elderly housing program is funded at $645 million, which is $345 million above the President's request.

The section 811 housing for the disabled program is funded at $194 million, at an increase of $20 million over the budget request.

For EPA, the budget agreement requires us to produce a bill which funds the EPA operating programs at the budget request level of $3.4 billion. The operating programs include all programs at the agency except Superfund; Leaking Underground Storage Tank Program, known as LUST; and the clean and safe drinking water State revolving funds. We have met this obligation in a way that I believe accurately reflects congressional priorities.

For example, we have proposed an additional $40 million for particulate matter and ozone research, something I believe most Members strongly support and all of us wish the EPA would utilize before implementing new PM and ozone regulations that many would suggest have questionable scientific backing. We have also increased by $25 million the funds going to States and cities for air monitoring and data collection, a necessary component of better research in this very important area.

Furthermore, the Great Lakes programs are fully funded, many above the budget request. The State revolving fund programs have been increased by $200 million over the President's request. Brownfields are funded at $85 million. And the Superfund Program, although it continues to need serious, comprehensive reform, is funded at $1.5 billion.

Space station and shuttle programs at NASA are fully funded, and NASA will receive a modest increase of $148 million over the budget request. I would note, however, that NASA's funding level still represents a decrease of $61 million below last year's level. NASA is a prime example of an agency that has responded to our charge of doing more with less. One need only look at the $200 million Pathfinder program as a prime example of doing more with less.

The National Science Foundation would, likewise, receive a modest increase above the President's request, including an additional $23 million for research, $90 million for major research equipment, and $7 million for education programs. We have provided the full budget request for the Federal Emergency Management Agency, FEMA.

Finally, we have frozen funds for AmeriCorps at the 1997 level of just over $402 million. This year's funding level for AmeriCorps represents a reduction of $146.5 million, or 27 percent below the President's request.

I want my colleagues to know that together, the gentleman from Ohio [Mr. STOKES], members of the subcommittee and I have worked hard to produce a fair and balanced bill, one that can and should be supported all the way to the Presidential signature. It is true that it will be a long and hot summer while we all work on this and the other 12 appropriations bills that are necessary to keep our Government operating. On the other hand, the bipartisan support that this measure has already received will certainly make the summer a little easier.

Again, I want to thank the gentleman from Ohio [Mr. STOKES], my friend and ranking member, and his staff Fredette West, David Reich, and Del Davis, as well as Rose ROBERTS, Valerie Baldwin, Tim Peterson, Paul Thomson, and Frank Cushing of my committee staff, and Dave Les Strang, Alex Heslop, and Jeff Shockey of my

personal staff for their help and support for putting together this difficult bill which is full of competing interests but balanced funding priorities.

Mr. Chairman, I want to take just a moment to say that it is obvious this is a very complex bill, dealing with programs that are very, very important to the American public as well as those individual families that receive many of the services involved. In shrinking budgetary circumstances, the competition between accounts is all the more difficult.

There will be amendments, as we go forward in this discussion, which people will come to the floor and suggest that their program has higher priority than another, let us say taking away from AmeriCorps and putting in another program, maybe a veterans' program, without necessarily evaluating the good work we have already done on the veterans programs. That sort of exchange is part of the process. But I urge the Members to recognize that this is a very difficult process and we have done a very good, I think, bipartisan job in putting this bill together.

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

Mr. Chairman, I include the following for the RECORD:

VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS BILL (H.R. 2158)

	FY 1997 Enacted	FY 1998 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
TITLE I					
Veterans Benefits Administration					
Compensation and pensions	18,671,259,000	19,932,997,000	19,932,997,000	+1,261,738,000	
Supplemental (P.L. 105-18)	928,000,000			-928,000,000	
Readjustment benefits	1,377,000,000	1,366,000,000	1,366,000,000	-11,000,000	
Veterans insurance and indemnities	38,970,000	51,360,000	51,360,000	+12,390,000	
Veterans housing benefit program fund program account (indef)		192,447,000	192,447,000	+192,447,000	
(Limitation on direct loans)		(300,000)	(300,000)	(+300,000)	
Administrative expenses		160,437,000	160,437,000	+160,437,000	
Guaranty and indemnity program account (indefinite)	158,643,000			-158,643,000	
Administrative expenses	105,226,000			-105,226,000	
Loan guaranty program account (indefinite)	14,091,000			-14,091,000	
Administrative expenses	33,810,000			-33,810,000	
Direct loan program account (indefinite)	30,000			-30,000	
(Limitation on direct loans)	(300,000)			(-300,000)	
Administrative expenses	80,000			-80,000	
Education loan fund program account	1,000	1,000	1,000		
(Limitation on direct loans)	(3,000)	(3,000)	(3,000)		
Administrative expenses	195,000	200,000	200,000	+5,000	
Vocational rehabilitation loans program account	49,000	44,000	44,000	-5,000	
(Limitation on direct loans)	(2,822,000)	(2,278,000)	(2,278,000)	(-544,000)	
Administrative expenses	377,000	388,000	388,000	+11,000	
Native American Veteran Housing Loan Program Account	205,000	515,000	515,000	+310,000	
Total, Veterans Benefits Administration	21,327,936,000	21,704,389,000	21,704,389,000	+376,453,000	
Veterans Health Administration					
Medical care	16,313,447,000	16,958,846,000	16,393,846,000	+80,399,000	-565,000,000
Delayed equipment obligation	700,000,000		565,000,000	-135,000,000	+565,000,000
Total	17,013,447,000	16,958,846,000	16,958,846,000	-54,601,000	
Medical care cost recovery collections:					
Offsetting receipts		-604,000,000	-604,000,000	-604,000,000	
Appropriations (indefinite)		604,000,000	604,000,000	+604,000,000	
Total available	(17,013,447,000)	(17,562,846,000)	(17,562,846,000)	(+549,399,000)	
Medical and prosthetic research	262,000,000	234,374,000	267,000,000	+5,000,000	+32,626,000
Medical administration and miscellaneous operating expenses	61,207,000	60,160,000	60,160,000	-1,047,000	
General Post Fund, National Homes:					
Loan program account (by transfer)	(7,000)	(7,000)	(7,000)		
Administrative expenses (by transfer)	(54,000)	(54,000)	(54,000)		
(Limitation on direct loans)	(70,000)	(70,000)	(70,000)		
General post fund (transfer out)	(-61,000)	(-61,000)	(-61,000)		
Total, Veterans Health Administration	17,336,654,000	17,253,380,000	17,286,006,000	-50,648,000	+32,626,000
Departmental Administration					
General operating expenses	827,584,000	846,385,000	853,385,000	+25,801,000	+7,000,000
Offsetting receipts	(32,000,000)	(36,000,000)	(36,000,000)	(+4,000,000)	
Total, Program Level	(859,584,000)	(882,385,000)	(889,385,000)	(+29,801,000)	(+7,000,000)
National Cemetery System	76,864,000	84,183,000	84,183,000	+7,319,000	
Office of Inspector General	30,900,000	31,013,000	31,013,000	+113,000	
Construction, major projects	250,858,000	79,500,000	155,600,000	-95,258,000	+76,100,000
Construction, minor projects	175,000,000	166,300,000	175,000,000		+8,700,000
Parking revolving fund	12,300,000			-12,300,000	
Grants for construction of State extended care facilities	47,397,000	41,000,000	60,000,000	+12,603,000	+19,000,000
Grants for the construction of State veterans cemeteries	1,000,000	10,000,000	10,000,000	+9,000,000	
Total, Departmental Administration	1,421,903,000	1,258,381,000	1,369,181,000	-52,722,000	+110,800,000
Total, title I, Department of Veterans Affairs	40,086,493,000	40,216,150,000	40,359,576,000	+273,083,000	+143,426,000
(By transfer)	(61,000)	(61,000)	(61,000)		
(Limitation on direct loans)	(3,195,000)	(2,651,000)	(2,651,000)	(-544,000)	
Consisting of:					
Mandatory	(21,187,993,000)	(21,542,804,000)	(21,542,804,000)	(+354,811,000)	
Discretionary	(18,898,500,000)	(18,673,346,000)	(18,816,772,000)	(-81,728,000)	(+143,426,000)

VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS BILL (H.R. 2158)—Continued

	FY 1997 Enacted	FY 1998 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
TITLE II					
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT					
Selected Housing Programs					
Housing Certificate Fund		10,676,000,000	10,393,000,000	+10,393,000,000	-283,000,000
Expiring section 8 contracts		(9,232,000,000)	(9,200,000,000)	(+9,200,000,000)	(-32,000,000)
Section 8 amendments		(850,000,000)	(850,000,000)	(+850,000,000)	
Section 8 relocation assistance		(594,000,000)	(343,000,000)	(+343,000,000)	(-251,000,000)
Prevention of resident displacement	4,640,000,000			-4,640,000,000	
Expiring section 8 contracts	(3,600,000,000)			(-3,600,000,000)	
Section 8 amendments	(850,000,000)			(-850,000,000)	
Section 8 relocation assistance	(190,000,000)			(-190,000,000)	
Transfer from recaptures	(50,000,000)			(-50,000,000)	
Subtotal	(4,690,000,000)	(10,676,000,000)	(10,393,000,000)	(+5,703,000,000)	(-283,000,000)
Annual contributions (rescission)		-855,000,000	-565,000,000	-565,000,000	+290,000,000
Rescission (P.L. 105-18)	-3,650,000,000			+3,650,000,000	
Public housing capital fund		2,500,000,000	2,500,000,000	+2,500,000,000	
Public housing operating fund		2,900,000,000	2,900,000,000	+2,900,000,000	
Preserving existing housing investment	5,750,000,000			-5,750,000,000	
Public housing operating subsidies	(2,900,000,000)			(-2,900,000,000)	
Public housing modernization	(2,500,000,000)			(-2,500,000,000)	
Preservation	(350,000,000)			(-350,000,000)	
Rescission of recaptures	-150,000,000			+150,000,000	
Prepayment authority	2,000,000			-2,000,000	
Supplemental (P.L. 105-18)	3,500,000			-3,500,000	
Subtotal	(5,605,500,000)	(5,400,000,000)	(5,400,000,000)	(-205,500,000)	
Drug elimination grants for low-income housing	290,000,000	290,000,000	290,000,000		
Revitalization of severely distressed public housing (HOPE VI)	550,000,000	524,000,000	524,000,000	-26,000,000	
Homeownership and opportunity for people everywhere grants (HOPE grants) (transfer out) (P.L. 105-18)	(-30,200,000)			(+30,200,000)	
Native American housing block grant		485,000,000	650,000,000	+650,000,000	+165,000,000
Indian housing loan guarantee fund program account	3,000,000	3,000,000	3,000,000		
(Limitation on guaranteed loans)	(36,900,000)	(36,900,000)	(36,900,000)		
Development of additional new subsidized housing	1,039,000,000			-1,039,000,000	
Housing for the elderly	(645,000,000)			(-645,000,000)	
Housing for the disabled	(194,000,000)			(-194,000,000)	
Indian housing development	(200,000,000)			(-200,000,000)	
Capacity Building for Community Development and Affordable Housing					
National community development initiative (by transfer)	(30,200,000)			(-30,200,000)	
Community Planning and Development					
Housing opportunities for persons with AIDS	171,000,000	204,000,000	204,000,000	+33,000,000	
Transfer from recaptures	(25,000,000)			(-25,000,000)	
Community development block grants	4,600,000,000	4,600,000,000	4,600,000,000		
Emergency appropriations (P.L. 105-18)	250,000,000			-250,000,000	
Emergency appropriations, FY 1998 (P.L. 105-18)	250,000,000			-250,000,000	
Section 108 loan guarantees:					
(Limitation on guaranteed loans)	(1,500,000,000)	(1,261,000,000)	(1,261,000,000)	(-239,000,000)	
Credit subsidy	31,750,000	29,000,000	29,000,000	-2,750,000	
Administrative expenses	675,000	1,000,000	1,000,000	+325,000	
Brownfields redevelopment		25,000,000			-25,000,000
HOME investment partnerships program	1,400,000,000	1,309,000,000	1,500,000,000	+100,000,000	+191,000,000
Supportive housing program (rescission)		-6,000,000	-6,000,000	-6,000,000	
Shelter plus care (rescission)		-4,000,000	-4,000,000	-4,000,000	
Homelesss assistance grants	823,000,000	823,000,000	823,000,000		
Youthbuild		30,000,000			-30,000,000
Housing counseling assistance		23,000,000			-23,000,000
Empowerment Zones and Enterprise Communities		100,000,000			-100,000,000
Total, Selected housing programs (net)	16,003,925,000	23,657,000,000	23,842,000,000	+7,838,075,000	+185,000,000
Housing Programs					
Housing for special populations		474,000,000	839,000,000	+839,000,000	+365,000,000
Housing for the elderly		(300,000,000)	(645,000,000)	(+645,000,000)	(+345,000,000)
Housing for the disabled		(174,000,000)	(194,000,000)	(+194,000,000)	(+20,000,000)
Rental housing assistance:					
Rescission of budget authority, indefinite		-125,000,000	-125,000,000	-125,000,000	
(Limitation on annual contract authority, indefinite)	(-2,000,000)			(+2,000,000)	
Federal Housing Administration					
FHA - Mutual mortgage insurance program account:					
(Limitation on guaranteed loans)	(110,000,000,000)	(110,000,000,000)	(110,000,000,000)		
(Limitation on direct loans)	(200,000,000)	(200,000,000)	(200,000,000)		
Administrative expenses	350,595,000	333,421,000	333,421,000	-17,174,000	
Offsetting receipts	-350,595,000	-333,421,000	-333,421,000	+17,174,000	

VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS BILL (H.R. 2158)—Continued

	FY 1997 Enacted	FY 1998 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
FHA - General and special risk program account:					
Program costs	85,000,000	81,000,000	81,000,000	-4,000,000	
(Limitation on guaranteed loans)	(17,400,000,000)	(17,400,000,000)	(17,400,000,000)		
(Limitation on direct loans)	(120,000,000)	(120,000,000)	(120,000,000)		
Administrative expenses	207,470,000	222,305,000	222,305,000	+14,835,000	
Subsidy - multifamily	-18,000,000	-18,000,000	-18,000,000		
Subsidy - single family	-64,000,000	-64,000,000	-64,000,000		
Subsidy - Title I	-25,000,000	-25,000,000	-25,000,000		
Total, Federal Housing Administration	185,470,000	196,305,000	196,305,000	+10,835,000	
Government National Mortgage Association					
Guarantees of mortgage-backed securities loan guarantee program account:					
(Limitation on guaranteed loans)	(110,000,000,000)	(130,000,000,000)	(130,000,000,000)	(+20,000,000,000)	
Administrative expenses	9,383,000	9,383,000	9,383,000		
Offsetting receipts	-218,000,000	-204,000,000	-204,000,000	+14,000,000	
Policy Development and Research					
Research and technology	34,000,000	39,000,000	39,000,000	+5,000,000	
Fair Housing and Equal Opportunity					
Fair housing activities	30,000,000	39,000,000	30,000,000		-9,000,000
Management and Administration					
Salaries and expenses	420,000,000	451,000,000	451,000,000	+31,000,000	
(By transfer, limitation on FHA corporate funds)	(546,782,000)	(544,443,000)	(544,443,000)	(-2,339,000)	
(By transfer, GNMA)	(9,383,000)	(9,383,000)	(9,383,000)		
(By transfer, Community Planning & Development)	(675,000)	(1,000,000)	(1,000,000)	(+325,000)	
Total, Salaries and expenses	(976,840,000)	(1,005,826,000)	(1,005,826,000)	(+28,986,000)	
Office of Inspector General	36,567,000	36,567,000	45,567,000	+9,000,000	+9,000,000
(By transfer, limitation on FHA corporate funds)	(11,283,000)	(11,283,000)	(11,283,000)		
(By transfer from Drug Elimination Grants)	(5,000,000)	(10,000,000)	(10,000,000)	(+5,000,000)	
Total, Office of Inspector General	(52,850,000)	(57,850,000)	(66,850,000)	(+14,000,000)	(+9,000,000)
Office of federal housing enterprise oversight	15,500,000	16,312,000	16,312,000	+812,000	
Offsetting receipts	-15,500,000	-16,312,000	-16,312,000	-812,000	
Administrative Provisions					
Sec. 203 - FHA Assignment Reform, 1997	-128,000,000			+128,000,000	
Sec. 204 - Multifamily property disposition - FHA fund	-80,000,000			+80,000,000	
Sec. 210 - financing adjustment	464,442			-464,442	
Sec. 212 - demonstration	10,000,000			-10,000,000	
Total, administrative provisions	-197,535,558			+197,535,558	
Total, title II, Dept of Housing & Urban Development (net)	16,303,809,442	24,573,255,000	25,123,255,000	+8,819,445,558	+550,000,000
Appropriations	(19,453,809,442)	(25,563,255,000)	(25,823,255,000)	(+6,369,445,558)	(+260,000,000)
Rescissions	(-3,650,000,000)	(-990,000,000)	(-700,000,000)	(+2,950,000,000)	(+290,000,000)
Emergency appropriations	(250,000,000)			(-250,000,000)	
Emergency appropriations, FY 1998	(250,000,000)			(-250,000,000)	
(Limitation on annual contract authority, indefinite)	(-2,000,000)			(+2,000,000)	
(Limitation on guaranteed loans)	(238,900,000,000)	(258,661,000,000)	(258,661,000,000)	(+19,761,000,000)	
(Limitation on corporate funds)	(573,123,000)	(576,109,000)	(576,109,000)	(+2,986,000)	
TITLE III					
INDEPENDENT AGENCIES					
American Battle Monuments Commission					
Salaries and expenses	22,265,000	23,897,000	26,897,000	+4,632,000	+3,000,000
Department of the Treasury					
Community Development Financial Institutions					
Community development financial institutions fund program account	50,000,000	125,000,000	125,000,000	+75,000,000	
Consumer Product Safety Commission					
Salaries and expenses	42,500,000	45,000,000	44,000,000	+1,500,000	-1,000,000
Corporation for National and Community Service					
National and community service programs operating expenses	400,500,000	546,500,000	400,500,000		-146,000,000
Office of Inspector General	2,000,000	2,500,000	2,000,000		-500,000
Total	402,500,000	549,000,000	402,500,000		-146,500,000
Court of Veterans Appeals					
Salaries and expenses	9,229,000	9,380,000	9,319,000	+90,000	-61,000
Department of Defense - Civil					
Cemeterial Expenses, Army					
Salaries and expenses	11,600,000	11,815,000	11,815,000	+215,000	

VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS BILL (H.R. 2158)—Continued

	FY 1997 Enacted	FY 1998 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Environmental Protection Agency					
Science and Technology	552,000,000	614,269,400	656,223,000	+104,223,000	+41,953,600
Transfer from Hazardous Substance Superfund	35,000,000	39,755,900	35,000,000		-4,755,900
Subtotal, Science and Technology	587,000,000	654,025,300	691,223,000	+104,223,000	+37,197,700
Environmental Programs and Management	1,752,221,000	1,887,590,900	1,763,352,000	+11,131,000	-124,238,900
Office of Inspector General	28,500,000	28,500,000	28,501,000	+1,000	+1,000
Transfer from Hazardous Substance Superfund	11,000,000	11,641,300	11,641,000	+641,000	-300
Transfer from Leaking Underground Storage Tanks	577,000			-577,000	
Subtotal, OIG	40,077,000	40,141,300	40,142,000	+65,000	+700
Buildings and facilities	87,220,000	141,420,000	182,120,000	+94,900,000	+40,700,000
Hazardous Substance Superfund	1,294,245,000	2,094,245,000	1,500,699,000	+206,454,000	-593,546,000
Delay of obligation	100,000,000			-100,000,000	
Transfer to Office of Inspector General	-11,000,000	-11,641,300	-11,641,000	-641,000	+300
Transfer to Science and Technology	-35,000,000	-39,755,900	-35,000,000		+4,755,900
Subtotal, Hazardous Substance Superfund	1,348,245,000	2,042,847,800	1,454,058,000	+105,813,000	-588,789,800
Leaking Underground Storage Tank Trust Fund	60,000,000	71,210,700	60,000,000		-11,210,700
Transfer to Office of Inspector General	-577,000			+577,000	
(Limitation on administrative expenses)	(7,000,000)		(7,000,000)		(+7,000,000)
Subtotal, LUST	59,423,000	71,210,700	60,000,000	+577,000	-11,210,700
Oil spill response	15,000,000	15,000,000	15,000,000		
(Limitation on administrative expenses)	(8,000,000)		(8,000,000)		(+8,000,000)
State and Tribal Assistance Grants	2,236,000,000	2,043,000,000	2,275,925,000	+39,925,000	+232,925,000
Categorical grants	674,207,000	750,257,000	750,257,000	+76,050,000	
Subtotal, STAG	2,910,207,000	2,793,257,000	3,026,182,000	+115,975,000	+232,925,000
Working capital fund	(101,526,000)	(101,000,000)	(101,000,000)	(-526,000)	
Total, EPA	6,799,393,000	7,645,493,000	7,232,077,000	+432,684,000	-413,416,000
Executive Office of the President					
Office of Science and Technology Policy	4,932,000	4,932,000	4,932,000		
Council on Environmental Quality and Office of Environmental Quality	2,436,000	3,020,000	2,506,000	+70,000	-514,000
Total	7,368,000	7,952,000	7,438,000	+70,000	-514,000
Federal Deposit Insurance Corporation					
Office of Inspector General (transfer)		(34,365,000)	(34,365,000)	(+34,365,000)	
Federal Emergency Management Agency					
Disaster relief	1,320,000,000	370,000,000	500,000,000	-820,000,000	+130,000,000
Emergency appropriations (P.L. 105-18)	3,300,000,000			-3,300,000,000	
Emergency approp (transfer out) (P.L. 105-18)	(-20,000,000)			(+20,000,000)	
Disaster assistance direct loan program account:					
State share loan	1,385,000	1,495,000	1,495,000	+110,000	
(Limitation on direct loans)	(25,000,000)	(25,000,000)	(25,000,000)		
Administrative expenses	548,000	341,000	341,000	-207,000	
Community disaster loans (by transfer) (emergency)	(20,000,000)			(-20,000,000)	
Salaries and expenses	170,500,000	171,773,000	171,773,000	+1,273,000	
Office of Inspector General	4,673,000	4,803,000	4,803,000	+130,000	
Emergency management planning and assistance	218,701,000	202,146,000	321,646,000	+102,945,000	+119,500,000
Emergency food and shelter program	100,000,000	100,000,000	100,000,000		
National Flood Insurance Fund (limitation on administrative expenses):					
Salaries and expenses	(20,981,000)	(21,610,000)	(21,610,000)	(+629,000)	
Flood mitigation	(78,464,000)	(78,464,000)	(78,464,000)		
Working capital fund	(16,816,000)			(-16,816,000)	
Administrative provision: REP savings	-12,251,000	-12,000,000	-12,000,000	+251,000	
Total, Federal Emergency Management Agency	5,103,556,000	838,558,000	1,088,058,000	-4,015,498,000	+249,500,000
General Services Administration					
Consumer Information Center Fund	2,260,000	2,119,000	2,419,000	+159,000	+300,000
Department of Health and Human Services					
Office of Consumer Affairs	1,500,000	1,800,000		-1,500,000	-1,800,000

VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS BILL (H.R. 2158)—Continued

	FY 1997 Enacted	FY 1998 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
National Aeronautics and Space Administration					
Human space flight	5,362,900,000	5,326,500,000	5,426,500,000	+63,600,000	+100,000,000
Science, aeronautics and technology	5,767,100,000	5,642,000,000	5,690,000,000	-77,100,000	+48,000,000
Mission support	2,562,200,000	2,513,200,000	2,513,200,000	-49,000,000	.....
Office of Inspector General	17,000,000	18,300,000	18,300,000	+1,300,000	.....
Administrative provision: Transfer authority	(177,000,000)	.....	(150,000,000)	(-27,000,000)	(+150,000,000)
Total, NASA	13,709,200,000	13,500,000,000	13,648,000,000	-61,200,000	+148,000,000
National Credit Union Administration					
Central liquidity facility:					
(Limitation on direct loans)	(600,000,000)	(600,000,000)	(600,000,000)	.....	.....
(Limitation on administrative expenses, corporate funds)	(560,000)	(203,000)	(203,000)	(-357,000)	.....
Revolving loan program	1,000,000	.....	.....	-1,000,000	.....
National Science Foundation					
Research and related activities	2,432,000,000	2,514,700,000	2,537,700,000	+105,700,000	+23,000,000
Major research equipment	80,000,000	85,000,000	175,000,000	+95,000,000	+90,000,000
Education and human resources	619,000,000	625,500,000	632,500,000	+13,500,000	+7,000,000
Salaries and expenses	134,310,000	136,950,000	136,950,000	+2,640,000	.....
Office of Inspector General	4,690,000	4,850,000	4,850,000	+160,000	.....
Total, NSF	3,270,000,000	3,367,000,000	3,487,000,000	+217,000,000	+120,000,000
Neighborhood Reinvestment Corporation					
Payment to the Neighborhood Reinvestment Corporation	49,900,000	50,000,000	70,000,000	+20,100,000	+20,000,000
Selective Service System					
Salaries and expenses	22,930,000	23,919,000	23,413,000	+483,000	-506,000
Total, title III, Independent agencies	29,505,201,000	26,200,933,000	26,177,936,000	-3,327,265,000	-22,997,000
(Limitation on administrative expenses)	(114,445,000)	(100,074,000)	(115,074,000)	(+629,000)	(+15,000,000)
(Limitation on direct loans)	(625,000,000)	(625,000,000)	(625,000,000)	.....	.....
(Limitation on corporate funds)	(560,000)	(203,000)	(203,000)	(-357,000)	.....
Grand total (net)	85,895,503,442	90,990,338,000	91,660,767,000	+5,765,263,558	+670,429,000
Appropriations	(85,745,503,442)	(91,980,338,000)	(92,360,767,000)	(+6,615,263,558)	(+380,429,000)
Rescissions	(-3,650,000,000)	(-990,000,000)	(-700,000,000)	(+2,950,000,000)	(+290,000,000)
Emergency appropriations (net)	(3,550,000,000)	.....	.....	(-3,550,000,000)	.....
(By transfer)	(82,170,564,442)	(91,024,764,000)	(91,695,193,000)	(+9,524,628,558)	(+670,429,000)
(Limitation on administrative expenses)	(114,445,000)	(100,074,000)	(115,074,000)	(+629,000)	(+15,000,000)
(Limitation on annual contract authority, indefinite)	(-2,000,000)	.....	.....	(+2,000,000)	.....
(Limitation on direct loans)	(985,095,000)	(984,551,000)	(984,551,000)	(-544,000)	.....
(Limitation on guaranteed loans)	(238,900,000,000)	(258,661,000,000)	(258,661,000,000)	(+19,761,000,000)	.....
(Limitation on corporate funds)	(573,683,000)	(576,312,000)	(576,312,000)	(+2,629,000)	.....
Total amounts in this bill	85,895,503,442	90,990,338,000	91,660,767,000	+5,765,263,558	+670,429,000
Scorekeeping adjustments	-3,832,100,000	32,100,000	32,100,000	+3,864,200,000	.....
Total mandatory and discretionary	82,063,403,442	91,022,438,000	91,692,867,000	+9,629,463,558	+670,429,000
Mandatory	21,187,993,000	21,542,804,000	21,542,804,000	+354,811,000	.....
Discretionary: General purposes:					
Defense	125,930,000	128,919,000	129,413,000	+3,483,000	+494,000
Nondefense	60,749,480,442	69,350,715,000	70,020,650,000	+9,271,169,558	+669,935,000
Total, General purposes	60,875,410,442	69,479,634,000	70,150,063,000	+9,274,652,558	+670,429,000
Total, Discretionary	60,875,410,442	69,479,634,000	70,150,063,000	+9,274,652,558	+670,429,000

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

Mr. Chairman, I rise in support of this bill, and I urge my colleagues to do likewise. I could not make a similar statement last year or the year before that for the VA–HUD appropriation bills. I am pleased that I can support this legislation, and I am pleased with the circumstances that have made this possible.

First, I wanted to take a moment to thank the gentleman from California [Mr. LEWIS], the chairman, for the open and inclusive way that he has approached the drafting of this bill. Both the gentleman from California [Mr. LEWIS] and his able staff have been extremely courteous and helpful during the hearing process and especially preparing for the markup of this bill in subcommittee.

I want to thank the gentleman from California [Mr. LEWIS] publicly for the comity which has been restored to the operation of this subcommittee and for the pleasure it is to work with him in crafting this bill.

While I cannot wholeheartedly embrace every recommendation contained in the bill and report, I think overall the bill represents a fair balance for the diverse and worthwhile programs which it funds. I think the administration currently holds a similar opinion. In the last statement of administration policy, there is no mention of a possible veto for the bill as it now stands.

However, the statement continues that if an amendment is adopted to eliminate funding for the Corporation for National and Community Service, or AmeriCorps, a veto is likely. The administration is already deeply concerned that the committee's recommendations for AmeriCorps is $146 million below their request and does not provide for the new America Reads initiative.

An amendment was offered in committee and may be renewed in the House to eliminate AmeriCorps funding. I sincerely hope that amendment is not offered or, if offered, is defeated. We all know how strongly the President believes in this program. He has fought hard for it in the past, and I am sure he will continue to do so.

After some understandable startup issues, the program appears to be operating much more smoothly. Reforms have been made, costs are coming down, and results are being achieved. So I would hope that we would avoid the histrionics and posturing and the tired old arguments about AmeriCorps and pass a bill that the President will sign.

As I said, all and all, this is a fairly well balanced bill, one that is worthy of the Members' support. In notable contrast to the experience during the last Congress, this bill contains virtually no legislative provisions. There are no antienvironmental riders, unlike the score of such controversial riders 2 years ago, and there is no major rewrite of housing law as there was last year.

The combination of the subcommittee's section 602(b) allocations and the provision in the budget resolution providing an additional $9.2 billion in budget authority and associated outlays for the section 8 contract renewal situation has allowed the subcommittee the flexibility to craft a bill with many positive aspects. In particular, the bill provides the full amount requested for renewal of all expiring section 8 housing assistance contracts. It also provides the full administration request for operation and modernization of public housing and for revitalization of severely distressed public housing.

Further, the bill includes substantial increases over last year's level for the Neighborhood Reinvestment Corporation and the Community Development Financial Institutions Fund, two relatively small programs that are nevertheless very important to economic development in cities and rural areas alike.

The measure also maintains funding for housing for the elderly and disabled and provides the full amount requested for homeless assistance programs. It also gets the new native American housing block grant program off to a good start by providing a $165 million increase over the levels spent on comparable programs this year.

I do wish that we could have done more in some areas. I especially wish we could have provided the 50,000 new section 8 housing certificates proposed by the administration. This will be the third year in a row without any additional units of assisted housing. The need for affordable housing for low-income families is growing, while the supply is shrinking.

I also wish we could have funded the administration's proposal for grants to promote the redevelopment of brownfields, that is, former industrial properties with moderate environmental contamination. The problem of brownfields is one of the most serious difficulties hampering redevelopment in many inner cities.

I also wish we could have provided the requested increase in the Superfund Program to speed the clean-up of contaminated sites across the country. There appears to be a considerable difference of opinion regarding the wording of the budget agreement as it relates to Superfund.

The Republican leadership says the agreement means "enactment of comprehensive Superfund reform legislation." OMB Director Frank Raines has stated, and I quote him, "We do not agree that the additional Superfund cleanup funding agreed to in the budget agreement is contingent on any prior legislation, much less a comprehensive reform bill."

Because there has not been any movement yet with regard to Superfund policies, I believe the committee's action not to include the requested increase at this time is understandable. However, in effect, by taking the extra Superfund money and spending it on other programs and activities instead of keeping a reserve against the day the Superfund policies are worked out, I fear that we have prejudiced the program unfairly. I doubt that we have heard the last from the administration on the additional Superfund spending.

I also wish we could have provided additional funding for veterans' medical care. Although increases above the President's request are recommended for NASA, the National Science Foundation, the Federal Emergency Management Agency, and the Department of Housing and Urban Development, veterans' medical care receives only the requested amount.

If the proceeds of the third party reimbursement proposal are realized in the amounts estimated, and if the legislation to enable individual medical centers to keep such funds is enacted, the crunch will be eased somewhat. However, there is some concern that the estimated level of third party reimbursements may be overly optimistic. Concerning veterans' medical care funding, Mr. Chairman, I have received a letter signed by all the Democrats on the Committee on Veterans' Affairs. I quote in part from their letter, which is dated June 25:

> As you know, the President's proposed budget for fiscal year 1998 did not request a level of appropriations expected to be needed to meet the cost of veterans' health care. We disagreed with this approach when it was initially proposed and we continue to disagree with the President's proposal today. As our veterans age and their health-related needs increase, this is surely not the time to provide an appropriation for VA which is insufficient to meet the health care needs of veterans.

I share their concerns. Even with the additional funding from third party reimbursements, veterans' medical care is not sufficient to sustain the current services level, much less provide for any increase in patient work load.

In sum, Mr. Chairman, while I have some concerns about the bill, on the whole it is a bill which we should support. It is a good bill now, and I hope that it can be made even better by the time we go to conference and we send it to the President. Again, I express my appreciation to both the gentleman from California [Mr. LEWIS], the chairman, and his staff for the excellent cooperation that we have received in crafting this bill.

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

□ 1900

Mr. LEWIS of California. Mr. Chairman, I yield 2½ minutes to the gentleman from Kentucky [Mr. WHITFIELD].

Mr. WHITFIELD. Mr. Chairman, I rise today in support of this bill. I commend the gentleman from Louisiana [Mr. LIVINGSTON], the gentleman from California [Mr. LEWIS], the gentleman from Wisconsin [Mr. OBEY] and the gentleman from Ohio [Mr. STOKES] for the fair and equitable manner in which they have sorted out the competing priorities of the agencies funded by this proposal. I particularly want to express my appreciation for the commitment this appropriation makes to the Department of Veterans Affairs.

The Department of Veterans Affairs plays a vital role for the thousands of veterans in America. I want to share with my colleagues the story of Mr. Joe Atterbury of Hansen, Kentucky. As a 17-year-old in Vietnam, Joe, like many soldiers of that era, experienced many traumatic events, some so traumatic that I really cannot discuss them.

After serving in Vietnam, Joe returned home to western Kentucky, got a job, married and began raising a family. He worked hard as his family grew, with the addition of each of his six children. But by 1972, he began to have serious doubts about his ability to work and support his family. There was something affecting Joe Atterbury. He turned to the Department of Veterans Affairs for help seeking disability compensation. Seven years later, after several appeals, Joe was denied his claim. The VA found no cause for his inability to hold a job. He continued to work, off and on, trying to make ends meet for his family and it was very difficult. But in 1991 with the help of a caring physician, Joe refiled his claim.

I am pleased to say today, with the help of the Department of Veterans Affairs, after 25 years of denials and frustrations, Joe Atterbury was awarded a disability claim in excess of $100,000 for the posttraumatic stress disorder he had suffered since 1972.

The bill before us today represents a modest increase for veterans benefits, health administration, construction projects and other programs. I urge my colleagues to vote in favor of the bill and to renew their commitment to ensuring that all American veterans will find the help and the hope they deserve as did Joe Atterbury.

Mr. STOKES. Mr. Chairman, I yield 4½ minutes to the gentleman from Texas [Mr. GONZALEZ], the distinguished ranking member of the Committee on Banking and Financial Services.

Mr. GONZALEZ. Mr. Chairman, I rise in support of H.R. 2158, a bill making appropriations in 1998 for VA, HUD and the independent agencies. Although I continue to be deeply troubled by the severe budgetary limitations on domestic discretionary spending, particularly for the most vulnerable and working families in future years, I applaud the Committee on Appropriations for the work that they have done this year.

H.R. 2158 is devoid of noxious legislative riders and most authorizing language that should be developed by the Committee on Banking and Financial Services. Indeed I am hopeful that even the few housing provisions will not be necessary here and that the Congress will enact real and fair public housing reform this year. On one of the problems of the last appropriations bill, the very complicated issue of section 8 portfolio restructuring, I am hopeful that the budget reconciliation conference will provide the legislative framework for reviewing section 8 contracts. The Committee on Appropriations took the most critical step in this bill. H.R. 2158 provides sufficient funding for all renewals coming due in 1998. I applaud them for their work and foresight.

Now the authorizers must do their work in reconciliation. We are well on our way to balancing all the disparate interests of the tenants, owners, communities, and the Federal Government in preserving as much affordable housing as possible, reducing the costs to the Federal Government, reasonably protecting the financial investments of the owners and protecting the tenants from unnecessary displacement. We thank them for making our job a little easier.

Mr. Chairman, that having been said, there are two glaring deficiencies in this bill. For the third year in a row, there is absolutely no money for incremental section 8 housing assistance, even in the face of continued, mounting evidence that greater numbers of very low income families and the working poor are finding it ever more difficult to find affordable housing. Some 5.3 million Americans have worst-case housing needs. That number grows by leaps and by bounds. I find it unconscionable that this refuses to fund any new section 8 assistance in this proviso.

The bill also fails to provide funding for preservation. Since its inception, 751 properties with more than 90,000 units have received preservation funding. Another 477 properties with about 56,000 units costing $1.6 billion are ready and waiting for preservation funding. The 1997 appropriations will take care of only about 58 of the approved preservation units, or plans, but that leaves more than 400 properties where owners or nonprofit and community groups that wish to preserve affordable housing will not be funded. Affordable housing will be lost.

Mr. Chairman, we are building precious few new affordable housing units. We simply cannot afford to lose this scarce and precious affordable housing resource.

On balance, however, this bill is about as good as we can get under our severe budget constraints. I urge my colleagues to support H.R. 2158.

Mr. LEWIS of California. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey [Mr. FRELINGHUYSEN], an outstanding member of our committee.

Mr. FRELINGHUYSEN. I thank the gentleman for yielding me this time, and I rise in support of the bill.

Mr. Chairman, I would first like to thank the gentleman from California [Mr. LEWIS], the gentleman from Ohio [Mr. STOKES]) and the subcommittee staff for their guidance throughout the year.

This bill contains funding for many vital programs for our Nation's veterans, for protection and preservation of our environment, for meeting the housing needs for our elderly and disabled, and for scientific research and discovery.

Nearly half of this bill's funding of $40.4 billion supports the Department of Veterans Affairs efforts to provide health care, housing and benefits. As a member of this subcommittee, I am pleased that this bill provides full funding for the VA health care system.

In addition to veterans funding, H.R. 2158 provides funding for the section 811 program, housing for people with disabilities at $194 million, $20 million more than the President requested, and for the section 202 program, housing for older Americans, the number is $645 million, $300 million more than the President's request. Both of these programs are working extremely well at the Department of Housing and Urban Development, and I am pleased that the committee provided increased funding for both of them.

This bill also continues a set-aside program that the committee started last year to meet housing needs for people with disabilities. The committee has again included, and I commend the gentleman from California [Mr. LEWIS] in particular, $50 million for tenant based rental assistance to ensure decent, safe and affordable housing in communities for low income people with disabilities.

Finally, this bill includes more funding for Superfund cleanups. Specifically, $1.5 billion is included for the program, $106 million more than last year's funding.

Mr. Chairman, there is a desperate need for Superfund reform and change. First, the program needs to be reauthorized. Secondly, it needs to promote actual cleanups based on sound science, not the rhetoric of political science. Polluters need to pay and steps need to be taken to ensure that public or private funds are used for environmental cleanup, not to sustain endless litigation.

Mr. Chairman, I am proud to be a member of this committee and I support the bill.

This bill contains funding for many vital programs for our Nation's veterans, for protection and preservation of our environment, for meeting the housing needs for our elderly and disabled and for scientific research and discovery.

In total this bill provides over $91 billion for the Departments of Veteran Affairs, Housing and Urban Development and 17 independent agencies and offices. Nearly half of the bill's funding $40.4 billion, supports the Department of Veterans Affairs' efforts to provide health care, housing and benefits.

As a member of this subcommittee I am pleased that this bill provides full funding for the VA Health Care System. However, I remain concerned over the way the VA has chosen to implement the Veterans Integrated Network System [VISN]. My concern lies with the fact that veterans' health care funding has increased each year for the last 2 years by some $400 million yet some area networks are not seeing any increases and in fact are receiving cuts in funding and services.

In testimony before our subcommittee this year VA Secretary Jesse Brown told the subcommittee that no services will be reduced under the VISN proposal. In spite of this promise, the VA continues to reduce the number of veteran services to VA hospitals in New Jersey and veterans are beginning to believe that the Secretary's promise is meaningless.

During subcommittee markup I offered report language, accepted by the subcommittee, which would delay by 4 months the cuts to specific veterans' networks until the General Accounting Office has reviewed the new system. This review would determine if funding is being equitably distributed and if services to our veterans are adequate. I believe that this provision is a fair way of assessing the new VA plans to distribute these important health care funds.

In addition to veterans funding, H.R. 2158 provides funding for the section 811 program, housing for people with disabilities, at $194 million, $20 million more than the President requested and the section 202 program, housing for older Americans, at $645 million, $300 million more than the President's request. Both of these programs are working extremely well at the Department of Housing and Urban Development and I am pleased that the committee provided increased funding for them.

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Finally, this bill includes more funding for Superfund clean-ups. Specifically, $1.5 billion is included for the program, $106 million more than last year's funding.

There is a desperate need for Superfund reform and change. First, the program needs to be re-authorized and second it needs to promote actual clean-ups based on sound science, not the rhetoric of political science. Polluters need to pay and steps need to be taken to assure that public or private funds are used for environmental clean-up, not to sustain endless litigation.

Mr. Chairman, I am proud to be a member of this committee and I support this bill.

Mr. STOKES. Mr. Chairman, I yield 3 minutes to the gentlewoman from Florida [Mrs. MEEK], a very distinguished member of this subcommittee, very hardworking and very knowledgeable.

Mrs. MEEK of Florida. Mr. Chairman, I thank the leadership of the Subcommittee on VA, HUD and Independent Agencies, the gentleman from California [Mr. LEWIS], the chairman, and the gentleman from Ohio [Mr. STOKES], the ranking member. I am pleased to have served on this subcommittee.

I think that the work that was done by this subcommittee was surely a bipartisan kind of effort, where both Democrats and Republicans worked well for the benefit of the people of this country. I want to congratulate them and their staffs for the work on this fine bill.

This particular bill will not do everything for everybody, Mr. Chairman, but what it does, it does a lot for people in need to improve the housing in this country. It is a responsible compromise that merits the support of every Member of this House. I think there is something in this bill, Mr. Chairman, that every Member of the House can go back home and say, "This is what this subcommittee did and we are very proud of it."

This has been a very tight budget year. Each of us is aware of that. The 602(b) appropriation is not as high as many of us thought it would be. Of course in the Senate it is probably much lower. So I think this committee did an outstanding job. They prepared for the renewal of expiring section 8 contracts, increased funding for EPA research which is so direly needed, the Superfund cleanups, housing for people with AIDS, community development financial institutions and a 40-percent increase for the Neighborhood Reinvestment Corporation. They really went out and reached out to those groups that really needed help and those programs that have been working well.

This bill also continues the Nation's commitment to space exploration and research, including development of the space station as well as the AmeriCorps national service program.

I particularly thank the chairman for working with the gentleman from New Jersey [Mr. FRELINGHUYSEN] and myself in increasing funding for the section 202 housing program for the elderly and for working with us on increasing funding for the self-help home ownership opportunity program. The gentleman from California [Mr. LEWIS], the chairman and the gentleman from Ohio [Mr. STOKES], the ranking member, were very receptive to ideas that would be workable for the people of this country as far as veterans housing and independent agencies. Many groups like Habitat for Humanity that our chairman so graciously decided that we would go out and help them, this was a show to this country and to those of us on that subcommittee that we not only deal with projects and with numbers but we deal with human lives in trying to rebuild housing for people in need.

Another thing in my district, like Centro Campesino dealing with the Mexicans in that area who are in so much dire need of housing. The chairman provided for those kinds of people to make possible the home ownership, Mr. Chairman, for people who perhaps would never get that opportunity. While this bill is not perfect, I want to again congratulate the chairman and the ranking member. It is a responsible bill and it is supportable. I urge my colleagues to support it.

Mr. LEWIS of California. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan [Mr. KNOLLENBERG], a member of the subcommittee.

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Mr. KNOLLENBERG. Mr. Chairman, I rise today in strong support of the bill. I want to thank the chairman of the subcommittee, the gentleman from California [Mr. LEWIS], who has done an outstanding job along with, of course, the gentleman from Ohio [Mr. STOKES], the ranking member. I think the two of them forged a relationship that brings about some bipartisanship that frankly we need in this body, and I applaud both of them for that.

As we began this appropriations process this year, the biggest unanswered question was whether we could fashion a good bill acceptable to a bipartisan majority. I would say that this subcommittee has done just that in a definitive fashion. This appropriations bill is unique in that it covers an array of diverse agencies ranging from AmeriCorps, to the environment, to space exploration. It is not easy to bring such a wide range of interests together into a single bill. In fact, it is one of the most difficult legislative juggling acts that my colleagues will ever encounter in this body, and again the gentleman from California [Mr. LEWIS] and the ranking member, the gentleman from Ohio [Mr. STOKES], deserve a lot of credit.

I believe that H.R. 2158 strikes a unique balance that addresses the needs of our veterans' housing programs, the environment and special needs of space exploration. Veterans funding is increased by more than 330 million, sending, I believe, a clear message of continued support for those who risk their lives for our country. We preserved funding for NASA's core mission, and in light of the recent success of Sojourner's mission to Mars, I think we should applaud what has been done and exciting to see some of the results of that spending. While we increased EPA funding to protect our environment, I have some grave concerns over EPA's use of these funds to implement the proposed new clean air standards. Much of the debate surrounding

this issue has become emotional, polarizing, rather than constructive and innovative. Without question, I believe the administration is attempting to impose costly new regulations on our communities, workers, businesses and families without anything more than a shred of concrete evidence that the new standards will help.

A part of me would really like to see this bill separated in the fashion so we could look at it, analyze it and apply some cost-benefit analysis and some risk analysis to this whole process. I do not believe that is the case.

But in conclusion, the bill before us is a good bill. I am very sure, very sure that every Member in this body could find something wrong with it, and probably has, but on the basis of what has been presented I believe it is a good bill and, frankly, if they can find something wrong with it, that is the nature of the process down here on the floor. We can all find something wrong with whatever comes through in the way of a product.

But I again want to take a moment to applaud the gentleman from California [Mr. LEWIS], the staff who have done an outstanding job, again the ranking member, the gentleman from Ohio [Mr. STOKES], and I particularly wanted to thank Mr. STOKES for his working with me on an issue that in times passed has been a bit of a hang-up, but it has come about, I think, where we have reached a conclusion that we have agreed that we can agree on this issue.

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

Mr. KNOLLENBERG. I yield to the gentleman from Ohio.

Mr. STOKES. Mr. Chairman, I just wanted to express my appreciation to the gentleman for his kind remarks and in the same turn that the matter which the gentleman and I were able to work out satisfactorily to both of us I think is one that also demonstrated the bipartisan manner in which the gentleman and I have approached matters relating to this committee, and it has been a pleasure to serve and work with him.

Mr. KNOLLENBERG. Mr. Chairman, I thank the gentleman from Ohio [Mr. STOKES]. I appreciate his comments.

Mr. STOKES. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. EVANS].

Mr. EVANS. Mr. Chairman, I thank the ranking member, the gentleman from Ohio [Mr. STOKES] for yielding this time to me.

Mr. Chairman, I prepared an amendment to this appropriations bill that would have prohibited the VA from using fiscal year 1998 dollars to contract with businesses that have serious and repeated violations of Federal labor and safety laws. I will not, however, offer my amendment at this time. The Committee on Rules did not agree to waive possible points of order against it. But I want to remind Members that our Nation's Federal contracting laws are in need of much reform.

The amendment I had hoped to offer this evening is similar to H.R. 1624, the Federal Procurement and Assistance Integrity Act that I introduced during this Congress. The amendment was narrowly tailored, however, so it would only apply to VA appropriations during the next fiscal year. It would have prohibited the VA from contracting with businesses with a history of serious and repeated labor and safety law violations. The amendment would have helped ensure that the VA only does business with entities that comply with the laws that protect America's working men and women from unfair working practices and unsafe workplace conditions.

Beverly Enterprises is one of the largest nursing home operations in the United States. It has an extremely poor safety record and a longstanding record of vindictive and illegal labor practices. The GAO has labeled Beverly as one of the most serious labor violators among our Nation's Federal contractors. The U.S. District Court in Pennsylvania recently stated that Beverly's labor law practices have been "selectively geared to destroy or at least impede communication among union members." On the health and safety front Beverly has repeatedly refused to allow investigators from OSHA to visit their facilities, even when the inspectors produce a warrant.

These facts speak for themselves. It is time to stop pouring taxpayer dollars down the corporate coffers of the Federal contractors who play fast and loose with the employees' rights and jeopardize the lives of American workers for the sake of the bottom line.

Mr. Chairman, I urge my colleagues to consider this kind of contracting reform as we take up future appropriations bills in this Congress.

Mr. LEWIS of California. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. QUINN] for purposes of a colloquy.

Mr. QUINN. Mr. Chairman, I thank the chairman of the subcommittee for his courtesies today.

Mr. Chairman, as the chairman of the Subcommittee on Benefits, I am very concerned about the gradual decline in the overall appearance at our Arlington National Cemetery. The cemetery staff does a marvelous job, Mr. Chairman, of trying to keep the Nation's premier veterans' cemetery up to the standards of a National shrine that it is, but relatively flat budgets and a growing workload make that more and more difficult every year.

For instance, in 1992, Arlington employed a staff of 140 and interred 4,352. Five years later in 1997, the cemetery interred 5,400 with a staff of only 117. We know construction funds are also lagging, and these are the funds that are needed to replace an aging infrastructure such as old buildings and roads and to open new areas for burial. In 1992, Arlington received $4.8 million; this year's budget requests only $2.4 million, and clearly, Mr. Chairman, if this continues, our standards will not be met.

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

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

Mr. LEWIS of California. Mr. Chairman, the chairman of the Subcommittee on Veterans Benefits is right on target. The gentleman from New York [Mr. QUINN] and I have discussed this matter on other occasions. Arlington National Cemetery holds a very special place in the hearts of the Nation, and I think it is important that Arlington be maintained at the highest standards. I am very aware that the cemetery's maintenance backlog has been growing.

Mr. Chairman, does the gentleman have a proposal?

Mr. QUINN. Mr. Chairman, I believe that they can probably absorb several millions of dollars worth of improvements, but the budget pressures that we are under, and others have worked so hard, I was going to offer an amendment to add $250,000 to the cemetery's budget. I appreciate the gentleman's leadership and respect the hard work of the subcommittee.

So I would merely request that during the conference with the other body the gentleman from California seek to add that $250,000 to the operations and maintenance accounts so that we can maintain Arlington in the manner reflecting the deeds of those who are buried there.

Mr. LEWIS of California. Mr. Chairman, I thank the gentleman for his cooperation and consideration of the subcommittee's work and the difficulty we face. This is a modest sum, and I am sure that it will be well used at Arlington. I would be pleased to seek additional funds during conference.

Mr. QUINN. Mr. Chairman, I thank the gentleman from California.

Mr. STOKES. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. BROWN], the ranking member of the Committee on Science.

Mr. BROWN of California. Mr. Chairman, I would like to say a few words about the VA-HUD-Independent Agencies' appropriation bill developed under the able leadership of the gentleman from California [Mr. LEWIS] and the gentleman from Ohio [Mr. STOKES], the ranking member. While there are, of course, specific items to which I may object, I believe that the bill is, on balance, a good one. Thus, in the brief time that I have I would like to comment on a few of the NASA provisions that have generated some controversy.

The bill, as reported, provides the NASA Administrator with the authority to transfer up to $150 million from the science, aeronautics, and technology and mission support accounts to the space station account. I shared the concern of the gentleman from Wisconsin [Mr. SENSENBRENNER] with that provision, and I am disappointed that the rule protects the provisions against a point of order. However, I do want to be clear about the reasons for my opposition.

I do not oppose providing NASA with additional funds to complete the development of the space station. I recognize that both NASA and the space station prime contractor have suffered cost growth and schedule problems over the past year. That does not make me happy, but it would be foolish to ignore reality and to pretend that all is well with the program and that additional funds will not be needed.

The situation has been exacerbated by the $2.1 billion annual funding cap that was imposed on the space station program in 1993. The cap may have been politically advantageous, even necessary, but it has further constrained NASA's ability to respond to Station development problems.

It is not very surprising to me that an R&D undertaking as large and as complex as the space station has run into difficulties, especially since we are at the point in the development program where we would anticipate such problems typically would arise. Moreover, I fully expect that the space station program will need additional funds prior to its completion, and I am prepared to support additional funding as appropriate.

However, I strongly believe that additional funding requests should not be quietly slipped into appropriations bills without prior review by the authorizing committee. Neither do I believe that it is prudent to indiscriminately raid NASA's other important activities to pay for space station cost growth. We will need to be flexible in our approach in order to ensure that no programs are damaged. Conversely, I would also oppose a limitation on the administration's ability to add funds to the space station engineering account, subject to congressional approval.

In a related vein, I intend to oppose the amendment that I understand will be offered by Mr. ROHRABACHER and Mr. ROEMER to eliminate the $100 million Russian program assurance account. While the amendment may reflect an understandable frustration with Russian delays in meeting their space station commitments, this amendment would have the net effect of damaging American interests—not promoting them.

That is because the $100 million is intended to reduce United States dependence on the Russians by funding the development of United States-owned contingency hardware that would help take Russia off the space station's critical path. Moreover, it is money that will be almost entirely spent within the United States—it is not a gift to the Russians, nor is it a blank check. Eliminating those funds would, in all likelihood, force NASA to curtail its work on contingency options and alternatives. Fundamentally, we can't have it both ways: We can't direct NASA to reduce the space station program's dependence on the Russians, and at the same time eliminate the funds NASA requires to carry out that directive.

The authors of the amendment have tried to add additional provisions that they hope will make it more appealing. However, Members should not be confused. If adopted, I believe that this amendment would lead to increased space station costs, further delays, and continued vulnerability to potential Russian delays. I intend to support Chairman LEWIS and oppose the amendment.

Mr. LEWIS of California. Mr. Chairman, I yield 3 minutes to the gentleman from Nebraska [Mr. BEREUTER], my colleague and friend.

Mr. BEREUTER. Mr. Chairman, I want to thank, first of all, the chairman and the ranking member and all the members of the subcommittee for the excellent work they did under difficult budgetary restraints, and I want to particularly comment favorably upon their treatment of some of the housing programs. Section 8, section 184, section 202, and section 811 programs were funded as adequately as we can under the circumstances, and they are very important, and I appreciate the subcommittee's good work.

Mostly, however, I would like to address the Safe Drinking Water Act. Legislation was enacted last year to amend that act and inject more common sense in the process of testing and treating our Nation's water. This Member is concerned, however, that the Environmental Protection Agency's groundwater disinfection program may be ignoring congressional intent. Specifically, the EPA may attempt to implement a rule which would result in enormous disinfection costs for small communities, but with no actual benefit to the citizens of those communities. In recognition of the general good quality of our Nation's groundwater, the excellent existing State water quality protection programs and the expense and other complications of unneeded treatment, the Safe Drinking Water Act of 1996 provided the EPA with only the authority to promulgate regulations requiring disinfection as a treatment technique as necessary, and I stress the words as necessary, for all public water systems using groundwater. Therefore, it appears that the EPA staff, all too predictably and as this Member predicted, would be the problem in his floor comments on June 25, 1996. It appears they may be focusing on a proposed regulation which goes far beyond the regulation of those systems with groundwater quality problems. Agency drafts have proposed regulatory measures that exceed disinfection and which are currently and properly covered under State authority or State programs.

Therefore, this Member would request that the chairman of the appropriations Subcommittee on VA–HUD enter into a colloquy on this matter.

Mr. Chairman, is it the committee's intention that a small community using groundwater should not be subject to EPA-directed improvements unless the community's groundwater poses a genuine health risk?

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

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

Mr. LEWIS of California. Unless the community's groundwater poses a genuine health risk, yes, there is such a requirement.

Mr. BEREUTER. Mr. Chairman, is it also the committee's intention that in order not to override creative and locally supported State efforts, which are effective in assuring public health, the EPA should develop a rule that clearly demonstrates that the groundwater poses a genuine health risk before requiring systems to disinfect?

Mr. LEWIS of California. Yes, it is, and I must say to my colleague that I very much appreciate his raising this question, for across the country there are other districts that have similar concerns, and the answer is yes.

Mr. BEREUTER. This Member thanks the distinguished gentleman for this clarification. Since Nebraska has more communities, all except five public water systems, that depend upon groundwater, more than any other State, this is a matter of great importance to our State, and I understand it affects other districts around the country as well.

Mr. Chairman, once again, the Appropriations Committee has completed the tough task of allocating limited resources to many deserving programs. As a member of the House Banking Committee, the committee with jurisdiction over Federal public housing programs, this Member is keenly aware of the growing strain section 8 contract renewals are placing on the HUD budget. This Member commends the appropriators for dealing with this difficult task in the absence of a legislative solution.

Although there are numerous deserving programs included in this funding bill, this Member would like to mention three specific programs. First, the bill provides $3.0 million for the section 184 Indian Housing Loan Guarantee Program which is administered by HUD. According to the committee report, this appropriation will result in over $36.9 million in loan guarantees. The section 184 Indian Housing Loan Guarantee Program has already proven to be an excellent program that for the first time is providing privately financed homes through a guarantee program for Indian families who are otherwise unable to secure conventional financing due to the trust status of Indian reservation land.

Second, appropriators should be applauded for including $4.6 billion for the Community Development Block Grant [CDBG]. This amount, which is the same as the fiscal year 1997 enacted level will efficiently provide block

grants for many successful programs, including Youthbuild.

Finally, this Member would like to thank appropriators for retaining the fiscal year 1997 enacted level of $645 million for the section 202 elderly housing program and $194 million for the section 811 disabled housing program. These levels, which this Member supported during House floor consideration last year, are a minimum commitment Congress should make to these special needs citizens.

Mr. Speaker, this Member rises in support of H.R. 2158 and urges his colleagues to support this measure.

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Mr. STOKES. Mr. Chairman, I yield 2 minutes and 10 seconds to the gentleman from Pennsylvania [Mr. BORSKI], the ranking member of the Subcommittee on Water Resources and Environment of the Committee on Transportation and Infrastructure.

Mr. BORSKI. I thank the distinguished gentleman for yielding me this time, Mr. Chairman.

Mr. Chairman, while this bill has many positive attributes, it fails to adequately fund the Superfund toxic waste cleanup program. It violates the budget agreement by refusing to fund the President's request. It shortchanges the millions of Americans and their children whose lives and welfare are threatened by toxic waste.

By failing to provide the $650 million requested by the President for Superfund cleanup in fiscal year 1998, up to 120 Superfund site cleanups will not begin. There will be an enormous reduction in the relief that could be afforded to nearly 70 million Americans, including 10 million children who live within 4 miles of a Superfund site. The money requested sits in a trust fund collected for the very purpose of providing relief to these people who live with hazardous waste, threatening the water supplies and health.

Mr. Chairman, in the past the Superfund program has been justly criticized for the speed with which it cleaned up sites. As ranking member of the Subcommittee on Water Resources and Environment, I am all too aware of the history of the program. But I can tell the Members with a certainty that EPA, under the effective leadership of Carol Browner, has implemented over 50 initiatives to reform and improve the program.

The criticisms of the past do not accurately reflect the Superfund program of today. Eighty-two percent of sites on the final list are undergoing cleanup construction or already have construction completed.

Superfund has 439 completed cleanups and an additional 492 underway. These numbers indicate that the current program is clearly much more effective than in years past. The President proposed funding in his budget to complete an additional 500 cleanups by the year 2000. These are cleanups that are ready to go.

Despite their insistence that they, too, are committed to speeding up cleanups, the Republican leadership refused to provide needed cleanup funding.

Mr. Chairman, the Committee on Transportation and Infrastructure and the Committee on Commerce, along with the administration, have been meeting on a bipartisan basis to reauthorize the Superfund program. However, that process should not be the excuse to fail to fund cleanups which are ready to begin today. I do not know what a revised Superfund might look like, but I do know that the failure to provide additional cleanup funding will delay cleanups.

Mr. STOKES. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Chairman, I want to urge support of this bill, and I must say that I am pleased with the overall funding for the EPA, plus language that was put in in an appropriation of $4 million for our decontamination effort of toxic dredge material in the New York Harbor, which impacts New Jersey. I wanted to thank the chairman, the gentleman from Ohio [Mr. STOKES], as well as the gentleman from New Jersey [Mr. FRELINGHUYSEN] for that effort in particular.

But I do have to say, as my previous colleague, the gentleman from Pennsylvania [Mr. BORSKI] did, that there is not enough money to significantly expand the Superfund program as proposed by the President. The President's initiative to clean up an additional 3,500 Superfund sites by the end of the year 2000 was designed to protect the public from the risks that these sites posed to health and the environment. I think this was an important initiative. It was recognized by the Congress. It was part of the accommodation in the balanced budget agreement.

What we intend to do, myself, the gentleman from Massachusetts [Mr. MARKEY] and the gentlewoman from Colorado [Ms. DEGETTE], is to offer an amendment that restores the $650 million in additional funding requested by the President.

Many of Superfund's detractors are fond of saying that the sites do not get cleaned up fast enough. I think this is the opportunity to make a difference. We should reauthorize and reform Superfund, but we have to fund the cleanups while we work on the bill.

I just wanted to say that in my home State of New Jersey, there are some 70 percent of our 107 sites that are either being cleaned up or are cleaned up. A great number of the sites have not been delisted in New Jersey only because long-term monitoring is still ongoing or long-term treatment of groundwater is still ongoing, but we have worked very hard with the EPA administrator and the President to put in place a Superfund program that is leaner and cleaner than it ever was before.

Nationally, the reforms put into place by the EPA have revived the Superfund program after many years of neglect. In the last 4 years the EPA has cleaned up more sites than in all of the 12 years of the program's previous years.

Mr. Chairman, the President made a promise to clean up these additional sites by the year 2000. To do that, I think we should include this money in the bill.

Mr. STOKES. Mr. Chairman, I am pleased to yield 2 minutes to my colleague, the gentleman from Cleveland, Ohio [Mr. KUCINICH].

Mr. KUCINICH. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, at this hour the ailing Russian astronaut Tsibliyev is aboard the Mir space station awaiting help in outer space to see if an American astronaut, Michael Foale, can take charge to make critical repairs to the space station.

As often happens in the universe, the drama in the sky above mirrors that on the Earth below, because we are faced with the possible elimination of $100 million in the fiscal year 1998 appropriations for NASA's Russian Program assurance activities. This $100 million is needed to continue NASA's contingency against Russian delay in the delivery of the International Space Station service module.

The majority of these funds will be spent in the United States to develop and modify hardware needed to ensure that the International Space Station will be built on time. The elimination of these funds would put the program at risk and delay the critical research that is being planned for the space station.

Mr. Chairman, NASA has made significant progress towards the on-orbit assembly of this unique international research facility. The $100 million allows NASA to fulfill a mandate that has been emphasized by Congress, the importance of contingency planning to prepare the United States to deal with delays in Russian hardware for the space station.

The day is near when the International Space Station, the product of an international partnership between the United States and 13 other countries, will begin to be assembled in orbit around the Earth. When it is completed soon after the turn of the century, it will serve as a world class laboratory for microgravity research.

Mr. Chairman, the International Space Station represents the future of aerospace technology, medical research, international cooperation, and space travel. The continued support of this orbiting laboratory is critical. We wish the Russian astronaut well and Godspeed, and we wish our American astronaut good luck as he faces this critical moment. We are with him, and

I hope that we will support the continuation of the International Space Station.

Mr. STOKES. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Ohio [Mr. STOKES] is recognized for 2 minutes.

Mr. STOKES. Mr. Chairman, I do not expect to take all the time. I just want to once again say to my colleagues that this is a good bill. I want to say also that this is a difficult bill to craft. It is a bill that takes a number of months to put together. The staffs on both sides, the majority and minority staffs, have spent a lot of time working on this bill. Then the chairman and I spent long hours working to craft this bill.

Mr. Chairman, we wish, both of us I am sure, the gentleman from California [Mr. LEWIS] and I, that we could have had the resources to do many more things with this bill, but with the resources that were available to us I think we have crafted a bill that the House can take pride in.

Right now this bill has the support of the President. I hope we will not put any onerous amendments on this bill to place it in jeopardy of any type of a veto. I would like to see us be able to pass this bill and go to conference, and bring back to the House an even better bill.

In closing, Mr. Chairman, once again I want to thank my esteemed colleague, the gentleman from California [Mr. LEWIS], and say what a pleasure it is to work with him in crafting this very difficult bill. I offer him full support for this bill and hope that our colleagues will pass it.

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

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

The CHAIRMAN. The gentleman from California [Mr. LEWIS] is recognized for 6 minutes.

Mr. LEWIS of California. Mr. Chairman, it has been suggested that the gentleman from Ohio [Mr. STOKES] and I, working on this very complex bill, have found ourselves in a circumstance where perhaps this subcommittee is a model for the work of the balance of our subcommittees.

I think more important than that, the bill involves, as has been suggested, a great variety of very complex issues that cover the gamut in terms of services to the American public. Veterans' medical programs are important, obviously. Housing programs are important. We are all excited today about NASA. EPA's work is critical to the country's future.

Indeed, when those kinds of programs are involved and there is competition head-on, the point that shortly comes to the fore is that major public policy issues, when we can get down to the nub of it, have very little to do with partisan politics. It is searching for alternative solutions and answers that lead to the best result for the American public. In this bill, I think we come very close to accomplishing much of that.

Because of that, I give my thanks to our staff, as the gentleman from Ohio [Mr. STOKES] has suggested, but very much to my colleague, the gentleman from Ohio, Mr. LEWIS STOKES, for his cooperation as well.

Mr. Chairman, I urge Members to support this bill.

Mr. RUSH. Mr. Chairman, I rise today to voice unqualified support for one of the Nation's most vital housing programs—the Low Income Housing Preservation and Resident Homeownership Act [LIHPHRA] of 1990 and its predecessor, the Emergency Low Income Housing Act of 1987. This program has, without qualification, preserved the homes of thousands of low- and moderate-income families and senior citizens. Yet, the HUD–VA appropriations bill that we have before us today includes zero funding for this popular and effective program.

In Chicago, there are presently 600 units of housing that have been approved by the Department of Housing and Urban Development for preservation. These apartments involve sales to community-based nonprofit organizations that are awaiting funding. But they will not be preserved as affordable housing if this Congress fails to provide funding for the LIHPHRA Program.

In the First Congressional District, there are presently 418 units approved for preservation and awaiting funding. Since its inception, LIHPHRA funds have contributed to the preservation of 1,500 apartments in the First Congressional District and 7,500 units in Illinois. This includes the recent transfer of a 312-unit senior citizen property on Chicago's south side—Cambridge Manor—to resident nonprofit ownership. Just weeks ago I had the opportunity to share in the celebration of this achievement with residents of the community.

LIHPHRA has proven a cost-effective approach to preserving affordable housing in our financially strapped cities. The national average cost to acquire and rehabilitate housing under LIHPHRA is $40,000 per apartment. This compares to an average cost of $80,000 to $120,000 per unit for total replacement of housing in the First Congressional District.

Regrettably, the actions of the HUD–VA Appropriations Committee will result in hundreds of prepayments of HUD-assisted mortgages. The end result will be the conversion of quality housing stock that has been financed with taxpayer dollars to market-rate uses.

In place of continued and expanded LIHPHRA funding, the committee is recommending the use of housing vouchers. But experience shows that in Chicago, at least 20 percent of tenant-based assistance is returned to the housing authority unused because of economic and racial barriers faced by tenants who try to use the certificates. Clearly, the voucher alternative does not offer a workable viable vehicle to preserve housing stock as a source of low-income housing for current tenants and future generations.

I regret that the VA–HUD appropriations bill reported by the committee failed to include funding for the preservation program. I urge my colleagues in the Senate and the conferees to ensure that funding for the LIHPHRA Program is restored.

Mr. EVERETT. Mr. Chairman, I rise today to extend my support for the legislation before us. I especially commend Chairman LEWIS and his colleagues on the VA–HUD Appropriations Committee for their cooperation with the Committee on Veterans Affairs in reaching a consensus and commitment to adequately fund the Department of Veterans Affairs for fiscal year 1998.

Chairman LEWIS has provided a total appropriation of $40.0 billion in fiscal year 1998 for programs and benefits provided to our veterans by the VA. This total is $143 million more than requested by the administration and includes $17.0 billion in direct appropriation for medical care and treatment of eligible beneficiaries. The legislation also takes an important step to allow the VA to retain for its own use the collections and user fees paid from third parties as reimbursement for VA-provided medical care.

While this Congress is dedicated to spending less of the taxpayers dollars on unnecessary programs and departments of Government, we cannot and should not jeopardize veterans healthcare, compensation, and other program benefits. This country made a commitment to every single veteran and we have a responsibility to follow through. I believe that this legislation is true to this commitment.

This Congress should, however, expect the Department of Veterans Affairs to commit taxpayer dollars toward programs and services in a fiscally responsible manner. I am particularly concerned with the manner in which the VA is progressing toward VA hospital integrations across the country.

Let me first say that I support consolidating VA facilities. I believe this process is necessary to improve the efficiency of healthcare delivery for America's veterans. However, the VA should never implement an integration of facilities before designing a detailed integration plan. Unfortunately, the VA proceeded with the formation of the Central Alabama VA Health Care System and implementation of clinical and administrative changes without a business plan. The GAO considers the VA proposal inadequate, at best. Further, the GAO suggests that the plan raises more questions that it provides answers.

For this reason, I have requested that the VA halt the integration of two facilities in Alabama until such time as the Department has provided critical information on the consolidation process, specifically, on the formation of the Central Alabama Veterans Health Care System through the integration of the Montgomery, AL, VA Medical Center, and the Tuskegee, AL, VA Medical Center.

The General Accounting Office [GAO] is reviewing the integration of these facilities and has identified specific issues which should be addressed before further implementation takes place. The VA agreed to temporarily halt this integration in June.

At my request, Chairman LEWIS has included report language in the bill directing the VA to not proceed with further integration of

these two facilities until a detailed plan of the integration has been submitted to the Congress and the General Accounting Office issues a report reviewing the plan.

I believe, and the committee agrees, that given the specific circumstances surrounding the integration of these two facilities, integration should be halted until the VA and the GAO can assure this Congress that the integration of the Montgomery and Tuskegee facilities will serve the best interests of the veterans of Alabama and the taxpayers of this country.

Mr. Chairman, I stand in strong support of this legislation and thank Chairman LEWIS, once again, for this attention to the concerns of veterans in my district and throughout the country.

Mr. STUMP. Mr. Chairman, I want to commend the members of the Appropriations Committee and its leaders, Mr. LIVINGSTON, Mr. OBEY, Mr. LEWIS, and Mr. STOKES, for their work on this bill. It is a good bill for veterans.

Earlier this year, when the administration sent its budget to the Congress, there was a great deal of concern about the proposed funding scheme for veterans health care. For the first time, the administration proposed that part of the funding for veterans health care would be dependent on what VA could collect from insurance companies and others who are obligated to pay for VA health care.

The funding level contained in this bill assumes that Congress will send to the President authority for the Secretary to spend amounts collected from insurance companies for veterans' health care. However, it is important to note that the House has taken a number of steps to make this less risky than the administration's original proposal. In the House-passed reconciliation bill, the VA Committee inserted several provisions to avoid a situation in which veterans are denied health care because of an unexpected shortfall in collections. The House-passed provisions would: Provide additional appropriations if collections from third parties fall short of projections by more than $25 million; authorize VA to collect the same amount that insurance companies pay other health care providers; require VA to develop a plan to maximize collections through appropriate incentives; and establish a monitoring mechanism so that Congress can accurately assess whether this new authority is working.

The language reported by the VA Committee would have made these collections available without any further action by the Congress, and I still believe that if we want to maximize collections, that is the best policy.

There are a number of other noteworthy improvements to the administration's budget proposal for veterans contained in this measure. It adds $32.6 million to the President's request for veterans medical research. I am concerned, however, that the reported bill includes unwise and unnecessary restrictions on how this money is to be spent. The bill includes increased funding for the State veterans home construction grant program, an action which the VA Committee recommended earlier this year. The bill provides the funds requested by the administration to upgrade the National Cemetery in Arizona. It also adds funds to modernize some of the VA's health care facilities, a necessary investment even though the VA is going through a nationwide restructuring of the way in which health care is delivered. Finally, it adds modestly to the funds needed to administer the benefits which the Congress has authorized for veterans. All of these increases were recommended earlier this year and I congratulate the committee for its wise choices.

Mr. VENTO. Mr. Chairman, I rise in overall support of this legislation which will provide $91.7 billion in fiscal year 1998 for housing programs, veterans programs, environmental programs, and a myriad of other independent agencies' programs.

I think, Mr. Chairman, that this bill is acceptable, in relative terms, for housing, an area of appropriations that continues to bear the scars and burden of the 1995 rescissions bill which gutted important housing and homeless programs. We see in this bill a recognition of the section 8 renewal needs at $9.2 billion, a recognition of the political realities. The measure as reported does not antagonize Presidential priorities with regard to AmeriCorps or community development financial institutions, and there is a recognition in the bill of the need for balance among the programs funded through this important mixture of programs. These programs in effect display the full spectrum of Federal Government activities.

Mr. Chairman, I do have reservations about some of the spending priorities in this VA–HUD-independent agencies appropriations bill. For example, while these are exciting times on Mars and as a person with a strong science interest, I celebrate the discoveries, I only wish we could see such exuberance, ingenuity, and funding commitment in tackling our Nation's housing challenge. If only we could see such commitment to funding and supporting efforts to clean up our Nation's air, and those in our Nation's Capital these past few days in July has only shown too "clearly" that our air is in need of help, and other environmental cleanup needs of spaceship Earth. Certainly I recognize that this is an acceptable bill than recently has been presented on the floor because the 602(b) appropriation allocation permitted the subcommittee, led by Messrs. LEWIS and STOKES, a more equitable allocation.

There are several issues I am pleased to note specifically: for one, the level funding of the AmeriCorps Program at $400 million. There has been a lot of talk about the Minnesota/North Dakota/South Dakota floods; about funding; and about the necessity of expedited funding. AmeriCorps put its people and money where its promises were and sent close to 100 AmeriCorps members to help flood victims. They came from all over the country, from Colorado, from Virginia, to help slog through the mud of the Red River that clogged people's basements, to pitch sandbags, to deliver food, and to work in other important jobs that were essential during this still trying time. These volunteers did all this and more for an opportunity to help people and to restore hope for people who really needed it.

AmeriCorps helped more than 9 million individuals throughout 1995–96. Although we could do more for this vital win-win program that wins for the volunteers and those who are served, level funding is a step ahead of where we were in the previous bills. I urge the House to defeat amendments to strike or reduce AmeriCorps funding.

I am surprised and dismayed that the bill does not fund the additional 50,000 section 8 certificates and vouchers requested by the administration. The third year without new housing being made available. The need for housing persists. It has not gone away. The changes that welfare reform will bring are going to impact our housing programs in many ways including a likely increase in demand for section 8 housing. Affordable housing supplies are not keeping pace with the growth in housing needs. It has been estimated that the gap between the number of affordable housing units and the number of people needing them is 4.7 million units. The U.S. Department of Housing and Urban Development estimates that over 11 million Americans have worst case housing needs. Families with children represent 43 percent of the households with those needs—paying more than half of their income for rent and utilities, or living in substandard housing. These are housing canyons forming in our Nation, not mere housing gaps and the numbers clearly show that many, many millions of Americans are but an accident, a job loss, or a health care crisis away from unfortunately becoming homeless.

In its annual survey, the U.S. Conference of Mayors found that 20 percent of all requests for emergency shelter went unmet this year because of a lack of resources. Emergency shelter requests increased in the 29-city survey by an average of 5 percent, with the requests for assistance from homeless families increasing by 7 percent. On average, people remain homeless for a disappointing 6 months in the survey cities. The No. 1 reason, among many reasons to be sure, is the lack, of affordable housing. And now, with the impact of welfare reform starting to be felt, it is even more evident that we must marshal the necessary resources to keep American citizens off the streets.

I intend to offer an amendment to restore the Federal Emergency Management Agencys' Emergency Food and Shelter Program to $130 million, up from $100 million in the bill, and to support the Kennedy amendments to increase funding from the HUD McKinney Act homeless programs for $823 million to $1.1 billion and to add 45,000 units of incremental section 8 assistance. I urge my colleagues to consider that same course of action. This would indeed bring homeless funding to its 1995 level and provide some new additional support.

The public housing program will be affected by welfare reform, especially in their operating subsidies. Although public housing programs are level funded, I fear that a proper accounting has not been made on the real potential impacts of welfare reform cuts on public housing in the future. Public housing authorities are strapped already. I am pleased, however, that the committee fully funded the important Drug Elimination Grants Program, a program I've been fighting to save in the authorizing legislation process, the spending commitment is necessary and deserves the support of the house.

Other housing and community development programs are in need of mentioning. Last

Congress, we reorganized the native American housing programs into a block grant. Although the bill provides $165 million more than requested by the administration for this new block grant, I am concerned that be shielded from cuts as it goes through the congressional process. Housing needs in Indian country are great, and block grants that dribble out are not as effective as those that come out with meaningful allocation amounts to the designated housing entities.

I thank the committee for allocating additional resources to the Community Development Financial Institutions [CDFI] fund. This important fund seeks to increase the availability of credit and investment capital in distressed communities as a means of increasing economic opportunity and revitalizing distressed communities. In many places, like rural Minnesota and right here in Washington DC, allocations have been approved that may well work through innovative micro credit lending that is being advanced through the CDFI. Funding this program at $125 million will give the CDFI program additional boost to help more communities, businesses, and individuals the opportunity to help themselves. CDFI works. Now its appropriate to realistically fund the CDFI's.

In this same vein, H.R. 2158 has allocated $70 million for the highly successful and proven work of the Neighborhood Reinvestment Corporation. As a long-time supporter of this program and an author of the law expanding their mission several Congresses ago, I am pleased at the dollar commitment for the Neighborhood Reinvestment and Neighborhood Housing programs serving hundreds of cities across our country.

With regard to the funding level for the EPA, the bill on the whole is positive but has some serious flaws. I am very concerned about the failure to fund to restore the environment in communities burdened with toxic waste sites. By providing only $1.5 billion for the Superfund hazardous waste cleanup program, the bill translates into 29 percent less than requested by the administration. I would also like to have seen funds allocated from Brown fields cleanup, not just $85 million for assessment. Our cities need assistance in cleaning up sites so that they can turn these areas into positive areas, environmentally and economically. I regret that the politics of reauthorization has resulted in shortchanging these key programs, Superfund and Brownfields which are integral to the economic vitality of our communities.

Mr. Chairman, I urge my colleagues to support H.R. 2158 and to support the several important amendments that will be offered to increase funding for housing and homeless assistance programs.

Mr. HOBSON. Mr. Chairman, I rise today in strong support of the H.R. 2158, the fiscal year 1998 VA, HUD and independent agencies appropriations bill. As a member of the VA–HUD Subcommittee I have enjoyed working with Chairman LEWIS, my fellow subcommittee members, and the fine subcommittee staff and I commend their work on this often difficult bill.

This year, as always, the subcommittee was faced with many challenges as it worked to approve funding for the wide array of programs under its jurisdiction. Nonetheless, I am pleased that we were able to appropriate $70 billion to meet the important needs of our veterans, protect the environment, address the Nation's housing and emergency assistance needs, and retain our commitment to space and science programs. The 1998 funding level in this bill is $600 million more than the President's request and approximately $6 billion higher than last year, guaranteeing that our most vulnerable citizens receive the assistance they need to lead productive lives.

As someone who has served on active duty, I firmly believe that we can never thank our veterans enough for putting their lives on the line in defense of our Nation. I am proud that the VA–HUD bill continues the House's strong support for veterans by protecting the veterans medical care account from reductions by funding it at $17 billion, with an extra $468 million to follow when the Balanced Budget Act is passed.

The bill also provides funding to ensure that those Americans who need housing assistance can receive it. H.R. 2158 funds the section 202 housing program for the elderly at $645 million and the 811 housing program for persons with disabilities at $195 million, both of which have been a concern of residents of Ohio's seventh district. Spending in both of these programs represents an increase over the President's request. Also, section 8 contract renewals are fully funded at $9.1 billion ensuring that all expiring contracts will be renewed for 1 year. The extremely popular Community Development Block Grant Program and HOME home investment partnerships are funded at $4.6 billion and $1.5 billion respectively, which protects CDBG funding and expands the HOME effort by $100 million.

The Environmental Protection Agency also received an increase of $433 million which will allow for the protection of our Nation's resources, for increased environmental research and for the clean-up of hazardous sites. More specifically, H.R. 2158 appropriates $656 million for EPA research including $40 million to study aspects of the controversial proposed EPA air regulations. The Superfund receives $1.5 billion, an increase of $100 million, and $85 million is allocated to help clean-up brownfield sites and restore them to useable condition, which is $48 million over the 1997 level. Finally, the clean water state revolving loan fund is funded at $1.25 billion and the safe drinking water revolving fund at $750 million, a total increase of $200 million. These funding levels will help preserve our valuable resources for future generations and help ensure that small communities receive the technical assistance to continue providing pure, clean water for rural families.

H.R. 2185 fully funds the Federal Emergency Management Agency's disaster relief account. This agency is of vital importance to coordinating the Federal Government's emergency preparation, response and recovery efforts. FEMA works closely with State and local governments in managing emergency programs and offering technical assistance and I am pleased to see these efforts being maintained.

Finally, the VA–HUD bill increases funding for NASA by $148 million over the President's request. Over the past few weeks we have marveled at the Mars Pathfinder mission and other projects such as the microgravity experiments developed by Ohio's NASA Lewis Research that are being conducted on the Space Shuttle *Columbia*. In Ohio and other locations across the country NASA taps the excitement of space exploration to help underserved children learn about science and math, and I'm glad to see these efforts adequately funded in this bill. It is important that our Nation continue our investment in science and space exploration, and that we use these efforts to improve life on Earth—H.R. 2185 provides the funding necessary to do all of these.

Tough decisions are made in this bill, such as the action to close the Office of Consumer Affairs—whose functions can be transferred to existing agencies—and freeze funding for the expensive Americorps program. These were carefully considered actions, and make it possible for the 1998 VA–HUD bill to provide for our veterans, meet the country's housing and environmental needs, invest in emergency planning, and support science and space exploration. I urge my colleagues to join me in supporting this bill.

Mr. Chairman, I yield back the balance of my time, and I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CUNNINGHAM) having assumed the chair, Mr. COMBEST, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill, (H.R. 2158), making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, commissions, corporations, and offices for the fiscal year ending September 30, 1998, and for other purposes, had come to no resolution thereon.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

The SPEAKER pro tempore. Pursuant to House Resolution 181 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2107.

□ 1942

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2107, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1998, and for other purposes, with Mr. LATOURETTE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, the final lines of the bill had been read.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 181, proceedings will now

resume on those amendments on which further proceedings were postponed in the following order: the amendment offered by the gentleman from Ohio [Mr. CHABOT]; amendment No. 3 printed in House Report 105–174 offered by the gentleman from Idaho [Mr. CRAPO]; the amendment offered by the gentleman from Oklahoma [Mr. ISTOOK]; amendment No. 2 offered by the gentleman from Oklahoma [Mr. COBURN]; and amendment No. 2 printed in House Report 105–174 offered by the gentleman from Florida [Mr. WELDON].

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

AMENDMENT OFFERED BY MR. CHABOT

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

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. CHABOT:

Beginning on page 76, strike line 14 and all that follows through line 10 on page 77.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 96, noes 328, not voting 10, as follows:

[Roll No. 270]

AYES—96

Aderholt
Archer
Armey
Barr
Bartlett
Barton
Boehner
Bono
Brady
Bryant
Burton
Buyer
Canady
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Condit
Cox
Crane
Crapo
Cubin
Cunningham
Deal
DeLay
Doolittle
Dreier
Duncan
Ehrlich
Emerson
Gekas
Goodlatte
Goodling
Graham
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Herger
Hilleary
Hostettler
Hunter
Hyde
Inglis
Istook
Jones
Kasich
King (NY)
Kingston
Largent
Latham
Linder
Manzullo
McIntosh
McKeon
Myrick
Neumann
Norwood
Nussle
Paul
Paxon
Pease
Petri
Pombo
Radanovich
Riley
Rogan
Rohrabacher
Royce
Ryun
Salmon
Scarborough
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shuster
Smith, Linda
Solomon
Souder
Stearns
Stenholm
Stump
Talent
Taylor (MS)
Taylor (NC)
Thornberry
Thune
Tiahrt
Weldon (FL)

NOES—328

Abercrombie
Ackerman
Allen
Andrews
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (OH)
Bunning
Burr
Callahan
Calvert
Camp
Campbell
Cannon
Capps
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Cook
Cooksey
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dunn
Edwards
Ehlers
Engel
English
Ensign
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Gordon
Goss
Granger
Green
Greenwood
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefley
Hefner
Hill
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Houghton
Hoyer
Hulshof
Hutchinson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Lantos
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntyre
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Molinari
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Neal
Nethercutt
Ney
Northup
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Pickett
Pitts
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Redmond
Regula
Riggs
Rivers
Rodriguez
Roemer
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaefer, Dan
Schumer
Scott
Serrano
Shaw
Shays
Sherman
Shimkus
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Snowbarger
Snyder
Spence
Spratt
Stabenow
Stark
Stokes
Strickland
Stupak
Sununu
Tanner
Tauscher
Tauzin
Thomas
Thompson
Thurman
Tierney
Torres
Towns
Traficant
Turner
Upton
Velázquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Wynn
Yates
Young (FL)

NOT VOTING—10

Brown (FL)
Conyers
Eshoo
Gephardt
Johnson, Sam
LaFalce
Reyes
Schiff
Woolsey
Young (AK)

□ 2003

Messrs. SKELTON, COOKSEY, BONILLA and ENSIGN changed their vote from "aye" to "no."

Messrs. HALL of Texas, PAXON, WELDON of Florida, and ARCHER changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. CRAPO

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Idaho [Mr. CRAPO], on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 314, noes 109, not voting 11, as follows:

[Roll No. 271]

AYES—314

Aderholt
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bentsen
Bereuter
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Boswell
Brady
Brown (OH)
Bryant
Bunning
Burr
Burton
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeFazio
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Etheridge
Everett
Fawell
Foley
Forbes
Ford
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (OH)

Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hinojosa
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Jones
Kasich
Kelly
Kennedy (MA)
Kennelly
Kildee
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Kolbe
LaHood
Lampson
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Meehan
Menendez
Metcalf
Mica
Miller (CA)
Miller (FL)
Minge
Molinari
Moran (KS)
Morella
Myrick
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Ortiz
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Redmond
Regula
Riggs
Riley
Rivers
Roemer
Rogan
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Ryun
Salmon
Sanchez
Sandlin
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Traficant
Turner
Upton
Vento
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wolf
Wynn

NOES—109

Abercrombie
Ackerman
Allen
Bateman
Becerra
Berman
Blumenauer
Bonior
Bono
Borski
Boucher
Boyd
Brown (CA)
Carson
Clay
Coyne
Cummings
Davis (IL)
DeGette
Dellums
Dicks
Dingell
Dixon
Edwards
Engel
Evans
Ewing
Farr
Fattah
Fazio
Filner
Flake
Foglietta
Frank (MA)
Furse
Gephardt
Gonzalez
Gutierrez
Hastings (FL)
Hilliard
Hinchey
Hobson
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (RI)
Kilpatrick
Knollenberg
Kucinich
Lantos
Lewis (GA)
Livingston
Lofgren
Lowey
Manton
Markey
McDermott
McGovern
McNulty
Meek
Millender-McDonald
Mink
Moakley
Mollohan
Moran (VA)
Murtha
Nadler
Oberstar
Obey
Olver
Owens
Pastor
Payne
Pelosi
Rahall
Rangel
Rodriguez
Rogers
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Serrano
Shuster
Skaggs
Slaughter
Smith, Adam
Snyder
Spence
Stark
Stokes
Tierney
Torres
Towns
Velázquez
Visclosky
Waters
Watt (NC)
Waxman
Wise
Yates
Young (FL)

NOT VOTING—11

Brown (FL)
Buyer
Conyers
Cubin
Eshoo
Johnson, Sam
LaFalce
Reyes
Schiff
Woolsey
Young (AK)

□ 2011

Messrs. MCINTYRE, STRICKLAND, and NEAL of Massachusetts changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. ISTOOK

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 208, noes 216, not voting 10, as follows:

[Roll No. 272]

AYES—208

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bilirakis
Bliley
Blunt
Boehner
Bonilla
Boyd
Brady
Bryant
Bunning
Burr
Buyer
Callahan
Calvert
Canady
Chabot
Chambliss
Chenoweth
Christensen
Clement
Coble
Coburn
Collins
Combest
Cook
Costello
Cox
Cramer
Crane
Crapo
Cubin
Cunningham
Danner
Davis (VA)
Deal
Dickey
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fawell
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Ganske
Gekas
Gilchrest
Gillmor
Goode
Goodlatte
Goodling
Gordon
Graham
Granger
Greenwood
Hall (TX)
Hansen
Hastings (WA)
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Johnson (CT)
Jones
Kanjorski
Kasich
Kelly
Kim
King (NY)
Kingston
Klug
Knollenberg
LaHood
Largent
Latham
Leach
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lucas
Manzullo
Mascara
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Molinari
Moran (KS)
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Pappas
Paul
Paxon
Pease
Peterson (PA)
Petri
Pitts
Pombo
Porter
Portman
Poshard
Price (NC)
Quinn
Radanovich
Rahall
Riley
Roemer
Rogan
Rogers
Rothman
Roukema
Ryun
Salmon
Sandlin
Sanford
Saxton
Scarborough
Schaefer, Dan
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Sisisky
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Talent
Tanner
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Upton
Visclosky
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Weygand
White
Whitfield
Wolf
Young (FL)

NOES—216

Abercrombie
Ackerman
Allen
Andrews
Baldacci
Barcia
Barrett (WI)
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Bono
Borski
Boswell
Boucher
Brown (CA)
Brown (OH)
Burton
Camp
Campbell
Cannon
Capps
Cardin
Carson
Castle
Clay
Clayton
Clyburn
Condit
Cooksey
Coyne
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Dooley
Engel
Ensign
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Flake
Foglietta
Foley
Ford
Frank (MA)
Frost
Furse
Gallegly
Gejdenson
Gephardt
Gibbons
Gilman
Gonzalez
Goss
Green
Gutierrez
Gutknecht
Hall (OH)
Hamilton
Harman
Hastert
Hastings (FL)
Hayworth
Hefner
Hilliard
Hinchey
Hinojosa
Hooley
Horn
Houghton
Hoyer
Hunter
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (WI)
Johnson, E. B.
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kolbe
Kucinich
Lampson
Lantos
LaTourette
Lazio
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Packard
Pallone
Parker
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pickering
Pickett
Pomeroy
Pryce (OH)
Ramstad
Rangel
Redmond
Regula
Riggs
Rivers
Rodriguez
Rohrabacher
Ros-Lehtinen
Roybal-Allard
Royce
Rush
Sabo
Sanchez
Sanders
Sawyer
Schaffer, Bob

Schumer
Scott
Serrano
Shaw
Sherman
Skaggs
Skeen
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stokes
Strickland
Stupak
Tauscher
Tauzin
Taylor (MS)
Thompson
Thurman
Tierney
Torres
Towns
Turner
Velázquez
Vento
Waters
Watt (NC)
Waxman
Wexler
Wicker
Wise
Wynn
Yates

NOT VOTING—10

Brown (FL)
Conyers
Eshoo
Johnson, Sam
LaFalce
Lewis (CA)
Reyes
Schiff
Woolsey
Young (AK)

□ 2019

Mr. GIBBONS and Mr. BENTSEN changed their vote from "aye" to "no."

Messrs. SHAYS, SAXTON, GILCHREST, and CUNNINGHAM changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. COBURN

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Oklahoma [Mr. COBURN] on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 222, noes 203, not voting 9, as follows:

[Roll No. 273]

AYES—222

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Berry
Bilbray
Bilirakis
Bliley
Blunt
Boehner
Bonilla
Bono
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Crane
Crapo
Cubin
Cunningham
Danner
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehrlich
Emerson
Ensign
Everett
Ewing
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gillmor
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Jones
Kasich
Kelly
Kim
King (NY)
Kingston
Klug
Knollenberg
LaHood
Largent
Latham
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Manzullo
Mascara
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Molinari
Moran (KS)
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Portman
Pryce (OH)
Quinn
Radanovich
Redmond
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Ryun
Salmon
Sandlin
Sanford
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shimkus
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Talent
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Turner
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (FL)

NOES—203

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barrett (WI)
Becerra
Bentsen
Bereuter
Berman
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (OH)
Capps
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Costello
Coyne
Cramer
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Edwards
Ehlers
Engel
English
Etheridge
Evans
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gilchrest
Gilman
Gonzalez
Gordon
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Hooley
Horn
Houghton
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kolbe
Kucinich
Lampson
Lantos
LaTourette
Lazio
Leach
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pickett
Pomeroy
Porter
Poshard
Price (NC)
Rahall
Ramstad
Rangel
Rivers
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Saxton
Schumer
Serrano
Shays
Sherman
Skaggs
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stokes
Strickland
Stupak
Tanner
Tauscher
Thompson
Thurman
Tierney
Torres
Towns
Velázquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Wynn
Yates

NOT VOTING—9

Brown (FL)
Conyers
Eshoo
Johnson, Sam
LaFalce
Reyes
Schiff
Woolsey
Young (AK)

□ 2027

Messrs. HOBSON, McINTYRE, and LIVINGSTON changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. WELDON OF FLORIDA

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Florida [Mr. WELDON] on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 396, noes 25, not voting 13, as follows:

[Roll No. 274]

AYES—396

Abercrombie
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon

Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Etheridge
Evans
Everett
Ewing
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hamilton
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (WI)
Johnson, E.B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Minge
Mink
Moakley
Molinari
Mollohan
Moran (KS)
Morella
Murtha
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Ortiz
Owens
Oxley
Packard
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaefer, Dan
Schaffer, Bob
Schumer
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Torres
Towns
Traficant
Turner
Upton
Velázquez
Vento
Visclosky
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Wynn
Young (FL)

NOES—25

Ackerman
Becerra
Brown (CA)
Dellums
Engel
Farr
Frank (MA)
Furse
Hastings (FL)
Kennedy (RI)
McDermott
Meehan
Miller (CA)
Moran (VA)
Nadler
Neal
Olver
Pallone
Payne
Pelosi
Sabo
Scott
Tierney
Waters
Yates

NOT VOTING—13

Brown (FL)
Cooksey
Eshoo
Hall (TX)
Herger
Johnson (CT)
Miller (FL)
Myrick
Reyes
Scarborough
Schiff
Woolsey
Young (AK)

□ 2033

Mr. MARKEY changed his vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. MILLER of Florida. Mr. Chairman, on rollcall No. 274, I was unavoidably detained.

Had I been present, I would have voted "yes."

PERSONAL EXPLANATION

Mrs. JOHNSON of Connecticut. Mr. Chairman, on rollcall No. 274, I was unavoidably detained.

Had I been present, I would have voted "yes."

PERSONAL EXPLANATION

Ms. WOOLSEY. Mr. Chairman, I was unavoidably detained and missed several votes earlier today due to mechanical failures on my scheduled flight.

Had I been present, I would have voted:

Yea on rollcall No. 267; Yea on rollcall No. 268; Yea on rollcall No. 269; Nay on rollcall No. 270; Nay on rollcall No. 271; Nay on rollcall No. 272; Nay on rollcall No. 273; and, Yea on rollcall No. 274.

PERSONAL EXPLANATION

Ms. ESHOO. Mr. Chairman, I was unavoidably detained because of airline equipment problems, and missed the following rollcall votes earlier today. Had I been present, I would have voted as follows:

On rollcall No. 267, yes; on rollcall No. 268, yes; on rollcall No. 269, the Journal, yes; on rollcall No. 270, no; on rollcall No. 271, yes; on rollcall No. 272, no; on rollcall No. 273, no; on rollcall No. 274, yes.

Mr. QUINN. Mr. Chairman, I rise today to commend Interior Chairman Regula for all of his hard work regarding H.R. 2107, fiscal year 1998 Interior Appropriations Act. Specifically, I wish to thank the chairman for his efforts regarding funding for the low-income weatherization program.

Low-income weatherization funding is a proenvironment, money saving program to help low-income families protect themselves from extreme seasonal conditions. Funding for energy saving programs like the Low Income Home Energy Assistance Program [LIHEAP] and weatherization are under attack. Weatherization funds save money and make LIHEAP funds go further. They help update old inefficient heating and cooling systems, insulate drafty homes, and yield annual energy savings of about 18 percent. When these funds are slashed, hard-working low-income families are left to face the cold winters and the sweltering summer heat without assistance.

Mr. Chairman, these funds are particularly important to the elderly who cannot tolerate extreme temperature changes. I know that the city of Buffalo received $1 million in weatherization funding last year, which allows the city to help an average of 450 houses per year increase energy efficiency in their homes. Sadly, there is a 2-year waiting list consisting of between 1,200 and 1,500 homes that are in need of weatherization assistance. We cannot afford to cut funding that is in such need by so many low-income American families.

Thanks to Chairman REGULA's efforts, an additional $3 million has been added to the weatherization funding contained in the fiscal year 1998 Interior Appropriations Act. Therefore, I am withdrawing the Sanders-Quinn amendment for compromise low-income weatherization funding from consideration.

Mr. CLAY. Mr. Chairman, if the National Endowment for the Arts is terminated and a State block grant is enacted, local communities will suffer tremendous losses, educationally, culturally and economically. Under the block grant, less than $50 million would be directed to the States for school-based art education programs. Currently, there are approximately 51 million students enrolled in primary and secondary schools. Thus, under the block grant each child would receive less than $1 for arts education activities. Dispensing funds in such piddling amounts is tantamount to throwing that money away.

During its 31-year history, the NEA has fostered the placement of thousands of artists-in-residence in our public schools and has allowed for the creation of literacy programs and children's festivals. In partnership with the Department of Education, the NEA assists over 100 national arts and education organizations to implement arts education in the curriculum. The NEA has also assisted universities in providing training for teachers and faculty, including national research on the effects of arts education on cognitive learning. The block grant would eliminate funding to universities, as well as lifelong learning programs that serve our Nation's adults, senior citizens, and disabled citizens.

In addition to improved quality of life and education, the NEA has made a very positive contribution to our Nation's economy. Through grants to orchestras, theaters, music ensembles, and other cultural festivals, the arts industry has supported nearly a million jobs across the Nation. In turn, these jobs have resulted in billions of dollars in revenue to the Federal Government. Local economies have seen the benefits of the arts through increased hotel stays and increased sales in local restaurants and shops.

Supporters of the block grant of Federal arts funding argue that it allows more equitable funding to all congressional districts. This is simply untrue. Under the Ehlers funding formula, funds to State arts agencies would be cut below the fiscal year 1997 level, which was already reduce 40 percent under the fiscal year 1996 budget cut. It is unlikely that

these limited State funds will actually reach local programs, particularly in the Nation's poorest and most isolated counties. NEA programs, such as Chamber Music Rural Residences—that have brought chamber music and jazz ensembles to rural areas, including Tifton, GA, Jesup, IA, and Blytheville, AR—would be eliminated. A block grant would likely neglect those art and culture groups that have been historically underserved, groups such as the native American woodcarvers and the black American dance troupes.

The NEA has brought art to people in small towns and rural areas throughout the United States. The NEA has helped to educate and enlighten the young and the old. The NEA has enriched urban and rural communities across this country, financially as well as culturally.

The Ehlers amendment makes no effort to promote effective development of, and access to, the arts. The Ehlers amendment does not endeavor to make effective use of scarce Federal resources. Rather, to please a fringe group that regard art as synonymous with sin, the Ehlers amendment would scatter those funds to the winds in amounts too small to make a difference. I urge rejection to the Ehlers approach.

Mr. ENGEL. Mr. Chairman, for many years, a plan has been in development to build the Ellis Island Family History Center, a facility equipped with a data base which visitors of Ellis Island can access to learn about their immigrant ancestors.

The Center would provide passenger lists and ship manifests for the millions of visitors who travel to Ellis Island searching for a piece of their past. Upon completion the Family History Center would contain almost 30 million records. This project has been listed by the Department of the Interior and the National Park Service as one of their highest priorities, and it has been allowed to languish for too many years.

Various groups, including the Ellis Island Restoration Commission, which has served as a consultant to the Department of the Interior, have compiled a data base of almost 8 million records. Yet, no action has been taken to put all of these records to any use. Some may wonder why this project has been delayed.

The answer is this: Over the objections of many distinguished Members of this body as well as some officials at the Department of the Interior, a contract was signed between the Department of the Interior and the Statue of Liberty/Ellis Island Foundation for the construction of the Center. The foundation's employees have raised millions of dollars for this project. In fact, recent financial reports show the Statute of Liberty-Ellis Island Foundation has almost $30 million in the bank, but the foundation has failed to present an actual plan which would justify their salaries.

Why hasn't the Department of the Interior put pressure on the foundation to complete the Center? This very issue was addressed at a 1992 subcommittee hearing when representatives of the National Park Service testified, incredibly, that since its inception, the foundation had raised somewhere in the neighborhood of $360 to $370 million of or the Statue of Liberty and Ellis Island. However the National Park Service representatives also testified that "[the National Park Service] has had to go hat-in-hand asking for dollars that are due the Park Service and due the project, simply because the structure of the Foundation, does not give us an opportunity to exercise oversight on the receipt or the expenditure of that money."

That was 1992. It is now 1997 and the time has come for some action on this project. Our distinguished colleague in the other body, CARL LEVIN has been active on this issue and has contacted Secretary Babbitt asking for some assistance. The Secretary's reply, dated June 9, 1997 states: "no formal plan exists" for the project.

By way of comparison I should inform my colleagues that, currently there is a photographic exhibit of the history of Italian-American immigrants being displayed a Ellis Island in cooperation with the Italian government. The Balch Foundation, which has compiled millions of immigration record for the National Archives, agreed to create a database of approximately half-a-million Italian American records for use in conjunction with the photographs. The time that it took the Balch Foundation from its first contact by the Italian Government to the installation of the database at Ellis Island for use in the exhibit was approximately 2 weeks.

For millions of our Nation's citizens the search for their roots brings them to Ellis Island. The Family History Center would provide Ellis Island's visitors with a tangible link to their past. However, at the present pace it seems likely that this project will never be realized.

I hope that the House of Representatives will work with me to have the National Park Service and the Department of the Interior to either urge the Foundation to act on the Family History Center or award the contract to an organization that will.

Mrs. MINK of Hawaii. Mr. Chairman, the Interior Appropriations bill for fiscal year 1998 neglects to fund a number of projects important to Hawaii.

This bill denies a specific earmark of $700 million for land acquisitions and exchanges through the Land and Water Conservation Fund [LWCF] that was included in the recent budget agreement. The direct result of this omission is no funding for land acquisition at Kai Malino Ranch on the island of Hawaii, for the Hakalau National Wildlife Refuge. This parcel comprises some of the only remaining tropical rainforest in the United States—severely threatened forestland in Kona—which had been designated by the U.S. Fish & Wildlife Service [FWS] in recent past fiscal years as a top national priority for acquisition. The President's fiscal year 1996 budget included $7 million for acquisition of these forestlands, which was partially funded by the U.S. Department of the Interior [DOI] at $5 million in fiscal year 1997. H.R. 2107 neglects to fund the remaining $2 million to complete the acquisition.

This project demonstrates a cooperative partnership between the Federal Government and private property owners seeking to conserve precious natural habitat and unique species living in the rainforest. Total acquisition of Kai Malino is necessary for the long-term protection of several of Hawaii's threatened and endangered bird species, especially the endangered Hawaiian crow, or 'alala. FWS and the Peregrine Fund have been working together for years to save the crow from extinction, and their coordinated efforts have focused on Kai Malino which is the only land remaining where crows live in the wild.

A second project that has gone unfunded in this bill is Waihee Marsh in Kahaluu on the Island of Oahu, which is to be added to the Oahu National Wildlife Refuge Complex. Last year, Congress authorized this acquisition. President Clinton signed the bill into law on October 1, 1996 as Public Law 104–209.

Waihee Marsh consists of about 36 acres located on the Northeastern coast of Oahu. FWS identified Waihee Marsh as a priority acquisition site in its 1990 wetlands concept plan. The plan documented a loss of coastal wetland in Hawaii of 31 percent from 1880 to 1980, leaving only 15,474 acres of wetland for indigenous waterbird habitat. The few remaining wetlands are being preserved, but urban development pressures continue to take their toll.

A site visit by FWS in November 1994 identified a number of management priorities for the restoration of Waihee Marsh to a healthy, naturally functioning wetland. Sediment dredging is necessary to increase water quality and re-create suitable waterbird habitats. Aggressive predators such as feral cats, dogs, mongooses and rats that interfere with waterbird nesting and other activities need to be kept out of the wetland. Invasive non-native plants such as California grass and primrose willow that have overrun the refuge need to be removed. FWS would also need to rehabilitate the Marsh to maintain and create shallow mudflats, deeper open water areas, areas with fairly dense native vegetation and other varied features.

Waihee Marsh also serves as a flood control system for adjacent residential areas in Kaalaea and Waihee. It also acts as a filtration system for the nearby Kaneohe Bay, which is also undergoing cleanup and restoration of the diverse marine ecosystem that once occupied the Bay.

H.R. 2107 does not provide funding to purchase Kai Malino Ranch and Waihee Marsh. These projects are important to help stem the impact on Hawaii's current endangered species crisis. About 75 percent of plant and bird extinctions in the U.S. have been Hawaiian species, despite that fact that the Hawaiian Islands make up less than 0.2 percent of the country's total land mass. A recent study in the journal Science highlighted the serious extent of Hawaii's endangered species crisis by naming Hawaii as one of four hot spots in which the Nation's endangered species are concentrated.

Last, I am very concerned about the future of Hawaii's dwindling biodiversity. I requested $1.5 million in funding for genetic plant conservation. Technology now exists to preserve genetic material from endangered and threatened plants, in anticipation of future methods that could recreate populations of these plants again in the future, even after the last plant disappears from the Earth. H.R. 2107 fails to fund this request, which would provide for a range of activities including rare plant monitoring and sampling, seed bank upgrade and curation, curation and propagation of endangered plant collections, expanded greenhouse

capacity, nursery construction, cryogenic storage research and development, and in-vitro storage expansion.

Genetic plant conservation is a crucial part of the solution to save endangered plants not only in Hawaii, but throughout the Nation as critical habitat dwindles under human pressures. As genetic technology develops, we would have saved essential materials necessary to restore plant populations, preventing extinction. Unfortunately, this small but vital investment in our future was not included in this bill.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore, Mr. LAHOOD, having assumed the chair, Mr. LATOURETTE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill, (H.R. 2107) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1998, and for other purposes, pursuant to House Resolution 181, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to clause 7 of rule XV, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 238, nays 192, not voting 5, as follows:

[Roll No. 275]

YEAS—238

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Chabot
Chambliss
Chenoweth
Christensen
Clement
Clyburn
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Greenwood
Gutknecht
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hobson
Hoekstra
Holden
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson, Sam
Jones
Kasich
Kelly
Kim
King (NY)
Kingston
Klink
Knollenberg
Kolbe
LaHood
Largent
Latham
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lucas
Manzullo
Mascara
McCrery
McDade
McInnis
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Molinari
Mollohan
Moran (KS)
Moran (VA)
Murtha
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Ortiz
Oxley
Packard
Pappas
Parker
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Radanovich
Rahall
Redmond
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Tiahrt
Traficant
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (FL)

NAYS—192

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (OH)
Capps
Cardin
Carson
Castle
Clay
Clayton
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Dingell
Dixon
Doggett
Dooley
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Foley
Ford
Frank (MA)
Frost
Furse
Ganske
Gejdenson
Gephardt
Gonzalez
Green
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hefner
Hinchey
Hinojosa
Hooley
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klug
Kucinich
LaFalce
Lampson
Lantos
LaTourette
Lazio
Leach
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Martinez
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHale
McHugh
McIntosh
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Morella
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Poshard
Price (NC)
Quinn
Ramstad
Rangel
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Royce
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Sensenbrenner
Serrano
Skaggs
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stokes
Strickland
Stupak
Tauscher
Thurman
Tierney
Torres
Towns
Turner
Velázquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

NOT VOTING—5

Brown (FL)
Markey
Reyes
Schiff
Young (AK)

□ 2051

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. REYES. Mr. Speaker, I was unavoidably detained and missed several votes this evening. If I had been here, I would have voted Yes on rollcall 267; Yes on rollcall 268; Yes on rollcall 269; No on rollcall 270; Yes on rollcall 271; No on rollcall 272; No on rollcall 273; Yes on rollcall 274; and No on rollcall 275.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 2107, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

Mr. REGULA. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 2107, the Clerk be authorized to correct section numbers, punctuation, and cross references and to make such other technical and conforming changes as may be necessary to reflect the actions of the House in amending the bill.

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

There was no objection.

HOUR OF MEETING ON TOMORROW

Mr. REGULA. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 a.m. on tomorrow.

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

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2159, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 1998

Mr. DIAZ-BALART, from the Committee on Rules, submitted a privileged report (Rept. No. 105–184) on the resolution (H. Res. 185) providing for consideration of the bill (H.R. 2159) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1998, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1210

Mr. FATTAH. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor to H.R. 1210.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 972

Mr. WYNN. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 972.

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

There was no objection.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1998

The SPEAKER pro tempore. Pursuant to House Resolution 184 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2158.

□ 2055

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2158) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, commissions, corporations, and offices for the fiscal year ending September 30, 1998, and for other purposes, with Mr. COMBEST in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, all time for general debate had expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

Amendments printed in House Report 105–180 may be offered only by a Member designated in the report and only at the appropriate point in the reading of the bill, are considered read, are not subject to amendment and are not subject to a demand for division of the question.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Chairman of the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment and may reduce to not less than 5 minutes the time for voting by electronic device on any postponed question that immediately follows another vote by electronic device without intervening business, provided that the time for voting by electronic device on the first in any series of questions shall not be less than 15 minutes.

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word for purposes of making an announcement.

Mr. Chairman, before we get into reading the bill for amendments, I would like to make this announcement about how we have agreed to proceed for the balance of the evening.

First, there will be no more recorded votes this evening. Any votes ordered will be rolled until tomorrow.

We will be reading the bill for amendments. We plan to read for amendments and debate all amendments through title II at the maximum. We will not read into title III even if we finish the first two titles quickly.

So, any Member with an amendment that will be offered in the first two titles needs to be here tonight. However, we will stop considering amendments no later than 10:30 p.m. even if we are not through with title II.

To summarize, there will be no more recorded votes tonight, and we will consider amendments through title II or 10:30 p.m., whichever occurs earlier.

□ 2100

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

H.R. 2158

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, commissions, corporations, and offices for the fiscal year ending September 30, 1998, and for other purposes, namely:

TITLE I

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPSENSATION AND PENSIONS

(INCLUDING TRANSFERS OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by law (38 U.S.C. 107, chapters 11, 13, 18, 51, 53, 55, and 61); pension benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and burial benefits, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of Article IV of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, and for other benefits as authorized by law (38 U.S.C. 107, 1312, 1977, and 2106, Chapters 23, 51, 53, 55, and 61; 50 U.S.C. App. 540–548; 43 Stat. 122, 123; 45 Stat. 735; 76 Stat. 1198); $19,932,997,000 to remain available until expended: *Provided,* That not to exceed $26,380,000 of the amount appropriated shall be reimbursed to "General operating expenses" and "Medical care" for necessary expenses in implementing those provisions authorized in the Omnibus Budget Reconciliation Act of 1990, and in the Veterans' Benefits act of 1992 (38 U.S.C. chapters 51, 53, and 55), the funding source for which is specifically provided as the "Compensation and pensions" appropriations: *Provided further,* That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to "Medical facilities revolving fund" to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized by the Veterans" Benefits Act of 1992 (38 U.S.C. chapter 55).

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by 38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51,53, 55, and 61, $1,366,000,000, to remain available until expended: *Provided,* That funds shall be available to pay any court order, court award or any compromise settlement arising from litigation involving the vocational training program authorized by section 18 of Public Law 98–77, amended.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by 38 U.S.C. chapter 19; 70 Stat. 887; 72 Stat. 487, $51,360,000, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of indirect and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by 38 U.S.C. chapter 37, as amended: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended,: *Provided further,* That during fiscal year 1998, within the resources available, not to exceed $300,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $160,437,000, which may be transferred to and merged with the appropriation for "General operating expenses".

EDUCATION LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $1,000, as authorized by 238 U.S.C. 3698, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $3,000.

In addition, for administrative expenses necessary to carry out the direct loan program, $200,000; which may be transferred to and merged with the appropriation for "General operating expenses".

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $44,000, as authorized by 38 U.S.C. chapter 31, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $2,278,000.

In addition, for administrative expenses necessary to carry out the direct loan program, $388,000, which may be transferred to and merged with the appropriation for "General operating expenses".

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the direct loan program authorized by 38 U.S.C. chapter 37, subchapter V, as amended, $515,000, which may be transferred to and merged with the appropriation for "General operating expenses".

VETERANS HEALTH ADMINISTRATION

MEDICAL CARE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the maintenance and operation of hospitals, nursing homes, and domiciliary facilities; for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs, including care and treatment in facilities not under the jurisdiction of the Department; and furnishing recreational facilities, supplies, and equipment; funeral, burial, and other expenses incidental thereto for beneficiaries receiving care in the Department; administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction and renovation of any facility under the jurisdiction or for the use of the Department; oversight, engineering and architectural activities not charged to project cost, repairing, altering, improving or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; aid to State homes as authorized by 38 U.S.C. 1741; administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under 38 U.S.C. chapter 17, and the Federal Medical Care Recovery Act, 42 U.S.C. 2651 et seq.; and not to exceed $8,000,000 to fund cost comparison studies as referred to in 38 U.S.C. 8110(a)(5); $16,958,846,000, plus reimbursements: *Provided*, That of the funds made available under this heading, $565,000,000 is for the equipment and land and structures object classifications only, which amount shall not become available for obligation until August 1, 1998, and shall remain available until September 30, 1999. *Provided further*, That funds under this heading shall be available for medical examinations required for benefits claims under title 38, United States Code: *Provided further*, That of the amount made available under this heading, not to exceed $5,000,000 shall be for a study on the cost-effectiveness of contracting with local hospitals in East Central Florida for the provision of nonemergent inpatient health care needs of veterans.

AMENDMENT OFFERED BY MR. OBEY

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

The Clerk read as follows:

Amendment offered by Mr. OBEY:

On page 7, line 6, after "$16,958,846,000," insert "(increased by $48,000,000)".

On page 57, line 7, after "$321,646,000" insert "(decreased by $60,000,000)".

Mr. OBEY. Mr. Chairman, let me first say that I regret very much that I am offering this amendment under these circumstances. But for anyone who happens to be watching, either Members or anyone else, on C–SPAN, I am afraid what they are witnessing is another step in the gradual destruction of the ability of this House to conduct rational debate.

What is now happening is that amendments of substance will be debated with virtually nobody in the room. Members will then be called upon as the first order of business tomorrow to vote on those amendments, not having heard them, not having even had the opportunity to watch them from their offices on their TV screens. They will walk in blind and we will be asked, "What is in this? Oh, I don't get it." And within about a minute they have to make up their minds. I think it is a further debilitating of this House, but there is not a whole lot that I can do about it.

Mr. Chairman, let me simply explain what this amendment is. This amendment accomplishes two important objectives. First, it deletes funding for an unauthorized, unbudgeted construction project that appears to be premature at best. Second, it increases funding for veterans' medical care.

There are four veterans' services organizations, the DAV, AmVets, Paralyzed Veterans of America, and VFW that each year jointly produce an independent budget for veterans' programs. This year's independent budget estimates are that $18.044 billion is necessary for medical care in fiscal 1998 just to maintain current services. So the committee recommendation is $17.56 billion, assuming VA medical facilities can keep third-party reimbursements, which are being dealt with in another bill before this Congress.

Those recommendations in the committee are almost $500 million less than the current services amount and $2 billion below the optimum level. So basically what I am trying to do is to add the funding in this amendment to increase that account slightly.

To pay for the increased veterans' medical care, we cut $60 million that the committee has recommended for a windstorm simulation center to be constructed at the Department of Energy's Idaho National Engineering and Environmental Laboratory.

There are many questions raised by the manner in which this project has been considered. Let me simply list a few. First of all, the funds were not requested by the administration. The latest statement of administration policy indicates funds should be redirected to higher priorities.

Second, the project is not authorized, either for the Department of Energy or for FEMA;

Third, the split authority between FEMA and DOE on the project makes it a classic case for mismanagement;

Fourth, the project meets six of the seven criteria of the "porkbusters coalition" as to items that should qualify for viewing as pork;

Fifth, there have been no hearings on the project;

Sixth, the company that operates the Idaho lab for the DOE is the same company that is currently in a major dispute with the government over another construction job at that lab. It seems that the contractor, Lockheed Martin, is $150 million over the amount that they were supposed to reach on a fixed price contract. They now want the government to change the terms of that contract to bail them out.

Seventh, there has been no peer review at all for this project. Indeed, there has not been any review at all. The American Association of Wind Engineers has raised serious concerns about the construction and operation of this facility. In addition, although the contractor has indicated that $34 million is all they can use in 1998, the committee recommendation is for $60 million.

Next, the $60 million is just a down payment. The total is estimated to cost about $181 million. I would also point out that FEMA has indicated its support for the proposal, only to be contingent upon establishment of a broad coalition of financial support. Yet, to date, the industries with potentially the most to gain from this facility, the insurance industry and the home builders' industry, have not contributed one dollar.

I would also point out that 2 years ago the Department of Energy had a major study on the future of the national labs. This project flies in the face of nearly every important recommendation made by the so-called Galvin report. I would also point out that this year a draft report was prepared by a DOE working group, which is chaired by the Deputy Assistant Secretary of Energy for Procurement.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. OBEY] has expired.

(By unanimous consent, Mr. OBEY was allowed to proceed for 5 additional minutes.)

Mr. OBEY. Mr. Chairman, they recommended this lab lose its status as a federally funded research and development center, a condition that allows it to receive government contracts on a noncompetitive sole source basis.

I am aware that the chairman of the Committee on Transportation and Infrastructure has indicated his intention to offer an amendment that would require authorization before those funds can be spent, but I would submit that that device is merely a ruse. The amendment contains a kick-out clause. It is only operative until April 1, 1998. If the project is not authorized by that time, the limitation comes off and the money can still be spent.

Mr. Chairman, I would say that in addition to that, it is not even clear that the Committee on Transportation and Infrastructure has jurisdiction over this matter. A good case can be made that the Committee on Science is more properly the House committee with authorization oversight.

In summary, Mr. Chairman, I would simply urge my colleagues to support this amendment. I would suggest that if Congress is to add money above the budget, we ought to be doing so for cash starved programs like veterans' medical care, and not for questionable, unauthorized, premature pork projects like this windstorm simulation center.

Mr. Chairman, this operation started out to be a quite different operation. It started out to be a center to evaluate earthquakes. It did not get quite the review that they wanted, and so now the contractor has simply said: "Well, if we cannot get the money on an earthquake simulation project, we will move it over and we will design a windstorm operation." That is what they have done.

Mr. Chairman, no one suggests that this work does not need to be done, but before it needs to be done this project needs to be peer reviewed. We need to know we are getting what we pay for. It just seems to me that until we do, we ought to simply put this money where it is needed the most, which is in the veterans' medical care budget.

If the House adopts this amendment, I will offer a conforming amendment in the FEMA portion of the bill to delete the proviso earmarking $60 million for the wind facility.

With that, Mr. Chairman, I would simply close and suggest that at the appropriate time tomorrow, the House would do well to adopt this amendment.

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

Mr. Chairman, I rise with a good deal of sympathy for the amendment presented by my colleague, the gentleman from Wisconsin [Mr. OBEY]. But I would suggest to him that there are a number of questions that I still have in my head that cause me to resist this amendment.

I can remember our discussions time and time again about horrendous costs that the country is facing relative to disaster circumstances. In the time I have been chairman of this committee, FEMA has received some $10 billion.

One of the areas that is difficult, that we do not have a handle on, does deal with wind damage. One way or another we have to try to do the right things. None of these things seems to be perfect, but we have to try to do the right thing in terms of wind mitigation.

Mr. Chairman, as I look at the gentleman's amendment, I know his purpose is directed at this wind simulation center, but really he just affects one of the accounts within FEMA by reducing that, but that does not prevent them from going forward with the wind tunnel.

In an attempt to respond to the very questions that the gentleman has in mind, I have been in discussion with the gentleman from Pennsylvania [Mr. SHUSTER], and frankly, I am not sure who really has the appropriate jurisdiction, here or there, because those battles on the authorizing side are considerably more difficult than ours.

But having said that, the gentleman from Pennsylvania [Mr. SHUSTER], some discussion, responded by saying, "I would present an amendment where I think we are going to have an authorization that goes forward that would essentially delay this until we have more time to talk through the very questions that the gentleman is discussing."

I do not really think we have any differences here, so I would urge the gentleman to at least reserve at this point and see if we cannot figure out a way to begin marching our way down the path where that makes sense, with the cost of wind damages. And clearly the gentleman can tell from what I am saying here that I do not have the answers either, but we need to begin to seek them in a serious way.

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

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

Mr. OBEY. Mr. Chairman, I do not have any problem whatsoever with the way the gentleman is running this subcommittee. But I would simply observe that, as I said earlier, if this amendment is adopted, then under the rules the next amendment that I would be able to offer will indeed eliminate the earmark for the wind tunnel, which is what the amendment is designed to attack.

Mr. Chairman, I would also say that if we really want to do something about protecting the Federal Treasury from the cost of disasters, in my mind what we ought to do is to require States to join an experience-rated self-insurance program, so every time there is a disaster States do not come to Uncle Sam with their hand out; that they can simply, on the basis of their own experience, do just as we do in workmen's compensation and prepay for disasters, so every time a disaster comes we do not have to call up Uncle Sam and jimmy the budget.

Mr. LEWIS of California. Mr. Chairman, reclaiming my time, I do understand where the gentleman is coming from. But the fact is, one more time, that is an authorizing question, and they ought to be working their way through that without any doubts. I think the gentleman knows that the gentleman from Ohio [Mr. STOKES] and I are struggling with the bill in no small part because over 85 percent of our bill is unauthorized. So we struggle along, at best. I want to address this problem. I do not want to do it pell-mell, but at the same time I do not want to cut off avenues that are important.

I must say, one of the things that is disconcerting here is, because the gentleman and I have such a fine working relationship, up until now the ranking member and his staff have given me amendments ahead of time so I can talk these things through. It must be that he slipped over this technically some way.

Mr. OBEY. If the gentleman will continue to yield further, let me explain that, Mr. Chairman. I was in a Labor-HEW markup all day. I was here all day yesterday working on Labor-HEW, expecting that others on the gentleman's side would also be here. They were not. So today our Labor-HEW mark was extended. I never dreamed that we would be getting to this point in the bill today, given the other legislation we had before us. I expected to give it to you before we had it tomorrow.

Mr. LEWIS of California. Mr. Chairman, if it had not been for the very fine bipartisan work the gentleman from Ohio [Mr. STOKES] and I had been involved in, we would not have moved very quickly, so we even contributed to this very positive development.

□ 2115

In the meantime, Mr. Chairman, there is little doubt that the country knows that disaster costs have been horrendous over the last several years. I think also all of us in the House know that when the next disaster occurs, we are going to come together as Americans and respond.

The CHAIRMAN. The time of the gentleman from California [Mr. LEWIS] has expired.

(By unanimous consent, Mr. LEWIS of California was allowed to proceed for 5 additional minutes.)

Mr. LEWIS of California. Mr. Chairman, I do not intend to take very much time, but I would say that there is little doubt the next time a disaster comes along, that the Congress will come together, reflecting the American people's view that we ought to help people in disaster circumstances.

But having said that, there is no doubt that we need to do work internally to try to mitigate against these disasters. We are doing it in building codes in earthquake sectors. Clearly the wind problem is a very, very serious problem we need to seriously move in the direction of addressing, trying to find some answers that mitigate against these costs.

Those efforts are not going to be perfect in their initial stages. I would hope that we would work closely with our authorizers and encourage the authorizers to do the work as we make this effort to hold down the costs.

Mr. OBEY. Mr. Chairman, if the gentleman will continue to yield, why on Earth, if this facility is to be funded by the Government, should it be funded in a manner that allows them to seek sole source contracts with no competition and why should this not be peer reviewed? And if it is so important, why is FEMA resisting providing money for it without that kind of proper review?

Mr. LEWIS of California. Mr. Chairman, I frankly cannot answer the question. I do not know the technical side of how they went about putting it together, this process that relates to a contract. But I do know that this is apparently a facility that would be built on land that the Department of Energy owns and they would see it used for this purpose, and end up with free land. There is a need that is very real and apparently there are personnel in the region that could be very responsive to the challenges of this particular facility.

But I am sure the process is not perfect, and one of the reasons that one of the authorizing chairmen will be presenting an amendment is he wants time to step back and take a look at some of these questions. I think they are very appropriate questions.

Mrs. MEEK of Florida. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition to the Obey amendment. It certainly goes against my grain to go against a person of the caliber and capability of the gentleman from Wisconsin [Mr. OBEY]. I truly regret having to oppose my own ranking member, because I do believe he is one of the best representatives in this body. And I know that he has the best of intentions. However, in this case I think my ranking member is wrong.

First of all, I do not think he has walked in the shoes that I have walked in since I have been in this Congress and personally experienced the need for help with disasters, particularly disasters that wipe out the life of your constituents.

Our House Committee on Appropriations has included in this bill funding for the construction of a full size wind damage testing facility. The gentleman from Wisconsin [Mr. OBEY] says we should cut out these funds.

I say and I appeal to the Congress to keep them in because we need this facility. In 1992, Hurricane Andrew was the single most natural disaster ever to hit the United States. Powerful, devastating, it plowed right through the south end of Dade County, FL. It utterly destroyed a huge portion of my congressional district.

I want to say to the Congress, my district has not yet regrown and it has not yet come back from this devastating disaster. I remember vividly the hundreds of homes in my community that literally blew apart in Hurricane Andrew. There was just no estimate of the destruction and of the force of this hurricane. As a matter of fact, according to the people at the Homestead Air Force Base, there was a tornado strength wind within this hurricane. So the desperation, if Members could see the lives of these thousands of men and women and children who were left homeless because of Hurricane Andrew. I spent my first 2 years in this Congress working to try to make this community whole again.

And this Congress has helped me do that. Mr. OBEY was one of the ones who helped me do it. But they still are not whole yet. The gentleman from California [Mr. LEWIS] can tell you that 5 years later I am still working on problems created by Hurricane Andrew.

All three of these things are extremely costly. One, winds from the big, big storms, hurricanes and Nor'easters, kill people and they destroy homes. Two, we know these storms are going to come and we can plan and prepare for them. And, three, they are extremely costly.

That is why we need this wind testing facility. That is why I am appealing to the Congress to take this out of the realm all the time of numbers and utility and philosophical vents, but to think about what it has meant to people, to destroy this community, the entire community. Most of people from this community have moved north. They will never come back to this southernmost area. And therefore, the economy has gone down and the social fabric of the lives of these people has been destroyed.

We need a wind testing facility. With proper research and testing, we can minimize wind damage and destruction. Thousands of insurance companies went under because of this storm, because no one had the facility to know that this storm would be that devastating to this area.

By testing different types of housing and construction techniques and materials under actual hurricane wind conditions, we can design and build homes in ways that will minimize the danger to human life and minimize the cost of these natural disasters. This can be done ahead of time so that we will know what to expect when we have hurricanes and natural disasters.

We need to take action now. We do not need to put this off, because it has been put off too long. If you ask anyone in Florida or in Georgia, or out there in the West where all of these natural disasters have occurred, you will find out that it is time for it now.

We need to be able to develop the knowledge. This knowledge is so important to keep our constituents' homes from blowing a part. That is what this wind testing facility is all about. This is not just common sense. It is dollars and cents. I repeat, it is not just common sense; looking forward to test this facility ahead of time is dollars and cents.

The amount of money at stake here, it is just staggering. It belies one's imagination to realize the cost associated. Hurricane Andrew alone resulted in losses that exceeded $25 million, and those were just the losses that they have been able to account. I am still coming back to the Congress, I am still coming back to FEMA asking them to forgive in many instances the big costs that grew up with this.

No doubt my colleagues remember that 5 years ago the House voted for a disaster relief bill of $8 billion in Federal aid to help my community get back on its feet. We can pay a little now or pay a lot later.

The CHAIRMAN. The time of the gentlewoman from Florida [Mrs. MEEK] has expired.

(By unanimous consent, Mrs. MEEK of Florida was allowed to proceed for 30 additional seconds.)

Mrs. MEEK of Florida. Mr. Chairman, I want to appeal to the House to please vote for this wind testing facility. It will save lives and it will also save money.

Mr. OLVER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am always hesitant to follow my colleague from Florida. It is almost like being against motherhood to do so. But I want to speak in favor of the amendment that has been put forward by the ranking member.

I think what we have here is a comparison. On the one hand we have a proposal to add $48 million in this amendment to the veterans' health services program which everyone understands is needed, where we have people and we have made a promise to our veterans that we were going to provide them with health care in their

lives, particularly when we have so many of our World War II veterans who are at an age when they are in need of health care. So that $48 million on the one hand is replacing monies that are otherwise below, added to funding which is otherwise below what is needed to keep the funds at the level of services that are presently there.

On the other hand we have a very questionable kind of an expenditure for this wind simulation center. The $60 million reduction which we have been talking about is just stage one, phase one of a construction program for this wind simulation center, the sum total of which is going to be $181 million, and all of it is going to come out of FEMA, and apparently from all indications there is not a single cent that has yet been put into this from any of the industries that might be a part of it.

Now, it was not in the President's budget. It was not even requested by either the Department of Energy or by FEMA. So here we have an uncooked idea, a half-baked idea being put in in place of adequate funding for veterans' health care services.

Now, I would like to mention the testimony of the gentleman who is the head of the Idaho National Engineering Laboratory, his testimony before the Committee on Science, which I served on in the previous Congress as a minority member, the statement by W. John Denson. He pointed out in his testimony that the INEL maintains critical technology skills for nuclear operations, nuclear safety and nuclear waste management. The INEL is a multiple purpose laboratory supporting all the missions of the department. The INEL has been designated by DOE as the lead lab for research and development for EM mixed waste. They also lead the national programs for spent nuclear fuels management and national low level waste management.

Now, I say this because what that says is that the mission of the particular DOE laboratory is far from the proposed area. And to follow up on that, we have had a lot of testimony in the 104th Congress before the Committee on Science about this question of just how we were to use our energy laboratories. The GAO study asked experts on energy policy and former DOE executives, including several of the previous Secretaries of DOE, their views on it, and they by a substantial majority said that we should not be taking on missions at the DOE laboratories that are beyond the missions of DOE itself.

Then we have the Galvin Commission that was mentioned by one of the previous speakers, a major commission to look at the future of alternative futures for the Department of Energy national laboratories. They strongly expressed their concern about expanding the laboratories' industrial R&D beyond the existing DOE missions.

I quote from their work: The current industrial partnership activities of the laboratories are unfocused and invariably lead to add-ons. As in this case, an add-on. The Galvin Commission made three specific recommendations. In two of those cases this kind of a project is in direct contradiction to the recommendations. Their recommendations that are contradicted are that government-funded technology transfer industrial competitiveness activities should be focused on industries and areas of technology that contribute directly to the DOE primary missions in national security, energy and environment.

The second recommendation, that competitive selection and more rigorous technical and merit review, namely peer review, which has been mentioned on several occasions by external experts, should be applied broadly within the department's cooperative research and development agreement.

The CHAIRMAN. The time of the gentleman from Connecticut [Mr. OLVER] has expired.

(By unanimous consent, Mr. OLVER was allowed to proceed for 2 additional minutes.)

Mr. OLVER. Mr. Chairman, let me just point out here that Citizens Against Government Waste, which held a number of hearings, a group that was invited to a number of hearings to put a focus on government waste during the 104th Congress, had put forward 7 criteria on which to judge what might be considered waste.

Their criteria included cases where the request was made by one chamber of commerce; where it was not authorized; number three, where it was not competitively awarded, not peer reviewed, in essence; four, where it was not requested in the President's budget; five, greatly exceeds the President's budget or the request of the previous year's funding; and, six, had not been the subject of congressional hearing. Six out of the seven, this project violates.

So what I think here, let me go back and just reiterate, what we are comparing is a $48 million increase in veterans' health services to fulfill a promise that we have made to our veterans for a continuation of their veterans' health programs, versus a program, a proposal which is at best not ready for this stage, where it is meant as a partnership, there is no industry portion in the partnership. The money all would come out of a budget from an agency, namely FEMA, which did not request the money at all and which has written at least to the Senate chairman of the subcommittee on VA-HUD to indicate that they have serious questions about this.

□ 2130

And, Mr. Chairman, I will ask to submit this letter into the RECORD during the whole House section of this session.

Mr. Chairman, I would hope the amendment would be adopted.

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

Mr. OLVER. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I would simply like to make one additional point.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. OLVER] has expired.

(On request of Mr. OBEY, and by unanimous consent, Mr. OLVER was allowed to proceed for 2 additional minutes.)

Mr. OBEY. Mr. Chairman, will the gentleman continue to yield?

Mr. OLVER. I will continue yielding to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, the argument has been made that this research needs to be conducted. I am sure the gentleman would agree that no one questions that. Certainly I do not question that.

The question is, why should this research proceed under conditions which enable the contractor to obtain sole source noncompetitive contracts? Why should it proceed when there has been no peer review to determine whether or not this is the right way to proceed? Why should we proceed when a large number of universities and many people in the scientific community have expressed their concern that they will not be able to use the simulator because of the costs associated with this contract?

It has been suggested, for instance, that a number of insurance companies have gone bankrupt because of other disasters. Why then should the insurance industry not do as FEMA wants it to do, namely to share in the cost of producing this research facility? Certainly if they will gain millions of dollars in saved claims from its research, they should be willing to help finance it.

I would simply say in very frank terms what this is is a nice arrangement by one State which has working arrangements with several other universities, but the taxpayers' interests are not protected because of the way this research project is being designed. It will be very convenient for Lockheed Martin, the contractor, but not for anybody else, as far as I know. And it seems to me under those circumstances, this ought not to proceed until we have the proper peer review processes built in.

I would suggest also that with the veterans health budget being some $500 million short of current services, it is not even a close call as to where this money is needed the most.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. OLVER] has again expired.

(By unanimous consent, Mr. OLVER was allowed to proceed for 1 additional minute.)

Mr. OLVER. Mr. Chairman, I thank the House for yielding the additional minute.

I think the answers to the ranking member's questions, the answers to those whys, is that they really should not proceed until all of those conditions are met. In truth, we do need to have that kind of research done. But it ought to be done in a case where it is clearly cofunded by industry as well as by the government, and in a situation where it is peer reviewed and where there can be a broad participation in that research.

Mrs. CLAYTON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, when Hurricane Fran swept across North Carolina, thousands of homes were severely damaged or destroyed. More than a million people lost their electricity for 5 days and many lives were lost in the process.

Lost too by families in my State were dreams and memories. The devastation and suffering caused by the swath of destruction was tremendous.

We must do more to protect citizens in advance of storms. We cannot afford to be reckless with the lives of our citizens and with their homes.

In the last 2 years, four major hurricanes have caused 57 deaths and $40 billion in damage, but we do not have to sit back and let nature take its course. Today, we will vote on a measure to help protect both homes and lives from hurricanes.

This measure will save billions in tax dollars and countless lives. Supporting the Partnership for Natural Disaster Reduction/HomeSaver Project is critical, Mr. Chairman, to saving American homes and lives. Our goal should be to prevent disasters, not just to manage them or respond to them.

Hurricane season is beginning to approach, and this year it is predicted to be worse than ever. For us not to take preventive measures would be highly irresponsible.

Before there is indeed another Hurricane Fran happening in some other State, I urge my colleagues to support the Partnership for Natural Disaster Reduction/HomeSaver Project. It is the right thing to do. It is the responsible thing to do and also, Mr. Chairman, it is the safe thing to do.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. OBEY].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. OBEY. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 184, further proceedings on the amendment offered by the gentleman from Wisconsin [Mr. OBEY] will be postponed.

The point of no quorum is considered withdrawn.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

In addition, contingent on enactment of legislation establishing the Medical Collections Fund, such sums as may be derived pursuant to 38 U.S.C. 1729(g) shall be deposited to such Fund and may be transferred to this account, to remain available until expended for the purposes of this account.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by 38 U.S.C. chapter 73, to remain available until September 30, 1999, $267,000,000, plus reimbursements: *Provided*, That of the funds made available under this heading, $20,000,000 shall be for medical research relating to Gulf War Illnesses afflicting Persian Gulf Veterans.

AMENDMENT OFFERED BY MR. TIAHRT

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

The Clerk read as follows:

Amendment offered by Mr. TIAHRT:

In the item relating to "DEPARTMENT OF VETERANS AFFAIRS—VETERANS HEALTH ADMINISTRATION—MEDICAL AND PROSTHETIC RESEARCH", after the first dollar amount (the aggregate), insert the following: "(increased by $25,000,000)".

In the item relating to "DEPARTMENT OF VETERANS AFFAIRS—VETERANS HEALTH ADMINISTRATION—MEDICAL AND PROSTHETIC RESEARCH", after the second dollar amount (the Gulf War illness research earmark), insert the following: "(increased by $5,000,000)".

In the item relating to "INDEPENDENT AGENCIES—CORPORATION FOR NATIONAL AND COMMUNITY SERVICE—NATIONAL AND COMMUNITY SERVICE PROGRAMS OPERATING EXPENSES", after the first dollar amount (the aggregate), insert the following: "(reduced by $200,000,000)".

Mr. TIAHRT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. TIAHRT. Mr. Chairman, I am here tonight to address the priorities within this bill. The amendment I offer would dedicate an additional $25 million to the Veterans Administration's Medical and Prosthetic Research Account to dramatically increase the level of research which the VA is doing on the illness which is affecting thousands of American veterans who served this country in the Persian Gulf war.

This year the Veterans Administration is dedicating a mere $3.6 million to the research of the illness which our gulf war veterans are suffering from. To pay for this very necessary research, the amendment would partially eliminate funding for the AmeriCorps program and direct it towards this much-needed research.

First, let me address why this amendment is necessary. The fiscal year 1998 VA-HUD Appropriations Act contains $267 million for the VA's medical and prosthetic research account. In the Committee on Appropriations an earmark was added which directs $20 million of this current appropriation to be spent on gulf war research. This pays for and expands the current research into gulf war illness. However it comes at the expense of other important research being done by the VA, such as Diabetes Centers of Excellence, Centers for Rehabilitation Medicine, and the VA's ability to retain high quality physicians. It just takes from one pocket, cutting important research, to put in another. This solves one problem yet, unfortunately, creates many more.

Mr. Chairman, this amendment would remedy the problem completely. This amendment presents a question of priorities. We should do what is more important, expanding the very minimal research which the VA is doing on the illnesses our gulf war vets are experiencing and living with daily, or continuing paying for healthy young people to volunteer for public service jobs.

Before we make our decision, let us examine the facts. This is difficult when discussing the gulf war illness. The problem is we cannot define it conclusively, treat it, or explain exactly how it is caused. The VA itself has said, "Currently, there is no evidence of a single unifying illness to explain the health problems of all gulf war veterans." Without much-needed research, these veterans will continue to suffer, and we do not have the answers to our gulf war illness questions.

We do know that the Department of Defense has confirmed that 27,000 American soldiers could have been exposed to chemical agents in the Persian Gulf. Separately, the CIA has estimated as many as 120,000 could have been exposed.

I can also tell my colleagues what some of our gulf war veterans are experiencing. Like U.S. Army Reserve Sgt. David Janda. He is a 35-year-old father of three from Hutchinson, KS. He suffers from blinding headaches, a blistering rash which he has had for 6 months, chronic diarrhea and joint pain. Or Kenny Schwartz of Great Bend, KS, who endures stabbing pain in his left eye, stiffness in his joints which make him unable to walk, memory loss and scarring rashes. Their doctors can neither diagnose nor effectively treat these symptoms.

To date, 90,000 Persian Gulf war veterans have contacted the VA's gulf war registry and reported symptoms which are consistent with how the Journal of the American Medical Association has described gulf war illness: fatigue, joint pain, gastrointestinal complaints, memory problems, emotional change, impotence, and insomnia.

This is the Veterans' Administration current response: $3.6 million of research funding this year. That is $133 for every American veteran we know of

that has been exposed to chemical agents in the gulf.

On the other hand, we have AmeriCorps. This year we are spending $402 million on the AmeriCorps program. That is $19,000 in Federal funding for every one of the over 20,000 AmeriCorps paid volunteers.

This chart shows the discrepancy, Mr. Chairman; $133 per veteran being spent on research for gulf war illness versus $19,000 spent for every paid volunteer.

AmeriCorps pays recruited volunteers to perform public service jobs. It also provides $7500 for living expenses and $4,725 for an educational award. They also get health coverage and child care. Our $19,000 a year paid volunteers have lobbied the government, worked as low level Federal bureaucrats, and built hornos, which are ovens built from dirt and grass that were originally used some 4,000 years ago.

Two recent audits by the GAO and a report from AmeriCorps' own Inspector General have found serious inefficiencies and mismanagement. In addition, Arthur Andersen has tried to audit AmeriCorps twice, and found the books too much of a mess to even perform an audit, yet we are asking to continue funding AmeriCorps at the current level while ignoring the illness of our Gulf War veterans.

I cannot go back to Kansas and tell David Janda and Kenny Schwartz that we can only muster $133 per veteran to investigate what is making them sick and how to treat it, yet we have $19,000 to pay a paid volunteer to offer a healthy youngster that lives next door to these veterans.

The CHAIRMAN. The time of the gentleman from Kansas [Mr. TIAHRT] has expired.

(By unanimous consent, Mr. TIAHRT was allowed to proceed for 1 additional minute.)

Mr. TIAHRT. Mr. Chairman, this is a very important amendment. I ask every Member of the House to consider what they believe our priorities should be, and I am hopeful that we will place our highest priority on the current and future health of the men and women who fought and served for freedom in our country.

Caring for veterans who fought for America's freedom and security is a necessary function of our Federal Government. Paying healthy AmeriCorps volunteers is simply not. I ask Members to please not turn their backs on the veterans who so faithfully served this country in the Persian Gulf.

Mr. Chairman, I submit for the RECORD two reports on the subject of my amendment:

TIME TO END THE TROUBLED AMERICORPS

On April 27–29, 1997, with Independence Hall as a picturesque backdrop, over 2,800 delegates from across the country, including governors, mayors, private-sector leaders, and representatives from leading foundations, gathered in Philadelphia, Pennsylvania, for the Presidents' Summit for America's Future. With President Bill Clinton and former President George Bush as honorary co-chairmen, this gathering was called to examine a topic that hardly could be more important: the future of volunteerism in the United States, and especially how the voluntary sector can aid America's children.

The great 19th century French observer of American politics, Alexis de Tocqueville, noted that what made America great was the tendency of its people to form voluntary associations to meet community needs. Whereas Europeans looked with docility to government to solve problems, Americans learned self-reliance and the ability to look beyond individual self-interest through cooperation in voluntary organizations. In this century, however, as government programs—particularly human services programs—have usurped much of America's traditionally voluntary domain, both the country's civic fabric and the character of its individual citizens have changed for the worse.

The Presidents' Summit gave Americans a chance to pause and reflect on how community needs could best be met. The increasingly widespread appeal of the conservative message on the need to re-limit government led President Clinton himself to declare that the "era of big government is over." Now America's civil society and corporate community have been called in to deal with the problems created by the failure of federal programs. Over the past few months, *Newsweek* has devoted a portion of its "Periscope" page to the many corporations that have agreed to make major contributions of goods or services as part of the effort to meet these needs. LensCrafters, for example, has agreed to provide free eye care for one million needy people, and the National Restaurant Association has agreed to hire 250,000 youngsters in the next five years.[1]

But for all the fanfare and national press attention surrounding the Presidents' Summit—as well as the bipartisan images and goodwill it generated—there is reason to believe that it may serve less to foster a vision of a healthy voluntary sector free of unwarranted government intervention than to promote further charitable dependence on federal resources. The Presidents' Summit was largely the brainchild of former Senator Harris Wofford (D–PA), Chief Executive of the Corporation for National and Community Service (CNCS). In congressional testimony, Wofford declared that the CNCS, along with the Points of Light Foundation (another federally funded entity designed to promote volunteerism[2]), "is working . . . in initiating and planning the Summit to promote the goals of the National and Community Service Act, the mission of the Corporation, and the vision set forth in the Corporation's Strategic Plan."[3]

The CNCS helps oversee administration of the AmeriCorps program, President Clinton's "domestic Peace Corps," the largest extension of the federal government in recent years. Ever since its creation in 1993, AmeriCorps has been mired in controversy. Two recent independent audits of the program by the U.S. General Accounting Office (GAO), the semiannual report of the Corporation's own Inspector General, and two audits by the nationally renowned Arthur Andersen accounting firm all have found serious evidence of cost overruns and mismanagement. Despite these problems, however, and despite a continuing inability to correct them, the Corporation has benefited from large amounts of good publicity, thanks in part to what one critic has called the "camera-ready smiles of young 'volunteers'" whose efforts made good news copy.[4] In an era in which balancing the federal budget has become a national priority, the CNCS has requested $546,500,000 for fiscal year (FY) 1998—an increase of 36 percent over the $400 million appropriated in FY 1997.

Not only was the Philadelphia summit choreographed in part by AmeriCorps, but its proceedings offered a rousing endorsement of this very troubled program. Despite the good publicity for AmeriCorps that the Summit may generate, Congress should view the request for increased AmeriCorps funding with considerable skepticism. In this age or re-limiting government, the American public and its elected representatives should reject the very premise upon which AmeriCorps rests: that the federal government has an important activist role to play in guiding the voluntary sector in the United States.

WHAT IS AMERICORPS?

One of Governor Bill Clinton's key platform stands in 1992 was a call to create a federal program that would help individuals meet the high costs associated with acquiring a college education in exchange for community service. As President, Clinton saw his vision implemented through the National and Community Service Trust Act of 1993. The Act created the CNCS, which helps administer the "largest national and community service program since the Civilian Conservation Corps of the 1930s."[5]

Over the past four years, AmeriCorps has grown from a mere pilot program to include more than 24,000 people participating in more than 430 programs across the country.

These programs focus primarily on four areas: education, the environment, public safety, and human services. Since 1993, despite the fact that Washington spends $1.3 billion annually to promote volunteerism through 23 other federal programs, more than $800 million has been appropriated to pay for 100,000 participants in CNCS's major program, AmerCorps*USA.[6] Full-time AmeriCorps participants work a minimum of 1,700 hours per year, receiving in turn a $7,460 stipend and an education award of $4,725 in the form of a college tuition voucher or credit to repay a past student loan.

In his 1995 State of the Union address, President Clinton praised AmeriCorps as "citizenship at its best." In Philadelphia, the President announced his intention to expand the program in two ways:

First, he wants to create a "citizen army" of one million volunteer literacy tutors to shore up the failed public school system in the United States. Rather than hold public schools accountable for teaching basic skills, his plan would cost taxpayers at least $2.75 billion and rely heavily on coordination and instruction by 10,000 new AmeriCorps "tutor coordinators."[7]

Second, the President wants to expand AmeriCorps by 33,000 volunteers over the next five years by teaming with private organizations that would be responsible for paying the paid volunteers' living stipends while taxpayers still pay the cost of their college scholarships.[8]

AMERICORPS' TROUBLED BEGINNING

Early on, the Clinton Administration hailed AmeriCorps as the "paradigm of reinvented government." In truth, under the leadership of CNCS's first CEO—Eli J. Segal,

Footnotes at end of article.

chief of staff for the 1992 Clinton-Gore campaign—AmeriCorps offered a case study of how not to run a federal agency. Although AmeriCorps claimed that its mission was to promote the voluntary sector, at least 2,800 of its first 20,000 "volunteers" were assigned directly to federal agencies and departments, most notably the Departments of Agriculture and Justice, the Environmental Protection Agency, the Legal Services Corporation, and the National Endowment for the Arts.

Even though AmeriCorps claimed that its mission was nonpartisan, it offered millions of dollars in grants to numerous activist groups, including ACORN (the Association of Community Organizations for Reform Now), the National Council of La Raza, and the Council of Great City Schools, an organization devoted to the "advancement of education in inner-city public schools through public and legislative advocacy."[9] Despite Segal's repeated denials that AmeriCorps grant money helped subsidize ACORN's political activities, the Corporation was forced to defund ACORN in July 1995 after an Inspector General's report found incontrovertible evidence that the supposedly independent affiliate awarded a grant by AmeriCorps was, in fact, part and parcel of ACORN's political operations. Another AmeriCorps grantee in Denver also engaged in political advocacy at taxpayers' expense and was stripped of its federal funds.[10]

But the most devastating news under Segal's tenure was not the presence of "volunteers" in federal agencies, or the use of federal tax dollars for political purposes: It was the audit of 93 AmeriCorps programs released by the GAO in July 1995. Segal had promised that the "cost [per AmeriCorps volunteer] will be $17,600."[11] The GAO revealed that the cost to field a participant was $25,800 for non-federal agency grantees and $31,000 for federal agency grantees.[12] In other words, although AmeriCorps promised that cost per service hour by volunteers would total $6.43, the GAO found that the real cost was $15.85 per hour—and up to $19.81 per hour when time for non-service AmeriCorps activities was included.[13] Whereas President Clinton repeatedly had cited AmeriCorps as evidence that the government could work in partnership with the voluntary sector and private enterprise to promote volunteerism,[14] the GAO found that taxpayers were paying 93 percent of the costs—79 percent directly from the federal till.[15]

NEW EVIDENCE THAT AMERICORPS DOES NOT WORK

In summer 1995, Segal resigned as AmeriCorps' CEO, to be replaced by Harris Wofford. Wofford began his tenure by seeking bipartisan support for AmeriCorps. Partly because of the July 1995 GAO audit, Wofford promised to end the policy of "paid volunteers" in federal agencies, to reduce the Washington-based bureaucracy, and to seek a direct private-sector match for each dollar contributed by the federal government.

Wofford's promises for reform and his affable style, combined with President Clinton's newfound popularity in the polls, saved the program from almost certain extinction. Yet one and a half years into Wofford's tenure, AmeriCorps still seems to be plagued by many of the same problems that Segal faced. A new GAO report reveals that AmeriCorps costs too much, has difficulty retaining problem participants, and is not attracting the significant private-sector involvement that program supporters had sought.[16]

The GAO sampled 25 AmeriCorps programs and uncovered some disturbing trends:

AmeriCorps fails to retain participants in its programs. The dropout rate for paid volunteers is 39 percent, nearly twice what the CNCS had predicted in November 1994.[17]

AmeriCorps is failing to gain significant private-sector resources for its programs. Officials at the Corporation for National Service have boasted repeatedly that the presence of government funding would help "leverage" private contributions. Yet median private-sector support for AmericCorps programs that were sampled was only 17 percent; 83 percent of the funding comes directly from the taxpayers. This is not surprising when one considers that at least 180 of the Corporation's 430 projects in FY 1996 provided funding to government programs.[18]

Despite the CNCS's claim that 90 percent of participants would use their educational awards, only 54 percent of those eligible for these awards actually have used them. The low percent of educational awards used suggests that many AmeriCorps members either are not planning to attend college or are not recent college graduates saddled with loans to pay. The *Des Moines Register*, for example, reports that "nearly one in five AmeriCorps workers in Des Moines already has a college degree, and more than half in the program are 26 or older."[19] The presence of so many non-student age AmeriCorps members led one observer to conclude that the "program that was sold as the domestic equivalent of the Peace Corps has already turned out to more closely resemble the abysmal failure of the Comprehensive Education and Training Act."[20] AmeriCorps was sold to Congress as a program to help young people pay for college, not as another federal jobs program in addition to the over 160 that already exist.

One AmeriCorps program, the Casa Verde Builders Program, cost the taxpayers $2,448,053. Only 23 of the 64 individuals enrolled as Casa Verde AmeriCorps members completed the program; the cost of taxpayers: over $100,000 per participant. Moreover, only four participants have used their educational awards; to cost to taxpayers: more than $600,000 per award.

Another AmeriCorps program examined by the GAO, the Educational Conservation Corps, cost taxpayers $1,732,000. Of the 97 participants, 58 earned an educational award. So far, only 20 have used their awards; the cost of taxpayers: $86,000 per award in administrative costs plus $4,725 per award.

The Appalachian Service Through Action and Resources program cost taxpayers $632,240. Twenty-two participants completed the program and earned educational awards. The cost to taxpayers (assuming that 90 percent of Appalachian Service members use their awards): $31,612 plus $4,725 per award.

Local AmeriCorps programs are not the only problem. The management techniques at CNCS headquarters are the focus of continuing congressional scrutiny. An October 1995 audit of CNCS books by Arthur Andersen indicated serious accounting weaknesses, leading the firm to declare that the books were "unauditable." A follow-up study by Andersen concluded that the Corporation's "internal controls were not adequate for an independent auditor to perform an effective and efficient financial statement audit in accordance with generally accepted auditing standards for fiscal years 1994 and 1995."[2] The same study concluded that these shortcomings "potentially preclude an audit" of FY 1996 books. Most shockingly, as of December 1996, the CNCS could not account for $38 million in AmeriCorps funding. Despite repeated requests by Representative Peter Hoeskstra (R–MI), Chairman of the Oversight and Investigations Subcommittee of the House Committee on Education and the Workforce, and Senator Christopher Bond (R–MO), Chairman of the VA, HUD and Independent Agencies Subcommittee of the Senate Appropriations Committee, AmeriCorps has yet to provide conclusive evidence that the Corporation's financial statements for FY 1997 can be audited. What is particularly disturbing about the financial fiasco at AmeriCorps is that the program was created and administered entirely during the "reinventing government" era.

WHY AMERICORPS IS UNNECESSARY

Wholly aside from the numerous failures that have occurred in the administration of AmeriCorps, there was no objective reason to create the program in the first place. As one of its supporters concedes, even "AmeriCorps' friends aren't sure exactly what it does."[22] For several reasons, any role for the federal government in the voluntary sector is both unwise and counterproductive:

The voluntary sector in the United States is fundamentally healthy. According to Independent Sector, 89.2 million Americans offered unpaid voluntary service in 1993. Since 1981, the number of hours that Americans volunteer has rise dramatically from 12.7 billion to 19.5 billion.

AmeriCorps' paid volunteerism has discouraged—and will continue to discourage—real charitable involvement. Only programs that cannot generate sufficient community support need to look to Washington for funding. AmeriCorps already turned many of the major charitable nonprofits in the United States—Habitat for Humanity, the Red Cross, and the YMCA—away from the task of raising funds in the private sector toward lobbying Congress for more AmeriCorps funding.

Healthy charities with strong community support look to their neighbors, not the federal government, for financial support and volunteers. When genuine needs must be met, Americans band together with their neighbors to achieve common goals. AmeriCorps distorts the principle of local accountability for charitable groups. The great strength of America's philanthropic sector is its flexibility in responding to the country's social needs. This flexibility arises from a network of community-based voluntary organizations, not from a federally sponsored make-work administration. A far better way to help these organizations to succeed would be to allow taxpayers themselves to take tax credits for contributions to the charities of their choice.[23]

Like all government programs, AmeriCorps costs too much. Considering its stipends and tuition awards, members receive approximately $7.13 per hour, exclusive of the medical benefits and child care available to certain eligible participants. But the real cost per participant hour is far higher, depending on the particular grantee program. The total federal, state, and local costs of this program amount to an average of $18.26 per hour—the equivalent of almost $38,000 per year.

AmeriCorps' record of achievement has come under question. A 1997 Working Paper on AmeriCorps written for Independent Sector, itself sympathetic to the program, notes that, for 70 percent of the AmeriCorps programs it studied, the presence of AmeriCorps members did not produce quantitative results "over and above what the agencies were mandated and ostensibly funded to provide." Among the "reasons for concern and reflection," AmeriCorps' vaunted ability to

leverage volunteers from local communities turned out to have been overstated; researchers found only a "modest 3.5 percent increase in hours volunteered by genuine volunteers."[24]

AmeriCorps is an extremely costly way to help families pay for college. The $26,700 cost for a single participant estimated by the 1995 GAO study would pay for Pell Grants for approximately 18 students. Assuming the Casa Verde program's cost of nearly $100,000 per participant, 67 low-income students could have received Pell Grants.

President Clinton has declared that AmeriCorps aims to help young people who perform public service pay for college. In his 1996 State of the Union address, the President boasted that "AmeriCorps has already helped 70,000 young people to work their way through college as they serve America."[25] In fact, if only 54 percent of AmeriCorps' "graduates" are using their educational awards, the program should have helped approximately 37,800 with college tuition payments. By the time of the Philadelphia summit, the President had corrected his figure downward from 70,000 to 50,000.[26]

AmeriCorps seeks to create a cadre of devoted liberal activists. One of the reasons for creating national service, according to the program's intellectual godfather, Professor Charles Moskos of Northwestern University, was to revitalize the Democratic Party. In its first few years, AmeriCorps has offered grants to dozens of organizations like ASPIRA of New York, the New Jersey Public Interest Research Foundation, the North Carolina Low Income Housing Coalition, the Legal Service Corporation, the National Council of La Raza, and the Northern Virginia Urban League. Congressional investigators also are examining why one high-ranking political appointee at the Corporation for National Service—former Los Angeles City Council Member Michael Woo—used Corporation stationery and resources to set up a meeting between Democratic Party fundraiser John Huang and Asian-American business owners in Los Angeles.[27]

When given the choice between cutting funding for AmeriCorps or other programs such as veterans' benefits, even the President's closest congressional allies—House Minority Whip David Bonior (D–MI), Representative David Obey (D–WI), and Representative Charles Rangel (D–NY)—had no choice but to cut $206 million from AmeriCorps' funding for FY 1996.[28]

The President's plan to expand AmeriCorps by 33,000 volunteers over the next five years by teaming with private organizations that would be responsible for paying the AmeriCorps living stipend while taxpayers covered the cost of the college scholarship will increase federal involvement in the philanthropic sector unnecessarily. Growing numbers of charitable institutions will become dependent on the federal government, designing programs to receive taxpayer-funded subsidies through AmeriCorps.

The President's planned literacy initiative will do little to improve our failing public schools. An additional $2.75 billion on top of the nearly $302 billion the federal government alone spends on education will not teach American students the basic skills they are not learning now.[29] Pumping more money into a failed system or drawing on the efforts of tens of thousands of well-intentioned volunteers will not compensate for the inadequacy of the country's schools.[30]

CONCLUSION

The Presidents' Summit in Philadelphia has drawn further attention to one of the oldest traditions in the United States: voluntary community service. Nearly 90 million Americans volunteer annually, offering 19.7 billion hours of service. These efforts are essential to rebuilding American civil society now that the "era of big government is over."

The end of the era of big government, however, should not be seen as an excuse to boost President Clinton's controversial AmeriCorps program. A recent General Accounting Office study revealed that AmeriCorps continues to be plagued by high dropout rates and high costs. In short, the federal government has no business paying people to volunteer.

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AUGUST STOFFERAHN,
Research Assistant.

FOOTNOTES

[1] For a list of these and other commitments made by corporations and nonprofit organizations in conjunction with the President's Summit, see http://www.philanthropy.com/volunt.dir/13commit.htm.

[2] The FY 1997 appropriation for the Points of Light Foundation was $6,000,000.

[3] Harris Wofford, "Testimony Regarding FY 1998 Appropriations for the Corporation for National Service," Subcommittee on VA, HUD, and Independent Agencies, Committee on Appropriations, U.S. House of Representatives, March 11, 1997.

[4] John P. Walters, "Five Questions for AmeriCorps' Board of Directors," Memorandum to Conservative Reformers, New Citizenship Project, February 24, 1995. The authors of this report wish to acknowledge their intellectual debt to John Walters's work.

[5] U.S. General Accounting Office, National Service Programs: Role of State Commissions in Implementing the AmeriCorps Program, February 1997, p. 1.

[6] Ibid. See also Mark Wilson, "AmeriCorps," in Scott A. Hodge, ed., Balancing America's Budget: Ending the Era of Big Government (Washington, D.C.: The Heritage Foundation, 1997), pp. 302–304. Other federal programs designed to promote volunteerism include the Service Corps of Retired Executive Association and the IRS Tax Counseling for the Elderly Program. Several federal programs designed to promote volunteerism that pre-dated the creation of the CNCS were incorporated into its ranks, including the Foster Grandparents program, Literacy Corps, Retired Senior Volunteer Program, and VISTA (Volunteers in Service to America).

[7] Office of the Press Secretary, the White House, "Briefing by Bruce Reed, Director of Domestic Policy Council," April 25, 19976; available at http://docs.whitehouse.gov/white-house-publications/1997/04/1997-04-25-bruce-reed-briefing-on-service-summit.text.

[8] Under the President's plan, no interest would accrue on student loans during the period of service. The White House estimates that the loan deferment program, which it wishes to include in the upcoming reauthorization of the Higher Education Act, would cost approximately $7 million per year for 12,000 participants. See Office of the Press Secretary, The White House, "Press Briefing by Bruce Reed, Eli Segal and Diane Fortuna," April 27, 1997; available at http://docs.whitehouse.gov/white-house-publications/1997/04/1997-04-27-reed-and-segal-briefing-at-volunteer-summit.text. See also Warren P. Strobel, "Clinton Makes a Pitch for Volunteers," The Washington Times, April 29, 1997, pp. A1 and A12, and President Bill Clinton, "Remarks at Volunteer Summit," April 28, 1997, available at http://docs.whitehouse.gov/white-house-publications/1997/04/1997-04-28-remarks-of-presidents-at-volunteer-celebration-event.text.

[9] John P. Walters, "AmeriWaste," Memorandum to Conservative Reformers, New Citizenship Project, September 26, 1995.

[10] See James F. Hirni, "AmeriCorps: A $575 Million Boondoggle," Heritage Foundation Issue Bulletin No. 212, September 14, 1995, p. 5.

[11] MacNeil/Lehrer News Hour, March 27, 1995.

[12] Cornelia M. Blanchette, Associate Director, Education and Employment Issues, U.S. General Accounting Office, "National Service Programs—AmeriCorps*USA—First-Year Experience and Recent Program Initiatives," testimony before Committee on Labor and Human Resources, U.S. Senate, May 21, 1996, p. 3.

[13] John P. Walters, "A Devastating Audit of AmeriCorps: The $23 Per Hour Per Hour 'Paid' Volunteer," Memorandum to Conservative Reformers, New Citizenship Project, July 12, 1995.

[14] president Bill Clinton, "Remarks on Responsible Citizenship and the American Community," July 6, 1995; available at http://docs.whitehouse.gov/white-house-publications/1995/07/1995-07-06-presidents-georgetown-speech-on-responsibility.text.

[15] U.S. General Accounting Office, National Service Programs-AmeriCorps*USA—Early Program Resource and Benefit Information, GAO/HEHS-95-222, August 29, 1995, pp. 30–31; cited in Wilson, "AmeriCorps," p. 452.

[16] GAO, National Service Programs: Role of State Commissions in Implementing the AmeriCorps Program.

[17] Letter from Representative Pete Hoekstra and Senators Christopher Bond and Charles Grassley to the Honorable Harris Wofford, March 13, 1997, p. 1.

[18] Corporation for National Service, AmeriCorps Program Director, available at http://www.cns.gov/pro-dir.html.

[19] Mary Hill, "Too many insiders getting AmeriCorps jobs?" Des Moines Register, February 2, 1996, p. 1.

[20] Jason Lewis, "For the Good of Taxpayers, Unload Pricey AmeriCorps 'Volunteers,'" Minneapolis Star-Tribune, August 7, 1996, p. A11.

[21] Corporation for National Service, Office of the Inspector General, Report No. 97-09, December 9, 1996.

[22] William Raspberry, "Invisible Volunteers," The Washington Post, January 17, 1997, p. A21.

[23] On the charitable tax credits in the Talent-Watts-Flake Community Renewal Act, see Christine Olson, "The American Community Renewal Act of 1997," Heritage Foundation Issue Bulletin No. 229, March 19, 1997.

[24] John Messer, "Disparities Between National Service Outcome Measures and Goals: Core Susquehanna AmeriCorps: A Case Study," 1997 Independent Sector Spring Research Forum, Alexandria, Va., 1997.

[25] President Bill Clinton, State of the Union speech, February 4, 1997; see also speech by President Clinton to the American Council on Education, February 24, 1997.

[26] Clinton, "Remarks at Volunteer Summit." April 28, 1997.

[27] James Rowley, "AmeriCorps Questioned on Jobs," Associated Press, April 28, 1997. Mr. Woo received a salary of approximately $95,000 per year as Director of AmeriCorps' Western Regional Cluster.

[28] John P. Walters, "Pull the Plug Already," Memorandum to Conservative Reformers, New Citizenship Project, October 20, 1995.

[29] Amy Call, ed., Budget Bulletin No. 6, Majority Staff, Committee on the Budget, U.S. Senate, 105th Cong., 1st Sess, March 3, 1997; cited in Nina H. Shokraii and Dorothy B. Hanks, "School Choice Programs: What's Happening in the States," Heritage Foundation F.Y.I. No. 138, April 21, 1997, p. 1.

[30] See Robert W. Sweet, Jr., "Don't Read, Don't Tell: Clinton's Phony War on Illiteracy," Policy Review: The Journal of American Citizenship, No. 83 (May-June 1997), pp. 38–42.

IMPACT OF PRESIDENT'S FY 1998 BUDGET REQUEST FOR $28 MILLION CUT IN VA RESEARCH

The president's FY 1998 budget request proposes a 10.5% cut in the VA research appropriation. If enacted by Congress, this cut would reduce FY 1998 funding for VA research to $234 million, down from an FY 1997 appropriation of $262 million. A cut of this magnitude—15% if the effect of inflation is included—will require VA to make significant changes in the program and future plans including:

Reinvigoration of VA's Career Development Programs, as recommended by the Research Realignment Advisory Committee (RRAC), will be delayed indefinitely. For the third year, VA will not be able to initiate any new Career Development awards. See attached Graph 1. Cut: 15 career development awards at a cost of $2.5 million.

Plans for new research centers of excellence will be terminated or delayed indefinitely. Cut: 9 centers at a cost of $10 million. These include:

Two Epidemiology Research and Information Centers designed to provide VA with much needed epidemiology research capacity

Three new competitively selected Diabetes Centers of Excellence

Two new Centers for Rehabilitation Medicine focusing on sensory loss and traumatic brain injury

A new, competitively selected Health Services Research and Development Center of Excellence

Phasing out one of four existing Environmental Hazards Research Centers

Three hallmark cooperative studies expected to have a far reaching impact on medical care will not be funded. Cut: $3 million.

A substance abuse research initiative related to nicotine and smoking behavior

Two cooperative studies comparing surgical and medical treatments for heart disease

Other steps required to accommodate the remaining $10 million of the $28 million cut:

15–20 new health services research and development programs will be delayed.

VA will sharply decrease its investment in developing medical practice guidelines, reducing its ability to determine the most cost effective methods of delivering high quality care in the network environment.

Ten percent of existing investigator-initiated projects will be terminated. The number of funded projects will decrease from 1666 in FY 1997 to about 1400 in FY 1998. See attached Graph 2 for the impact on the number of Medical Research Service projects alone. This will lower funding opportunity for VA researchers to an all time low of less than 15%—only 1 out of 8–10 approved projects will be funded.

Administrative support for research offices located at VA medical centers will be reduced by 10–15%.

Reduced funding opportunity will affect VA's ability to attract and retain high quality physician investigators for careers in VA. Considering that 75% of VA researchers are physicians who provide medical care for veterans, the potential impact on VA's ability to provide the high quality care associated with academic/research facilities may be significant.

FOVA recommends full restoration of the funds cut in the president's request, plus $18 million in new funding for an FY 1998 appropriation of $280 million.

Mr. LEWIS of California. Mr. Chairman, I rise in opposition to this amendment.

First, let me address the amendment of the gentleman from Kansas [Mr. TIAHRT] by way of the discussions that the gentleman and I have had both in the full committee as well as this evening on the floor.

Initially, in the full committee, there was a good deal of discussion about the reality that there are some problems with some AmeriCorps programs operating in the country, but also there are portions of the AmeriCorps Program that are working very, very well. For example, the forestry services going on in my district. AmeriCorps volunteers have done a rather phenomenal job.

Essentially, the gentleman from Kansas was saying to me, I think, that we need to raise a flag that says if there are programs here where taxpayers' dollars are not being spent well, then we either ought to stop that or, indeed, we should try to find a way to improve it. So his amendment essentially raises that flag by taking half of the AmeriCorps funding proposed in this bill and putting it in an area of funding within veterans medical research that is very, very critical.

Now, beyond my comments about AmeriCorps, let me say this about the gentleman from Kansas, a new member of the Committee on Appropriations. There is not a member of our committee who has more effectively brought forward the importance of the Persian Gulf syndrome problem, the reality that literally tens of thousands of veterans are facing circumstances that the medical community seems to know a lot less about than they should know.

As of this moment, as a direct result of his work, through a number of appropriation subcommittees, I am not sure exactly what the figure is, but we are pushing something close to $100 million that is directed along a channel that will have us evaluating in intensive form the Persian Gulf syndrome.

□ 2145

And that concern about those veterans who served is very well-taken and very, very important.

Further, I want to say that while earlier I was personally going to consider just wiping out the AmeriCorps funding because we know at the other end of this, before we get through conference, before we get a signature from the President, AmeriCorps is going to be funded. The gentleman from Kansas [Mr. TIAHRT] is mixing the best of public policy with the best of reality around here in terms of his amendment. It is very helpful to the process, and because of that I would suggest to the Members that the gentleman from Kansas [Mr. TIAHRT] has made a very good point and should get their support.

Mr. NEUMANN. Mr. Chairman, I move to strike the requisite number of words. Mr. Chairman, I rise to support the gentleman from Kansas [Mr. TIAHRT], my good friend, and his amendment.

This is really about priorities of spending in our government. It is about two programs. And the idea behind AmeriCorps, the idea of helping college students, is certainly an idea that most Americans would support. The idea of encouraging volunteerism is certainly an idea that most Americans would support. But when we start talking about the concept of paying people to volunteer, somehow we lose something in the translation. Once you receive a paycheck for doing something, you are no longer a volunteer.

This program is currently costing $19,000 per student that it is attempting to help, and I would suggest that the cost is out of line. I would also suggest that the accountability is just plain not there in the program.

We then look at a second program and we have to ask ourselves, which program is it more important that we spend the money on? We then look at our Persian Gulf war veterans and the illnesses that they are facing and how much research money is being spent to solve the problems facing our Persian Gulf war veterans.

And we have to conclude, as I think this body will when we vote on this amendment, we have to conclude that our priorities here are wrong. Paying people to volunteer, even if the work that they are doing is good and important, is certainly not as important to our Nation as finding the root cause of the Gulf War syndrome that is affecting so many of our veterans in our Nation today.

I rise to support the gentleman from Kansas [Mr. TIAHRT], my good friend; and I sincerely hope this body makes the right decision and passes this amendment.

Mr. STOKES. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this amendment once again places an issue before Members of the House regarding two very important areas of concern, I think, of Members of the House. Certainly all of us support veterans' programs in a great respect and admiration for what veterans have done for this country. And many of us, such as myself, are veterans.

At the same time, we recognize that there is a very real need for programs such as AmeriCorps, which happens to be a program that the President of the United States places a great deal of priority on. In fact, I have before me a statement of administration policy which was received by us today, in which the President states that "the administration understands that an amendment may be offered to terminate the Corporation for National Community Service. The administration would oppose any amendment to terminate the corporation, as well as any amendment that would eliminate the corporation's AmeriCorps grant program. Were any of these actions be incorporated into the final bill presented to the President, the President's senior advisors would recommend that he veto the bill." The President goes on to speak to other aspects of the national service program.

This is a bill that, as we have already stated on the floor earlier today, has been a very difficult bill to craft. It is one that the gentleman from California [Mr. LEWIS] and myself and other members of the subcommittee spent a great deal of time putting together, and we hate to see it in any manner jeopardized by any type of threat of a veto.

But I think it is important to look at what some of the accomplishments of the AmeriCorps Program have been. Just in the 1995–1996 program year, AmeriCorps has trained, supervised or recruited more than 300,000 volunteers; they have taught or tutored more than 500,000 children; built 1,200 houses; rehabilitated 4,700 houses and apartments; immunized 64,000 people; planted more than 200,000 trees; restored more than 3,000 miles of shoreline and river banks; cleaned up 3,500 neighborhoods; enrolled 85,000 students in after-school programs. They have counseled more than 100,000 people in violence prevention; established more than 3,000 public safety patrols; provided 1,100,000 people with health care information; provided 32,000 people with employment-related services.

So AmeriCorps is not about volunteerism; it is really is about service. AmeriCorps has strengthened, not weakened, traditional volunteer activities. More than 3 out of 5, 61 percent of Americorps members have completed 1,700 hours of service and earned education awards. An additional 17 percent earned partial education awards. Only 22 percent earned no award.

One measure of success for the program is the percentage of AmeriCorps members who earned the education awards. Nearly 4 out of 5, 70 percent of AmeriCorps members have earned education awards. Just recently the U.S. Conference of Mayors passed a resolution supporting AmeriCorps.

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

Mr. STOKES. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, I appreciate the ranking member's recitation of the accomplishments of Americorps. I think all of us recognize in the start-up cost it was high, and it was an important new program with this administration. Obviously, there is a high premium on it. I think the program is working.

I would say that this amendment presents a dilemma for many of us. But I think the impetus is clear. I do not know, and I appreciate the gentleman from California [Mr. LEWIS], the chairman, has provided and pointed out that there is nearly $100 million for review and research of gulf war syndrome.

Whether there is a program for the extra $50 million, I do not know. But, obviously, if there was, I would suspect that the Committee on Appropriations would have processed those requests and considered it. In fact, there are many quarters in this Federal Government, unfortunately, where they still seem to be in a state of denial with regard to that.

And I appreciate our friend, the gentleman from Kansas [Mr. TIAHRT], has taken the initiative to try and lead in providing adequate funding. But the bottom line is this: This takes $200 million from the program, a program that is working, a program where these funds are necessary, where they are helping in a variety of ways. I think it has met its promise.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. VENTO] has expired.

(On request of Mr. STOKES, and by unanimous consent, Mr. VENTO was allowed to proceed for 2 additional minutes.)

Mr. VENTO. Mr. Chairman, if the gentleman would continue to yield, this eliminates and takes away the opportunity for young people to provide service. And I might say that while they get some modest compensation and recognition, that it is nowhere accorded the right.

Now in a different era, a different time many could take off a year and volunteer for service and do a variety of things and get low compensation or no compensation. But that is not the era we are working in today, in terms of people maybe have the altruism but they do not have the economic wherewithal.

And this program provides and lets people provide that type of volunteer service; and believe me, it is volunteer service when they postpone their vocational plans for those 2 years. So I rise in opposition to this amendment.

I think it is the wrong way to go. I think if we need money for the gulf war vets and the syndrome and the problems there, I would be happy to stand up here with the gentleman from Ohio [Mr. STOKES], my colleague, the ranking member, and support it, but not on the basis that is being offered in this amendment.

I thank the gentleman for yielding.

Mr. STOKES. I appreciate the comments of the gentleman from Minnesota [Mr. VENTO].

Mr. BUYER. Mr. Chairman, I move to strike the requisite number of words.

I would like to make a couple of comments, one in response to the statement of the ranking member with regard to the President of the United States. His comment was in regard to elimination of the program. The amendment offered by the gentleman from Kansas [Mr. TIAHRT] is a reduction of the present program, so he is not offering the amendment to eliminate the present program.

One is, you have to cross a threshold whether or not you eliminate the AmeriCorps as a program. I think the President gets himself in this oxymoron about paid volunteers. He ought to get away from the word "volunteers" in the AmeriCorps program and just sign up and said, yes, he believes in service and we want to pay these individuals for these efforts and service which have normally gone to volunteers, and he should get himself away from this oxymoron and the attacks on the program.

I really do not care for the particular program. In response to the comments of the gentleman about the type of program and all the good which it has done, I also have to think about from 1993 to 1994 it was reported that 1,200 of the paid AmeriCorps "volunteers" worked at the Department of Agriculture, 525 worked in the Department of Interior, 210 worked in the Department of Justice, 135 in EPA, 60 at the National Endowment of the Arts; a total of 2,800 were working at Federal entities.

So that was pretty stunning to me when I discovered that. Also to think that the AmeriCorps spent $1.7 million to a PR firm to work on their image. So when I think about priorities dealing within the restraints of a budget agreement, this is very disappointing in fact to me.

The GAO recently, I know the gentleman from Kansas [Mr. TIAHRT] referred to the $19,000 figure, the GAO estimates the total compensation given to each volunteer. I should not perhaps even call them volunteers because those that work in the AmeriCorps program do not want to be called volunteers, they want to be called members. So each member, it is $26,000. This figure has increased per cost to $33,000 when AmeriCorps' high dropout rate is factored in. That is a heavy price.

So when the gentleman talks about the promise of AmeriCorps has been achieved, all right, at what cost? And then you say of this $33,000 per, what could we spend those monies on better with regard to how many Pell Grants could you get out of that $33,000, or other things? And you are right, somebody mentioned this is about priorities.

So when I think about the issue of the gulf war illness, I do want to entertain a question to the chairman if I could for a second. Earlier he mentioned about $100 million has now been appropriated for Gulf War illness. I am a little confused as to this amendment, if we are adding more moneys or replenishing accounts.

If the gentleman would explain to me, I yield to the gentleman from California [Mr. LEWIS].

Mr. LEWIS of California. I appreciate the gentleman yielding. And when the gentleman from Kansas [Mr. TIAHRT] first raised this question effectively in our full committee, we were talking about $20 million; and it came to our attention that there was some $30 million within the Subcommittee on National Security, at least $10 million in Labor-HHS. If there is an add-on here, that is additional.

But I must say, I do not know all the accounts because I have not had a chance to go through those in the last few days. But there is a growing level of funding in which this issue and this problem is being recognized, and it is a

direct result of the work that the gentleman from Kansas [Mr. TIAHRT] is about.

Mr. BUYER. Reclaiming my time, so what you have earmarked, these monies will help replenish accounts which take away from other funding requirements?

Mr. LEWIS of California. If the gentleman would continue to yield, either they are earmarked funds out of research moneys, for example, there is already DOD money, a pool of money, and they designate some. We designated a portion out of research moneys in this bill, et cetera.

Mr. BUYER. When you compare this year's budget compared to what the President sent you, did the President reduce his VA research budget?

Mr. LEWIS of California. If the gentleman would yield further, yes, the President did. And as a result of our work, we have beefed it back up and there is significant adjustment upward in the research budget.

Mr. BUYER. And you plused up the budget over and above last year's number even though the President reduced his VA research?

Mr. LEWIS of California. If the gentleman would continue to yield, by $33 million over the President.

Mr. BUYER. Let me thank the chairman for having done that.

I would share with the Members with regard to the gulf war issue, whether it has been in the military health delivery systems or in the VA, it has been very difficult to focus them on this issue. We voted here not long ago on the issue of national defense. We spent millions and millions of dollars, whether it is to buy tanks, we can debate over B–2 bombers, we debate a lot of things about military equipment, hummers and a lot of other things, but when it comes time to taking care of those have borne the risk of battle, we need to also step up to the plate and take care of these veterans.

There are many, in fact, who are suffering from multiple types of illnesses, multiple causations, which is very difficult for us to understand, for the family members. I applaud the gentleman for his amendment, and I ask that all the Members support this amendment.

Mr. ROEMER. Mr. Chairman, I move to strike the requisite number of words.

I rise in strong support of AmeriCorps and wonder in terms of the statement of the gentleman from Kansas [Mr. TIAHRT], who introduced the amendment, where he said that there was $3.6 million allocated, appropriated, in this bill with his chart for Persian Gulf veterans. Let me assure my colleagues that according to the report put together by the gentleman from California [Mr. LEWIS], our distinguished chairman, and the gentleman from Ohio [Mr. STOKES], the ranking member, on page 16 it says, and I quote, "The bill includes earmarking $20 million," not $3.6 million.

□ 2200

"The bill includes language earmarking $20 million of the funds made available for medical research relating to Gulf War illnesses afflicting Persian Gulf veterans."

Mr. Chairman, I strongly believe after reading even more on this topic that we need to make sure that we take care of our veterans, World War II and World War I, Korean, Vietnam veterans and also our Persian Gulf veterans.

Dr. Kenneth Kizer, the VA's Undersecretary for Health, said in his testimony before Congress, "More than 90 research projects are in progress or have been completed, and more than 30 individual projects are being carried out nationwide by the VA and university affiliated investigators."

If we need to do more, and we probably do, let us work together in a bipartisan way to make sure that our veterans are cared for, and I will strongly support that amendment. But let us not pit two very important programs, AmeriCorps and the care and concern and medical necessities for our Persian Gulf veterans, against one another in a very political way.

AmeriCorps in my district is doing some great things. We have an Envirocorps in Elkhart, IN. It is one of the best AmeriCorps projects in the country. It is doing a number of things, to clean up streams and the environment, to revitalize city neighborhoods throughout our community, to test homes for radon gas, a host of things that would not be done. They are working with the private sector, they are working with volunteers in the community. They are leveraging the resources throughout the community to get things done and help other people.

That is not just in Elkhart, IN. AmeriCorps has given 70,000 Americans a greater opportunity for higher education, taught over 380,000 students, mentored 93,000 youth, tutored 118,000 individuals. They are all across the country, spread out, helping others. I would think that a Republican wants people, as we do, not to just get something free but to do some work for it, that is the concept here, personal responsibility, work in the community and one gets an educational grant, a stipend to go to school. It leverages money, another good idea that we would hope to share in a bipartisan way, Republicans and Democrats.

We leverage the public money with the private sector, helping people build better communities in the environment, education, tutoring, making sure children are inoculated, all kinds of great things going on because of the leverage here at the public level that is spreading out locally to each and every one of our communities. I do not know how one can be against that. I do not know how we can pit two programs that I strongly support against one another.

I guess, in conclusion, Mr. Chairman, I would say this. What are Republicans saying about this program that help young people, that help young people at a time when we really need them getting to college, when the college costs in this country are soaring, how are Republicans responding to this, most Republicans?

The CHAIRMAN. The time of the gentleman from Indiana [Mr. ROEMER] has expired.

(By unanimous consent, Mr. ROEMER was allowed to proceed for 2 additional minutes.)

Mr. ROEMER. Gen. Colin Powell says, "AmeriCorps is doing a lot of good things around this country. They are leveraging other volunteers who come in to work with AmeriCorps."

Gov. William Weld, a Republican from Massachusetts, and I quote, "Every taxpayer dollar we spend on AmeriCorps comes back threefold when we add up the value of your innovative ideas, your physical labor and all the skills you bring to the workforce when you finish your education. It is one of the most intelligent uses of taxpayer dollars ever." Ever.

Now, I think that is where the mainstream of the country is. Support programs that insist on personal responsibility, that leverage dollars, that help our young people afford education and build better communities. This is a program, AmeriCorps, that I strongly support. I hope that we can work in a bipartisan way to support both AmeriCorps and our gulf veterans. I do not think that we should try to pit these programs against one another.

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

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

Mr. LEWIS of California. Mr. Chairman, I appreciate the gentleman yielding. I would just say that absolutely the gentleman is right. We do not want to pit programs like this against one another. Unfortunately throughout this bill, that is the challenge of the bill. We have program after program that are vital to people, whether it is the poorest of the poor in housing programs or otherwise. One person's mind's eye view of what is enough money for this program versus another creates the difficulty.

I am not at all challenging what the gentleman suggests. I think he also knows full well that, before we get through this process with the other body, the conference, the AmeriCorps funding is going to be there. So indeed it is just a reflection of the discussion this evening that expresses people's viewpoint. It is helpful but it can be carried further than it need be.

Mr. ROEMER. Reclaiming my time, and I respect the gentleman from California, we have all kinds of opportunities around here to make priorities. We had a priority to try to cut 0.7 percent of the intelligence budget the other day. This body did not do that. We had the opportunity to cut B–2 bombers that the Air Force does not want. This body did not do that.

Let us not pit two good programs against one another that we should be funding when we have got some of these other programs that the Defense Department does not want, a space station that does not work, when we are finding the Mars Pathfinder does marvelous things up in space for $267 million as opposed to $100 billion for the Space Station. Let us get our priorities right. Let us support our gulf veterans. Let us support AmeriCorps.

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

Mr. ROEMER. I yield to the gentleman from Kansas.

Mr. TIAHRT. I would suggest that this amendment does exactly what the gentleman is suggesting.

The CHAIRMAN. The time of the gentleman from Indiana [Mr. ROEMER] has again expired.

(On request of Mr. TIAHRT, and by unanimous consent, Mr. ROEMER was allowed to proceed for 2 additional minutes.)

Mr. ROEMER. Mr. Chairman, I continue to yield to the gentleman from Kansas.

Mr. TIAHRT. Mr. Chairman, I think this amendment meets the criteria that he is establishing here. It allows AmeriCorps to move on.

I would like to remind the gentleman from Indiana that AmeriCorps spends about 11 percent of their budget authority. They have been allocated $1.6 billion from this Congress since its conception. They have only spent about $300 million. With a reduced budget as suggested here, we are able to achieve both of the gentleman's goals, help the Gulf War veterans who are suffering from this illness and allow AmeriCorps to continue at a reduced size so that they can become more efficient.

Mr. ROEMER. Reclaiming my time from the gentleman from Kansas, what I would say is there are plenty of things we can cut in this budget. Whether it is a Space Station, whether it is a wind tunnel, there are a lot of things that we have to make tough choices on to balance the budget, and we are making them.

I am supportive of a balanced budget, and I voted for that in the historic bipartisan agreement that we brought to this floor. But let us not always go after the programs around here that help people go to school, that help people get a school lunch, that help people get fed that are falling through a safety net. Let us make sure that the Gulf veterans are taken care of, that AmeriCorps, which is working with personal responsibility, is funded, and that we go after some of these programs that are not working nearly as well as these other two good programs.

Mrs. CHENOWETH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, in these difficult times when we are trying to balance the budget and establish the priorities that this body must adhere to because the American people adhere to certain priorities, those priorities will fall time and time again to our veterans, those people who marched off to war and many of them came back with gulf war syndrome. I have a number of them in my district, and my heart goes out to them. I honor them and I respect them, and my priority is with them, because America should keep its word to its veterans. They kept their word with us.

It was Teddy Roosevelt that once said a man who is good enough to shed his blood for his country is good enough to be given a square deal. I think to increase research and development to $25 million for gulf war illness research is a top priority. I think it must be done. For too long this country ignored the ravages of gulf war syndrome and ignored that it was a bona fide problem that our soldiers came back home with. Our veterans have earned a square deal. They were promised a square deal. That is not what they are getting with this appropriations bill, unless we adopt the Tiahrt-Chenoweth amendment.

How can we in good conscience spend even a penny on pet projects, as worthy as they may be, while our promises to veterans continue to be broken? AmeriCorps' paid volunteers may work on projects in exchange for pay and scholarships, but what is their contribution in comparison to the sacrifice of our veterans? Veterans who gave up freedom and endured the hardship and bore the separation from loved ones and all too often suffered terrible bodily injury in defense of our freedoms in the gulf war.

I urge my colleagues to take this small step, keep our obligations and our promises to our veterans. Show our veterans that they are as important to us as we and a free America were to them when they gave so much to us. Please support the Tiahrt-Chenoweth amendment.

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

Mrs. CHENOWETH. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, since the gentlewoman indicated that we ought to put support for veterans ahead of everything else, can I assume that she will vote for my amendment to eliminate the pork project in Idaho so we can add money to the veterans health care budget?

Mrs. CHENOWETH. I am supporting my State and my commitment to my State.

Mr. OBEY. So in that case the veterans will come second?

Mrs. CHENOWETH. Mr. Chairman, this is out of order because we are debating another amendment.

Mr. FARR of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think this debate is an appropriate kind of debate but not necessarily comparing AmeriCorps with the veterans. I think we all support both.

The irony is that the gulf war veterans may have sons or daughters that are in AmeriCorps, and in fact gulf war veterans may qualify as AmeriCorps volunteers, because it is a totally different program. It has to do with contribution to the community for remuneration and a credit toward, whether it is vocational training or academic training. I happen to represent an area in California, Fort Ord, the former Fort Ord, which still has a military property on it; and in that property, we have the center for the gulf war syndrome calls. Anyone who has been in the gulf war who thinks they may be qualified for benefits, these medical benefits, all of those calls from everywhere they are made in the world come to that building. That building gets them registered and into the process. It is a good process and it is working.

The problem I think we have with veterans and not just gulf war veterans but veterans in general is that we are not allowing for collaboration. If one goes to a veterans clinic, the veterans cannot take their family and children to that clinic. We ought to be able to let them do that. If one is over 65 in this country and he is a veteran, he cannot take himself or his spouse to a veterans clinic. They have to go out to a Medicare process.

The problem for medical care in America for veterans is not just limited in here, and we do not do more by isolating these moneys, by taking them out of a good project and saying we are going to put it in just to research in an isolated area. If we really want to help veterans, gulf war veterans and all, we would do a much better job of collaboration.

Let me tell my colleagues on that same military base are a whole bunch of AmeriCorps volunteers that are helping clean up that base, and they are working with the community based organizations and they are doing a very good job. Yes, they are getting paid. I was a Peace Corps volunteer and I got paid for being in the Peace Corps. There is no free lunch in this process. But they are not getting rich on this.

In fact, the author of this amendment has had six AmeriCorps volunteers in his district, of which four finished. The Kansas Department of Wildlife and Parks who oversaw the program wrote a letter, and I would be glad to give it to the gentleman and submit it for the RECORD if he wants, that says,

Without the assistance of AmeriCorps the Kansas Department of Wildlife and Parks would not be able to hire these young people lacking the funding to do so. The department can, however, provide raw materials, tools and supervision.

The letter goes on to say,

The AmeriCorps and public would lose the benefits provided to the natural resources and outdoor recreation projects, and the individuals who would have been selected as members would lose valuable opportunities.

□ 2215

It goes on to say: "I hope you will find that you will be able to fully support the continuation of the AmeriCorps as a viable program important to the American people."

This is a letter to Senator BOND, and it is written by Bob Mayers, the Assistant to the Secretary of Operations, appointee of the Republican Governor of the State of Kansas.

Lastly, I think what is very important here is that if we are going to make some tough choices, I think we made it last week, a week before that, when we had a very close vote, and I believe it was, as my colleagues know, half a dozen votes difference on the B-2 bomber, something that the Pentagon has not asked for, something that the Air Force does not want, and we voted to commit ourselves to building nine more. An estimated outlay or total cost in the end is about $18 billion.

Now if my colleagues want to make choices, and my veterans are just like my colleagues' veterans, they understand these choices. They do not want us to take away programs from their sons and daughters, from their colleagues who may be wanting to go into the AmeriCorps who want to pay off student loans, who want to pay off education. Robbing Peter to pay Paul is, I think, a very injurious proposition, and this is a bad amendment.

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

Mr. FARR of California. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, I appreciate my colleague yielding. I think the point I am really trying to make here is to suggest to the House that we are all on the same side of this. The fact is my colleague knows and I know before we get through this process of the conference that AmeriCorps is going to have its funding restored, we know that. What has really happened though as a part of the full committee discussion and here, is suddenly there is a different attention being paid to the Persian Gulf syndrome, which the gentleman's district should be very pleased with as well.

So at the end of the process we will raise that to a much higher level of attention; the gentleman's district will like that. But AmeriCorps will be funded at the other end, as my colleagues know. Frankly it is important that the public know that we are all on the same side really in this discussion. And as my colleagues know, we have a tendency to fill all the time that is available regardless of whether we agree or disagree.

Mr. FARR of California. Mr. Chairman, I think the gentleman's observations are very well made. I just disagree with the author of this amendment that the way of getting there is to rob Peter to pay Paul. I think when we rob an educational account to pay for a medical account we have no gain.

Mrs. Chairman. I include the following for the RECORD.

STATE OF KANSAS,
DEPARTMENT OF WILDLIFE & PARKS,
Pratt, KS, October 4, 1996.

Hon. CHRISTOPHER BOND,
U.S. Senate,
Washington, DC.

DEAR SENATOR BOND: I appreciate the efforts of yourself, Senator Grassley, and Congressman Lewis to examine the relationship between USDA and the Corporation for National Service regarding the AmeriCorps program. At this time in America, it is critical that government operate ethically and above board, without the intent, act or perception of wrongdoing.

However, as I am certain you will find, the relationship between USDA, CNS and the AmeriCorps projects administered at the state level is reasonable and desirable. This partnership allows rural Americans to perform needed community services for an honest wage and broaden their potentials for the future in the process. When these AmeriCorps members have completed their educations, they will be ready to take their places as productive members of society, with not only the class work behind them, but also the experience earned in the successful completion of their AmeriCorps projects.

Without the assistance of the USDA and CNS, the Kansas Department of Wildlife and Parks would not be able to hire these young people, lacking the funding to do so. The department can, however, provide raw materials, tools and supervision. Important projects underway now, and others that might be completed in the future, would die without being completed. Rural communities would lose the employment options provided by AmeriCorps, the public would lose the benefits provided to the natural resources and outdoor recreation projects, and the individuals who would have been selected as members would lose valuable opportunities. The language proposed by USDA correlates to previous agreements, and fully supports the principles under which AmeriCorps was conceived, while ending the transfer of operating funds from CNS to USDA.

No additional funding is needed to support the AmeriCorps program, and the positive impact it makes is tremendous. I hope that you will find that you are able to fully support continuation of AmeriCorps as a viable program important to the American people.

Sincerely,

ROB MANES,
Assistant Secretary for Operations.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to this amendment. First of all, I want to just point out as the second ranking Democrat on the Committee on Veterans' Affairs I stand in a back seat to no one in terms of standing up for our Nation's veterans' needs, and while I appreciate the efforts that the gentleman from California [Mr. LEWIS], the chairman of this committee, has made in terms of standing up for our Nation's veterans in this budget, and I think the gentleman from Ohio [Mr. STOKES] deserves credit as well, I would like to point out to those Republicans who are beating up on the AmeriCorps program today that according to their own budget agreement that they passed themselves earlier this year, they were $2,230,000,000 under what this budget does.

So while I appreciate the fact that the chairman of the Committee on Appropriations went back and found $2 billion, for people to stand up here and make speeches on the floor of the House saying they want to stand up for our Nation's veterans, go look at their own rhetoric, go look at what their budget that they passed did to the veterans of this country. They are the ones who led the fight to cut the veterans programs, and now they stand up here on the House floor and pretend like they are standing up for our Nation's veterans. So in reality what they can do is beat up on AmeriCorps, because what they really want to do is go after President Clinton because he has a program that encourages voluntarism in America.

And that is the truth of what this is all about. This is just plain rhetoric bashing, this is the same old, same old stuff that we hear too much of. In fact, if we are truthful and honest, I think we go back to the original statement of the chairman of the committee. He said some very nice things; I heard him when I was sitting in my office getting ready to offer a couple of amendments on the housing bill that is coming up, and he said some very nice things about the AmeriCorps program. The truth is that of course like every program, we have HUD programs that are well run, we have HUD programs that are not well run; we have programs in the Pentagon that are well run and some that are not so well run. We have some AmeriCorps that are well run and some that are not so well run.

But the truth and the fundamental aspect of this is that there is broad bipartisan support, I believe, for both AmeriCorps as well as for our veterans' programs, and for us to sit here and

gratuitously go out and find a way of offering an amendment that can just go and try to bash the AmeriCorps in order to pretend like we are standing up for our Nation's veterans is utter hogwash, and I hope the veterans of this country who are watching this debate listen to the fact that there is $2.230 billion, that is B's, not M's, billions of dollars that were proposed by the Republicans that were not included because of the work of the gentleman from California [Mr. LEWIS] and the gentleman from Ohio [Mr. STOKES].

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I too want to rise in opposition to this amendment, and really, I think, there has been a great deal of bipartisan effort on this whole issue of balancing the budget, and I think because of that I am very curious about what is not only represented to be an effort to cut the deficit, but also what I would call bashing and pitting one very deserving group against the other.

Let us make it perfectly clear this amendment eliminates the AmeriCorps program, and for many who have debated it and discussed it, for some reason the involvement of the President seems to color the value of this program, and I would simply take issue with great respect for the gentleman.

Mr. LEWIS of California. Mr. Chairman, would the gentlewoman yield on that point that she made?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from California.

Mr. LEWIS of California. It may be that the gentlewoman was not given the information that the gentleman from Kansas [Mr. TIAHRT] took up his second amendment rather than the first one. Because of that this amendment takes approximately half of the AmeriCorps funding and puts some of it into veterans programs, and the balance remains, which allows us effectively to go to conference where we know it is going to be restored.

I do appreciate the gentlewoman's position, but I wanted the gentlewoman to know that.

In the meantime, if my colleague will, I wanted to mention to her that we hope to get through this amendment by the time I have committed to the gentleman from Wisconsin [Mr. OBEY] that we will close down by 10:30, and that is not just for the gentlewoman but for the other Members who are here.

Ms. JACKSON-LEE of Texas. Reclaiming my time, I hope I will be able to capture the time. Mr. Chairman, I do appreciate it, and I did know the amendment that we were discussing, I consider the amendment an elimination of the AmeriCorps for the very reason that when we begin to juxtapose moneys against one other, we are bashing and we are eliminating.

I recognize that this is a modified amendment, but this amendment, the purpose of it is to eliminate AmeriCorps. This has no intent to fund our veterans. This is a purpose of, in fact, causing anguish, causing ugliness in this debate.

Let me simply argue on behalf of the AmeriCorps program and the very valuable things that it does. First, I want to take issue with those who say that there are individuals who are in the AmeriCorps program that do not do their job, that there should be volunteers, that they should not be paid. These are individuals who work very hard in our community and, in fact, are contributing in our community and receiving an education.

I would venture to say that the young men and women who are in the gulf war would support the AmeriCorps, and why would they support it? Because they are the equals of these individuals who have come up to hard times and are now seeking to give to their country, but, as well, taking advantage of an opportunity to be educated and maybe be back in step with helping us to have more peace so that we send less of our veterans or less of our soldiers into places of war.

For example, in Houston the LA Vets is sponsored by our AmeriCorps. What do they do? They help homeless vets. I would think that our veterans would support the AmeriCorps programs that do that. What else do they do in Houston? The Houston Read Commission, the literacy AmeriCorps that helps to bring about the opportunities for reading in our community; English as a Second Language, a program that is extremely important.

But most of all, I think the dignity of the AmeriCorps participants have been attacked, and I take great offense in that, for these are young men and women who simply want an opportunity.

Yes, this is the President's program and the President's opportunity. But it is not the President's vision. It is America's vision to give young people the opportunity to climb up the rough side of the mountain and, yes, stand on top of the mountain.

I believe that this effort that is being offered to take a few pennies here and a few pennies there for two very good programs is, as I started out in my remarks, an attack on AmeriCorps and an attempt to eliminate AmeriCorps.

I would simply ask the question, if it is going to be restored in conference, why do we not do the right thing and maintain the full funding of AmeriCorps, work in conference to increase the dollars for Persian Gulf research and Persian Gulf illnesses, because I think that is a very valid concern. Why do we not do it that way? The reason why we are not doing it that way is because the real intent of this amendment is to bash AmeriCorps, to eliminate AmeriCorps, and it has nothing to do with anyone's concern about the veterans.

I support any effort to increase funding for veterans, and I would encourage my colleagues to go to the conference committee, work sincerely along with the Senate to increase those dollars, because we are moving along in a well-intentioned manner, which is to balance the budget. I see no reason whatsoever to eliminate these dollars on a very valid program that helps young people do the right thing and achieve their goals and aspirations.

Mr. Chairman, I rise today to raise my strong opposition to Mr. TIAHRT's amendment to eliminate AmeriCorps by using the tragic situation created by gulf war illness. If the administration had not taken steps to address the need to recognize disabilities associated with the illness and extended the length of time veterans have to apply for benefits I could see a need to increase funding for that purpose.

This amendment to H.R. 2158 will eliminate AmeriCorps, a much needed program and thus deny the opportunity for many deserving young people to attend college. The program is simple, but it has had a significant impact on the lives of people living in my Houston, TX, district.

In the city of Houston, David Lopez, who was employed as an AmeriCorps member last year, worked to provide the inner city working parents of latch key kids with supervised activity and play. They are not left to their own devices, or worse, to the design of street predators who would lead these young lives in the wrong direction.

For a year of volunteer service with Communities In Schools, David earned a $4,725 scholarship toward college.

AmeriCorps is the one and only chance for many of its participants to obtain a college education. It has been under attack from the early days of the 104th Congress for being inefficient. The truth is that among the numerous independent studies in the past, including the one by conservative "Chicago School" economists sponsored by three private foundations, confirmed that investments in national service programs are sound, yielding from $1.54 to $3.90 for every dollar invested. In fact, a 1995 GAO report concluded that AmeriCorps almost tripled the $31 million amount Congress directed them to raise by raising $91 million.

AmeriCorps has played a vital role in communities all over America. The 508,593 students taught, and the 42,381 families left homeless by natural disasters, and the 143,513 individuals provided health care screening at clinics, VA hospitals, and other health-related facilities and focus particularly on children and youth are testaments to the critical role this program plays in the lives of people in need.

I would offer to my colleagues who are in a rush to cut AmeriCorps that if they looked around their districts they may find that AmeriCorps is doing some very amazing things for these few tax dollars.

For example, in the city of Houston, the Collaboration to Help Homeless Veterans uses

AmeriCorps members on areas of housing and employment readiness to perform case management activities and help homeless veterans in the Houston area move toward self-sufficiency.

The Houston READ Commission/Literacy AmeriCorps provide literacy training and needed support services while developing community leadership in traditionally disadvantaged locations of the greater Houston area. Educational activities include GED tutoring, English as a second language training, homework assistance, and family literacy instruction.

Teach for America—Houston is another program in the city of Houston which utilizes AmeriCorps members in a project designed to improve the educational achievement of underserved school-age youth by providing students with teachers having diverse backgrounds and strong knowledge of academic content. AmeriCorps members are assigned teaching and leadership roles in inner city and rural public schools.

I strongly oppose any effort to end this program. I would ask that my colleague join me in opposition to this amendment.

Mr. SHAYS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, first, I want to thank the gentleman from California [Mr. LEWIS] and the gentleman from Ohio [Mr. STOKES] on the VA, HUD and Independent Agencies bill, a job well done. There are lots of various issues that they have had to work out, and I think they are doing a tremendous job. My admiration goes out to both of them.

I rise, however, in opposition, in strong opposition, to this amendment, a very sincere amendment on the part of the gentleman from Kansas [Mr. TIAHRT] but one that I think is very wrong. And I feel so strongly about it I was almost reluctant to get up because I am almost afraid of what I might say.

I mean I hear people calling it the President's program, and yet the President worked very hard with Republicans to make it a bipartisan program. That is why, instead of it being a national program, one-third of the program is decided nationally, and two-thirds is decided by the States.

Republicans really did a good one on the President, though, because when we allow States to do their programs, they are going to have good programs and bad programs. So instead of having a national program that, as my colleagues know, is pretty good, and no one can find any criticism, we allow States to be innovative. And so they have a number of good programs, but they have some that are not so good. And when AmeriCorps finds out what are the bad programs, they are eliminated. So what we have is some really excellent programs, and we have a few bad ones.

I look in terms of where this money is going. I serve as the chairman of the Subcommittee on Human Resources of the Committee on Government Reform, and we oversee the Veterans Department along with HUD and the Education Department and HHS, and so on. We have had 10 hearings on gulf war syndrome, and I think I can say with some authority that the problem is not funding of illnesses. The problem is the VA and the DOD failed to recognize the problem in the first place. It was not a money issue.

We are going to spend in the 1998 budget $20 million earmarked for medical research in the VA HUD bill. We are going to spend $78 million in DOD budgets. We are going to spend $10 million in HHS. One hundred eight million is going to be spent on gulf war illnesses in the budget that exists right now.

□ 2230

We have the money there to do the work. The question is, is the VA and the DOD going to spend the money the right way? There we might have debate.

Mr. Chairman, I represent the cities of Stamford, Norwalk, and Bridgeport. I have kids who are hungering to be of service to this country. They are also hungering to get an education. A great Republican principle, I thought, was to not give them something, make them earn it. They earn it. They work at a minimum wage.

Yes, we call them volunteers, even though we call it AmeriCorps. I am a Peace Corps volunteer. I got paid. I was given a stipend at the end, just like these volunteers who are doing service. They are participants, no different than Peace Corps volunteers, but they are working at basically $4 an hour. When they are done, unlike me in the Peace Corps, when I had money set aside that I could spend on anything, all these individuals can do is spend it on education.

So for me, Mr. Chairman, this was a program that the President reached out to our side of the aisle, made two-thirds of it funded and decided by States, and therefore brought in the possibility that we could have some bad programs, which we are quick to criticize, and did not make it a national program.

Mr. Chairman, I am not going to be asking for a rollcall vote on this issue. I accept the fact that our chairman of this committee is going to try to work it out in conference, and I accept the fact that his logic said that, better to keep some of the program there to be funded and argued with the Senate.

But I just strongly, strongly oppose those on my side of the aisle and maybe a few on the other side of the aisle who have targeted AmeriCorps, because I think they are dead wrong. It has been a tremendous program for my cities in Bridgeport and Stamford and Norwalk. I have kids who are being of service. They are so grateful to be of service, and to know that they can get an education in the process.

Mr. LEWIS of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I will make a very brief comment. There are two or three Members who plan to speak this evening but who are going to be asking for unanimous consent requests regarding their position, so that we can finish this amendment this evening and go to a vote on the item, and then we will take the balance of Title I up tomorrow.

Mr. GREEN. Mr. Chairman, I move to strike the requisite number of words. I rise in opposition to the Tiahrt amendment. My colleague's amendment gives us terrible options. I support veterans and additional funding for gulf war syndrome. We should be engaged in expanding AmeriCorps, not in its elimination.

Almost 4 years ago, when Congress created the AmeriCorps program, we expected great things from national service. The Congress expected AmeriCorps to help communities meet their public service needs with real results. We expected AmeriCorps to unite individuals from different backgrounds in the common effort to improve our communities. We expected AmeriCorps to encourage its members to explore and exercise their responsibilities to their communities, their families, and themselves.

Today, almost 3 years after the first 20,000 AmeriCorps members hit the field in over 1,000 communities across the country, the Corporation for National Service and its AmeriCorps program has met every one of these expectations. And in many cases, it's exceeded them.

In my hometown of Houston, TX, 120 AmeriCorps members in the SERVE HOUSTON program serve 1,500 school children daily in partnership with the Houston Independent School District and the YMCA of Greater Houston by providing in-school tutors and after-school programs in 24 title I schools.

Our daily Club Learn and Serve after-school program provides safe and structured activities for 1,000 children who would otherwise leave school for an empty home or the streets. The program provides reading and homework assistance, cultural activities, and service learning projects where school children learn to serve their own communities.

SERVE HOUSTON receives cash matching support for its AmeriCorps funding from leading corporations including: Shell Oil Co. Foundation, Exxon, Enron Corp., Duke Energy, Arthur Anderson, and El Paso Energy. In addition, it receives strong support from private foundations and individuals. SERVE HOUSTON is truly a public-private partnership.

SERVE HOUSTON generates non-AmeriCorps volunteers to serve the community through its outreach to churches and synagogues, college campuses, and public schools. Nationally, each AmeriCorps member leverages about 12 volunteers and generates 246 volunteer hours.

But AmeriCorps' service in my community does not stop there. The Collaboration to Help Homeless Veterans is involved in several aggressive outreach programs. The AmeriCorps members not only go to shelters and get veterans signed up for services from the Department of Veterans Affairs, but they also go out

with mobile units and service those homeless individuals that are under bridges and in the woods. These AmeriCorps members assist our homeless veterans to become self-sufficient by providing educational and vocational support; they help our veterans access medical and social services, and they build working relationships with other service providers.

The decision on whether or not to continue national service will tell us a lot about ourselves. We should put partisan politics aside. Let's work together to continue to provide young people an opportunity to help themselves, as they help our communities and learn service as a way of life.

AmeriCorps has kept its promise to the American people. The Congress should, too.

Mr. SAWYER. Mr. Chairman, I rise today in strong opposition to the Tiahrt amendment. That notwithstanding, I want to thank the sponsor for the opportunity to clarify the administration's work on AmeriCorps.

Early in the last Congress, there were many Members expressing concerns about AmeriCorps. The critics said that AmeriCorps was plagued by cost overruns. So, AmeriCorps and the Corporation for National Service took the criticisms seriously. They took immediate steps to alleviate the problems. Former Senator Harris Wofford, now CEO of the Corporation for National Service, and Senator CHARLES GRASSLEY announced a 10 point agreement to reform the AmeriCorps program.

That effort made clear, enforceable commitments to contain costs. It also resulted in an increase in the AmeriCorps' private sector match from 25 to 33 percent of program costs.

Then, critics said that AmeriCorps was not fulfilling its commitment to service and voluntarism. As the 10 point agreement included increased collaboration with national non-profits, special scholarships to reward voluntarism and other efforts to increase occasional, or "weekend" voluntarism nationwide, in addition to long-term commitments to service. And in this way, AmeriCorps responded to its critics by increasing its volunteer and service efforts.

Then critics said that the Corporation for National Service was lacking in its financial management standard and quality controls. The Corporation responded by committing to work with its Inspector General and Corporation's auditors, Arthur Anderson LLP and Williams, Adley & Co. to correct its financial weaknesses. Ted Sheridan of the Financial Executive Institute also worked with the Corporation to deal with these problems.

A year later, the Corporation is on the track to be a model of responsible governmental structure. It has hired a full-time Chief Financial Officer and it is in the process of installing a new financial management system. By 1998, it expects to have regular fully auditable financial statements and strict business controls.

Two years ago, critics rallied behind the cry that AmeriCorps was a government program fraught with management and financial problems. But AmeriCorps and the Corporation for National Service responded, and today AmeriCorps is a program of which I believe we can all be proud, critics and supporters alike. Unless of course, fixing the program was never the real goal.

You see, despite its successes, we are still having the debate over funding. That leads me to believe that the motives behind the criticism was never constructive, intended to produce a model government program. Instead, the critics' real goal was simply to defund or at least cripple a program that has been a target of theirs for years, no matter how well it is working today.

If that is the case, and I can hardly see how it could be otherwise, I urge my colleagues to reject this unfortunate amendment and to support a government program that helps to leverage private funds to tackle the difficult problems that face our youth, our communities, and our nation, neighborhood by neighborhood, where real effort can make a real difference in real peoples' lives.

In closing, let me thank Mr. STOKES and Chairman LEWIS for their work on this bill. I take at face value his commitment to restore funding in conference and for this opportunity to clarify the constructive work by so many at AmeriCorps over the past several years.

AUDITABILITY

THE CORPORATION IS STRENGTHENING ITS MANAGEMENT CONTROL SYSTEMS

The Corporation is unique in that it is a new entity comprised of pre-existing federal agencies and commissions and their outdated systems. The Corporation is methodically strengthening its financial management systems to reach full auditability in compliance with the new requirements of the Corporation Control Act, with action completed or in the process of implementation on 97 out of 99 points raised by Arthur Andersen by May 1, 1997. Once that goal is reached, the Chief Financial Officer will move forward on auditing current financial statements.

THE CORPORATION IS STRENGTHENING ITS TRUST FUND SYSTEM

A subsequent report by Peat Marwick, LLP (KPMG) will guide our efforts to strengthen the Trust Fund systems. It pinpoints several weaknesses in the current system—and we've already taken significant steps to begin to address them.

THE TRUST FUND SYSTEM MIRRORS OUR DECENTRALIZED STRUCTURE

Local program directors are directly responsible for certifying Trust Fund eligibility within guidelines set by Congress. Our experience and the KPMG findings indicate that this reliance on local control requires stepped-up federal oversight to ensure accurate Trust fund records.

THE CORPORATION HAS TAKEN SIGNIFICANT STEPS TO ADDRESS TRUST FUND ISSUES

The Corporation generally concurs with and is committed to a methodical resolution of the issues raised by the KPMG report. To strengthen our Trust Fund systems, the Corporation has already taken several major steps, such as: updating the certification process and incorporated an automatic system rejection process to ensure all documents have been properly approved before Trust Fund accounts are established; freezing grant renewals until accurate certification forms are filed with the Trust Fund; developing systems to improve transactions registers and maintain supporting data; bringing accounting records to a current period; implementing a number of major changes to our segregation of duties within the Trust Fund operation; developing and implementing a revised payment system and an automated interface of those payments to our existing ledger system.

IT'S NOT UNUSUAL, BUT THAT'S NO EXCUSE

Many federal agencies are struggling to meet the new financial management auditability standards. The Departments of Defense, GSA, IRS, even the U.S. Congress. The Corporation is making every effort to meet the new challenges—and has made significant progress.

Mr. HOEKSTRA. Mr. Chairman, I rise in support of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas [Mr. TIAHRT].

The amendment was agreed to.

Mr. LEWIS of California. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. GILCHREST) having assumed the chair, Mr. COMBEST, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2158) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, for sundry independent agencies, commissions, corporations, and offices for the fiscal year ending September 30, 1998, and for other purposes, had come to no resolution thereon.

APPOINTMENT OF MEMBERS TO NATIONAL COMMISSION ON THE COST OF HIGHER EDUCATION

The SPEAKER pro tempore. Without objection, and pursuant to the provisions of section 40003 of Public Law 105–18, the Chair announces the Speaker's appointment of the following members on the part of the House to the National Commission on the Cost of Higher Education: Mr. Martin Anderson, California; Mr. George Waldner, Pennsylvania; and Mr. Jonathan Brown, California.

There was no objection.

COMMUNICATION FROM CHAIRMAN OF THE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

The SPEAKER pro tempore laid before the House the following communication from the Honorable James V. Hansen, chairman of the Committee on Standards of Official Conduct:

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT,
Washington, DC, July 15, 1997.

Hon. NEWT GINGRICH,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: I am writing pursuant to Rule L (50) of the Rules of the House, to supplement the original notification by Mr. Cole on June 3, 1997 that he had been served with a subpoena issued by the United States District Court for the District of Columbia.

After consultation with the Office of General Counsel, the Bipartisan Legal Advisory Group of the House of Representatives has determined that the subpoena to Mr. Cole is consistent in part and inconsistent in part with the rights and privileges of the House and has directed Mr. Cole to comply with the

subpoena to the extent that it is consistent with the rights and privileges of the House.

Sincerely,

JAMES V. HANSEN,
Chairman.

EXTENDING ORDER OF THE HOUSE OF MAY 7, 1997, THROUGH WEDNESDAY, JULY 30, 1997

Mr. HOEKSTRA. Mr. Speaker, I ask unanimous consent that the order of the House of May 7, 1997, as extended on June 24, 1997, be further extended through Wednesday, July 30, 1997.

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

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

S. 768—MEILI FAMILY RELIEF

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

Mr. BENTSEN. Mr. Speaker, I rise in strong support of S. 768, legislation to provide permanent residency status for the Meili family. This legislation would provide relief for the family of a courageous hero who deserves our gratitude and admiration. Mr. Meili's actions in Switzerland not only endangered his personal safety, but also that of his family. We should offer protection to Mr. Meili and his family to ensure the truth is told regarding Holocaust-era Swiss bank practices.

In January, 1997, Michael Christopher Meili was on duty at a Swiss bank where he noticed that employees were shredding Holocaust-era documents. Meili reported the destruction of documents, which is a violation of Swiss law, and turned over some of these documents to members of the Jewish community in Zurich and to the Swiss police.

Subsequently, Mr. Meili was fired from his job and investigated for violating Swiss bank secrecy law. After receiving death threats, Mr. Meili and his family came to the United States in April on a temporary visitors visa. This visa will expire in the near future, and we must provide special relief for the Meili family to protect them. This legislation would provide permanent residency status for the Meili family, as they are not eligible for either a political asylum or work-based visa exemption. I am pleased that we are considering this critical legislation in an expedited manner. We must ensure that the Meili family and other whistleblowers are encouraged to tell the truth.

As a member of the House Banking Committee, I participated in two hearings on the disposition of Jewish assets in Swiss Banks. We heard testimony on the courage and determination of Mr. Meili to protect these documents. Without these documents, it may be difficult for Jewish families and their heirs to determine the outcome of assets they deposited in Swiss accounts. It is imperative that the world learn the truth, heirs be compensated and we put an end to this final secret of the tragedy of the Holocaust.

I urge my colleagues to support this legislation and to protect the Meili family so the truth can be known.

A CLARIFICATION ON THE TIAHRT AMENDMENT TO H.R. 2158

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

Mr. HOEKSTRA. Mr. Speaker, the debate that we just concluded was about the Corporation for National Service. It was about the Tiahrt amendment. As the chairman for the oversight subcommittee, I just want to share with my colleagues some of the information that the oversight subcommittee has uncovered over the last 2 to 3 years in dealing with the Corporation for National Service. I visited a Corporation for National Service site yesterday. I met with some AmeriCorps volunteers. I have no doubt that they are doing good work, they are doing good work in this project.

But I think it is time to also take a look at this agency. I have no doubt that in the future, if AmeriCorps survives in 10 or 15 years, we would say that without the Corporation for National Service, we would not have volunteerism in America, just like we say we would not have arts in America without the National Endowment for the Arts.

But we have to recognize that we do have volunteerism in America. It is thriving. Volunteers in America are active in all of our communities, making heroic efforts to improve the quality of life in their local communities.

Now let us take a look at the Corporation for National Service. This was an organization that I voted for in 1993, believing that it could do well, that it could make an impact, and reading the document and reading what the President said about this program, believing what the authors of that bill suggested, that the Corporation for National Service would become the model for Federal Government agencies, that it would model its performance after the private sector.

When I assumed as chairman of the oversight subcommittee, we found some very troubling things. Remember, this is an organization that the AmeriCorps portion spends about $400 million per year. What did we find? In October of 1995 Arthur Andersen, a major accounting firm, reported that the corporation's financial reports were unauditable; listen, unauditable, meaning that they had 99 management control and accounting weaknesses, 33 of which they determined to be material, the worst classification for a weakness. What does that mean? It means that the Corporation for National Service could not tell us where the money was going that we were sending it, and what they were spending it for.

A follow-up report issued in December of last year noted that the corporation had not corrected 71 of the 99 identified management control and accounting problems, this despite congressional hearings and assurances from Mr. Wofford and the corporation that these problems were being fixed.

Now we find in a report that was issued yesterday, so we have moved from October of 1995 to July of 1997, and where are we? Arthur Andersen in their update states that the corporation has again to fix 33 of the 99 material weaknesses. They also have an additional 9 other accounting or managerial weaknesses.

The bottom line, what does it mean? It means that the Corporation for National Service, the agency that was going to be modeled after the private sector, spending $400 million to $600 million of taxpayer dollars, cannot produce auditable results for 1994. They cannot produce them for 1995. They cannot produce them for 1996. Now it appears they will not be able to produce them for 1997, and still with major accounting weaknesses, as I predicted earlier, they probably will not be able to produce auditable books for 1998. That is unacceptable.

Mr. Speaker, a second problem is as we have AmeriCorps volunteers, we are trying to match up the education awards with individual volunteers; a brand new program, a brand new agency, and what happens? A report released by Peat Marwick 4 months ago noted that the corporation has failed to keep adequate management controls and records relating to the trust fund, the National Service Trust Funds. What does this mean? It means that the Corporation for National Service does not have an accounting system in place that will enable it to match up young people who have worked in the corporation, who have worked in AmeriCorps, with their stipend. We are now putting student scholarships at risk.

There are other troubling activities within the corporation. Mr. Huang has worked at the corporation, or the activities of his fund-raising have reached into the Corporation for National Service.

There are other questions about five executives for the Corporation for National Service that were kept on despite the fact that their jobs had been eliminated.

There is concern about close to $400,000 that the Corporation for National Service has spent in training and development funds. We are going to be having hearings next week to

take a look at the $13 million that the Corporation for National Service spends every year in training and technical assistance.

There are fundamental weaknesses at the corporation. This is not debating whether the kids and the young people are doing good work, but they are doing it for an agency that does not have good financial controls, and they are doing it at a very expensive cost. The average cost for an AmeriCorps volunteer is about $27,000 per member.

□ 2245

A GOOD PRIORITY FOR THE NATION

The SPEAKER pro tempore (Mr. GILCHREST). Under a previous order of the House, the gentleman from Kansas [Mr. TIAHRT] is recognized for 5 minutes.

Mr. TIAHRT. Mr. Speaker, I want to talk a little bit about the amendment that just passed the House before we closed business for this day because it does establish a very good priority for this Nation and for this Congress.

We, for once, for the first time, I think, since the gulf war at least, we have established that gulf war illness is going to be a priority when it comes to solving or finding a cure for this illness that has been plaguing so many of our gulf war veterans.

We did so by making a good compromise to what we had before in the bill. What this amendment did basically is it took half the funding from the National Service Corporation and it transferred it to the veterans research account so that we can focus on the gulf war illnesses.

Let me tell my colleagues a little bit about it. In Kansas, we have got several people, quite a few people that are currently suffering from this. I want to thank first of all Dan Thimesch from the 93d District of Kansas. Representative Thimesch brought this very important issue to my attention and provided me with a lot of information on what is going on in Kansas.

He told me about Sgt. David Janda, a 35-year-old father of three from Hutchinson, KS, suffering from blinding headaches and a blistering rash. He has had this problem for 6 years. It includes chronic diarrhea and joint pain.

He talked to me about Kenny Schwartz of Great Bend who endures a stabbing pain in his left eye and stiffness in his joints. He has memory loss and scarring rashes.

Now we find out in that in Kansas that some insurance companies have decided that this is a war-related illness and they are going to be denying coverage based on a clause in their health insurance contract that says any health-related problems as a result of war will not be covered by health insurance, so it leaves these people without coverage. But now we have a way of finding out a cure for these illnesses because of the research money that we are putting in place.

We are, in exchange, we are cutting back on a program that is largely inefficient and ineffective, AmeriCorps. It is a troubled organization and it does need to improve. And I hope through the course of this debate that we have had tonight, that Members are aware that there need to be advances in the way AmeriCorps conducts business.

Right now they are suffering a 39-percent dropout rate across the United States. They have unauditable books. They only expend 11 percent of the money that they are allocated by the Federal Government. Since its conception, we have allocated $1.6 billion to AmeriCorps. Out of that $1.6 billion, only approximately $300 million has been spent or set aside for their trust fund for education that they have promised to the people that have participated in the program, the paid volunteers.

That leaves about $1 billion, over $1 billion that has yet to be expended. So if AmeriCorps was actually cut off today and no funds were allocated by this Congress, the 105th Congress, AmeriCorps could continue for 5 to 10 years just on the money that they have been already budgeted but not yet spent because of their inefficiency.

So it is an organization that needs to look at itself. I think they need to evaluate the trends they are using, the direction they are headed. Perhaps they need to rewrite their vision statement and come up with a more effective way of addressing the idea, the concept that they had in mind when it first came into service. It is this inefficiency, and in comparison to the great need of this illness that gulf war veterans are suffering from, that brought on this decision that we have made tonight of balancing the two.

The President is strongly in support of AmeriCorps. It has kind of been his pet program. And the amendment that was put in place tonight does satisfy the need that he has to have paid volunteers in government service, and it also provides a solution to the need that we have for more research on gulf war illness.

I think it was a good compromise that was reached tonight. It was not the original intent that I had when I put the amendment forward, but in this business it seems like sometimes we have to come up with the best solution to the problem, the best solution available that we have to the problem, and I think that we have accomplished that tonight.

I hope that this bill will pass when we get done with the amendment process at the end of the week, and that we can have not only a solution for our gulf war illnesses but also have a more effective AmeriCorps.

S. 768—MEILI FAMILY RELIEF

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

Mr. SHAYS. Mr. Speaker, I want to explain my support for S. 768, and say why this private bill serves an important public purpose.

In January, Christopher Meili made a simple moral choice. When he found financial records documenting accounts opened by European Jews while the Nazis were in power, he could have ignored them. He was a security guard at the Union Bank of Switzerland, and he could have followed orders. He could have allowed the records to go to the shredder, to oblivion.

Instead, Meili made a choice. He gave the records to Jewish leaders, to help them document the problem of assets stolen from the heirs of Holocaust victims. It's true that theft is less egregious than murder, greed less evil than race hatred. But justice demands a reckoning, a settling of accounts. Christopher Meili's choice placed him on the side of those against forgetting, in favor of justice.

Christopher Meili's employer, the Union Bank of Switzerland, acknowledged that an employee had destroyed records in a regrettable incident. But the chairman accused Meili of having some other motive than morality or compliance with a Swiss law mandating preservation of these records.

Christopher has also received death threats. He has had to leave his homeland, with his family. I support Christopher Meili's moral choice, and I support this bill.

ECONOMIC SITUATION FACING THE NATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Wisconsin [Mr. NEUMANN] is recognized for half of the time remaining until midnight as the designee of the majority leader.

Mr. NEUMANN. Mr. Speaker, I rise this evening to talk about a situation facing our Nation that brought many of us out of the private sector a couple years back and brought us here to Washington, DC, in the first place.

Several years ago we made the decision to sell our business and take the funds and use the funds to run for Congress, because we were very concerned about the growing debt facing this great Nation of ours, a debt of almost $5.3 trillion facing this country today. And quite frankly, we were very, very concerned about the broken promises that had been made to this Nation time and time and time again. We wanted to see things be different in our capital.

This evening I would like to begin by differentiating between debt and deficit so that we comprehend that we really have two separate problems here. The first one is the deficit. The second one is the underlying debt.

What has been going on now since 1969, for a full generation, since I was a sophomore in high school, is that our

Federal Government has been collecting tax dollars from the American people and literally, one can think of it as putting those tax dollars into the big government checkbook. And then they have been writing out checks for all kinds of different programs. Many of us would call some of them wasteful, but for many different programs they wrote out these checks. They overdrew their checkbook every year. That overdrawing of the checkbook is called the deficit. That is the amount of money we spend more than what we take in every year.

When we hear the conversation about balancing the Federal budget, what we are really talking about is getting to a point where the number of tax dollars coming in to Washington equals the number of dollars being written out in those checks to all of these different programs.

It is almost inconceivable for most families in America that for a full generation now this Government has gotten away with literally overdrawing their checkbook year after year after year after year, literally for an entire generation. What we are really saying here is that since 1969, every single year the Federal Government overdrew their checkbook; that is, they wrote out more checks than what they put money into it.

So what has the Government been doing? That leads us to the second problem. This overdrawing of the checkbook, again, what is called the deficit. What they have done is they have literally gone and borrowed the money that their checkbook was overdrawn. So each year they write out more checks than what they take in. That is called the deficit.

Then they borrow the money to put in the checkbook that they did not collect in taxes. Over a period of time, as would seem logical, they keep borrowing more and more and more money and just like in any family in America, if you overdrew your checkbook every week and you went to the bank and borrowed some money, then the next week came along and you overdrew your checkbook again and you went to the bank and borrowed some money, then the next week came and this kept going on and on and on, our Nation has been doing this now since 1969. What happens eventually is you accumulate a pretty large debt. In fact, that is what has happened in this great Nation of ours today.

The debt facing this country today, we can see from this chart just how fast it has been growing. One can see from this chart just exactly how fast the Federal debt facing this great Nation of ours has been growing. From 1960 to 1980 it is almost a flat line. The debt did not grow very much at all. But from 1980 forward the debt just started climbing right off the chart.

What brought many of us to Washington, DC is, as we watched this debt rise, we are about at this point on this debt chart right now. The debt is a very, very serious problem. The debt is that amount of money that every year when they overdrew their checkbook, they kept going to the bank and borrowing more and more and more money, generally in the form of T-bills. Eventually that debt piles up, and that is what brought many of us here to Washington, DC.

The amount of debt facing our Nation today is $5.3 trillion. The amount of debt facing our Nation, it looks like this. It has a 5 and a 3 and a whole bunch of zeros after it. But to many people that number is so big, myself included, that it is hard to comprehend. So let me do what I used to do in my math classrooms when I used to teach math. I used to take the amount of debt and divide by the number of people in the United States of America.

What one would find, if they did that, is that the amount of money that the Federal Government has borrowed on behalf of the American people is the same as $20,000 for every man, woman and child in the United States of America. Let me put that another way. The Federal Government has spent $20,000 more than it collected in taxes basically over the last 15 years for every single man, woman and child in the United States of America. For a family of five like mine, I have got three kids at home and my wife happens to be out here for a short time this week, but for a family of five like mine, they have literally spent $100,000 more than they took in.

When they spent this extra money, they just kept going to the bank and borrowing the money. This is not a lot different than it would be in any household in America today. If in your household you overdrew your checkbook week after week and you went to the bank and borrowed and borrowed and borrowed until eventually the amount of money that you borrowed for a family of five added up to $100,000, it is not hard to figure out that the bank is going to ask you to do something about that $100,000. And, in fact, what is happening in America today is our families are being asked to spend $580 a month to do nothing but pay the interest on that debt that has been accumulated on behalf of a family of five.

Let me say that again. Every single family of five or group of five people in the United States of America today is sending $580 a month to Washington, DC to do absolutely nothing except pay the interest on that Federal debt.

A lot of people go, "Well, I don't have to worry about that. I don't pay that much in taxes. I don't have $580 withheld out of my paycheck every month." But the reality of this whole situation is, it is not just the income tax that pays this $580 a month. Every time a person in this Nation walks into a store and buys something as simple as a loaf of bread, the store owner makes a small profit selling that loaf of bread.

So when they collect that money for the loaf of bread from our family, part of that money is profit to the storeowner. When the storeowner makes a profit, of course, the Government taxes that profit, and part of that money that was paid for the loaf of bread winds up out here in Washington, DC.

The fact of the matter is this: When the family of five in America today looks at all the money that they are paying in taxes through all the different parts of society where they pay taxes, the gasoline pump, income taxes, taxes on products that they buy in a store, when they look at all the taxes, that family of five is, in fact, spending $580 a month to do nothing but pay the interest on the Federal debt.

Tonight we are going to be talking about a bill called the National Debt Repayment Act. What it does is it starts addressing this huge problem of paying off the Federal debt so that our families will no longer have to send $580 a month to Washington, DC.

Let me talk briefly about where we have been in this Nation, what brought us to this huge change that has occurred in the last three years, and then talk a little bit about the future.

Let me start with the past. I emphasize, this is the past. The past is what brought many of us to Washington, DC, in the first place. I would emphasize this is before 1995. There was another party in control of the House of Representatives and there was another party in control of the Senate.

Things were very different back then. In the late 1980's, they started making promises. They, the Members here in Washington, DC, the Members that were running this institution, they started making promises to the American people.

Some may remember these promises were called the Gramm-Rudman-Hollings Act of 1985. In the Gramm-Rudman-Hollings Act of 1985, this blue line shows what they said was going to happen to the deficit, what the people here in Washington promised the American people they were going to do to bring this deficit down until, in fact, we had a balanced budget in 1991. Again, a balanced budget, that means they were not going to overdraw their checkbook anymore after 1991.

They made that promise to the American people. They said logically we cannot go on overdrawing our checkbook every year, so they laid this plan into place called Gramm-Rudman-Hollings. The red line shows what they actually did. This is what they promised. This red line shows what they actually did.

The deficits exploded, so instead of keeping their promises to the American people and balancing this budget

by 1991, they said, well, we cannot keep that promise. So what we will do is, we will just try and hoodwink the American people. We will give them another promise.

So, in 1987, they set out a new series of promises and gave us another promise to get on a balanced budget, this time by 1993. Only 2 years into the plan or a year and a half into the plan they realized that they did not want to do that either, because in order to get to a balanced budget they would have had to control the growth of spending out here in Washington DC, and that they did not want to do.

Again, I emphasize, this is the past. This is before the American people made a huge change in this Nation in the elections of 1994. These broken promises are part of what led up to the changes in 1994. But this is not the end of it.

It is not just these broken promises of a balanced budget, where instead of balancing the budget the deficit skyrocketed and they overdrew their checkbook year after year after year after year. That is not the end of it.

In 1993, they looked at this picture and they said, well, we promised the American people in 1991 and we promised them again in 1993, and it is obvious we are not going to get the job done. So what they did out here in this city angered Americans again. They said, the only thing we can do is raise taxes on the American people. We do not have it within ourselves to control the growth of Government spending. Instead what we will do is raise taxes on the American people.

So, in 1993, we saw the biggest tax increase in American history. How much are we talking about here? Well, the gasoline tax went up. Every time you fill your car up with gasoline, they tried to convince us that it was a tax increase only on the rich, but you were rich if you stopped at the gas pump and filled your car up. It was an increase in the Social Security tax.

So, in 1993, and again I emphasize this is before the American people changed what was going on, in 1993 we had a series of broken promises. And they concluded in this city that the way to solve this problem is to reach into the pockets of the American people, take more money out and bring it out here to Washington, because they thought that the Members here in Washington knew how to spend the people's money better than the people did themselves.

□ 2300

So they raised taxes. So here we are. This is pre-1994 and pre the American people changing this institution.

We had broken promises of a balanced budget, we had the biggest tax increase in American history and the American people changed it. The people in Washington did not change it, the American people changed it. What they did was they turned over the Congress. They put a new group of people in control here in Washington, DC, and things are very different from 1995.

With that discussion, I want to go into the present. I want to call the present from 1995 to where we are right now, today, and just look at exactly how different the present is from this picture of the past. Again the picture of the past, the failed promises of Gramm-Rudman-Hollings that were to balance the budget, and the tax increases of 1993.

Let us just look at how much things have changed. We are now in the third year in Washington. Right now we are in the third year of a 7-year plan to balance the Federal budget. In 1995 we promised the American people again that we would reach a balanced budget by the year 2002. Many people heard about this. What has not been reported to the American people very well is what kind of progress is being made on this promise, because it is very different than Gramm-Rudman-Hollings.

It amazes me that here in Washington the people that seem to have trouble understanding why it is the American people out there are so cynical and so angry at this institution. Well, the reason they are angry is because of those failed promises of the past and the conclusion that the right way to solve problems is to reach into the pockets of the American people and take out more money.

Then 1995 came and we had a different theory. The theory went like this. Instead of reaching into the pockets of American people and bringing more money to Washington, why do we not curtail the growth of Government spending in Washington? Why do we not let the people keep more of their own money?

Here is what happened. We did curtail the growth of spending in Washington, and when we curtailed the growth of spending, that meant that Washington borrowed less money. When Washington borrowed less money out of the private sector, that meant there was more money available. With more money available in the private sector, the interest rates stayed down.

And there is where it gets to be very non-Washington. When the interest rates stayed down, our families could afford to buy a home and a car, and they did. They bought the American dream. They started living the American dream again. When they bought more houses and cars, of course that meant people had to go to work building the houses and cars. And when people went to work building the houses and cars, of course, that meant they left the welfare rolls and started paying taxes in.

How is our plan working? I think that is what we need to look at here. How different is 1997 and the first 3 years of this new group of people in control of the House of Representatives and the Senate? How different really is it? Well, we are in the third year of a 7-year plan to balance the budget. It is not like the Gramm-Rudman-Hollings and the failed promises.

The chart I have here shows the 1996 promise. Remember, we put this together in 1995, starting with fiscal year 1996. We promised the people that our deficit would not be taller than this red column, would not be greater than $154 billion. Well, 1996 came and went, and actually the deficit dropped to 107. The blue column shows the actual deficit. The red column shows the promise.

I hope that everyone watching can see the difference between this and what was promised in the past. We are not only on track in 1996 but we are also ahead of schedule.

Well the second year came, and we are now pretty much through the second year and into the third year. The second year, we promised the American people the deficit would not be bigger than this red column. We are not only on track again, but we are well ahead of schedule; as a matter of fact, $100 billion ahead of schedule.

We are now in the third year, and that is what is currently being discussed out here in Washington. When folks hear about the balanced budget plan, it is now a 5-year plan, or even getting to a point where people talk about a 4-year plan. We are now in the third year of this 7-year plan to balance the Federal budget, and I would point out again that the red column is what was promised the American people. The blue column is where we are actually at.

I hope that the contrast here between the promises of the past that were broken before 1994 and before the people that came in 1995, I hope it is clear that this new ownership of the American people of this institution, and it is ownership of the American people that is what this body is supposed to be all about, that the new group of people that the American people sent out here to run this place are not only on track keeping their promises to balance the Federal budget in a 7-year plan, they are significantly ahead of schedule.

Folks, the time has come to recognize that this new group of people that is running the House of Representatives and the Senate is a tribute to the American people, not the people that are here, because the American people sent this new group out here, but they sent them here dead serious about balancing the budget. They sent people like myself with no previous political experience, never held an office before in my life, but we knew and understood, if we made a promise to the American people we better keep it, because that is what this is all about.

We are in the third year of this plan now, the third year of the plan to balance the Federal budget. We are not

only on track, but we are ahead of schedule. But there is another very stark contrast we should draw the attention of the American people to, and that other stark contrast is the fact that in 1993 they were raising taxes.

We are now at a point in our plan where we have curtailed the growth of Government spending to a point where we both are going to balance the budget, probably much sooner than the year 2002, but we can lower taxes on the American people. And that is what we are in the process of doing.

Now, this is Washington, so we have begun a heated debate here about whether or not we should lower taxes on people who do not pay income taxes, and that is an interesting debate. But when I get back to Wisconsin and I ask folks if they really think people that are not paying income taxes ought to receive an income tax cut, most of them start laughing, because out there that does not make a lot of sense.

Like our debate on AmeriCorps this evening, where we are paying people to volunteer, some folks start to ask the question, If we are paying people to volunteer, is it still really volunterism or is it a real job? But we will leave that to another date and time to begin that discussion.

The point is we are in the third year, ahead of schedule, and we are in the process of undoing what was done in 1993 with the biggest tax increase in history. So the new group is on track to balance the budget, and we will get there not only before the year 2002, but we are also lowering taxes.

I want to spend a few minutes talking about how those taxes are going down, but first I would like to yield to my good friend from Michigan [Mr. HOEKSTRA], and perhaps he would like to debate or discuss tax cuts, because I think they are good news for all of America.

Mr. HOEKSTRA. Mr. Speaker, I do not know if I have ever debated my colleague from Wisconsin. Too often I find myself in agreement with my good friend from across the lake.

I just wanted to reflect on the numbers that the gentleman has been laying in front of us tonight. Number one, the significant progress that we have made over the last 3 years, where there is talk about getting to a surplus budget much sooner than the year 2002, which I think will be wonderful.

We are also going through this process to reduce taxes, and we will have in place a plan to save Medicare. And so we are doing many of the right things.

I think the other thing that we need to be talking about, and I know the gentleman wants to talk about tax cuts, but also about how we are spending the money. The gentleman brought up AmeriCorps. There is still tremendous opportunity to improve Washington. We have gotten spending under control but we have not gotten effectiveness and efficiency under control.

Mr. NEUMANN. That is very true, and I brought another chart with me. This is somewhat surprising to many of the American people. They have heard so much about these draconian cuts that are being made here in Washington, DC, that when I show them this chart, it kind of is staggering, in fact, of what is actually still happening here in Washington.

Before the Republicans took over in 1995, spending was going up at a rate of 5.2 percent on an average basis for the last 7 years. Remember, inflation is now at around 3 percent or 2½ percent. So it was going up at almost twice the rate of inflation. Since the Republicans took over, there has been about a 40-percent reduction in the growth of spending.

But is spending still going up? Yes, Government spending is still going up, and the blue shows the first 7 years of the Republican control. It is still going up at 3.2 percent. So have we completely curtailed or cut Government spending? We have not cut Government spending. We have curtailed the growth of Government spending. Government spending is not going up as rapidly as it was before.

But when we have this discussion about can we still find many areas of Government that are not efficient, where we are wasting or not spending money as wisely as we could? I think the answer is very, very clear. We still have Government spending going up faster than the rate of inflation. Some of us would prefer not to see that, but I do think it is important while we make that point, that we also recognize that great progress has been made.

We have slowed the growth of Government spending by about 40 percent in our first 2 years of control and that, in fact, is what has led to this other picture, where we are not only meeting the targets that we promised the American people, but the actuals, the blue columns, are actually lower than what was promised. That is to say the deficit is significantly lower than what was promised the American people.

The reason for that is that we have been successful in curtailing this growth in Government spending. There is still plenty of opportunities. Maybe the gentleman from Michigan would like to point out a couple of those.

Mr. HOEKSTRA. I would love to. Here we go again, I am sure someone is thinking this. Last week we did the debate on the National Endowment for the Arts. We on our side of the aisle had a very good proposal to keep the money in the arts but to attack the inefficiency.

I chair the oversight subcommittee. This is an agency that spends $99.5 million a year. Only in Washington is that considered not much money. Back in my district that would be a very nice medium-sized company employing 600, 700 people, paying them a good wage. But here in Washington it is not a very big program.

When people from Wisconsin or Michigan send that first dollar to Washington for the National Endowment for the Arts, the first 20 cents goes to bureaucracy and overhead, even though the first 35 percent of the money they hand out is by formula. We could hire an AmeriCorps volunteer for $27,000 a year, and in the morning they could write out the 50 checks that take care of the 35 percent of the money and then we could find something else for that person to do for the rest of the year.

The first 20 percent goes to overhead, 35 percent gets formula block granted, which we wanted to continue, and then 25 percent of the money goes to one State. Are all the arts concentrated in one area and 143 congressional districts get nothing?

All we said is we want to get rid of the bureaucracy. We want to block grant the National Endowment for the Arts money, get rid of the Washington establishment, save that $20 million and take the rest of the $80 million, block grant it to the States for their State grants, because local people know better how to support the arts in their community, and then fund it for arts education. That was one opportunity.

AmeriCorps is another great one. This is an organization that spends $600 million of our money and cannot keep its books. It does good work. I mean the young people in that program do good work. They should. The average cost is $27,000 per year.

Mr. NEUMANN. Are they working full time as they are volunteering at $27,000 a year?

Mr. HOEKSTRA. At the cost of $27,000 a year, they are required to serve 1,700 hours.

Mr. NEUMANN. So about three-quarters.

Mr. HOEKSTRA. About three-quarters time. A full-time person is working about 2,000. So somewhere between three-quarters and a little more than that.

Mr. NEUMANN. So the gentleman is saying for $27,000 a year of cost per volunteer, do I have that right, $27,000 per volunteer? In Wisconsin we usually think of voluntarism as something someone does because they think it is good for their community, but that cost, they are still not even working a full-time 2,080 hours a year.

Mr. HOEKSTRA. The gentleman is correct. And the disappointing thing here is, and I met with some AmeriCorps volunteers in my district yesterday, and I think they do good things and they will hear me talking tonight and saying they are costing $27,000, did he not understand we are not getting that money? I know what they are getting paid and what they are getting. The bureaucracy and the

overhead and the Washington establishment and all that, that is the big sucking sound, sucking this money away from these kids, away from this program.

What we have to take a look at is that this is an inefficient way to do what we want to get done. It may be a valiant effort, but when the total system is costing us $27,000, the least we can do, and the least the people on the other side of the aisle can do is join with us and say, number one, the books are not auditable, we should put in a requirement that their books ought to be auditable. We ought to know where the money is going.

We ought to sit down and have a debate, not a debate, because this will be a discussion, how do we get the cost to be more realistic and more effective so that either more young people can participate or we can give some of the money back to the American people in tax reduction or we can start paying down the debt.

Mr. NEUMANN. Is this not sort of a picture of what really is going on out here in Washington right now? We are looking at these programs and we are finding that in Government spending so much of it is eaten up by this Washington bureaucracy and the dollars are not actually getting out to the people they are designed to help; that the cost is astronomical for what winds up being a very small help out there.

In fact, would these folks not be better off, would the people of America not be better off if, instead of bringing the money out of their pockets down here to Washington and letting the Washington people spend it, if we just let them keep their own money in their own pocket? Would that not be a much better way to handle the situation?

□ 2315

Mr. HOEKSTRA. If the gentleman would yield, we have had this discussion back and forth for the last 3 years or for the 2½ years that you have been here in Washington. But I know that 2½ years ago, we had the discussion on welfare reform. And now that we have passed welfare reform where we actually empowered States, I was a little nervous about bringing up National Endowment for the Arts and Americorps because those were such lightning rods.

But let us talk about some issues that we implemented. Welfare. Remember when we came down here last year and we said in the welfare bill, let us just give Wisconsin the waiver that it wants. Because the person in HHS or wherever who probably does not know what a cheese head is, maybe knows that the Green Bay Packers won the Superbowl.

Mr. NEUMANN. Wait a minute. Wait a minute. Would the gentleman yield? Everybody knows that the Green Bay Packers won the Superbowl. Everybody knows that they are headed back there. Everybody knows that the great Governor Tommy Thompson has been largely leading the way on welfare reform, where we in Wisconsin say, if you are able to work, you have a responsibility to take responsibility for your own life and go into the workforce. That has been led by Governor Tommy Thompson.

Mr. HOEKSTRA. And it has been led by Tommy Thompson. We talked about this issue last year; and we said, just let the governor and just let the State legislature in Wisconsin do what they feel needs to be done and what is going to work in Wisconsin.

Because what do the people here on Independence Avenue know about what needs to be done in Milwaukee or Green Bay or Madison? The legislators in Wisconsin, who are closer to the people than what you and I are, they are going to do what is right for their State. So we finally passed welfare reform flexibility. Surprise of all surprise, what is happening? All the reports coming back are saying this appears to be working.

Mr. NEUMANN. If the gentleman would yield, you really hit on something that is so important there. What is there that would lead the people to believe that somehow, some way, just because you live here inside the Beltway in Washington, DC, you know what is best for the people in the State of Wisconsin.

The welfare reform is a classic example. In Wisconsin they had a debate for about 18 months how this welfare reform should be done. And they wound up with the majority of the Democrats and virtually all of Republicans voting for a welfare reform bill in Wisconsin. And guess what they found out if they passed it? After the people of Wisconsin debated it for 18 months, the vast majority in both houses supporting it, both sides of the aisle supporting it, they then had to somehow come out here to Washington, DC, and ask for permission to implement the program.

That is the heart and soul of what is wrong here. People in Wisconsin know what is best for people in Wisconsin. The solution in Wisconsin may not work at all in New York or it may not work in California, but the folks in Wisconsin know what is best for them and they should be given the privilege, the responsibility, the right to do as they see best for themselves.

Mr. HOEKSTRA. If the gentleman would yield, when we go back and reflect, and I also want to move on to education, but when we reflect back on the welfare debate, when we checked, and I think there were States that had requested waivers for Health and Human Services, they had requested waivers from the bureaucrats in Washington to do what they wanted to do in their State because they thought it was going to help their citizens, some of those waivers I believe had been sitting there for 24 or 36 months. So you have States, Governors, you have legislators in these States who are trying to help their citizens get off of welfare to work, restore dignity to themselves and their families, and we have got bureaucrats here in Washington saying, we really do not know if that is the right thing to do in Wisconsin. We better study this. As a matter of fact, we better study it for 24 months.

Mr. NEUMANN. If the gentleman would yield, would not my colleague say the same thing is true in education? Do we not want the parents of the children to be actively involved in the education of their kids, and do we not want the communities where those parents and children are to make decisions on how we can best educate the kids and what it is those kids should be learning in their hometowns, in their own homes, and in their own communities? Is that not what we should be doing with education?

And what is there again that would lead us to believe that somehow if you manage to get a job inside the Beltway, you become so much wiser than the parents and the people in that community out there? What is there that would lead us to believe that the folks here in Washington, and there are good people out here, but why would we think that they know how to better educate our kids than the people back home in our communities and our own homes?

Mr. HOEKSTRA. If the gentleman would yield, I have been working on a project which we call At a Crossroads. Last year we asked the simple question, when Washington defines "education," what does it mean? It came back, the Washington definition of "education" when we asked the executive branch, 760 programs. And you say, boy.

Mr. NEUMANN. How many programs?

Mr. HOEKSTRA. Seven hundred sixty.

Mr. NEUMANN. Now I have got to ask the gentleman a question on this. Do these programs run themselves?

Mr. HOEKSTRA. No. We have a bureaucracy here in Washington, it may not be that big, it is less than 5,000 people. But only again in Washington is a bureaucracy with 5,000 people a small bureaucracy.

We met with the governor of Wisconsin, Tommy Thompson. We talked about education. Forty percent of your employees in the State Department of Education are paid for by Federal dollars. So the Department of Education has actually been pretty smart. They only have 5,000 in Washington. But what they have done is they have filtered it out so that I think in Wisconsin it is 40 percent of the employees of the department are paid by Federal funds. I think in Michigan it gets as

high as 60 percent. So they farm team their employees out to do Federal work.

But the key point here is, you go, wow, am I glad, we have got 760 programs. That was a good thing that in 1979 they created the Department of Education so that they could coordinate all 760 of these programs. Right? And you take a look at it and say, wait a minute, all these programs do not go through the Department of Education. They go through 39 different agencies. And say not only that, this is a big number. They spent $100 billion per year. That is the Washington definition of "education," 760 programs. You got a problem? Throw a program at it, throw a bureaucrat at it, throw some dollars at it and we will fix it. That is not how it works.

The other thing that we have done, and I think we are going to be in Wisconsin for hearings later this year, but we have been in California, in New York, in Cincinnati, we have been in Arkansas, we have gone around the country taking a look at what is working in education, comparing that to the Washington picture of bureaucracy, paperwork, every dollar you send to Washington, maybe 65 cents gets back to the classroom. What works. Parental control, local flexibility.

The best example that I have is Evonne Chan, who the President has highlighted, Evonne Chan. She runs Lavonne Charter School in Los Angeles. She was a principal in a public school. There are a lot of public schools. I lost my beard because of a great public school in my own district, who went on to become the national champions of the science olympiad. Great work. But in L.A., within the L.A. Unified School District, she said, when I was a public school principal, I had to worry about the three B's. You say, Evonne, what are the three B's? She said, I had to worry about busing, budgets, and the buts. And you you say, what are the buts? She said every time I had an innovative idea, I wanted to do something for the kids that was a little bit out of the ordinary, I went to the L.A. Unified School District and said, these are my kids, they have got special needs, I would like to do this; and they would say, yeah, but if we let you do this, everybody will have to do it.

Mr. NEUMANN. If the gentleman would yield, they are going to tell us we are out of time very shortly, and I just want to bring it back because the "yeah, buts" is what has been going on in this city in the past. When you look back at Gramm-Rudman-Hollings and the failures to keep their promises and when you look back at the tax increases of 1993, yeah, but we cannot control Washington spending, it is easier to take the money away from the people.

Until we got a new group and we have been concentrating here in the present and all these good things that are going on, as we talk about change in education, as we talk about welfare reform, and we talk about being in the third year of a 7-year plan to balance the budget, we are on track, ahead of schedule, reducing taxes for the American people.

Mr. HOEKSTRA. I want to thank the gentleman for the time in doing the special order, and I want to reinforce. It is about the numbers. We are still spending over $1.6 trillion dollars a year.

Now we have got to make sure that the dollars that we are spending, we are getting optimal results for that spending. I thank the gentleman for yielding.

Mr. NEUMANN. In wrapping up this evening, I would just like to very briefly focus on the future, because we talked about the past and the failed promises and higher taxes and we talk about the present and how the new group that is here since 1995 is on track and ahead of schedule and taxes coming down.

The future includes us also dealing with the debt that has been run up over the last 15 areas. And later this week, we will be introducing a bill called the National Debt Repayment Act. The National Debt Repayment Act would literally pay off the entire Federal debt by the year 2026. It simply says that after the budget is balanced, we cap the growth of Government spending at a rate 1 percent lower than the rate of revenue growth and that will create a surplus. Of this surplus, one-third gets used for additional tax cuts, two-thirds goes to repay the Federal debt.

What a nice thought it would be to pass this Nation on to our children debt free by the year 2026. Of course, as we repay the Federal debt, we are also putting the money back into the Social Security trust fund. For those who have not followed it, the trust fund collects more money than it pays back out in benefits each year, but the money has been spent on all sorts of other Government programs. And what is in the trust fund today is all part of that $5.3 trillion debt, it is IOU's.

So if the National Debt Repayment Act, now the future, after the budget is balanced, the next step is starting to pay down the Federal debt so that we can pass this Nation on to our children debt free. What a wonderful, wonderful thought for the future of this country so they do not have to send $500 a month out to Washington to do nothing but pay interest on the Federal debt.

And at the same time we do that, we put the money back into the Social Security Trust Fund so Social Security is no longer on the verge of bankruptcy and our seniors can rest assured that their Social Security money is safe and secure.

To conclude this evening, I would just again emphasize how much this place has changed in the last 3 years, where we are at today. The budget is virtually balanced. It may be balanced within the next 6 months, maybe the next year, but certainly on the very near term a balanced budget. Medicare is restored. And taxes are coming down for the American people. And I guess that is the best way to wrap this up. It is about the families our there and it is about the impact of lower taxes. It is about a secure future for our children as the debt is repaid and we start doing things that are right for our country, and it is about a secure future for our senior citizens to know that Medicare has been restored and to know that as we pass the National Debt Repayment Act, it also restores Social Security so our seniors can be assured once again that Social Security is safe. And most important of all, future generations of Americans will not be saddled with the burden of our generation, we will have done what is right for the future of this great Nation that we live in.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. YOUNG of Alaska (at the request of Mr. ARMEY) for today and on July 16, on account of medical reasons.

Ms. ESHOO (at the request of Mr. GEPHARDT) for today before 8:45 p.m., on account of airline equipment problems.

Ms. WOOLSEY, (at the request of Mr. GEPHARDT) for today before 8:45 p.m., on account of airline equipment problems.

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. HOEKSTRA) to revise and extend their remarks and include extraneous material:)

Mr. SAXTON, for 5 minutes each day, today and on July 16 and 17.

Mr. SMITH of Michigan, for 5 minutes each day, today and July 16.

Mr. HOEKSTRA, for 5 minutes, today.

Mr. TIAHRT, for 5 minutes, today.

(The following Members (at the request of Ms. JACKSON-LEE of Texas) to revise and extend their remarks and include extraneous material:)

Ms. CHRISTIAN-GREEN, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. KUCINICH, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. BENTSEN, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Ms. JACKSON-LEE of Texas) to revise and extend their remarks and include extraneous matter:)

Mr. ETHERIDGE.
Mr. LANTOS.
Mr. BLUMENAUER.
Ms. STABENOW.
Mr. MCDERMOTT.
Mr. BENTSEN.
Mr. ENGEL.

(The following Members (at the request of Mr. HOEKSTRA) to revise and extend their remarks and include extraneous matter:)

Mr. GILMAN.
Mr. SMITH of New Jersey.
Mr. BOB SCHAFFER of Colorado.
Mr. BONO.
Mr. SHAYS.

(The following Members (at the request of Mr. HOEKSTRA) and to include extraneous matter:)

Mr. SMITH of Michigan.
Mr. CLYBURN.
Mrs. MCCARTHY of New York.
Mr. CONYERS.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 231. An act to establish the National Cave and Karst Research Institute in the State of New Mexico, and for other purposes; to the Committee on Resources.

S. 423. An act to extend the legislative authority for the Board of Regents of Gunston Hall to establish a memorial to honor George Mason; to the Committee on Resources.

S. 669. An act to provide for the acquisition of the Plains Railroad Depot at the Jimmy Carter National Historic Site; to the Committee on Resources.

S. 731. An act to extend the legislative authority for construction of the National Peace Garden memorial, and for other purposes; to the Committee on Resources.

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 signed by the Speaker:

H.R. 2018. An act to waive temporarily the Medicaid enrollment composition rule for the Better Health Plan of Amherst, NY.

ADJOURNMENT

Mr. HOEKSTRA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 28 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, July 16, 1997, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

4210. A letter from the the Director, the Office of Management and Budget, transmitting the cumulative report on rescissions and deferrals of budget authority as of July 1, 1997, pursuant to 2 U.S.C. 685(e); (H. Doc. No. 105—105); to the Committee on Appropriations and ordered to be printed.

4211. A letter from the Director, Regulations Policy Management Staff, Office of Policy, Food and Drug Administration, transmitting the Administration's final rule—Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers [Docket No. 91F-0324] received July 14, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4212. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

4213. A letter from the Deputy Associate Administrator for Acquisition Policy, General Services Administration, transmitting the Administration's final rule—General Services Administration Acquisition Regulation; Remittance of Industrial Funding Fee in U.S. Dollars Under Federal Supply Schedules Program [APD 2800-12A, CHGE 75] (RIN: 3090-AG30) received July 14, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

4214. A letter from the Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Summer Flounder Fishery; Adjustments to the 1997 State Quotas; Commercial Quota Harvested for North Carolina [Docket No. 961210346-7035-02; I.D. 070397G] received July 14, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4215. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Admnistration's final rule—Pacific Halibut Fisheries; Oregon Sport Fishery [Docket No. 961217359-7050-02; I.D. 070397C] received July 14, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4216. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Exemption of Notice Filing Requirements for Agricultural Cooperative Associations which Conduct Compensated Transportation Operations for Nonmembers (Federal Highway Administration) [FHWA Docket No. MC-96-38 and No. FHWA-97-2280] (RIN: 2125-AE03) received July 14, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4217. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Compensated Intercorporate Hauling (Federal Highway Administration) [FHWA Docket No. MC-96-37 and No. FHWA-97-2286] (RIN: 2125-AE02) received July 14, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4218. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Federal Tax Deposits by Electronic Funds Transfer [TD 8723] (RIN: 1545-AS79) received July 11, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BLILEY: Committee on Commerce. H.R. 629. A bill to grant the consent of the Congress to the Texas Low-Level Radioactive Waste Disposal Compact (Rept. 105-181). Referred to the Committee of the Whole House on The state of the Union.

Mr. LIVINGSTON: Committee on Appropriations. Report on the Revised Subdivision of Budget Totals for Fiscal Year 1998 (Rept. 105-182). Referred to the Committee of the Whole House on the State of the Union.

Mr. STUMP: Committee on Veterans' Affairs. H.R. 699. A bill to guarantee the right of all active duty military personnel, merchant mariners, and their dependents to vote in Federal, State, and local elections (Rept. 105-183 Pt. 1). Ordered to be printed.

Mr. DIAZ-BALART: Committee on Rules. House Resolution 185. Resolution providing for consideration of the bill (H.R. 2159) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1998, and for other purposes (Rept. 105-184). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. PAUL:

H.R. 2161. A bill to direct the Secretary of the Interior to convey the Palmetto Bend Project to the State of Texas; to the Committee on Resources.

By Mrs. CHENOWETH (for herself, Mr. DOOLITTLE, Mr. RADANOVICH, Mr. PETERSON of Pennsylvania, Mr. HUNTER, Mr. BLUNT, Mr. GIBBONS, Mr. POMBO, Mr. HOSTETTLER, Mr. DELAY, Mr. WATTS of Oklahoma, Mr. MCKEON, Mr. NUSSLE, Mr. CANNON, Mr. PITTS, Mr. HERGER, and Mr. DICKEY):

H.R. 2162. A bill to prohibit the reintroduction of grizzly bears into the Bitterroot Ecosystem in east central Idaho; to the Committee on Resources.

By Mr. COBLE (for himself, Mr. BALLENGER, Mr. CRANE, Mr. HAYWORTH, and Mr. NORWOOD):

H.R. 2163. A bill to amend section 1951 of title 18, United States Code, commonly called the Hobbs Act, to clarify that the use of violence to achieve collective bargaining objectives can be a violation of such section; to the Committee on the Judiciary.

By Mr. KENNEDY of Massachusetts (for himself and Mr. BURTON of Indiana):

H.R. 2164. A bill to amend the Internal Revenue Code of 1986 to permit penalty-free withdrawals from individual retirement accounts for certain adoption expenses; to the Committee on Ways and Means.

By Mr. LEACH:

H.R. 2165. A bill to extend the deadline under the Federal Power Act applicable to the construction of FERC Project No. 3862 in the State of Iowa, and for other purposes; to the Committee on Commerce.

By Mr. NUSSLE:

H.R. 2166. A bill to amend the Internal Revenue Code of 1986 to allow certain cash rent farm landlords to deduct soil and water conservation expenditures; to the Committee on Ways and Means.

By Mr. SCHUMER:

H.R. 2167. A bill to amend the Older Americans Act of 1965 to improve on the provisions relating to pension rights demonstration projects; to the Committee on Education and the Workforce.

By Ms. STABENOW (for herself, Mr. BLUNT, Mr. BARCIA of Michigan, Mr. BARRETT of Nebraska, Mr. DINGELL, Mr. DOOLEY of California, Mrs. EMERSON, Mr. HINCHEY, Mr. HULSHOF, Ms. KAPTUR, Mr. LAFALCE, Mr. LEWIS of Kentucky, Mr. MINGE, Mr. NEY, Mr. OBERSTAR, Mr. OXLEY, Mr. PETERSON of Minnesota, Mr. POMEROY, Mr. REGULA, Ms. SLAUGHTER, Mr. SKELTON, Mr. TIAHRT, and Mr. TRAFICANT):

H.R. 2168. A bill to support research efforts to understand and control diseases of wheat and barley caused by Fusarium graminearum and related fungi in order to ensure sustainable production of wheat and barley in north-central United States and the safety of food products containing wheat and barley; to the Committee on Agriculture.

By Mr. HOEKSTRA (for himself, Mr. BARCIA of Michigan, Mr. CAMP, Mr. EHLERS, Mr. KNOLLENBERG, Mr. LEVIN, Mr. SMITH of Michigan, Ms. STABENOW, Mr. STUPAK, and Mr. UPTON):

H. Con. Res. 115. Concurrent resolution recognizing Grand Haven, MI, as "Coast Guard City, USA"; to the Committee on Transportation and Infrastructure.

By Mr. ABERCROMBIE (for himself, Mr. PAYNE, Mr. ROHRABACHER, Mr. WALSH, Mr. STARK, Mr. DELLUMS, Ms. PELOSI, Ms. LOFGREN, Mr. BOUCHER, Mr. FARR of California, Mr. MCGOVERN, Mr. HINCHEY, Mrs. MORELLA, and Mr. WATT of North Carolina):

H. Con. Res. 116. Concurrent resolution expressing the sense of the Congress with respect to the treatment by the People's Republic of China of prisoners in Tibet, and for other purposes; to the Committee on International Relations.

By Mr. FATTAH (for himself, Mr. FRANK of Massachusetts, Mr. LIPINSKI, Mr. TIERNEY, Mrs. MEEK of Florida, Ms. CHRISTIAN-GREEN, and Mr. RANGEL):

H. Res. 186. Resolution amending the Rules of the House of Representatives to allow proxy voting in committees when a Member is engaged in official business in the District of Columbia; to the Committee on Rules.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 27: Mr. WICKER.

H.R. 51: Mr. CLEMENT.

H.R. 74: Ms. FURSE.

H.R. 108: Mr. SNYDER.

H.R. 165: Ms. LOFGREN and Mr. FOX of Pennsylvania.

H.R. 231: Mr. SHERMAN.

H.R. 305: Mrs. THURMAN, Ms. CARSON, Mr. ENGLISH of Pennsylvania, and Mr. SANDLIN.

H.R. 306: Mr. SNYDER, Mr. SCHIFF, and Ms. HOOLEY of Oregon.

H.R. 399: Mr. SOUDER.

H.R. 407: Mr. BERMAN, Mr. BONIOR, Mr. DELLUMS, Ms. HARMAN, Mr. HILLIARD, Mr. LAMPSON, Mrs. LOWEY, Mr. MCDERMOTT, Mr. PASCRELL, Mr. RIGGS, and Ms. ROYBAL-ALLARD.

H.R. 501: Mr. OWENS.

H.R. 521: Mr. VENTO.

H.R. 611: Mr. ABERCROMBIE.

H.R. 695: Mr. WHITFIELD, Mr. SMITH of Oregon, and Mr. QUINN.

H.R. 696: Mr. FILNER, Mr. EVANS, Mrs. MALONEY of New York, Ms. JACKSON-LEE, and Mr. SHAYS.

H.R. 773: Mr. MENENDEZ, Mr. RODRIGUEZ, and Mr. FOX of Pennsylvania.

H.R. 777: Mr. WYNN, Mr. JACKSON, Mr. DREIER, Mr. MURTHA, Mr. WAMP, Mr. DIXON, Mr. SCARBOROUGH, Mr. PASCRELL, Ms. JACKSON-LEE, Mr. FARR of California, and Mr. BLUMENAUER.

H.R. 793: Mr. WATT of North Carolina.

H.R. 815: Mr. SCHUMER, Mr. ABERCROMBIE, Mr. COBLE, Mr. PICKERING, and Mrs. HOOLEY of Oregon.

H.R. 875: Mrs. KENNELLY of Connecticut and Ms. WATERS.

H.R. 953: Mr. BLAGOJEVICH and Mr. FOX of Pennsylvania.

H.R. 978: Mr. MALONEY of Connecticut.

H.R. 1023: Mr. WICKER, Mrs. LINDA SMITH of Washington, Mr. BURR of North Carolina.

H.R. 1036: Mr. BARTLETT of Maryland, Mr. CAMP, Mrs. CUBIN, Mr. LIVINGSTON, Mr. LUCAS of Oklahoma, Mr. NUSSLE, Mr. PACKARD, Mr. SPENCE, and Mr. YOUNG of Alaska.

H.R. 1077: Mr. FOX of Pennsylvania.

H.R. 1106: Mr. ENGEL and Mr. MILLER of California.

H.R. 1107: Mr. ENGEL and Mr. MILLER of California.

H.R. 1108: Mr. BARTON of Texas.

H.R. 1126: Mr. CHRISTENSEN.

H.R. 1166: Mr. BARTLETT of Maryland, Mr. STRICKLAND, Mr. VENTO, Mr. SHUSTER, Mr. DIAZ-BALART, Mr. FOGLIETTA, Mr. MASCARA, Mr. HINCHEY, Mr. HOLDEN, Mr. CONDIT, Mr. MORAN of Virginia, and Mr. HORN.

H.R. 1215: Mr. TIERNEY.

H.R. 1228: Mr. WEXLER.

H.R. 1232: Mr. DAVIS of Florida and Mr. CHAMBLISS.

H.R. 1244: Mr. KENNEDY of Massachusetts.

H.R. 1260: Mr. SMITH of Oregon, Mr. BONO, Mr. KNOLLENBERG, Mr. HINOJOSA, Mr. COSTELLO, Mr. DOOLEY of California, Mr. CLEMENT, Mr. BALLENGER, and Mr. TAYLOR of North Carolina.

H.R. 1322: Mr. SHERMAN and Mr. COLLINS.

H.R. 1333: Mr. WAMP.

H.R. 1346: Mrs. CUBIN, Mrs. CHENOWETH, Mr. TAYLOR of Mississippi, and Mr. DEAL of Georgia.

H.R. 1362: Mrs. EMERSON, Mr. MCGOVERN, Mr. HINOJOSA, Mr. MINGE, Mr. VENTO, Mr. RAHALL, and Ms. SLAUGHTER.

H.R. 1378: Mr. GEKAS, Mr. KNOLLENBERG, Mr. KASICH, Mr. WHITFIELD, Mr. SOUDER, and Mr. COMBEST.

H.R. 1398: Mr. BACHUS, Mr. HANSEN, and Mr. COBLE.

H.R. 1437: Mr. WYNN, Mr. GUTIERREZ, Ms. FURSE, and Mr. MCDERMOTT.

H.R. 1438: Mr. FOX of Pennsylvania.

H.R. 1492: Mr. NEY.

H.R. 1542: Mr. PICKETT.

H.R. 1614: Mr. MALONEY of Connecticut and Mr. FOX of Pennsylvania.

H.R. 1619: Mr. BARRETT of Nebraska and Mr. CLEMENT.

H.R. 1632: Mr. MILLER of California, Mr. SERRANO, Mr. OWENS, and Mr. RUSH.

H.R. 1689: Mr. MCCOLLUM.

H.R. 1763: Mr. CAPPS.

H.R. 1788: Ms. ESHOO.

H.R. 1839: Mr. CALLAHAN and Mr. KLUG.

H.R. 1850: Mr. MINGE and Mr. OWENS.

H.R. 1854: Mr. BROWN of California, Mr. SCHUMER, and Mr. DELLUMS.

H.R. 1863: Mr. ENGLISH of Pennsylvania and Mr. MCKEON.

H.R. 1864: Mr. FOX of Pennsylvania.

H.R. 1972: Mr. GREENWOOD and Mr. GORDON.

H.R. 1984: Mr. STENHOLM, Mr. MCINTYRE, Mr. ROEMER, Ms. KILPATRICK, Mr. OXLEY, Mr. JONES, Mr. HOBSON, Mr. TALENT, Mr. WHITFIELD, Mr. SMITH of Michigan, Mr. HOEKSTRA, Mr. EHLERS, and Mr. BOEHNER.

H.R. 2006: Mr. NADLER and Ms. DELAURO.

H.R. 2023: Mr. LEWIS of Georgia and Ms. LOFGREN.

H.R. 2040: Mr. DOYLE and Mr. BLILEY.

H.R. 2063: Mr. CONDIT and Mr. FRANK of Massachusetts.

H.R. 2116: Mr. FRANK of Massachusetts, Mr. BROWN of Ohio, Mr. PALLONE, Mr. DAVIS of Virginia, and Mr. CONYERS.

H.R. 2121: Mr. WOLF, Mr. OLVER, Mr. GEJDENSON, Mr. MCGOVERN, Mr. MARKEY, AND MRS. MORELLA.

H.R. 2122: Mr. ENGLISH of Pennsylvania, Mr. FOX of Pennsylvania, and Mrs. MYRICK.

H.R. 2124: Mr. BRYANT, Mr. ISTOOK, Mr. ROGAN, Mr. TIAHRT, Mr. HILLEARY, Mr. CRANE, and Mr. WATTS of Oklahoma.

H.R. 2128: Ms. BROWN of Florida, Mr. FROST, and Mrs. EMERSON.

H.R. 2143: Mr. OLVER and Mr. FALEOMAVAEGA.

H.J. Res. 84: Mr. STUMP.

H. Con. Res. 80: Mr. BLUNT, Mr. MURTHA, Ms. KILPATRICK, Mr. BALLENGER, Mr. MINGE, Mr. OBEY, Mr. BORSKI, Mr. GUTIERREZ, Mr. BLAGOJEVICH, Mr. BARCIA of Michigan, and Mr. EVANS.

H. Con. Res. 106: Mr. OLVER.

H. Con. Res. 107: Mr. CALVERT, Mr. KING of New York, Mr. SANDLIN, and Mr. ACKERMAN.

H. Con. Res. 109: Mr. ETHERIDGE, Mrs. MYRICK, Mr. BOB SCHAFFER, and Mr. DOYLE.

H. Con. Res. 111: Mr. STEARNS, Mr. TRAFICANT, Mr. DOYLE, Mr. DEUTSCH, Mrs. FOWLER, Ms. JACKSON-LEE, Mr. SESSIONS, Mr. CAPPS, Ms. RIVERS, Mr. FILNER, Mr. FROST, Mrs. MORELLA, Mr. BARRETT of Nebraska, Mr. SISISKY, and Mr. ORTIZ.

H. Res. 37: Mr. OWENS, Mr. RUSH, and Mr. CAMPBELL.

H. Res. 83: Mr. NADLER and Ms. SLAUGHTER.

H. Res. 182: Mr. DOYLE.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 972: Mr. WYNN.

H.R. 1210: Mr. FATTAH.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2158

OFFERED BY: MR. BEREUTER

AMENDMENT NO. 6: Page 76, after line 17, insert the following new section:

SEC. 422. None of the funds provided in this Act may be used to implement the Veterans Equitable Resource Allocation (VERA) system established pursuant to section 429 of Public Law 104–204 (110 Stat. 2929).

H.R. 2158

OFFERED BY: MR. BOSWELL

AMENDMENT NO. 7: In the third paragraph of the amendment, strike "(reduced to $0)" and insert "(reduced by $50,000,000)".

Strike the fourth paragraph of the amendment.

H.R. 2158

OFFERED BY: MR. HEFLEY

AMENDMENT NO. 8: Page 38, line 2, after the first dollar amount insert the following: "(reduced by $31,000,000)".

Page 51, line 14, after the second dollar amount insert the following: "(increased by $11,210,700)".

H.R. 2158

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 9: Page 16, line 25, after the first dollar amount insert the following: "(increased by $119,500,000)".

Page 57, line 7, after the first dollar amount insert the following: "(reduced by $119,500,000)".

H.R. 2158

OFFERED BY: MR. KENNEDY OF MASSACHUSETTS

AMENDMENT NO. 10: Page 16, line 25, after the first dollar amount, insert "(increased by $267,500,000)".

Page 57, line 7, after the first dollar amount insert "(reduced by $119,500,000)".

Page 61, line 13, after the first dollar amount insert "(reduced by $100,000,000)".

Page 62, line 1, after the first dollar amount insert "(reduced by $48,000,000)".

H.R. 2158

OFFERED BY: MR. KENNEDY OF MASSACHUSETTS

AMENDMENT NO. 11: Page 18, after line 5, insert the following new item:

PRESERVING EXISTING HOUSING INVESTMENT

For operating, maintaining, revitalizing, rehabilitating, preserving, and protecting existing housing developments for low-income families, and the elderly, and the disabled, $350,000,000, which shall be available for use in conjunction with properties that are eligible for assistance under the Low-Income Housing Preservation and Resident Homeownership Act of 1990 (LIHPRHA) or the Emergency Low Income Housing Preservation Act of 1990 (ELIHPA).

Page 18, line 10, after the first dollar amount insert "(increased by $350,000,000)".

H.R. 2158

OFFERED BY: MR. KENNEDY OF MASSACHUSETTS

AMENDMENT NO. 12: Page 30, line 12, after the first dollar amount insert "(increased by $267,500,000)".

Page 57, line 7, after the first dollar amount insert "(reduced by $119,500,000)".

Page 61, line 13, after the first dollar amount insert "(reduced by $100,000,000)".

Page 62, line 1, after the first dollar amount insert "(reduced by $48,000,000)".

H.R. 2158

OFFERED BY: MR. LAHOOD

AMENDMENT NO. 13: Page 48, line 7, before the period insert: "*Provided further*, That the Clean Air Scientific Advisory Committee shall conduct additional studies and investigation regarding the health effects of ozone and fine particulate matter air pollution".

H.R. 2158

OFFERED BY: MR. LAHOOD

AMENDMENT NO. 14: Page 66, line 3, after the colon insert: "*Provided further*, That the National Science Foundation shall conduct additional studies and investigation regarding the health effects of ozone and fine particulate matter air pollution:"

H.R. 2158

OFFERED BY: MR. LAHOOD

AMENDMENT NO. 15: Page 76, line 17, insert:

SEC. 422. None of the funds made available in this Act may be used to implement any national ambient air quality standards established under the Clean Air Act after January 1, 1997, for ozone or particulate matter.

H.R. 2158

OFFERED BY: MR. LAHOOD

AMENDMENT NO. 16: Page 76, after line 17, insert:

SEC. 422. None of the funds made available in this Act may be used to implement any national ambient air quality standards established under the Clean Air Act after January 1, 1997, for ozone or particulate matter until the Clean Air Scientific Advisory Committee has conducted additional studies and investigation regarding the health effects of such air pollutants and made a recommendation to the Administrator regarding such standards.

H.R. 2158

OFFERED BY: MR. NADLER

AMENDMENT NO. 17: Page 76, after line 17, insert the following new section:

SEC. 422. The amounts otherwise specified in this Act are revised by reducing the amounts under "DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—PUBLIC AND INDIAN HOUSING—ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING" and "INDEPENDENT AGENCIES—NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—HUMAN SPACE FLIGHT" each by $305,000,000.

H.R. 2158

OFFERED BY: MR. NETHERCUTT

AMENDMENT NO. 18: Page 76, after line 17, insert the following new section:

SEC. 422. None of the funds provided in this Act may be used by the Secretary of Veterans Affairs to implement the Veterans Equitable Resource Allocation (VERA) system established pursuant to section 429 of Public Law 104–204 (110 Stat. 2929) in a manner inconsistent with that system as in effect on July 16, 1997.

H.R. 2158

OFFERED BY: MR. PALLONE

AMENDMENT NO. 19: Page 50, line 1, after the dollar amount insert "(increased by $650,000,000)".

H.R. 2158

OFFERED BY: MR. ROHRABACHER

AMENDMENT NO. 20: Page 61, line 13, insert "(reduced by $100,000,000)" after "$5,426,500,000".

Page 62, line 1, insert "(increased by $100,000,000)" after "$5,690,000,000".

H.R. 2158

OFFERED BY: MR. SENSENBRENNER

AMENDMENT NO. 21: Page 76, after line 17, insert the following new section:

SEC. 422. Of the funds appropriated by this Act for "National Aeronautics and Space Administration—Human Space Flight", not more than $1,876,200,000 may be used for development and operations of the International Space Station.

H.R. 2158

OFFERED BY: MR. SOLOMON

AMENDMENT NO. 22: Page 76, after line 17, insert the following new section:

SEC. 422. None of the funds made available in this Act may be provided by contract or by grant (including a grant of funds to be available for student aid) to any institution of higher education, or subelement thereof, that is currently ineligible for contracts and grants pursuant to section 514 of the Department of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1997 (as contained in section 101(e) of division A of Public Law 104–208; 110 Stat. 3009–270).

H.R. 2158

OFFERED BY: MR. STEARNS

AMENDMENT NO. 23: Page 7, line 6, insert after the dollar amount "(increased by $50,000,000)".

Page 44, line 11, insert after the dollar amount "(reduced by $50,000,000)".

H.R. 2158

OFFERED BY: MR. TIAHRT

AMENDMENT NO. 24: In the item relating to "DEPARTMENT OF VETERANS AFFAIRS—VETERANS HEALTH ADMINISTRATION—MEDICAL AND PROSTHETIC RESEARCH", after the first dollar amount (the aggregate), insert the following: "(increased by $50,000,000)".

In the item relating to "DEPARTMENT OF VETERANS AFFAIRS—VETERANS HEALTH ADMINISTRATION—MEDICAL AND PROSTHETIC RESEARCH", after the second dollar amount (the Gulf War illness research earmark), insert the following: "(increased by $30,000,000)".

In the item relating to "INDEPENDENT AGENCIES—CORPORATION FOR NATIONAL AND COMMUNITY SERVICE—NATIONAL AND COMMUNITY SERVICE PROGRAMS OPERATING EXPENSES", after the first dollar amount (the aggregate), insert the following: "(reduced to $0)".

In the item relating to "INDEPENDENT AGENCIES—CORPORATION FOR NATIONAL AND COMMUNITY SERVICE—OFFICE OF INSPECTOR GENERAL", after the dollar amount, insert the following: "(reduced to $0)".

H.R. 2158

OFFERED BY: MR. TIAHRT

AMENDMENT NO. 25: In the item relating to "DEPARTMENT OF VETERANS AFFAIRS—VETERANS HEALTH ADMINISTRATION—MEDICAL AND PROSTHETIC RESEARCH", after the first dollar amount (the aggregate), insert the following: "(increased by $25,000,000)".

In the item relating to "DEPARTMENT OF VETERANS AFFAIRS—VETERANS HEALTH ADMINISTRATION—MEDICAL AND PROSTHETIC RESEARCH", after the second dollar amount (the Gulf War illness research earmark), insert the following: "(increased by $5,000,000)".

In the item relating to "INDEPENDENT AGENCIES—CORPORATION FOR NATIONAL AND COMMUNITY SERVICE—NATIONAL AND COMMUNITY SERVICE PROGRAMS OPERATING EXPENSES", after the first dollar amount (the aggregate), insert the following: "(reduced by $200,000,000)".

H.R. 2158

OFFERED BY: MR. VENTO

AMENDMENT NO. 26: Page 57, line 21, after the first dollar amount insert "(increased by $30,100,000)".

Page 61, line 13, after the first dollar amount insert "(reduced by $43,000,000)".

H.R. 2159

OFFERED BY: MR. BILIRAKIS

AMENDMENT NO. 2: In section 571, relating to Assistance to Turkey, add the following before the period at the end of subsection (a): ": *Provided*, That assistance under this section may not be made available to the Government of Turkey unless the funds made available under subsection (b) have been used for the purpose specified in that subsection".

H.R. 2159

OFFERED BY: MR. BILIRAKIS

AMENDMENT NO. 3: At the end of the bill, insert after the last section preceding the short title, the following new section:

LIMITATION ON ASSISTANCE TO TURKEY

SEC. 572. No funds made available under the heading "Economic Support Fund" for Turkey may be made available to the Government of Turkey until all the funds under section 571(b) have been made available.

H.R. 2159

OFFERED BY: MR. CAMPBELL

AMENDMENT NO. 4: Page 13, line 4, after "$2,400,000,000" insert "(reduced by $25,000,000)".

Page 22, line 24, after "$11,500,000" insert "(increased by $25,000,000)".

H.R. 2159

OFFERED BY: MR. COX OF CALIFORNIA

AMENDMENT NO. 5: At the end of the bill, insert after the last section (preceding the short title) the following new section:

ASSISTANCE TO NORTH KOREA

SEC. 5 . None of the funds appropriated or otherwise made available by this Act may be made available to provide assistance to the Communist Government of the Democratic People's Republic of Korea.

H.R. 2159

OFFERED BY: MR. COX OF CALIFORNIA

AMENDMENT NO. 6: At the end of the bill, insert after the last section (preceding the short title) the following new section:

ASSISTANCE TO NORTH KOREA

SEC. 572. None of the funds appropriated or otherwise made available by this Act may be made available, directly or indirectly, to provide assistance to the Communist Government of the Democratic People's Republic of Korea or the Korean Peninsular Energy Development Organization.

H.R. 2159

OFFERED BY: MR. EWING

AMENDMENT NO. 7: At the end of the bill, insert after the last section (preceding the short title) the following new section:

INTERNATIONAL MILITARY EDUCATION AND TRAINING ASSISTANCE FOR PERU

SEC. 572. None of the funds appropriated or otherwise made available in this Act under the heading "International Military Education and Training" may be provided to the Government of Peru.

H.R. 2159

OFFERED BY: MR. EWING

AMENDMENT NO. 8: At the end of the bill, insert after the last section (preceding the short title) the following new section:

INTERNATIONAL MILITARY EDUCATION AND TRAINING ASSISTANCE FOR PERU

SEC. 572. None of the funds appropriated or otherwise made available in this Act under the heading "International Military Education and Training" may be provided to the Government of Peru unless the President reports to the Congress that the Government of Peru is taking all necessary steps to ensure that the United States citizens held in prisons in Peru are accorded timely, open, and fair legal proceedings in civilian courts.

H.R. 2159

OFFERED BY: MR. GILMAN

AMENDMENT NO. 9: Strike all after the title heading and insert the following:

SEC. . POPULATION PLANNING ACTIVITIES OR OTHER POPULATION ASSISTANCE.

(a) IN GENERAL.—(1) Notwithstanding any other provision of this Act or any other provision of law, none of the funds appropriated or otherwise made available by this Act for population planning activities or other population assistance may be made available to pay for the performance of abortions in any foreign country, except where the life of the mother would be endangered if the fetus were carried to term or in cases or rape or incest.

(2) The limitation contained in paragraph (1) shall not apply to the treatment of injuries or illness caused by unsafe abortions.

(b) LIMITATION ON LOBBYING ACTIVITIES.—(1) Notwithstanding any other provision of this Act or any other provision of law, none of the funds appropriated or otherwise made available by this Act for population planning activities or other population assistance may be made available to lobby for or against abortion.

(2) The limitation contained in paragraph (1) shall not apply to activities in opposition to coercive abortion or involuntary sterilization.

SEC. . UNITED NATIONS POPULATION FUND.

(a) LIMITATION.—Subject to subsections (b), (c), and (d)(2), of the amounts made available for each of the fiscal years 1998 and 1999 to carry out part I of the Foreign Assistance Act of 1961, not more than $25,000,000 shall be available for each such fiscal year for the United Nations Population Fund.

(b) PROHIBITION ON USE OF FUNDS IN CHINA.—None of the funds made available under this section shall be made available for a country program in the People's Republic of China.

(c) CONDITIONS ON AVAILABILITY OF FUNDS.—(1) Not more than one-half of the amount made available to the United Nations Population Fund under this section may be provided to the Fund before March 1 of the fiscal year for which funds are made available.

(2) Amounts made available for each of the fiscal years 1998 and 1999 under part I of the Foreign Assistance Act of 1961 for the United Nations Population Fund may not be made available to the Fund unless—

(A) the Fund maintains amounts made available to the Fund under this section in an account separate from accounts of the Fund for other funds; and

(B) the Fund does not commingle amounts made available to the Fund under this section with other funds.

(d) REPORTS.—(1) Not later than February 15, 1998, and February 15, 1999, the Secretary of State shall submit a report to the appropriate congressional committees indicating the amount of funds that the United Nations Population Fund in budgeting for the year in which the report is submitted for a country program in the People's Republic of China.

(2) If a report under paragraph (1) indicates that the United Nations Population Fund plans to spend China country program funds in the People's Republic of China in the year covered by the report, then the amount of such funds that the Fund plans to spend in the People's Republic of China shall be deducted from the funds made available to the Fund after March 1 for obligation for the remainder of the fiscal year in which the report is submitted.

H.R. 2159

OFFERED BY: MR. HERGER

AMENDMENT NO. 10: At the end of the bill, insert after the last section (preceding the short title) the following new section:

PROHIBITION ON DEVELOPMENT ASSISTANCE FOR CERTAIN COUNTRIES

SEC. 572. (a) LIMITATION ON USE OF FUNDS.—None of the funds appropriated under the heading "TITLE II—BILATERAL ECONOMIC ASSISTANCE, FUNDS APPROPRIATED TO THE PRESIDENT, DEVELOPMENT, ASSISTANCE" may be provided to Angola, Bangladesh, Benin, Bolivia, Brazil Burundi, Ecuador, El Salvador, Eritrea, Ethiopia, Ghana, Guatemala, Guinea, Guinea-Bisseau, Guyana, Honduras, India, Indonesia, Jamaica, Jordan, Kenya, Liberia, Madagascar, Malawi, Mali, Mexico, Morocco, Mozambique, Namibia, Nepal, Nicaragua, Niger, Nigeria, Panama, Paraguay, Peru, the Philippines, Senegal, Somalia, South Africa, Sri Lanka, Tanzania, Uganda, Zambia, or Zimbabwe.

(b) CORRESPONDING REDUCTION IN FUNDS.—The amount otherwise provided by this Act under the heading "TITLE II—BILATERAL ECONOMIC ASSSISTANCE, FUNDS APPROPRIATED TO THE PRESIDENT, DEVELOPMENT ASSISTANCE" is hereby reduced by $933,000,000.

H.R. 2159

OFFERED BY: MR. MCGOVERN

AMENDMENT NO. 11: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SENSE OF THE CONGRESS RELATING TO INTERNATIONAL ADOPTION LAWS AND PRACTICES OF PARAGUAY

SEC. 572. It is the sense of the Congress that the President and the Secretary of State should use all opportunities and means to express directly to all appropriate officials of the Government of Paraguay that—

(1) the United States respects and supports the commitment of the Government of Paraguay to reform its laws and practices regarding international adoptions;

(2) the pending international adoption cases filed by United States families at or prior to the establishment by the Government of Paraguay of a moratorium on international adoptions, including the 11 adoption cases commonly referred to as the "window of opportunity" adoption cases, should be allowed to continue and complete the adoption process in a fair, unbiased, and timely fashion;

(3) such United States adoption cases should be determined on the basis of the two key tenets for international adoption in Paraguay, namely the fitness of the petitioning family to be parents and what is in the best interests and welfare of the child; and

(4) any international adoption reform legislation approved by the Government of Paraguay should allow such United States adoption cases to complete the adoption process.

H.R. 2159

OFFERED BY: MR. ROHRABACHER

AMENDMENT NO. 12: At the end of the bill, insert after the last section (preceding the short title) the following new section:

PROHIBITION OF ASSISTANCE TO CAMBODIA

SEC. . (a) None of the funds appropriated in this Act may be made available to the Government of Cambodia.

(b) None of the funds appropriated in this Act for the International Development Association, the International Monetary Fund, or the Asian Development Bank may be used for any loan to the Government of Cambodia.

H.R. 2159

OFFERED BY: MR. ROYCE

AMENDMENT NO. 13: In Title I, under the heading "Overseas Private Investment Corporation Noncredit Account" after "$32,000,000" insert "(reduced by $11,200,000)".

H.R. 2159

OFFERED BY: MR. SAXTON

AMENDMENT NO. 14: At the end of the bill, insert after the last section (preceding the short title) the following new section:

LIMITATION ON ASSISTANCE FOR THE P.L.O. AND THE PALESTINIAN AUTHORITY

SEC. 572. (a) SENSE OF THE CONGRESS.—It is the sense of the Congress that the Palestine Liberation Organization (hereafter the

"P.L.O.") should do far more to demonstrate an irrevocable denunciation of terrorism and to ensure a peaceful settlement of the Middle East dispute, and in particular it should—

(1) submit to the Palestinian Council for formal approval the necessary changes to those specific articles of the Palestinian National Charter which deny Israel's right to exist or support the use of violence;

(2) to the maximum extent possible, preempt acts of terror, discipline violators, publicly condemn all terrorist acts, actively work to dismantle other terrorist organizations, and contribute to stemming the violence that has resulted in the deaths of over 230 Israeli and United States citizens since the signing of the Declaration of Principles on Interim Self-government Arrangements (hereafter the "Declaration of Principles") on September 13, 1993, at the White House;

(3) prohibit participation in the P.L.O. or the Palestinian Authority or its successors of any groups or individuals which promote or commit acts of terrorism;

(4) cease all anti-Israel rhetoric, which potentially undermines the peace process;

(5) confiscate all unlicensed weapons and restrict the issuance of licenses to those with legitimate need;

(6) transfer and cooperate in transfer proceedings relating to any person accused by Israel or the United States of having committed acts of terrorism against Israeli or United States nationals; and

(7) respect civil liberties, human rights and democratic norms as applied equally to all persons regardless of ethnic, religious, or national origin.

(b) LIMITATION ON ASSISTANCE.—

(1) IN GENERAL.—Notwithstanding any other provision of law, funds appropriated or otherwise made available by this Act may be obligated for assistance to the P.L.O. or the Palestinian Authority only for the period beginning 3 months after the date of the enactment of this Act and for 6 months thereafter, and only if—

(A) the President has exercised the authority under section 604(a) of the Middle East Peace Facilitation Act of 1995 (title VI of Public Law 104-107) or any other legislation to suspend or make inapplicable section 307 of the Foreign Assistance Act of 1961 and that suspension is still in effect; and

(B) in addition to the requirements contained in such act or other legislation—

(i) the President prepares and transmits to the Congress a report described in paragraph (2); and

(ii) the Congress approves such report by adoption of a joint resolution of approval.

(2) REPORT.—A report described in this paragraph is a report containing the following:

(A) A description of all efforts being made to apprehend, prosecute, or have extradited to the United States Mohammad Deif (allegedly responsible for the death of Nachshon Wachsman, a United States citizen), Amjad Hinawi (allegedly responsible for the death of David Boim, a United States citizen), Abu Abbas (responsible for the death of Leon Klinghoffer, a United States citizen), Amid al-Hindi (allegedly responsible for death of David Berger, a United States citizen), and Nafez Mahmoud Sabih (who helped plan the February 1996 attack on a Jerusalem bus in which Jewish Theological Seminary students Sara Duker and Matthew Eisenfeld, both United States citizens, were murdered).

(B) An official, updated, and revised copy of the Palestinian National Charter (Covenant) showing which specific articles have been rescinded by the decision taken on April 24, 1996 by the P.L.O. Executive Committee.

(C) A description of all actions being taken by the Palestinian Authority to eradicate and prevent the use of the map of Israel to represent "Palestine".

(D) A certification that the Palestinian Authority has established a court system that respects due process requirements, including the right to a lawyer, the right to confront witnesses, the right to be informed of the charges under which one is accused, and the right to a jury trial.

(E) A certification that the Palestinian Authority has established humane prison conditions.

(F) A certification that the Palestinian Authority has taken all measures to rescind the death penalty imposed for the sale of land to Jews, has eliminated the practice of incarcerating real estate agents for the sale of land to Jews or Israelis, and has actively sought the perpetrators of such actions.

H.R. 2159

OFFERED BY: MR. SMITH OF NEW JERSEY

AMENDMENT NO. 15: At the end of the bill, insert after the last section (preceding the short title) the following new section:

FOREIGN ORGANIZATIONS THAT PERFORM OR PROMOTE ABORTION OVERSEAS; FORCED ABORTION IN THE PEOPLE'S REPUBLIC OF CHINA

SEC. 572. (a) Section 104 of the Foreign Assistance Act of 1961 is amended by adding at the end the following new subsection:

"(h) RESTRICTION ON ASSISTANCE TO FOREIGN ORGANIZATIONS THAT PERFORM OR ACTIVELY PROMOTE ABORTIONS.—

"(1) PERFORMANCE OF ABORTIONS.—

"(A) Notwithstanding section 614 of this Act or any other provision of law, no funds appropriated for population planning activities or other population assistance may be made available for any foreign private, nongovernmental, or multilateral organization until the organization certifies that it will not, during the period for which the funds are made available, perform abortions in any foreign country, except where the life of the mother would be endangered if the pregnancy were carried to term or in cases of forcible rape or incest.

"(B) Subparagraph (A) may not be construed to apply to the treatment of injuries or illnesses caused by legal or illegal abortions or to assistance provided directly to the government of a country.

"(2) LOBBYING ACTIVITIES.—(A) Notwithstanding section 614 of this Act or any other provision of law, no funds appropriated for population planning activities or other population assistance may be made available for any foreign private, nongovernmental, or multilateral organization until the organization certifies that it will not, during the period for which the funds are made available, violate the laws of any foreign country concerning the circumstances under which abortion is permitted, regulated, or prohibited, or engage in any activity or effort to alter the laws or governmental policies of any foreign country concerning the circumstances under which abortion is permitted, regulated, or prohibited.

"(B) Subparagraph (A) shall not apply to activities in opposition to coercive abortion or involuntary sterilization.

"(3) APPLICATION TO FOREIGN ORGANIZATIONS.—The prohibitions of this subsection apply to funds made available to a foreign organization either directly or as a subcontractor or subgrantee, and the certifications required by paragraphs (1) and (2) apply to activities in which the organization engages either directly or through a subcontractor or subgrantee.".

(b) Section 301 of the Foreign Assistance Act of 1961 is amended by adding at the end the following new subsection:

"(1) LIMITATION RELATING TO FORCED ABORTIONS IN THE PEOPLE'S REPUBLIC OF CHINA.—Notwithstanding section 614 of this Act or any other provision of law, no funds may be made available for the United Nations Population Fund (UNFPA) in any fiscal year unless the President certifies that—

"(1) UNFPA has terminated all activities in the People's Republic of China, and the United States has received assurances that UNFPA will conduct no such activities during the fiscal year for which the funds are to be made available; or

"(2) during the 12 months preceding such certification there have been no abortions as the result of coercion associated with the family planning policies of the national government or other governmental entities within the People's Republic of China.

As used in this section, the term 'coercion' includes physical duress or abuse, destruction or confiscation of property, loss of means of livelihood, or severe psychological pressure.".

H.R. 2159

OFFERED BY MR. STEARNS

AMENDMENT NO. 16: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SENSE OF THE CONGRESS REGARDING COSTS OF THE PARTNERSHIP FOR PEACE PROGRAM AND NATO EXPANSION

SEC. 572. It is the sense of the Congress that all member nations of the North Atlantic Treaty Organization (NATO) should contribute their proportionate share to pay for the costs of the Partnership for Peace program and for any future costs attributable to the expansion of NATO.

H.R. 2159

OFFERED BY: MR. TORRES

AMENDMENT NO. 17: At the end of the bill, insert after the last section (preceding the short title) the following new section:

PROHIBITION OF FUNDS FOR SCHOOL OF THE AMERICAS

SEC. 572. Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available by this Act may be used for programs at the United States Army School of the Americas located at Fort Benning, Georgia.

H.R. 2159

OFFERED BY: MR. TORRES

AMENDMENT NO. 18: At the end of the bill, insert after the last section (preceding the short title) the following new section:

PROHIBITION OF FUNDS FOR SCHOOL OF THE AMERICAS

SEC. 572. Notwithstanding any other provision of this Act, none of the funds appropriated in this Act under the heading "TITLE III—MILITARY ASSISTANCE, FUNDS APPROPRIATED TO THE PRESIDENT, INTERNATIONAL MILITARY EDUCATION AND TRAINING", may be used for programs at the United States Army School of the Americas located at Fort Benning, Georgia.

H.R. 2159

OFFERED BY: MR. TORRES

AMENDMENT NO. 19: In the item relating to "TITLE—MILITARY ASSISTANCE, FUNDS APPROPRIATED TO THE PRESIDENT, INTERNATIONAL MILITARY EDUCATION AND TRAINING", in the first paragraph, after

"$50,000,000", insert "(reduced by $815,638)", and strike the second proviso.

H.R. 2159

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 20: At the end of the bill, insert after the last section (preceding the short title) the following new section:

PROHIBITION ON FUNDING FOR PRIVATE SECTOR DEVELOPMENT ENTERPRISE FUNDS

SEC. 572. None of the funds appropriated or otherwise made available by this Act may be obligated or expended for assistance to the following enterprise funds (or any successor enterprise funds):

(1) The Albanian-American Enterprise Fund.

(2) The Baltic-American Enterprise Fund.

(3) The Bulgarian American Enterprise Fund.

(4) The Central Asian-American Enterprise Fund.

(5) The Czech and Slovak American Enterprise Fund.

(6) The Hungarian-American Enterprise Fund.

(7) The Polish-American Enterprise Fund.

(8) The Romanian American Enterprise Fund.

(9) The Southern Africa Regional Enterprise Fund.

(10) The U.S.-Russia Investment Fund.

(11) The Western NIS Enterprise Fund.

H.R. 2159

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 21: At the end of the bill, insert after the last section (preceding the short title) the following new section:

ACROSS-THE-BOARD REDUCTION IN AMOUNTS

SEC. 572. (a) IN GENERAL.—Except as provided in subsection (b), each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 10 percent.

(b) EXCEPTIONS.—Subsection (a) shall not apply to the amounts appropriated or otherwise made available by this Act for the following:

(1) "Child Survival and Disease Programs Fund".

(2) "Development Fund for Africa".

(3) "International Disaster Assistance".

(4) "African Development Foundation".

(5) International Narcotics Control".

(6) "Nonproliferation, Anti-Terrorism, Demining and Related Programs".

H.R. 2159

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 22: At the end of the bill, insert after the last section (preceding the short title) the following new section:

ACROSS-THE-BOARD REDUCTION IN AMOUNTS

SEC. 572. (a) IN GENERAL.—Except as provided in subsection (b), each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 5 percent.

(b) EXCEPTIONS.—Subsection (a) shall not apply to the amounts appropriated or otherwise made available by this Act for the following:

(1) "Child Survival and Disease Programs Fund".

(2) "Development Fund for Africa".

(3) "International Disaster Assistance".

(4) "African Development Foundation".

(5) "International Narcotics Control".

(6) "Nonproliferation, Anti-Terrorism, Demining and Related Programs".

H.R. 2159

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 23: At the end of the bill, insert after the last section (preceding the short title) the following new section:

ACROSS-THE-BOARD REDUCTION IN AMOUNTS

SEC. 572. (a) IN GENERAL.—Except as provided in subsection (b), each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 1 percent.

(b) EXCEPTIONS.—Subsection (a) shall not apply to the amounts appropriated or otherwise made available by this Act for the following:

(1) "Child Survival and Disease programs Fund".

(2) "Development Fund for Africa".

(3) "International Disaster Assistance".

(4) "African Development Foundation".

(5) "International Narcotics Control".

(6) "Nonproliferation, Anti-Terrorism, Demining and Related Programs".

H.R. 2160

OFFERED BY: MR. COX OF CALIFORNIA

AMENDMENT NO. 1: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds appropriated or otherwise made available by this Act may be made available, directly or indirectly, to provide aid to the Communist-ruled Democratic People's Republic of Korea.

H.R. 2160

OFFERED BY: MR. DOOLEY

AMENDMENT NO. 2: Strike section 726, regarding limitation on the use of funds for immediate office of the Deputy and Assistant Deputy Administrator for Farm Programs within the Farm Service Agency.

H.R. 2160

OFFERED BY: MRS. LOWEY

AMENDMENT NO. 3: At the end of the bill, insert after the last section the following new section:

SEC. . None of the funds made available in this Act may be used to provide or pay the salaries of personnel who provide crop insurance or noninsured crop disaster assistance for tobacco for the 1998 or later crop years.

H.R. 2160

OFFERED BY: MR. MEEHAN

AMENDMENT NO. 4: In the item relating to "RISK MANAGEMENT AGENCY"in title I, after the last dollar amount, insert "(reduced by $14,000,000)".

In the item relating to "SALARIES AND EXPENSES"— "FOOD AND DRUG ADMINISTRATION" in title VI, after the aggregate dollar amount in the first undesignated paragraph, insert "(increased by $10,000,000)".

H.R. 2160

OFFERED BY: MR. NEUMANN

AMENDMENT NO. 5: Insert before the short title the following new section:

SEC. . None of the funds appropriated or otherwise made available by this Act may be used to maintain, or to pay the salaries and expenses of personnel who maintain, a price for the 1998 crop of quota peanuts in excess of $550 per ton.

H.R. 2160

OFFERED BY: MR. SANDERS

AMENDMENT NO. 6: Insert before the short title the following new section:

SEC. . For an additional amount for the Department of Agriculture (consisting of an additional $2,500,000 for "RESEARCH AND EDUCATION ACTIVITIES" (to be available for sustainable agriculture research and education under such heading) and $12,200,000 for "EXTENSION ACTIVITIES" (to be available for payments for sustainable agriculture programs under such heading)), and none of the funds made available in this Act to such Department may be used to provide assistance to, or to pay the salaries of personnel who carry out, a market promotion/market access program pursuant to section 203 of the Agricultural Trade Act of 1978 (7 U.S.C. 5623) that provides assistance in an aggregate amount of funds and/or commodities in excess of $86,300,000.

H.R. 2160

OFFERED BY: MR. SANDERS

AMENDMENT NO. 7: In the item relating to "AGRICULTURAL RESEARCH SERVICE" in title I, after the aggregate dollar amount in the first undesignated paragraph, insert "(reduced by $8,500,000)".

In the item relating to "FOOD DONATIONS PROGRAMS FOR SELECTED GROUPS" in title IV, after the last dollar amount, insert "(increased by $8,000,000)".

H.R. 2160

OFFERED BY: MR. SANDERS

AMENDMENT NO. 8: In the item relating to "RISK MANAGEMENT AGENCY" in title I, after the last dollar amount insert "(reduced by $11,000,000)".

In the item relating to "FOOD DONATIONS PROGRAMS FOR SELECTED GROUPS" in title IV, after the last dollar amount, insert "(increased by $8,000,000)".

H.R. 2160

OFFERED BY: MR. STENHOLM

AMENDMENT NO. 9: Strike section 726 (page 68, lines 8 through 11), regarding limitation on the use of funds for immediate office of the Deputy and Assistant Deputy Administrator for Farm Programs within the Farm Service Agency.

H.R. 2160

OFFERED BY: MR. WYNN

AMENDMENT NO. 10: Insert before the short title the following new section:

SEC. . For an additional amount for the Department of Agriculture (consisting of an additional $1,500,000 for "DEPARTMENTAL ADMINISTRATION"), and none of the funds made available in this Act to such Department may be used to provide assistance to, or to pay the salaries of personnel who carry out, a market promotion/market access program pursuant to section 203 of the Agricultural Trade Act of 1978 (7 U.S.C. 5623) that provides assistance in an aggregate amount of funds and/or commodities in excess of $88,500,000, $1,500,000.

H.R. 2160

OFFERED BY: MR. WYNN

AMENDMENT NO. 11: Insert before the short title the following new section:

SEC. . (a) For an additional amount for the Department of Agriculture (consisting of an additional $1,500,000 for "DEPARTMENTAL ADMINISTRATION"), and none of the funds made available in this Act to such Department may be used to provide assistance to, or to pay the salaries of personnel who carry out, a market promotion/market access program pursuant to section 203 of the Agricultural Trade Act of 1978 (7 U.S.C. 5623) that provides assistance in an aggregate amount of funds and/or commodities in excess of $88,5000,000, $1,500,000.

(b) Of the amount under the heading "DEPARTMENTAL ADMINISTRATION" in title I, $13,300,000 is for civil rights enforcement at the Department of Agriculture.