

HOUSE OF REPRESENTATIVES—Monday, September 8, 1997

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore [Mr. PETRI].

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 8, 1997

I hereby designate the Honorable THOMAS E. PETRI 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 by Ms. McDevitt, one of its clerks, announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2159. An act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1998, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 2159) "An Act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1998, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MCCONNELL, Mr. SPECTER, Mr. GREGG, Mr. SHELBY, Mr. BENNETT, Mr. CAMPBELL, Mr. STEVENS, Mr. COCHRAN, Mr. LEAHY, Mr. INOUE, Mr. LAUTENBERG, Mr. HARKIN, Ms. MIKULSKI, Mrs. MURRAY, and Mr. BYRD, to be the conferees on the part of the Senate.

MORNING HOUR DEBATES

The SPEAKER pro tempore (Mr. PETRI). 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 leader, the minority leader, or the minority whip limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Guam [Mr. UNDERWOOD] for 5 minutes.

KOREAN AIR FLIGHT 801 LEGISLATION

Mr. UNDERWOOD. Mr. Speaker, as Guam recuperates from Korean Air Flight 801's crash on August 6, I wish to direct the Nation's attention to a key participant in the facilitation of various procedures linked to this tragedy. From its investigative efforts to its family affairs responsibilities, the National Transportation Safety Board was and continues to be an instrumental component in this process. The NTSB's efficient work continues to clarify the many aspects of the crash, such as the state of the aircraft, weather conditions and the like.

One of the NTSB's main functions is its role in helping victims' families cope with their losses. I laud their efforts in tactfully dealing with the aggrieved individuals in such unsavory, but necessary, procedures as the identification of the remains. The NTSB has and continues to conduct their investigations professionally and competently. I have had the opportunity, Mr. Speaker, to meet with NTSB officials while they were on Guam and recently in Washington. They assure me that they are doing all that they can in their efforts to bring closure to this serious tragedy.

As Members of Congress, we should also exert every effort to aid those affected by this tragedy. In the next few days, I will be introducing legislation which would require foreign air carriers to establish disaster assistance plans if they are permitted to travel in the United States. This legislation would allocate various responsibilities to the foreign air carriers should their aircraft have an accident on U.S. soil. American carriers are already abiding by this requirement under the Aviation Disaster Family Assistance Act of 1996.

Mr. Speaker, the reason I propose this legislation stems from Guam's experience with Korean Air Flight 801's tragic end. Many have complained about lack of guidance and proper coordination on the part of Korean Air in their dealings with the victims' families. While it took over 20 hours for NTSB personnel to reach Guam, Korean Air personnel and victims' families not from Guam had already arrived on the island within 4 to 5 hours. At this point, much could have been done to coordinate family and media needs as well as protection of the crash site. However, due to the lack of established arrangements, family members did not receive information on the complex nature of the investigation as well as a

clear vision of the various agencies and departments' priorities who were involved in the search and rescue mission.

The ensuing confusion has resulted in an exercise of patience and perseverance on behalf of various officials and family members alike. I believe that my legislation will eliminate much of the disorder which normally results from traumatic episodes such as this crash. I am working closely with NTSB and the Department of Transportation in the formulation of legislative language, and I am very encouraged by the support shown by my colleagues in the House and in the Senate. As Members of Congress, I believe we share the responsibility in ensuring the safety of our constituents whether they choose to fly in domestic or foreign air carriers.

I would also like to highlight another benefit of this legislation. As we enter into the next millennium, evolving technology will continue to draw citizens of different nations closer together. This legislation will not only aid American citizens, it will also benefit other nationalities boarding flights with prearranged disaster assistance plans. Common sense points to the competency of this legislation and I encourage the rest of my colleagues to support it.

We must prove to our constituents that we care about them whether they fly domestic or foreign airlines, and I encourage my colleagues to be forward-looking and support my efforts in requiring foreign air carriers permitted to fly in the United States the responsibility to arrange disaster assistance plans should an accident occur on American soil. This legislation is a pledge that Korean Air's 801 passengers did not perish in vain.

GULF WAR VETERANS DESERVE TO RECEIVE BENEFITS AND HEALTH CARE

The SPEAKER pro tempore. 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, there has been a lot in the newspapers recently about the gulf war syndrome, so I thought I would take a moment to comment on them.

First of all, as chairman of the Veterans Subcommittee on Health, we are active in marking up pieces of legislation that affect this matter, but I

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

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

wanted to point out this morning, Mr. Speaker, that I want to commend the Presidential advisory committee on gulf war veterans' illnesses for recommending to the administration that it create a permanent statutory program of benefits and health care for the thousands of veterans who have been plagued with a variety of unexplained symptoms.

Coincidentally, the full Committee on Veterans' Affairs will be marking up legislation that my subcommittee earlier formulated that will require the VA to create a \$5-million program, competitive grant program, under which up to 10 VA facilities would establish demonstration projects to test new approaches to treating Persian Gulf veterans which meets with their satisfaction.

This proposed legislation will require the VA to utilize three approaches. These approaches could be used alone or in combination. The new approaches are: First, a specialized clinic which serves Persian Gulf veterans; second, multi-disciplinary treatment aimed at managing symptoms; and third, the use of case managers.

I have a bill in Congress, H.R. 2206, which of course also reaffirms the VA's obligation to provide verbal counseling to Persian Gulf veterans with respect to the finding of its registry examinations.

This legislation would also specify that these veterans are eligible for VA health care for any problem related to service in the Gulf, not just those problems that may be linked to exposure to toxic substances or environmental hazards.

While I commend the advisory committee for its recommendations to establish a permanent program of benefits and health care, Mr. Speaker, I must also voice my strong objection to the fact that it stands by a previous presidential commission report issued in January that declared that it could not find a causal link between the frequently reported symptoms of fatigue, headaches, sore joints, and rashes, commonly referred to as the gulf war syndrome. Furthermore, the committee report stated that it believed that stress was "likely to have been an important contributing factor."

Mr. Speaker, as my colleagues may recall, in the last Congress we enacted legislation to extend priority health care for veterans exposed to agent orange and those who served in the Persian Gulf war through December 31, 1998. My commitment then and now is to provide priority health care to those who served in the gulf war. It is a long-standing commitment, and not just by virtue of my new position as chairman of the Subcommittee on Health.

With respect to what has been known as the gulf war syndrome, I took a deep interest in requesting that we aggressively seek answers to the many

unexplained illnesses experienced by gulf war veterans. One of the first casualties of this mysterious group of diseases was a constituent of mine, Michael Adcock of Ocala, FL, who died at the age of 22 after serving in Operation Desert Storm.

After returning home from the gulf war, Michael suffered a number of symptoms which had befallen many other gulf war veterans, including persistent nausea, skin rashes, aching joints, hair loss, bleeding gums, blurred vision, and lack of energy, among others.

Michael died in 1993, three years after coming home from the Desert Storm operation. We are still looking for answers to the causes of this mysterious syndrome which appears to be indigenous to those who served in the gulf war.

I think we all know how terribly urgent it is that we continue with our research efforts until we find the answer to the cause of this syndrome that is so ubiquitous to those veterans.

In light of the controversy surrounding unexplained illnesses Desert Storm veterans have and are experiencing, the VA, Department of Defense, NIH and the HHS have long been conducting extensive research into possible causes of the unexplained illnesses associated with this military campaign.

Mr. Speaker, I am optimistic that through these efforts we might find the missing link that will explain this rash of perplexing illnesses which seem to be indigenous to those particular veterans. We all know how invaluable the research being conducted is and the need to find answers as to what is causing thousands of gulf war veterans to be plagued by a rash of unexplained symptoms.

Mr. Speaker, I hope that the Department of Defense and the VA will continue to both aggressively treat symptoms associated with Desert Storm syndrome and investigate its causes or cause.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 42 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. UPTON) at 2 p.m.

PRAYER

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

We are grateful, Oh God, that whatever our place in life and whatever our need, whether our spirits are rising or whether we know adversity, we can express our thanksgivings to You for Your promises to us and to every person. We are grateful that we do not walk the paths of life alone, or face the mysterious and bewildering events of the day by ourselves, but Your guiding hand gives direction and Your spirit lifts us when we are weak. With thanksgiving and praise we begin this week and with hearts of gratitude we offer these words of prayer and petition.

This is our earnest prayer. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. KILDEE 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.

EDUCATION IS A COMMONSENSE MATTER

(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, what is the secret to getting a great education? Brandnew classrooms, the latest computers, a teaching staff trained in the latest pedagogical methods, record spending on school budgets? Of course not. Common sense alone suggests that a great education is a product of the same ingredients that has made for a great education for centuries: motivated students, parents who care about their children's schooling, and teachers with energy and dedication.

What Federal program conceived in Washington, DC, can produce motivated students? What Federal program can make parents care about their children's schooling? What Federal program can produce teachers with energy and dedication?

Mr. Speaker, this is truly puzzling for me, that so many people with Ph.D.'s right here in this community in education and journalists with equally impressive credentials tend to forget these commonsense facts so often when it comes to education. It is time to get back to basics. It is time

that Washington encouraged them to do it now, and not tomorrow.

THE WORLD IS IN MOURNING FOR MOTHER TERESA OF CALCUTTA

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

Mr. PALLONE. Mr. Speaker, on Friday, September 6, the world lost one of its greatest humanitarian leaders. The death of Mother Teresa of Calcutta has touched literally billions of people in every part of the world, particularly in India, where Mother Teresa began her work taking care of the poorest of the poor some 5 decades ago.

Mother Teresa's death has prompted an outpouring of grief, as well as gratitude to this diminutive woman who many considered a saint on Earth. India's Prime Minister Gujral, visiting the modest convent chapel where Mother Teresa entered religious service, said that the world is mourning. Flags in India are flying at half-staff and a state funeral is planned for Saturday, the highest honor the Indian Government can give.

The funeral offers an opportunity for everyone, from powerful world leaders to the humblest people of Calcutta, to join in paying tribute to a woman who tirelessly ministered to the world's most afflicted citizens.

Mr. Speaker, as we mourn the passing of Mother Teresa, I am sure that all of us in this body extend our best wishes to her successor, Sister Nirmala, as she works to continue the work begun by this remarkable woman who saw God in the face of every human being.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5, 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 7 p.m. today.

MISSISSIPPI SIOUX TRIBES JUDGMENT FUND DISTRIBUTION ACT OF 1997

Mr. HILL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 976) to provide for the disposition of certain funds appropriated to pay judgment in favor of the Mississippi Sioux Indians and for other purposes, as amended.

The Clerk read as follows:

H.R. 976

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Mississippi Sioux Tribes Judgment Fund Distribution Act of 1997".

SEC. 2. DEFINITIONS.

For purposes of this Act, the following definitions shall apply:

(1) COVERED INDIAN TRIBE.—The term "covered Indian tribe" means an Indian tribe listed in section 4(a).

(2) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(3) TRIBAL GOVERNING BODY.—The term "tribal governing body" means the duly elected governing body of a covered Indian tribe.

SEC. 3. DISTRIBUTION TO, AND USE OF CERTAIN FUNDS BY, THE SISSETON AND WAHPETON TRIBES OF SIOUX INDIANS.

Notwithstanding any other provision of law, including Public Law 92-555 (25 U.S.C. 1300d et seq.), any funds made available by appropriations under chapter II of Public Law 90-352 (82 Stat. 239) to the Sisseton and Wahpeton Tribes of Sioux Indians to pay a judgment in favor of the Tribes in Indian Claims Commission dockets numbered 142 and 359, including interest, after payment of attorney fees and other expenses, that, as of the date of enactment of this Act, have not been distributed, shall be distributed and used in accordance with this Act.

SEC. 4. DISTRIBUTION OF FUNDS TO TRIBES.

(a) IN GENERAL.—Subject to section 5, as soon as practicable after the date that is 1 year after the date of enactment of this Act, the Secretary shall distribute an aggregate amount, equal to the funds described in section 3 reduced by \$1,469,831.50, as follows:

(1) 28.9276 percent of such amount shall be distributed to the tribal governing body of the Spirit Lake Sioux Tribe of North Dakota.

(2) 57.3145 percent of such amount shall be distributed to the tribal governing body of the Sisseton and Wahpeton Sioux Tribe of South Dakota.

(3) 13.7579 percent of such amount shall be distributed to the tribal governing body of the Assiniboine and Sioux Tribes of the Fort Peck Reservation in Montana, as designated under subsection (b).

(b) TRIBAL GOVERNING BODY OF ASSINIBOINE AND SIOUX TRIBES OF FORT PECK RESERVATION.—For purposes of making distributions of funds pursuant to this Act, the Sisseton and Wahpeton Sioux Council of the Assiniboine and Sioux Tribes shall act as the governing body of the Assiniboine and Sioux Tribes of the Fort Peck Reservation.

SEC. 5. ESTABLISHMENT OF TRIBAL TRUST FUNDS.

(a) IN GENERAL.—As a condition to receiving funds distributed under section 4, each tribal governing body referred to in section 4(a) shall establish a trust fund for the benefit of the covered Indian tribe under the jurisdiction of that tribal governing body, consisting of—

(1) amounts deposited into the trust fund; and

(2) any interest and investment income that accrues from investments made from amounts deposited into the trust fund.

(b) TRUSTEE.—Each tribal governing body that establishes a trust fund under this section shall—

(1) serve as the trustee of the trust fund; and

(2) administer the trust fund in accordance with section 6.

SEC. 6. USE OF DISTRIBUTED FUNDS.

(a) PROHIBITION.—No funds distributed to a covered Indian tribe under section 4 may be used to make per capita payments to members of the covered Indian tribe.

(b) PURPOSES.—The funds distributed under section 4 may be used by a tribal governing body referred to in section 4(a) only for the purpose of making investments or expenditures that the tribal governing body determines to be reasonably related to—

(1) economic development that is beneficial to the covered Indian tribe;

(2) the development of resources of the covered Indian tribe; or

(3) the development of a program that is beneficial to members of the covered Indian tribe, including educational and social welfare programs.

(c) AUDITS.—

(1) IN GENERAL.—The Secretary shall conduct an annual audit to determine whether each tribal governing body referred to in section 4(a) is managing the trust fund established by the tribal governing body under section 5 in accordance with the requirements of this section.

(2) ACTION BY THE SECRETARY.—

(A) IN GENERAL.—If, on the basis of an audit conducted under paragraph (1), the Secretary determines that a covered Indian tribe is not managing the trust fund established by the tribal governing body under section 5 in accordance with the requirements of this section, the Secretary shall require the covered Indian tribe to take remedial action to achieve compliance.

(B) APPOINTMENT OF INDEPENDENT TRUSTEE.—If, after a reasonable period of time specified by the Secretary, a covered Indian tribe does not take remedial action under subparagraph (A), the Secretary, in consultation with the tribal governing body of the covered Indian tribe, shall appoint an independent trustee to manage the trust fund established by the tribal governing body under section 5.

SEC. 7. EFFECT OF PAYMENTS TO COVERED INDIAN TRIBES ON BENEFITS.

(a) IN GENERAL.—A payment made to a covered Indian tribe or an individual under this Act shall not—

(1) for purposes of determining the eligibility for a Federal service or program of a covered Indian tribe, household, or individual, be treated as income or resources; or

(2) otherwise result in the reduction or denial of any service or program to which, pursuant to Federal law (including the Social Security Act (42 U.S.C. 301 et seq.)), the covered Indian tribe, household, or individual would otherwise be entitled.

SEC. 8. DISTRIBUTION OF FUNDS TO LINEAL DESCENDANTS.

Not later than 1 year after the date of enactment of this Act, of the funds described in section 3, the Secretary shall, in the manner prescribed in section 202(c) of Public Law 92-555 (25 U.S.C. 1300d-4(c)), distribute an amount equal to \$1,469,831.50 to the lineal descendants of the Sisseton and Wahpeton Tribes of Sioux Indians.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Montana [Mr. HILL] and the gentleman from Michigan [Mr. KILDEE] each will control 20 minutes.

The Chair recognizes the gentleman from Montana [Mr. HILL].

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

Mr. HILL. Mr. Speaker, I rise in support of H.R. 976, the proposed Mississippi Sioux Tribes Judgment Fund Distribution Act of 1997.

Mr. Speaker, I note that this legislation would distribute judgment funds to the various Indian tribes in Montana, North Dakota, and South Dakota. I also note that all the Members of the House and all the Members of the Senate from these three States are sponsoring either H.R. 976 or the identical Senate version, S. 391.

H.R. 976 would provide for the disposition of judgment funds appropriated by the Congress in 1968, plus accrued interest to pay the Mississippi Sioux Indians for 27 million acres of ancestral lands which the Indian Claims Commission ruled were taken without just compensation.

A portion of these judgment funds would be distributed to the Spirit Lakes Sioux Tribe of North Dakota, the Sisseton and Wahpeton Sioux Tribe of South Dakota, and the Assiniboine Sioux Tribe of the Fort Peck Reservation in Montana, according to a formula included in H.R. 976.

Each of the aforementioned tribes would be required to establish a trust fund for the benefit of the tribe to be used for the purposes specified in the bill. Another portion of the judgment funds, approximately \$1.47 million, would be distributed to the lineal descendants of the Sisseton and Wahpeton tribes of Sioux Indians.

In 1972, Congress passed a judgment fund distribution Act, Public Law 92-555, which allocated these judgment funds between the tribes and lineal descendants to the Mississippi Sioux Tribes. That 1972 law has spawned a series of suits which are still being litigated.

I am told that the administration refuses to negotiate a settlement to this litigation, in spite of Public Law 102-497 passed in 1992, which authorizes the Attorney General to do so. It is time to straighten out this mess. That is why H.R. 976 is before us today. This is a fair bill, a compromise for both the tribes and the lineal descendants which should be acceptable to all.

Mr. Speaker, I recommend that H.R. 976 be passed by the House.

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

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

Mr. Speaker, the gentleman from Montana [Mr. HILL] has done a very good job in explaining this bill. I shall be very brief.

The bill, the Mississippi Sioux Tribes Judgment Fund Distribution Act, will resolve a longstanding dispute over a 1967 judgment fund award by the Indian Claims Commission to three tribes in South Dakota, North Dakota, and Montana. These tribes are the Sisseton and Wahpeton Sioux Tribes, the Spirit Lake Sioux Tribe, and the Fort Peck

Sioux Tribe. I have always enjoyed working with these great nations, and I am glad to count them among my friends.

The gentleman from Montana [Mr. HILL] has done a very good job in explaining the bill. The administration has expressed some concerns with it, but I think this committee has well addressed those concerns, and I certainly would urge passage of this bill.

This bill, the Mississippi Sioux Tribes Judgment Fund Distribution Act will resolve a longstanding dispute over 1967 judgment fund award by the Indian Claims Commission to three Sioux Tribes in South Dakota, North Dakota, and Montana.

The three Sioux Tribes won their case against the United States for 27 million acres of land illegally taken from them in direct violation of their treaty rights. The three tribes are the Sisseton-Wahpeton Sioux Tribe, the Spirit Lake Sioux Tribe, and the Fort Peck Sioux Tribe. I have always enjoyed working with these grant nations and am glad to count them among my friends.

In 1972, Congress provided for the distribution of the award for the three tribes but also set aside \$1.5 million of the award for distribution to lineal descendants of Sisseton and Wahpeton Sioux Tribe. The \$1.5 million, however, was never distributed and has grown to more than \$14 million.

The tribes have historically opposed the award to the lineal descendants. Their position is that the award was based on the takings of lands from the tribes and that money should only be paid to tribal members. The Department of the Interior, however, recommended that the 1972 distribution legislation also include certain lineal descendants who were not enrolled with the tribes but were legitimate descendants of the original parties.

In the course of the past 10 years, the tribes have brought a series of lawsuits against the lineal descendants. Their claims were dismissed on a number of grounds.

In 1992, Congress passed legislation authorizing the Justice Department to conduct settlement negotiations between the tribes and the lineal descendants. The Justice Department has never acted. At the same time, however, members of the South Dakota, North Dakota, and Montana delegations have sought to encourage settlement between the parties, despite the Justice Department's refusal to assist.

The result is that the tribes and the lineal descendants have finally reached an agreement that divides the money by giving the lineal descendants their original \$1.5 million and the three tribes the interest accrued, an amount that now stands at more than \$12.5 million. All three Sioux Tribes strongly endorse this legislation and have agreed to forego any further legal action they might take against the lineal descendants. All of the parties are supportive of the plan, including the State Delegations.

The administration, however, opposes this plan. Assistant Secretary Ada Deer testified before the House Resources Committee in June of this year expressing opposition for two reasons. First, the administration noted that the time for appeal in one of the tribes' law-

suits had not run, and thus there was an outside chance that the tribes might ultimately win their case. As I stated earlier, however, the tribes have agreed to drop any future actions if this legislation becomes law.

Second, the administration recognized that if the lineal descendants were entitled to the original \$1.5 million award, then they should get the interest. If on the other hand, they were not, then they should get nothing. Thus, they express concern that splitting the money might create a takings claim on the behalf of one of the parties. We believe, however, that Congress has the power to authorize this distribution plan and this view is supported by correspondence from the administration as well as their own testimony.

With respect to the administration's concerns that the makeup of the lineal descendants may not be fully clear at this time, the legislation today provides for a pro rata distribution, thus insuring that all participants who qualify will receive equal awards.

In sum, what we are doing is closing the books on a longstanding dispute between the three tribes and the lineal descendants, and bringing to an end the tribes' dispute with the United States. This is a sound and politically fair decision, one that is supported by all of the affected parties.

I urge my colleagues to support enactment of this legislation.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Montana [Mr. HILL] that the House suspend the rules and pass the bill, H.R. 976, as amended.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

AGUA CALIENTE REVENUE DISTRIBUTION ACT

Mr. HILL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 700) to remove the restriction on the distribution of certain revenues from the Mineral Springs parcel to certain members of the Agua Caliente Band of Cahuilla Indians, as amended.

The Clerk read as follows:

H.R. 700

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

SECTION 1. REMOVAL OF RESTRICTION ON DISTRIBUTION OF CERTAIN REVENUES.

(a) IN GENERAL.—The fourth undesignated paragraph in section 3(b) of the Act entitled "An Act to provide for the equalization of allotments on the Agua Caliente (Palm Springs) Reservation in California, and for other purposes" approved September 21, 1959 (25 U.S.C. 951 et seq.), is amended by striking "east: *Provided,*" and all that follows through "deceased member." and inserting "east."

(b) EFFECTIVE DATE AND AGREEMENT TO MAKE PAYMENT.—The amendment made by

subsection (a) shall apply with respect to net rents, profits, and other revenues that accrue on or after the date of distribution of the payment, as provided in Tribal Ordinance 22 dated August 6, 1996, to those persons referenced in Exhibit B of Tribal Ordinance 22.

The SPEAKER pro tempore. Pursuant to the rules, the gentleman from Montana [Mr. HILL] and the gentleman from Michigan [Mr. KILDEE] will each be recognized for 20 minutes.

The Chair recognizes the gentleman from Montana [Mr. HILL].

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

Mr. Speaker, H.R. 700 would remove a revenue distribution restriction created in Public Law 86-339, a 1959 statute which related in part to the distribution of certain revenues to 85 members of the Agua Caliente Band of Cahuilla Indians.

The 1959 act exempted lands known as the Mineral Springs lots from an allotment process which had been developed to distribute the band's public lands to individual members. The Mineral Springs lots were set apart and designated as tribal reserves. Revenues generated by the Mineral Springs lots were designated in the 1959 act to be used to offset inequities in the allotments to 85 members of the band and their heirs created by the withdrawal of the Mineral Springs lots from the allotment process.

H.R. 700 would endorse a 1996 ordinance enacted by the band which would compensate those members of the band, or their heirs, entitled to a cash payment or equalization allotment in satisfaction of the requirements of the 1959 act.

The amount of the compensation for each of the 85 members, \$22,000, has been placed into escrow by the band.

The provisions of H.R. 700 will take effect on or after the date of the distribution of the aforementioned compensation to the 85 members of the band.

This is a fair and equitable bill. It will have no impact on the Federal budget, contains no intergovernmental or private sector mandates, and would impose no costs on State, local, or tribal governments.

I recommend that H.R. 700 be adopted by this body.

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

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

Mr. Speaker, this legislation will bring an end to a long-standing problem that has affected the ability of the Agua Caliente Tribe of California to govern its own sovereign tribal lands.

H.R. 700 was introduced by our colleague, the gentleman from California, Mr. SONNY BONO. His legislation will allow the Agua Caliente Tribe to compensate allottees or their heirs who currently have exclusive rights to a parcel of land that is located at the

site of the tribe's casino. H.R. 700 will simply allow the tribal government to use its gaming revenues to address the social problems facing the tribal members.

Mr. Speaker, I have personally visited this reservation and I have seen this problem firsthand. I know the tribal government has worked endlessly to ensure this plan was fair and equitable. I want to applaud Chairman Richard Milanovich and the Agua Caliente Tribal Council for the hard work they have put into this bill.

I also want to thank the gentleman from California [Mr. BONO] for introducing this important bill to help the residents of his district, and I urge my colleagues to support this legislation.

Mr. BONO. Mr. Speaker, I rise in support of this bill. Along with my colleague, Congressman DALE KILDEE, I am the proud author of H.R. 700, The Agua Caliente Equalization Act.

The Agua Caliente Tribe, located in California's 44th congressional district, has been suffering a dilemma for nearly 50 years. This bill seeks to resolve this dilemma.

This legislation provides the solution to a long standing problem that the tribe has already addressed within their governmental process and structure. This body must consider this issue because, in 1959, the Federal Government imposed restrictions on how the tribe was to resolve an internal issue.

This legislation has been reviewed by both the Justice Department and the Department of the Interior, and has passed constitutional muster. The administration has raised no objections, nor do I know of any opposition within this body.

This legislation virtually mirrors H.R. 3804, which I introduced in the last Congress and was approved under suspension. Had the Senate not adjourned, this bill, which has been cleared for floor action, would have been taken up in that body.

What this bill seeks to accomplish is to recognize the exclusive rights that were provided to 85 unallotted members of the tribe to a parcel of land owned by the tribe. The tribe, from its own revenues, would make a one-time payment to these 85 nonallottees or their heirs in exchange for the tribe to utilize any future revenues derived from this parcel of land for the benefit of the entire tribe.

This bill is a result of many meetings with the tribe and my personal knowledge of the Agua Caliente Reservation. I realize that there are many things that the tribal council need in order to assist their members. The council has informed me that they intend to provide health insurance and decent housing for their members. The council has also made commitments for both educational and employment opportunities for its members. This bill will provide the necessary mechanisms for the tribe to make these goals a reality.

The bill enjoys the overwhelming support of the tribe and the 85 affected allottees. Over 60 percent of the voting age members of the tribe have taken the time to write this committee expressing their support of this bill.

I want to commend the tribal council for its efforts to accommodate the concerns and interests of all members of the tribe. The final

vote on support of this bill was unanimous by the council, illustrating the hard work and dedication of the council in addressing the needs of their tribe.

Finally, this bill reflects an agreement that the tribe and the allottees have reached themselves. As such, it reaffirms our commitment to furthering the Federal policy of self-determination and self-governance. This bill deserves the support of this body. I urge my colleagues to support this legislation.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Montana [Mr. HILL] that the House suspend the rules and pass the bill, H.R. 700, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HILL. 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. 976 and H.R. 700, the bills just passed.

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

There was no objection.

NEED-BASED EDUCATIONAL AID ANTITRUST PROTECTION ACT OF 1997

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill, H.R. 1866, to continue favorable treatment for need-based educational aid under the antitrust laws.

The Clerk read as follows:

Senate amendment:

Page 2, strike out lines 4 through 17 and insert:

SEC. 2. CONTINUATION OF FAVORABLE TREATMENT FOR NEED-BASED EDUCATIONAL AID UNDER THE ANTI-TRUST LAWS.

(a) AMENDMENTS.—Section 568 of the Improving America's Schools Act of 1994 (15 U.S.C. 1 note) is amended—

(1) in subsection (a)—

(A) in the heading, by striking "TEMPORARY"; and

(B) by striking paragraph (4) and inserting the following:

"(4) to exchange through an independent third party, before awarding need-based financial aid to any of such students who is commonly admitted to the institutions of higher education involved, data submitted by the student so admitted, the student's family, or a financial institution on behalf of the student or the student's family relating to assets, liabilities, income, expenses, the number of family members, and the number

of the student's siblings in college, if each of such institutions of higher education is permitted to retrieve such data only once with respect to the student." and

(2) in subsection (d), by striking "September 30, 1997" and inserting "September 30, 2001".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect immediately before September 30, 1997.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas [Mr. SMITH] and the gentleman from Massachusetts [Mr. FRANK] each will control 20 minutes.

The Chair recognizes the gentleman from Texas [Mr. SMITH].

□ 1415

GENERAL LEAVE

Mr. SMITH of Texas. 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 under consideration.

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

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today the House concurs in the Senate amendment to H.R. 1866, the Need-Based Educational Aid Antitrust Protection Act of 1997, which I introduced last June. Mr. Speaker, I want to pause here to give special thanks to Joseph Gibson of the House Committee on the Judiciary for his good work on this legislation.

Mr. Speaker, beginning in the mid-1950's, a number of private colleges and universities agreed to award institutional financial aid; that is, aid from the school's own funds, solely on the basis of demonstrated financial need. These schools also agreed to use common principles to assess each student's need and to give essentially the same financial aid award to each of the students admitted to more than one member of the group.

From the 1950's through the late 1980's, the practice continued undisturbed. In 1989, the Antitrust Division of the Department of Justice brought suit against nine of the colleges engaging in this practice. After extensive litigation, the parties reached a final settlement in 1993.

In 1994, Congress passed a temporary exemption from the antitrust laws that basically codified the settlement. It allowed agreements to provide aid on the basis of need only; to use common principles of needs analysis; to use a common financial aid application form; and to allow exchange of the student's financial aid information to a third party. It also prohibited agreements on awards to specific students. It provided for this exemption to expire on September 30, 1997.

To my knowledge, there are no complaints about the existing exemption.

H.R. 1866, as introduced and passed by the House, would have made the exemption passed in 1994 permanent. It would not have made any change to the substance of the exemption.

The Senate amendment provides for a 4-year extension of the exemption and makes some minor technical changes to the information-sharing provision of the exemption. I would have preferred that we pass this bill as originally introduced, particularly with respect to the permanency of the exemption.

Despite my disappointment with the other body's shortening of the exemption, I am encouraged that they kept the provision of the original bill that struck the word "temporary" from the heading of the provision. I believe this represents an understanding that we will make the exemption permanent if no problems are reported with it during this 4-year extension. It is with that understanding that I am willing to accept the Senate amendment.

Mr. Speaker, the need-based financial aid system serves social goals that the antitrust laws do not adequately address; namely, making financial aid available to the broadest number of students solely on the basis of financial need. Without it, the schools would be required to compete, through financial aid awards, for the very top students. Those very top students would get all the aid available. That would be more than they need. The rest would get less or none at all.

Ultimately, such a system would serve to undermine the principles of need-based aid and need-blind admissions.

No student who is otherwise qualified ought to be denied the opportunity to go to the colleges involved because of the financial situation of his or her family. H.R. 1866 will help protect need-based aid and need-blind admissions and preserve that opportunity.

Mr. Speaker, I urge the House to suspend the rules and concur in the Senate amendment.

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

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I congratulate the gentleman from Texas [Mr. SMITH], the chairman of the Subcommittee on Immigration and Claims. I agree with the legislation that the gentleman has introduced, and I share his regret that the Senate made it only a 4-year extension. There was no good reason for that.

But, Mr. Speaker, I also share the gentleman's view that the best thing for us to do is to concur, so we can at least keep it going. The colleges deserve to have been supported by the Federal Government, not interfered with when this first came up.

As the gentleman from Texas very accurately explained, what we are talk-

ing about here is an effort by the colleges to put their scholarship money where the need is the greatest. Absent this kind of antitrust exemption, there would be pressures on them to bid for a few students, regardless of whether or not need existed, and that would take money away in a limited-resource universe that we live in, from students in great need.

Mr. Speaker, I thought it was a serious error when the Department of Justice years ago interfered here. Congress did the right thing by stepping in to protect the right of the universities to do this. We should be making it permanent, and the gentleman from Texas has taken the lead here in a very good way. Given that the Senate did not want to go along with the permanent extension, this is the best we could do and so we should do it.

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

Mr. SMITH of Texas. Mr. Speaker, I thank the gentleman from Massachusetts [Mr. FRANK] for his comments and for his support, since the gentleman was an original cosponsor of this legislation.

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

The SPEAKER pro tempore (Mr. UPTON). The question is on the motion of the gentleman from Texas [Mr. SMITH] that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 1866.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendment to H.R. 1866 was concurred in.

A motion to reconsider was laid on the table.

SPECIAL ORDERS

The SPEAKER pro tempore. The Chair will recognize Members for special order speeches, without prejudice to the resumption of legislative business.

THE PRESIDENTIAL AND EXECUTIVE OFFICE FINANCIAL ACCOUNTABILITY ACT OF 1997

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from California [Mr. HORN] is recognized for 60 minutes as the designee of the majority leader.

Mr. HORN. Mr. Speaker, I rise to speak on a bill that will improve the financial operations of the White House.

Last Thursday the Subcommittee on Government Management, Information, and Technology, which I chair, marked up H.R. 1962, the Presidential and Executive Office Financial Accountability Act of 1997.

This bill will bring fiscal accountability to the highest office in the land.

It received unanimous bipartisan support from the subcommittee and has been forwarded to the full Committee on Government Reform and Oversight for its consideration.

The vehicle for this essential reform is the Chief Financial Officers Act of 1990. The Chief Financial Officers Act was landmark legislation. It was bipartisan in nature, passed in a Democratic Congress by both Republicans and Democrats. It was inspired by the realization that billions of dollars are lost through waste, fraud, abuse, and mismanagement in the Federal Government.

Mr. Speaker, the waste stems in part from obsolete and inefficient financial management systems that fail to produce consistent and reliable information. Congress realized that this and related problems could be addressed through improved management and specifically through improved central coordination of internal controls and financial accounting.

The Chief Financial Officers Act was designed to help executive branch agencies improve their financial operations. It established leadership positions within the Office of Management and Budget, which is the President's management and fiscal responsibility agency to administer through the Federal Government his desires. The Office of Management and Budget dealt with these financial management issues, and included the Deputy Director for Management at that time.

The Chief Financial Officers Act also established the Office of Federal Financial Management within the Office of Management and Budget, and the position of controller to serve as the principal advisor to the Deputy Director for Management on financial management issues.

The act installed a chief financial officer and a deputy chief financial officer in every major department and agency. The chief financial officers oversee all financial management activities within their agencies and they report directly to the head of the agency on financial matters.

This high-level reporting is crucial. Financial management, like information technology, is a technical subject that many executives prefer to avoid. That is a bad habit that can lead to a wide variety of problems in any organization. The solution is to make certain that financial management has a place at the executive leadership table.

Mr. Speaker, chief financial officers are also charged with developing and maintaining an integrated agency accounting and financial management system, including financial reporting and internal controls. Furthermore, an agency's chief financial officer provides guidance and oversight of financial management personnel, activities, and operations. This ensures in-house expertise on financial management. It

also establishes a point of responsibility for all financial operations.

The chief financial officers prepare annual management reports for their agencies that are transmitted to Congress. They also prepare audited financial statements. These are submitted to the Office of Management and Budget. Beginning next year, the financial statements will be compiled by the Director of the Office of Management and Budget and the Secretary of the Treasury, and distilled into a government-wide audited financial statement. This will be a first in American history. Not since 1789 have we had one financial statement that reflected what happens in the executive branch.

Although implementation of the Chief Financial Officers Act is not yet complete, the act has already proved effective. The Chief Financial Officers Act brings fiscal discipline to the 24 executive branch agencies affected by it. Several agency chief financial officers have stated that the benefits agencies gain by strengthening internal controls and applying private business sector approaches to financial management and reporting far outweigh the costs and difficulties involved.

Given the importance of the Chief Financial Officers Act, it might surprise some people to learn that the law was never applied to the Executive Office of the President. Americans look to the White House for leadership of the executive branch. Procedures in the Executive Office of the President ought to embody the best practices of the public and private sectors for the administration of the executive branch. We have the right to expect that the White House will set a model of excellence in this regard.

Regardless of administration or party, White House offices have not consistently met that standard. The White House pays for equipment it no longer needs. It has even paid for items that were never delivered. In the last Congress we learned of egregious waste and abuse due to inadequate accounting controls. The White House Communications Agency, for instance, paid only 17 percent of its bills on time. The taxpayers were stuck for penalties and interest on the other 83 percent of its obligations. This is a dismal performance.

Recent news reports confirm the impression that financial controls at the White House are weak. For example, it was reported last month that the White House has had to take extraordinary action to avoid exhausting its annual staff travel budget several months early this year. That had already happened once before, but it was not revealed.

The cause of the problem is very simple: People like to travel and no one is telling them not to. As the President's spokesman acknowledges, staff accompanying the President are increasingly

bloated because "people are taking seriously the inflated titles that they've been given." Those are the words of the White House spokesman.

The solution to this problem is to make certain someone in the White House has both the technical expertise to watch the books, and the authority to enforce limits on spending by working with the responsible executives in charge of the various offices that are part of the Executive Office of the President.

And that is the role of a chief financial officer. It is abundantly clear that the Executive Office of the President could benefit from the fiscal discipline imposed by the Chief Financial Officers Act. The Chief Financial Officers Act would bring accountability to the financial operations in the White House.

If there had been a chief financial officer in the White House, the unorthodox accounting practices that prevailed in the travel office and which were used by the White House to justify the firing of longtime, dedicated employees would not have been permitted. A chief financial officer would have provided the travel office manager with the guidance and expert advice that was sorely needed.

A chief financial officer serves as a control to prevent abuses of power, whether minor or serious—as in destroying financial records of national interest. The Presidential and Executive Office Accountability Act of 1997 would provide for the appointment of a chief financial officer in the Executive Office of the President. H.R. 1962 does so in such a way as to address White House concerns about the privacy of certain high-level information.

The Presidential and Executive Office Financial Accountability Act of 1997 would make the White House more accountable for its own operations. The chief financial officer would review and audit the White House's financial system and records. A system of internal control would be established to prevent and to correct errors. The chief financial officer would review and audit the White House's financial systems and records. This type of control has worked well in other Federal agencies, including the Department of Justice and the Central Intelligence Agency.

The substance of this bill passed the House of Representatives with overwhelming support last fall. It was the part of H.R. 3452, the Presidential and Executive Office Accountability Act, which passed the House by a vote of 410 to 5 on September 24, 1996. Unfortunately, as the 104th Congress raced to a close, the chief financial officer provision did not make it into law.

In the months since the House voted almost unanimously for this provision, its importance has become only quite clear. Many of the White House's financial systems are arcane. We are working with the relevant staff of the President in a cooperative, bipartisan way

to increase this accountability. A good first step toward serious reform is to hold the Executive Office of the President to the same standards of fiscal accountability as the various departments under the Chief Financial Officers Act. It is essential that the financial systems of the Executive Office of the President serve the President and his senior staff in an efficient and effective manner.

As the President and Congress work together to eliminate unneeded programs and make others fiscally more effective, it is essential that the highest public office in the land be an example of financial accountability.

□ 1430

I look forward to this legislation clearing the Committee on Government Reform and Oversight and coming before the House. I would hope that, as last year, this would be overwhelmingly passed on suspension.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 695

Mr. JONES. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 695.

The SPEAKER pro tempore (Mr. UPTON). Is there objection to the request of the gentleman from North Carolina?

There was no objection.

TAX CUTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Wisconsin [Mr. NEUMANN] is recognized for 60 minutes.

Mr. NEUMANN. Mr. Speaker, I rise today to bring back information that I heard all over my district this weekend. We had a chance to travel and see my son who is a junior in college. I got a chance to talk to some of his friends at college as well as some of their parents. I thought I would come back today and relay some of the information regarding the tax cuts because they still seem to be generally misunderstood out there. They affect so many people in so many good ways, that this is good news that just plain needs to go out to the American people.

I would like to start today by going through the tax cuts, reminding all of my colleagues out there what is all in the bill as it relates to these tax cuts. And remember this is legislation that has actually passed Congress. This is now the law. The law has changed dramatically in terms of how much taxes are owed by families out there, by senior citizens out there. The tax laws have changed and they have changed dramatically.

I thought I would start today by re-vamping what is in the change in the

Tax Code. Before I go into the specifics of this, I think it is important to also note that we are about to balance the budget for the first time since 1969. For all the folks out there saying how can you both cut taxes and balance the budget at the same time, let me explain very simply that by curtailing the growth of Washington spending; that is, Washington spending grows less, that leaves more money available and it is simply being returned to the American people. So we are both balancing the budget and lowering taxes at the same time.

Let me go into some of the things that I found that my families out in the First District of Wisconsin were talking about and found very useful for their information. Let me start with the simplest one that is the most straightforward.

Each family with children next year 17 or younger gets a \$400 tax credit for each child. If we start there with the simplest one, what this really means is that in January of next year a family with children should go into their place of employment, they should lower the amount of tax dollars that are sent to Washington, DC, by \$33 per month per child. This is literally a change of where the money that our workers are earning, where that money is going to. In the past that \$33 came out here to Washington; now it should go into your take-home pay. But you have to go in and adjust the W-4 form in order to increase your take-home pay and decrease the amount of money that is coming out here to Washington.

The \$33 per month per child is very simply \$400, the tax credit per child, divided by the 12 months in the year. Starting with January of next year, a family with children should increase their take-home pay by \$33 per month for each one of their children. So if you are a family of five like ours, you have three kids 17 and younger, for example, you should increase your take-home pay by roughly \$100 per month starting next January. That affects approximately 550,000 Wisconsin families alone. But it does not end there.

Families saving up to send their children to college, there is a new education savings account and it works like this: A family with children can put \$500 per year into a savings account that will then accumulate interest tax free until the children are ready to go to college, called the education savings account.

I found that a lot of the grandparents were talking about this because a lot of times a birthday will come or Christmas and they will not quite know what to get the grandchildren for a gift. This makes a wonderful gift. The grandparents can literally put this money into the education savings account, and it works like an IRA for the kids. When the kids get to college, education age, they simply take the money out and use it to go to college.

Another one for families with kids already in college. If you have a freshman or a sophomore in college, virtually all freshmen and sophomores in college paying \$2,000 a year or more for room, board, and tuition will get a \$1,500 credit next year on their taxes. If you have a freshman or a sophomore in college, it is a \$1,500 tax credit next year.

It works like this: It is 100 percent of the first \$1,000 of cost and 50 percent of the next \$1,000, or \$1,500 total out of a total cost of \$2,000.

So for most of the families and most of the college students I was talking to over in New Ulm, MN, most of those families will get a \$1,500 credit next year for the freshman and sophomore. If you are beyond the sophomore year, it is 20 percent of the first \$5,000, or in most cases it is \$1,000. So for freshmen and sophomores, the tax credit is \$1,500. For juniors, seniors, and beyond that, the tax credit is \$1,000.

And again, if you are not paying that much overall for your room, board, and tuition and total cost of going to college, it is prorated backwards. Freshmen and sophomores, virtually all of them that we talked to, would be eligible for the \$1,500 per year credit. Junior, seniors and beyond, many of them are going to be eligible for the full \$1,000, and some of them prorated amounts.

These are major changes in Tax Code policy that are going to allow our families with children and with college age children to keep more of their own money. Let me give you an example what we found.

Friends of ours from church, they have got one off in college, just started this year, is going to the same school as my daughter, Carthage College in Kenosha, WI. They have got two kids still at home. That family is eligible for \$1,500 for the student enrolled at Carthage and \$400 for each one of the two kids at home for a total of \$2,300.

Let me translate that again. In January of next year, this family should literally start taking home roughly \$200 a month more of their own money instead of sending it to Washington. Again, this is a family with a freshman who got \$1,500 for the freshman college credit, \$400 for each of the other two children still at home, for a total of \$2,300 that they keep in their house instead of sending it to Washington.

It was really interesting because when I talked to some of the folks out there they said, I do not have kids and, therefore, I am not eligible for any of this. A lot of those families found that they had stock that had appreciated in value. They were going to sell that stock. Of course the capital gains rate has been reduced from 28 to 20 percent. Again, I pause in between. This is not Washington jargon. This is the law. This has been passed. It has been changed. The benefit is there. It is on

the books. The capital gains tax rate has been reduced from 28 percent to 20 percent, if you sell stocks or bonds or whatever else it is you might have in that portfolio. I caution folks, take a good look at this, because there are time limits on how long you have to have held the investment.

Let me go to another one that a lot of folks did not realize. This affected one family. We saw some friends of ours that had moved from Wisconsin to Minnesota. In fact, they had sold their home in Wisconsin.

As most people do that have been in their home for a period of time, they made a profit selling the home. That is the way it works. The change in the tax law now says that if you sell your home after you have lived in it for 2 or more years, there are no Federal taxes due.

I started explaining this to one family in Green Bay, WI. The caller on this radio show asked me three times if I was sure I had this right. If you have lived in your home for 2 years or more, principal residence for 2 years or more, and you sell the home and make a profit, there are no Federal taxes due.

The old age 55, where folks in their early 50's wanted to sell but waited for the 55 exclusion, the exclusion is gone. It is at any time during your life. If it is your principal residence for 2 years or more, there are no Federal taxes due on the sale of your home. A person in a situation of a job transfer, like our friends we saw in Minnesota this weekend, where they sold a home in Wisconsin and moved to Minnesota, they are no longer forced to purchase a home of equal or greater value to put off paying taxes. That is the way it used to be. It is not true anymore. If you sell your home, there are no Federal taxes due if it has been your principal residence for 2 years or more in virtually all cases.

I have not talked too much about the farmers. Ninety percent of all farms can now be passed on to the next generation because of this new tax change without paying Federal taxes on it as it is passed from one generation to another. Same thing on closely held family businesses.

Then I saw some union workers. Some of the union workers said, but my kids are all grown and gone and they are out of college; I do not qualify for any of those things you just described. In fact, I am in a pension plan where I work and therefore none of that stuff is applicable to me.

I said, did you think about the Roth IRA. People in their early 50s, kids grown and gone, they are out of college. They are no longer around and not eligible for any of these other tax cuts. They said, well, we are not thinking of selling our house. I said to them, why do you not think about the Roth IRA. The Roth IRA is a brand new account that is going to help allow mil-

lions of Americans prepare to take care of themselves in retirement.

The Roth IRA works like this: You can put up to \$2,000 per year into the Roth IRA. The interest that accumulates or stock appreciation or whatever you put this Roth IRA into, as it appreciates in value, you reach retirement age, you take the money out. You do not pay taxes on it. The Roth IRA is sort of like the IRA of old only backward and open to a lot more people.

It used to be in the old IRA's, this is still available for those people that were eligible before, but in the old IRA you put \$2,000 in, you wrote it off on your taxes this year. Under the Roth IRA, you do not get the tax deduction this year but when you take the money out in the future, the appreciated money, you do not pay taxes on it in retirement. It is a great way to save for retirement for millions and millions of Americans that virtually takes into account any of the other folks that were not covered or benefited by one of the other tax cuts that I spoke of earlier.

I talked to some young couples who were thinking of a first home or saving up for a future college education, maybe had a bachelor's degree and looking to go back to school, complete a master's or a doctorate. Under the new IRA's, they can also save up for their first home or for future education costs under the Roth IRA.

So the good news is these tax cuts, when we were all over and done discussing them, we found that virtually every American benefits in some way, shape, or form from the tax cuts. From families with \$400 per child, to the \$1,500 for college credit, to the \$1,000 for those that are further on in college, to those that are saving for their own retirement, to those who are already in retirement and sold their home, virtually everybody across the board benefited from the tax cut package. It is just time that America understands what is in it.

My fear is this. My fear is that January is going to get here and those 550,000 families in Wisconsin that are eligible to keep \$33 per month per child more of their own money in their own home, they are not going to do it. They are going to let that money keep flowing out here to Washington. When Washington sees the money, as hard as Members like myself are going to fight to stop them from spending it, it is going to be more difficult with the money out here in Washington than if the folks keep the money in their home themselves.

That money belongs to our families in Wisconsin and other families across America. Those families ought to keep their own money. Do not send it out here to Washington and hope you will get it back a year later. Keep it in your own home. You earned it. It is not a gift from Washington. Keep your own

money and make the changes as soon as you can. You are eligible in January of next year and those changes should be put into effect immediately. If you have got a freshman in college, 125 bucks a month you ought to be keeping of your own money. If you have a child under the age of 17, 17 and under, \$33 a month. Make the changes in your withholding immediately so that money does not get out here to Washington first. Good news for America.

I conclude this portion of what I have to say here today on the tax cuts in a very upbeat mode because we have not only lowered taxes, we did not do it at the expense of future generations of Americans. We have lowered taxes at the same time we balanced the budget, and we did it by controlling Washington spending. And I think that is what the change in 1994 was all about.

With that having been said, I think we should talk about what has happened in the past out here in Washington because it is pretty significant. There is a lot of people very concerned about it, myself included. It is really the primary reason I left the private sector.

What I have in this chart is the growing debt facing the United States of America. We can see that from 1960 to 1980 this debt grew in a very small amount, but from 1980 forward, this debt has grown right off the chart.

A lot of people look at 1980 and they say, that is when Ronald Reagan was elected. That is the Democrats, they blame the Republicans. And Republicans go, that is that Democrat Congress. They spent out of control and the Republicans all blame the Democrats.

The bottom line is that as Americans we need to understand what we are about here on this chart. If we keep fighting, Republicans and Democrats, the problem is not going to get resolved. This is an American problem. We need to look at this picture and understand the problem is real and start addressing the problem.

If you have not seen how much debt we are in as a Nation, it is almost scary to talk about it. The number is \$5.3 trillion and the number looks like this. The people that were here in Washington before 1995 saw fit to spend \$5.3 trillion more than they collected in taxes basically in the last 15 years.

Let me translate that into English. I used to teach math. We used to divide the total debt by the number of people in the country. Every man, woman, and child in America today is responsible for \$20,000 of debt. If we divided debt up amongst all the people in the country, \$20,000 for every man, woman, and child in America, and for a family of five like mine, it is \$100,000.

Here is the kicker on the debt. That is real debt. And like all debt, you pay interest on it. A family of five today in America is literally paying \$580 a

month every month to do nothing but pay interest on the Federal debt.

Let me put this another way: The Federal Government is collecting taxes out of the paychecks of workers all across America, for a family of five in the amount of \$580 a month, to do nothing but pay interest on the Federal debt.

A lot of folks are going, I do not have to worry, I do not pay that much in taxes. The reality is every time you walk in the store and you do something as simple as buy a loaf of bread, the store owner makes a small profit on that loaf of bread and part of that profit gets sent out here to Washington, DC. You guessed it. It goes to pay interest on the Federal debt. As a matter of fact, \$1 out of every \$6 that the Federal Government spends, remember, when they spend money, they are collecting it out of your paychecks first, \$1 out of every \$6 that they collect out of your paychecks goes to do nothing but pay interest on the Federal debt.

□ 1445

I think it is reasonable to ask how it is that we got to this situation. I think to answer that question we ought to look back at what was going on out here before 1995 so we can see the difference.

In 1994 the American people said, we are not going to put up with this anymore, and they elected a new Congress. And I think it is important to look at the difference between the past and what is happening now and understand that there has in fact been a very significant change.

This is the Gramm-Rudman-Hollings bill of 1985 and the blue line shows how they were going to decrease the deficits and get a balanced budget in 1991. The red line shows what they actually did back then. They did not meet those targets. They left the blue line literally after 1 year and they never came close to hitting the targets again.

Well, they did what Washington does pretty well. When they saw they could not make the first projections, they gave some new promises out of this city, and the new promises went like this: Well, we will balance the budget by 1993. We see we cannot keep the old promises, so we will make some new ones.

But what happened is after a year and a half they quit honoring their promises again. And in 1993, the year they were supposed to have the budget balanced, based on all those promises again, instead of balancing the budget, they raised taxes.

The thinking went like this: Well, we understand we cannot control Washington spending. So what we will do instead is we will simply reach into the paychecks of American workers and take more money out here to Washington, because if we get more money out of their paychecks, we can main-

tain our Washington programs, keep spending money out in this city, and eventually we will get to a balanced budget because we will keep taking more and more money out of their paychecks.

That was 1993. The biggest tax increase in American history was passed in that year.

That has led to the problems of today. Raising taxes did not and does not work to balance the Federal budget. That is not how to go about balancing the Federal budget.

Well, in 1994 the American people looked at this situation and said broken promises, higher taxes? That is not what we want going on in Washington, DC. We want a group of people out there who will promise us a balanced budget, keep their promises and, at the same time, lower our taxes.

That was 3 years ago. And I think it is reasonable that the American people start asking what has happened since 1995 when we put the Republicans in control of the House of Representatives and we put the Republicans in control of the Senate. Has it been different?

Let us be fair about this. They left a Democrat President in control out here. So the American people have a right to ask, with Republicans in control of the House and Republicans in control of the Senate and, in all fairness, a Democrat President, what is going on?

Well, in 1995, we laid a plan into place to balance the Federal budget, too. We inherited this. If we had done nothing when we came here, if we had done absolutely nothing when we got to Washington, this was where the deficit was going to. As a matter of fact, it would have grown to \$350 billion. When we got here in 1995, if nothing would have changed, we would have played golf, we would have played basketball and not done our job, the deficit was growing and it was going to keep right on growing.

After 12 months, and many people remember the hassles of the first 12 months of 1995, in those 12 months we went through battle after battle after battle to change what was going on in Washington, DC. By the end of December, if we had quit at that point, the yellow line shows where the deficit would have gone.

But we had this plan in place, and the plan was the green line. This green line is much like what we saw in the Gramm-Rudman-Hollings promise of the past chart. The only difference is, instead of missing our targets, we are not only on track but ahead of schedule.

Remember, this is the promise. Much like the promises made under Gramm-Rudman-Hollings, but instead of being above that target we are below the target. We are not only on track to a balanced budget but we are significantly ahead of schedule.

Is there anything different from pre-1995 to post-1995? You bet your bottom dollar there is a lot of difference out here. Instead of missing our targets, we are on track and ahead of schedule, and we will deliver to the American people a balanced budget, literally by the year 1999, at the latest, maybe even 1998, 3 years ahead of schedule. No more broken promises.

We are not doing it with higher taxes but by controlling the growth of Washington spending.

When I am home in my district and I am telling this, a lot of people say, yes, but the economy is strong. It is all the economy that is doing it. And in all fairness, the economy is strong. But we have had strong economies in the past, and when we have had strong economies in the past, and Washington slides to revenue, Washington simply increases their spending to match that increase in revenue and the deficits kept going up.

Washington is different since 1995, and I think the people have a right to know. Before 1995, when we got here, this red column shows how fast spending was going up. It was going up 5.2 percent annually. When we got here in 1995, we slowed the growth of Washington spending. Instead of going up at 5.2 percent it is now going up at 3.2 percent, frankly, faster than some of us would still like to see it. We would like to see this even smaller yet.

But let us be real about this. We had a 40-percent drop in the growth of Washington spending in a 2-year period of time. We have a strong economy, extra revenues coming in and, at the same time, we have slowed the growth of Washington spending.

The result? The result is we can both balance the budget and reduce taxes at the same time. That is great news for the future of this country.

I brought a chart to help explain this a little better, because it gets reasonably simple to understand how that changes the impact of what is going on out here and why we are actually at a balanced budget sooner rather than later, and why we can both reduce taxes and balance the budget at the same time.

This red line shows spending growing at 5.2 percent, just like the last chart I had up here, and we will notice when we get to 1995 the red line starts going up at a slower rate. Well, since the red line is going up at a slower rate and the blue line shows revenues, and the blue line keeps going up at a very strong rate, well, if the red line goes up slower and the blue line goes up faster, we reach a balanced budget ahead of schedule.

That is, in effect, what has happened. We can see from this picture that as the revenues grow at a faster rate, and spending, instead of growing at a faster rate to keep up with that, grows at a slower rate, we get to the point where

the two lines cross each other and, in fact, we have a balanced budget not only in the year 2002, as promised, but significantly ahead of schedule, perhaps 1998 or 1999.

It is also interesting to note what happens next. With the revenues continuing to grow and the spending growth slow, we actually create a surplus out here where we can look at having more Federal dollars coming in than what we are spending.

Now, I do not think we should negate our obligation and responsibility here. With more Federal dollars coming in than what we are spending, we certainly have a responsibility to return some of those dollars to the American people, but we also still have that \$5.4 trillion debt staring us in the face, and that has to be paid down.

But the point here is that as revenues keep going up and spending growth is slowed, we get to a balanced budget not only on track, but ahead of schedule and we actually start developing surpluses as early as the year 1999. This is phenomenal news for the United States of America, and it is a phenomenal change from where we were before 1995.

The credit for all of this? The credit should go to the American people because, after all, it is the American people that saw fit to change who was in control of Washington, who saw fit to send a group out here that would in fact control the growth of Washington spending as opposed to spending more in the face of a strong economy.

I have one other chart up here that just helps us also to see just exactly what is going on and how much we are keeping our commitment to the American people. The red columns here show the promises made by the new Congress in 1995 when we got here. And these are easy to check; these are actually down in law.

This is the deficit projection that we said, in order to reach a balanced budget, we had to achieve. Well, in 1996 we said the deficit had to be \$154 billion, as we laid out our path to a balanced budget. It came in actually not only on target but ahead of schedule at \$107 billion.

The second year, 1997, we had projected it had to stay at least at \$174 billion in order to keep us on track. Actually, it is coming in, the chart shows \$67, it is actually coming in at \$34 billion.

I want to talk a bit about how this helps the economy and why we are seeing such a boom even though we are at the end of what might be considered a normal business cycle. This means the Government spent \$100 billion less than everyone expected them to spend. When the Government spends \$100 billion less, and that means they borrow less out of the private sector, that means there is \$100 billion more money available in the private sector.

This is kind of the law of supply and demand. If there is more money avail-

able in the private sector, needless to say, the interest rates will stay down. With the interest rates down, of course, the natural things happen: People buy more houses, they buy more cars, they buy more things. And when people buy more houses and cars, because the interest rates are down, that of course means there are job opportunities because people have to build those houses and build those cars and build those washers and dryers and all the other things they are buying to go into those homes.

So it works pretty much like this. The Government not only hit their target but they are way ahead of schedule, \$100 billion. Since they borrowed \$100 billion less out of the private sector, that left \$100 billion more available in the private sector. Well, banks had to lend that money out, so they kept the interest rates down so people would buy more houses and cars, people bought more houses and cars, and when they did that, of course other people went to work and started paying taxes instead of drawing off the welfare roll.

That was our theory back in 1995. This picture shows how well that theory works. It is kind of a self-fulfilling prophecy. As the Government borrows less, there is more money available, the interest rates stay down, and when the interest rates are low and capital is available, that means people buy houses and cars. When they buy houses and cars, we expect the unemployment rate to stay low, and that is actually happening all around us right now.

So I contend the picture we are looking at is not really not to be expected; it should be expected, because the theory is now a reality. It is not a theory any longer; it is now a working model. And in fact we see in this picture our working model is very effective and works pretty well.

Now, having said all that, I go back to the first chart we had up here. It is the chart that shows the growing debt. Because as positive and optimistic and upbeat as all this is, we have talked about the fact that it has changed since before 1995. In the past we had the broken promises of Gramm-Rudman-Hollings; in the past we had the tax increases of 1993, and in 1994 the American people changed that. They put the Republicans in control of the House and the Republicans in control of the Senate and, in all fairness, they have left a Democrat President in charge, so let us keep it as bipartisan as we can. But the reality is, it changed dramatically in 1994.

So, with this change, we have reached a balanced budget for the first time in a generation and lowered taxes for the first time in 16 years, but we have still got this problem that we are right here on this debt chart. So I think the remaining question that has to be asked is, if this group that is now in charge out here is actually going to

solve the problems facing this Nation, balancing the budget for the first time since 1969, lowering taxes for the first time in 16 years, restoring Medicare, what about that debt that is still out there facing the American people? Are we really willing to leave that as the legacy that we pass on to our children?

If nothing is done about it, we keep the budget balanced so we do not borrow more money, we will still pass that \$5.3 trillion debt on to our children. That is the remaining question that needs to be answered.

I am happy to say that we have developed a plan that specifically addresses that question. It is called the National Debt Repayment Act. Now, under the National Debt Repayment Act, of course our ultimate goal is to pay off the Federal debt to pass this Nation on to our children debt free. When we think of the benefits of passing this Nation on to our children debt free, it would be nice if, a generation from now, a family of five did not have to send \$580 to Washington to pay nothing but interest on the Federal debt.

Here is how the plan works. After we reach a balanced budget, and again it has to do with the revenue line climbing faster than the spending line, after we reach a balanced budget, we cap the growth of Washington spending at a rate 1 percent lower than the rate of revenue growth.

Now, a lot of folks will look at this red line, which is the spending growth, and say, wait a minute, I have been hearing about these draconian cuts that are being made in Washington, but how come that spending line is still going up there?

Well, it is time the American people get to know the truth. Even when Washington slows the growth of Washington spending, the spending line is still going up. They are still spending more money each and every year. Many of us would like to see this red line much flatter than what it is.

I have made a reasonable projection here as to what can be accomplished in this community, even with all the pressures to do all the different things being leveled on the many people out here in Washington.

So what our bill does is, it says, we will let spending go up but at a slower rate than the rate of revenue growth. If revenues go up faster than the rate of spending growth, that creates a surplus. That surplus is used to two ways: First, we use one-third of it to further reduce the taxes on the American people.

And let me address further reducing the taxes on the American people. Our Tax Code is so complicated that virtually no one out there can understand it. Our Tax Code is so complicated, and I was so frustrated this morning, I about threw one of our staff members out the window, and I owe him an apology, because I was so upset, because as

we started going through the tax rules, they are so complicated it seemed like nobody was willing to write down what the actual answer to our question was, because nobody was 100 percent sure because the rules are so complicated.

So as we look at this picture and realize that we can, in fact, create these surpluses by controlling the growth of Washington spending, one-third of those surpluses dedicated to additional tax cuts, let us start by looking at opportunities to reform the Tax Code in its entirety, maybe throw out the IRS as we know this complicated monster to be today, and start with something newer and simpler that people can in fact understand. So I would suggest we use the additional tax cuts for across-the-board tax cuts.

And the other thing I think needs to be eliminated is the marriage tax penalty, and it is important to get to that in a hurry.

□ 1500

In America today, if four people all work at the same job and all earn exactly the same income but two of those people are married to each other and two of those people are living together, forget the social evaluations on what you think of that, the facts are that two people that are married to each other pay more taxes than the two people that are living with each other, and that is not right in this Nation. That is promoting exactly the opposite of what many of us would think we should be promoting in this country. I would say we need to eliminate the marriage tax penalty and look for across-the-board tax cuts, and with that one-third let us look to revamp the tax system in its entirety and get to something that we can understand.

I have another example of how frustrating it is. My 14-year-old son who mowed lawns and made \$900 mowing those lawns owed \$128 into the Social Security system, but because he was self-employed, filling out the forms is complicated enough that you need an accountant to do it. That is how ridiculous our tax system is today.

As we look at this picture, and we realize that simply slowing the growth of Washington spending will allow us to develop this surplus and one-third of the surplus goes to additional tax cuts hopefully revamping the tax system, the other two-thirds goes to paying down debt. Let us make this very, very clear. If this program is put into place in 2026, the entire debt, all of it, would be repaid. That is to say, we could pass this Nation on to our children debt-free. Think about the difference and the contrast in these legacies. As we look before 1995 we were looking at passing on a legacy of trillions and trillions and trillions of dollars of debt to our children. We can now look forward to a bright future in America where instead of passing on a \$5-plus trillion

debt we could literally be on track to pay the Federal debt off in its entirety and instead leave our children a legacy of a debt-free Nation. What a wonderful opportunity we have staring us in the face in understanding that if we simply control the growth of Washington spending we can literally repay the Federal debt. Two-thirds of that surplus then is allocated toward repaying the debt.

I would like to go into one other thing as we are paying down the debt that is very important. The Social Security trust fund plays into this picture very prominently. In Social Security today, we collect more tax dollars than what we are paying back out to our senior citizens in benefits. As a matter of fact, this year alone the Federal Government will take out of paychecks taxes that equal \$70 billion more than what is paid back out to senior citizens in benefits. If you collect more money than you are paying out to seniors in benefits, the question is what happens to that \$70 billion? It is supposed to be sitting out here in Washington in a savings account on reserve so that when the baby boomer generation hits retirement and starts drawing Social Security, the savings account is there, you get the money out of the savings account and make good on the Social Security checks.

I suspect this will come as no great surprise to anyone when we acknowledge the fact that there is no savings account. All of that money that has been collected that was supposed to be put on reserve for Social Security has been spent on other Washington programs. It is all part of the \$5.4 trillion debt. Again I say \$5.3 trillion and \$5.4 trillion sometimes. The debt is rapidly growing almost as we are on this floor speaking. The debt is growing at roughly \$10,000 a second even as I speak here today and even as it has been slowed. That is why it is so important we keep this on track. The Social Security trust fund is collecting more dollars than it is paying back out to seniors in benefits. It is supposed to be sitting in the savings account; it is not, it has been spent on other Government programs, all part of the \$5.4 trillion debt.

That brings us back to this picture. As we develop these surpluses by controlling the growth of spending, as we drop those surpluses and we start paying off the Federal debt, one thing we are doing is putting the money back into the Social Security trust fund.

Again, let me make this clear. The money that is being collected today for Social Security over and above what is being paid back out to our senior citizens in benefits, it is currently being spent on other Washington programs. That is wrong. That needs to be stopped. Under the National Debt Repayment Act, all of that money that has been taken out of the Social Secu-

rity trust fund would be returned to the Social Security trust fund and Social Security would once again be solvent for our senior citizens.

Where are we going with the National Debt Repayment Act? Under the National Debt Repayment Act for seniors the Social Security trust fund would be restored. All of the money that has been taken out of Social Security would be put back into the Social Security trust fund. For people in the workforce today and for anyone who has ever been frustrated filling out their tax forms, under our National Debt Repayment Act, one-third of the surplus is going to additional tax cuts each year, which could then be used to revamp the IRS and make a simpler system overall. Most important for our children, most important of all for the children of this Nation, we can give them a legacy of a debt-free country instead of passing on a \$5.3 trillion debt from our generation to theirs. Once again, the next generation in America can look forward to a stronger and a better America like we could when our parents passed this Nation on to us. That is what this is all about and that is what it should be all about.

I would like to kind of summarize today by going back through the tax cuts just briefly and then summarizing the past and the present to wrap up my hour on the floor today. Tax cuts I found to be the most nonunderstood package out there in America today. I am going to run through them quickly. If you have got children 17 and under, most folks are going to get a \$400 credit or \$33 a month. Starting in January next year, workers should start keeping \$33 more a month in their paychecks. You do that by adjusting your W-4 forms. If you have got a college student who is a freshman or sophomore, you get \$1,500 starting January of next year, again adjust your paychecks so you keep \$125 a month of your own money instead of sending it here to Washington. After all you earned it. It is not a gift from Washington. You earned it. Please keep it starting in January of next year. If you have got children noncollege age 17 and under, it is \$400. \$400 divided by 12 is \$33 a month. Start keeping it in January of next year. If you have a freshman or sophomore in college, it is \$1,500 a year, \$125 a month. Keep it in your paycheck. Do not send it out here. For juniors and seniors in most cases it will be \$1,000 a year. Again, it is based on 20 percent of the first \$5,000 of cost.

Young couples, if you want to save up to buy your first home, you can do that in the tax-free savings account, called the ROTH IRA. Farm owners, if you want to pass your farm on to the next generation, in 90 percent of the cases you will be able to do it without paying taxes. Same thing for all businesses. For the small business owner, and I did not mention this before, the deductibility of health insurance is going up

to 100 percent over the next 10-year period of time. Homeowners, perhaps the most significant change in the Tax Code, if you own your home and it was your principal residence for 2 years or more, and you sell that home, there is no Federal taxes due on this. To the young lady in Green Bay, WI, who called me three times to make sure I had that right, yes, I have that right. If you sell your home and you are in your principal residence for two years or more, you do not owe the Federal Government taxes on the sale of that home. For many of the senior citizens who bought at \$22,000 and are selling their home for \$70,000, this is a huge change. For many people in America who have had a job transfer and in the past gone into the new city and felt obligated to buy a house as expensive or more expensive than the one they sold, from now on that is your choice. There are no Federal taxes due on the sale of your home if it has been your principal residence for 2 years.

Again to the young woman in Green Bay who called and asked three times, we do have it right. There are no taxes due on the sale of your home. The capital gains tax reduction is from 28 percent down to 20. It goes to 18 even later on in the tax bill. Capital gains, depending on your income level, if you are earning \$41,000 a year or more, your capital gains tax rate will go to 20 percent, it used to be 28 percent, that is \$8 for every \$100 you make on the sale of a stock, bonds or that sort of entity. If you are in a lower income bracket, it goes to 10 percent. Capital gains is another reduction.

How is all of this possible? This is all possible because the people that you all, the American people, sent to Washington, the people that you sent to Washington have restrained the growth of Washington spending. Instead of Washington spending more money, we are able now to let you keep more of the money you earn in your own home instead of starting new Washington spending programs out here, and the programs are not working. Spending was going up by 5.2 percent before we got here. We have slowed the growth by 40 percent. It is now going up by 3.2. It is still going up too fast for many of us.

I have talked to a lot of my constituents out there who are very concerned about the fact that Washington spending is still going up too fast and I have to tell all of those folks I agree with them, it is still going up too fast but it is going up at a much slower rate than it was before. Because we have a strong economy coupled with a slower growth of Federal spending, we are now able to balance the budget for the first time since 1969, lower taxes for the first time in 16 years, and restore Medicare all at the same time. This is good news for America. This is what we got sent here to do in 1995, and I am happy to report back to the American people

that with the Republican-controlled House and Republican-controlled Senate and in all fairness with a Democrat President, we have gotten to the point where we have literally balanced the budget for the first time since 1969, when I was a sophomore in high school, lowered taxes and restored Medicare.

The future, even after the budget is balanced, we have still got that \$5.3 trillion debt staring us in the face. The Social Security money is part of that \$5.3 trillion debt. I am happy to report that we have a bill on the table today that will in fact pay off the entire Federal debt by 2023, restore the Social Security trust fund for our senior citizens and lower taxes each and every year as far as the eye can see, giving us the opportunity to dump the IRS as we know it today and get in a system that is easier, simpler, and fairer to the American people. That is a complete picture of an entirely changed Government in Washington, DC. The past of broken promises and higher taxes changed in 1995 to a Government that is going to do the right thing, balance the budget, lower taxes, restore Medicare, and a group of people that are actually looking forward to the future and acknowledging that we still have these problems that must be addressed. We are going to pay off the Federal debt, restore the Social Security trust fund, and lower taxes even further and reform the IRS. That is what the future holds, and for a change we should be looking brightly to the future and to bright, wonderful opportunities of growth and hope and prosperity for our children for the next generation. That is what this is all about and that is what the American people as well as my colleagues here in Washington need to know has changed out here. It is a phenomenal change. More important than any of the people here in this city is what it means to the future of this great Nation we live in. Once again our generation has a chance to look forward to the next generation and say in fact that we are able to pass America on to the next generation in better shape than we received it in.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. UPTON). The Chair would remind all Members to direct their remarks to the Chair and not to the television audience.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 6 p.m.

Accordingly (at 3 o'clock and 10 minutes p.m.), the House stood in recess until approximately 6 p.m.

□ 1805

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore [Mr. COBLE] at 6 o'clock and 5 minutes p.m.

GENERAL LEAVE

Mr. PORTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the further consideration of H.R. 2264, and that I may include tabular and extraneous material.

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

There was no objection.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

The SPEAKER pro tempore. Pursuant to the order of the House of Thursday, July 31, 1997, 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. 2264.

□ 1805

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. 2264) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1998, and for other purposes, with Mr. GOODLATTE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Friday, September 5, 1997, the bill was open for amendment from page 11, line 1, through page 25, line 8, and pending was the amendment offered by the gentleman from Missouri [Mr. BLUNT].

Is there further debate on the amendment?

Mr. SOUDER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today in strong support of the Blunt amendment to increase Federal spending for vocational education programs by \$11.25 million. Mr. Chairman, earlier this year the Committee on Education and the Workforce worked very hard to improve vocational education opportunities for our country's youth so that the vocational education system will provide quality vocational education for students. These improvements will ensure that our students are equipped to thrive in today's business world.

We worked to streamline and modernize this system because recent trends prove that about three-fourths of America's youth do not complete a 4-year college degree. All of America's young people should receive a high quality education regardless of whether they are bound for college, military service, or directly into the work force. This is even more true today than it was a few years ago as we focus on moving people off the welfare rolls and into work environments, many of whom will not go to college.

We should empower our youth by giving them the vital tools they need to be productive wage earners. We should empower adults to go back and get the education they need to supplement and advance up the work force. We should work through vocational education to look at prevention and not just harassment of businesses as in many cases we find in OSHA. In contrast, in spending dollars on OSHA, the Occupational Safety and Health Administration, to the tune of \$336 million, we are funding an agency to issue rules that are not only silly but in some cases detrimental.

Let me give an example. OSHA specifically disregarded clear evidence that their recent requirements changing brake composition would double the stopping distance for cars. Their best estimates, using bad science, indicated they might save three to five workers' lives every few years. By changing the composition of brake pads they increased stopping distance of vehicles by 20 feet. This, according to clear scientific studies by the National Safety Transportation Board, will cause at least 150 more deaths each year and thousands of unnecessary injuries. This was done despite the fact that auto accidents are still a major cause of fatalities among American workers. There is no data that asbestos brakes causes hazards to anybody but there is data that shortening the time it takes to stop a car causes deaths. Why would we as a Republican Congress increase funding for OSHA where we have no scientific evidence that it has a reduction in the number of worker accidents? When funding increases for OSHA, we actually had a decline in rate of accidents. When we decreased funding for OSHA, we had a further decline in the rate of accidents. When we kept it level, we had a decline in rate of accidents. There is no corollary to the funding for OSHA and the accident rate. Yet when we spend the money on vocational education particularly at a time when we are looking at moving so many people off of welfare and into the work force, we can see substantive returns particularly now with the reforms that we had in a bill that moved with such high numbers of support through this Congress. If we put the money in vocational education, we are likely to see some actual results, when

in fact to some degree the OSHA laws have been counterproductive. Nobody is proposing here to gut OSHA. If we eliminated OSHA, there would be a danger to employees all over this country. That is not the argument here. The question is should we increase OSHA or should we increase vocational education. Some Members do not like this choice. But that is in fact what we are going to be debating over the next few days, possibly the next couple of weeks as we go through this bill. We pretty much realize that we are going to spend more money. Not a lot of us are thrilled about that but we are going to spend more money. We pretty much realize we are going to grow the size of government. We may not all agree with that but it seems to be there. Now the question is which government are we going to grow? Which parts are we going to say deserve more funding and which parts do not? That is what this debate is going to be about. Are we going to support new Federal education programs without even hearings that expand the Federal bureaucracy and control in Washington over local standards and schools? Are we going to spend more money on abortions out of Washington, even distribute abortion information, birth control information, and other things without even telling the parents? Are we going to put more money out for needles for drug users? Or are we going to put it into programs like IDEA for developmentally disabled students and handicapped students? Are we going to put more money into vocational education? If we are going to spend the money and if we are backed into a corner where we have to spend more money and grow the size of government, the question is where are we going to spend this money? That is a debate we are going to be having on these amendments. The Blunt amendment before us tonight offers a clear choice. Do we as Republicans favor, and Democrats, and there are many moderate Democrats who hear from small businesses around this country about the problems with OSHA. I know Mr. Dear has tried to make changes but we still hear those problems. There is no scientific evidence that these marginal expenditures work, so are we going to give OSHA more money or are we going to give the money to vocational education? Are we going to do illogical things like force asbestos out of brakes because somebody decided that was the thing to do regardless of scientific evidence? Or are we going to put it into actual prevention of accidents by teaching people in vocational education and putting it into educating America's workers as opposed to just harassing and costing them jobs?

The CHAIRMAN. The time of the gentleman from Indiana [Mr. SOUDER] has expired.

(By unanimous consent, Mr. SOUDER was allowed to proceed for 1 additional minute.)

Mr. SOUDER. Mr. Chairman, Members do not like tough votes but that is in fact what a budget is. As we go through this appropriations process, we are going to have to make some priorities. This vote is do you want to increase spending for OSHA? Or do you want to increase spending for vocational education? It is a choice and it is a choice that I believe the preponderance of evidence goes to vocational education.

Mr. COBURN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise this evening to support this amendment and the question that I think is before us is not workers' safety versus education. The question before us is, Can we be efficient and prudent with the tax dollars that the taxpayers of this country give us and demand that the bureaucracies in Washington expend that money in an efficient and proper manner?

When we talk about putting money into vocational education and in light of the new welfare bill, it seems prudent to me that we would want to put as many dollars into vocational education as we can, especially as we reach down to those who do not have an education, who do not have a high school education.

I want to share what happens in Oklahoma with vocational education. We have had a marked reduction of those number of people that are on our welfare rolls, those people who are getting supplements. One of the reasons that we have is because we have a vocational education department and system in Oklahoma that makes a difference for people. If somebody does not have a high school education, our vocational education gets them a GED and then teaches them computer skills. It teaches them a job skill and then lands them in a job. We take those dollars for people who would have been receiving dollars from the Federal Government and make them into productive, tax-paying citizens.

□ 1815

The other thing that we ought to talk about is in 1969, I believe that is correct, when OSHA was created, the annual death rate per 100,000 workers was declining. It was 18. The rate has continued to decline, but it has declined much more slowly since OSHA was implemented than beforehand.

No one on this side of the aisle and no one supporting this amendment thinks we should do away with OSHA, but we do think there ought to be a re-directed purpose to do what OSHA was intended to do, and that is to preempt and secure workplace safety. That ought to be done in the most straightforward, comprehensive, and collaborative manner that we can secure.

I would like to give you a few examples of some of the things that OSHA is doing currently and see if, in fact, we all agree that maybe OSHA might spend their money in a more prudent way, and, therefore, not need increased funds from the Federal Government to carry out their job.

Just for example, OSHA fined a roofing company in California for failure to have a fire extinguisher in the proper place, in spite of the fact it had been moved to prevent it from being stolen by passersby as three other fire extinguishers had been done in the three previous days.

Each day they would put a new fire extinguisher out there; it was stolen. Each day they would put another one out; it was stolen. So they put it in a place where everybody knew where it was but could not be stolen, and yet they were fined for trying to conceal the fact there was a fire extinguisher.

North Carolina, a construction site was inspected by the State OSHA. Citations were subsequently issued for unprotected rebar, the steel that reinforces concrete, to have a rubber cap on the end of that. All of it was covered, except where they were pouring the concrete, which had inadvertently been knocked off as they poured the concrete. Never mind. They were fined for not having a rubber cap on the end of two or three pieces of rebar.

Pennsylvania, an apparel maker was recently inspected by OSHA. At the conclusion of the inspection, the OSHA official told the company that they had an excellent record, they did a great job, they found two minor infractions.

The company immediately corrected the minor infractions, sent the picture to OSHA demonstrating they had corrected the minor infractions, and, instead of congratulating the company, OSHA sent them a fine of \$3,895.

They spent their money on things that do not have anything to do with workplace safety. Their fines had been increased sevenfold to increase revenues to the Federal Government, not to enhance workplace safety.

Florida, a company in Florida stated OSHA has an antibusiness attitude and is using its Agency power to lower its cost of operation through levying unfair citations and fines completely out of line for the violation.

Here is the example: A company in business for 25 years without one violation received a fine of \$1,715 because out of 352 electrical outlets in the building, one had a broken plastic faceplate on it. One. The citation also noted that the outlet box was near a varnish dip tank.

The owner of the company noted the outlet box was hidden from view and protected by steel plates to protect it from potential electrical spark.

In addition, the outlet was near a varnish tank. This type of varnish had no explosive nature whatsoever. It did

not matter that it was not really a significant thing to change it. They fined them anyway.

The CHAIRMAN. The time of the gentleman from Oklahoma [Mr. COBURN] has expired.

(By unanimous consent, Mr. COBURN was allowed to proceed for 30 additional seconds.)

Mr. COBURN. Mr. Chairman, what we are talking about is not eliminating OSHA. We are asking OSHA to do it better, more efficiently, and properly, and to do it with some common sense that really enhances workplace safety. Instead of giving OSHA this kind of increase, let us spend the money on putting people in the workplace.

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

Mr. Chairman, I rise in strong opposition to the amendment that is pending.

First, because we are starting a new week, there should be no one who is confused by what is happening. We have a filibuster by amendment going on on the floor. We understand that. This particular one is about vocational education, \$1½ million out of here into vocational education.

My side of the aisle are very strong supporters of vocational education. Under the Contract With America, in 1995, I dare say every Member on the "mental" side of the aisle there voted for this, perhaps I am wrong, I have not checked the specific record, and if I have mischaracterized, you will tell me, I am sure, in 1996 the rescission for vocational education was \$119 million. You wanted to cut from vocational education. It was one of the first acts you did in 1995 when the Contract With America came on line. It was in the rescission bill.

Then, my friends, you had the fiscal year 1996 bill available to you. The Contract With America proposed that bill, cut Government, \$326 million cut in vocational education.

I dare say all the previous speakers tonight voted for that bill. Maybe not. I have not checked the record. I am just speculating on that.

The overwhelming majority of Republicans voted for that bill, sent it to the President, he vetoed it, and they lamented the fact he vetoed it.

Mr. Chairman, I rise this evening in opposition to the Blunt amendment. We need OSHA to assist in ensuring the safety and health of more than 90 million people working in more than 6 million workplaces.

The statistics are staggering. Every day in this country an average of 154 workers lose their lives as a result of workplace injuries or illness. One worker is injured every 5 seconds. Within its current budget, OSHA has only 900 inspectors to oversee 6 million sites.

The compliance assistance program, and that is what we are talking about in this amendment, we are not talking

about the examples that you bring up. Everybody has a horror story about OSHA, and, frankly, I think there are some horror stories and we ought to get on that. As a matter of fact, as the gentleman from Illinois [Chairman PORTER] so correctly observed, Joe Dear was brought in by the Clinton administration to overcome those horror stories.

What we are talking about in this instance is not inspections, but compliance assistance, going in and assisting businesses in making their places more safe, less risky; not to cite, but to assist.

As a result of workplace injuries or illnesses, as I said, one worker is injured every 5 seconds. The compliance assistance program, which the Blunt amendment would cut, has received overwhelming support from the business community. There are long waiting lists for compliance assistance visits. People are asking this unit to come out and assist them so their workplaces will be safer.

I want to tell my friends, in Calvert County, which I have the privilege of representing, there is an extraordinary place of business, produces some of the trash cans you see around here that will last for 20 or 30 years, a small company, and MOSHA has been by and they have told me how helpful MOSHA, which is the Maryland Occupational Safety and Health Agency, how helpful they have been in terms of compliance, and not confrontational, but positive and assisting in their attitude. I have heard that with respect to OSHA as well.

As I said, there are long waiting lists for people to get this assistance. It saves businesses large fines imposed during inspections by working with businesses to identify safety problems before inspections and before injuries occur. Employer and employee interests are protected by this program.

OSHA, of course, is required by law to perform inspections, and, therefore, cannot choose if this amendment passed to take \$11.5 million from inspections, which clearly much complaint has been made about, and switch that to compliance assistance. The reason being because they do not have sufficient resources to do the inspections.

OSHA cannot choose, therefore, to simply shift this money. The Blunt amendment would undermine OSHA's ability to enforce and to assist businesses with complying, and to enforce the very worker protection laws that Congress implemented.

The CHAIRMAN. The time of the gentleman from Maryland [Mr. HOYER] has expired.

(By unanimous consent, Mr. HOYER was allowed to proceed for 1 additional minute.)

Mr. HOYER. Mr. Chairman, as my colleagues know, I am a strong supporter of vocational education. Tonight, I would say to my colleagues

that this amendment is being used not to help vocational education. If that were the case, then the \$119 million cut in 1995 and the proposed \$325 million cut in fiscal year 1996 would never have occurred.

Frankly, last year essentially you took the President's number. My opinion is you took the President's number because you did not want to shut down Government. You thought that was bad politics. I agreed with you.

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

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

Mr. SOUDER. My question is, the gentleman attempted to explain why he felt it would come out of compliance assistance as opposed to enforcement, but in fact, now all the enforcement dollars are mandated by law. Could it not also come out of administrative overhead? Compliance assistance is only a small portion of this bill.

The CHAIRMAN. The time of the gentleman from Maryland [Mr. HOYER] has again expired.

(On request of Mr. SOUDER, and by unanimous consent, Mr. HOYER was allowed to proceed for 2 additional minutes.)

Mr. HOYER. Mr. Chairman, the gentleman is correct, the amendment is generic in a sense. But because you have really two components, the compliance component and the inspection component, yes, they can take from other parts of their budget.

There are some of us who have read statistics in terms I am sure the gentleman is familiar with where in some cases to get to some businesses in some States, it would take 90 to 100 years to inspect just once with the number of inspectors that you have to get to the requisite number of businesses.

In other words, what I am saying is that currently in inspections now they do not have sufficient resources to do the job that we have mandated by law be done.

Mr. SOUDER. Mr. Chairman, if the gentleman would yield further, the gentleman is saying the increase in the OSHA budget this year is an increase in the compliance or training section, as opposed to the other sections?

Mr. HOYER. Mr. Chairman, reclaiming my time, the increase is directed in part to beef up the compliance assistance component of OSHA, yes.

Mr. SOUDER. Mr. Chairman, if the gentleman will yield further, if I am incorrect, and feel free to correct me, but I feel that is probably, at most, if any, 20 percent of the additional increase in funds, and we can address that through another amendment.

Our attempt is not to get at the compliance and the working with businesses, but, rather, a lot of the horror stories and other things. I am on the subcommittee on oversight and on the Committee on Education and the

Workforce where we have worked with these issues, and I do not believe that Mr. DEAL has been able to correct all the problems.

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

Mr. HOYER. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I would simply point out the committee bill raises compliance assistance by, I believe, 12 percent. It raises other portions of their budget by about 1 percent. So, obviously, the give that they would have would be in the compliance assistance area.

We would not want to see that happen, but I doubt very much that you could expect an agency to take a cut in an area where we did not provide an increase in the first place.

The CHAIRMAN. The time of the gentleman from Maryland [Mr. HOYER] has again expired.

(By unanimous consent, Mr. HOYER was allowed to proceed for 1 additional minute.)

Mr. HOYER. Mr. Chairman, I yield to the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Mr. Chairman, I think that is a very good point and we will look at addressing that. Our intent is not to get at compliance, but rather at the nonmandated parts of the law where we disagree with the expenditures. We will work with the minority to try to make sure compliance stays funded.

Mr. HOYER. Reclaiming my time, Mr. Chairman, quite obviously there is a strong feeling among some that OSHA ought to be cut very substantially. In fact, in committee we have had amendments suggesting cuts of 25 percent across the board and higher.

We believe that would be very deleterious to the health and welfare and safety of the workers of America, not to mention to the cost of businesses, which, in my opinion, have been advantaged by lower insurance rates as a result of working with OSHA and its State complementary agencies to make their workplaces safer.

Mr. Chairman, I would hope this amendment would be rejected, because, again, I do not really think, not withstanding the debate, that it is directed at vocational education, lest we would not have had the guts we talked about earlier, but at getting at OSHA and some of the problems that folks believe exist with respect to OSHA.

Mr. SOUDER. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

The SPEAKER pro tempore. Without objection, the gentleman from Indiana is recognized for 5 minutes.

There was no objection.

Mr. SOUDER. Mr. Chairman, I would like to briefly respond to the initial comments of the distinguished gentleman from Maryland [Mr. HOYER].

Quite frankly, I am not sure, but I assume I did vote for the Contract items and some of the Republican budget votes of the first year.

As I said in my opening statement tonight, and which you will hear over the next few days from many of us, it is that we agree with this basic premise. We did not come here to really increase most programs in the Federal Government; but, whether I am not one who believes that the government shutdown was the House Republicans' problem as much as it was the President's problem for vetoing the bills and we did a lousy job of working out a compromise.

□ 1830

But regardless of how Members view that, we clearly have changed a lot from where we are coming from on this side of the aisle. Some of us would not have changed this much, but to some degree we have all changed our rhetoric. We clearly are not reducing the size of the Federal Government in this bill when we are increasing agencies that at one point we were proposing to radically transform.

Vocational education in my opinion would be best handled by local and State governments. But the Federal Government has for a long time been involved in this, and helping with supplemental funding. Given a choice as to whose budget is going to increase, which is the choice we have in front of us today, whether I would increase the OSHA funding or increase the vocational education funding, I go with vocational education funding.

If my choice is whether the taxpayers get to keep the money and the local communities and State communities raise funds for education and make the decisions in education, I favor that choice. But that is not the choice. I voted for the budget agreement. I understand that at times politics requires compromise even beyond where some of us would like to go.

At the same time, in the context of these spending bills, we still should have a debate over which category in these spending bills should get the increase in funding and where it should go. From what I have seen sitting on the Committee on Education and the Workforce and also on the Committee on Government Reform and Oversight, with jurisdiction over the Education Department and the Labor Department, I realize there have been attempts to improve OSHA.

I do not think they have been as successful, and by the way, I also need to point out we have passed a vocational education authorization bill since the first vote when we came here where we made a lot of changes in how vocational education works. We knocked out a lot of programs that we did not feel were effective; we improved a lot of programs. That bill is now pending in the Senate.

If we can get our authorizations going with our appropriations, some of us will not necessarily oppose every spending bill that comes up in some of these categories, although I grant, up front, that we tend to favor more State and local as opposed to Federal.

But now that is not our choice. Our choice tonight is whether we are going to vote for more money for OSHA, an increase this year in OSHA, or more money for vocational education. Our intent is to take it out of administrative and other areas.

We are fully prepared and have an amendment to offer to make sure that the compliance funding inside OSHA gets funding, and we will transfer it from the other agencies. We have been planning that amendment for later tonight. I agree, as we work through OSHA reform, that our goal on OSHA reform was to try to have OSHA come in and identify and work with businesses on real health threats to the workers.

Nobody wants an unsafe working environment. As somebody whose family has owned a small business for many years, and I have worked in the private sector for most of my life, I do not want parents at risk and kids at risk in working environments any more than anybody else. But there is no possible way to understand all the different regulations, and there are so many counterproductive regulations that the way to do it is to go in, identify and work with the businesses, most of whom do not want to have health problems for their employees either, because nothing is more expensive in today's competitive economy than losing good employees to downtime injuries, to even more serious accidents, or bad working conditions, where employees want to move to another company. It is in the business' best interest to have a safe, healthy, and pleasant working environment. We need to work with businesses to do that.

We ought to focus on the grievous offenders and the large offenders. Everybody has horror stories about, we know this is happening over here and this is happening over here; that we have these crazy stories about ladders and asbestos breaks and so on that are taking tremendous amounts of time out of this agency.

As we proceed, we are not proposing to abolish OSHA nor even to cut OSHA; what we are proposing is not to increase OSHA, and later we will be proposing to switch funds inside OSHA. But this particular amendment says we do not need the increase in OSHA, it should move to vocational education.

Mr. CLAY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this amendment is offered by those who apparently have no interest in producing a bipartisan Labor-HHS appropriations bill. It is a sad and ironic commentary that many

of those who now claim they support additional funding for vocational education are the same people who want to eliminate the Department of Education and the Federal role in education altogether.

It should come as no surprise that these born-again devotees of vocational education choose worker health and safety protection as their sacrificial lamb. After all, many of the supporters of this amendment tried in vain last year to pass legislation to gut the Occupational Safety and Health Administration. Since they failed to decapitate OSHA with a single blow of the axe, they now apparently have decided to try to kill OSHA cut by cut, dollar by dollar.

Mr. Chairman, I will match my support of vocational education against that of any other Member of this House. But I will not support this insulting effort to pit worker safety against vocational education. Seventeen workers are killed on the job every day in this country. A recent comprehensive study of occupational injury and illness found that workplace illnesses and injuries cost this country at least \$171 billion a year. Yet, OSHA has only enough inspectors to inspect each workplace for which it is responsible once every 167 years. Six thousand five hundred workers die every year as a result of occupational injuries. Sixty thousand more workers are killed every year as a result of occupational illnesses. The cost of AIDS, Alzheimer's, and cardiovascular diseases are less than the cost of occupational death and illness.

Mr. Chairman, since 1970 the job fatality rate in this country has been cut in half; since passage of OSHA, at least 140,000 lives have been saved. But we can do better. Let me remind the sponsor of this amendment, my colleague, the gentleman from Missouri [Mr. BLUNT] that 125 workers in the State of Missouri were killed in workplace accidents in 1995. Another 170,000 Missouri workers were injured on the job. There was only enough money to employ 37 OSHA inspectors for our State, and it would take these inspectors 339 years to inspect each workplace one time.

Mr. Chairman, this amendment is not in the best interests of the health and safety of Missouri workers, as well as millions of other workers across this Nation. I urge defeat of the amendment.

Mr. McINTOSH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of this amendment. For 3 years now my subcommittee on National Economic Growth, Natural Resources, and Regulatory Affairs has held field hearings all over this country. We have talked to Americans outside of Washington about what works in our regulatory system and what does not work.

Time and time again we heard from people that OSHA fails to perform its mission. Rather than protecting the safety of workers, it spends time playing "gotcha" with America's small businesses. Time and time again we heard from people about how OSHA inspectors were supposed to come and tell a small business how they can be safer at their workplace, but instead, they come and they harass them because they failed to fill out the paperwork.

We have found out in these subcommittee hearings that 8 out of 10 of the top OSHA citations are for paperwork, not real safety concerns; not efforts to protect America's workers, but gotcha, because the businesses failed to fill out a Federal form.

I had one gentleman come and talk to me in Minnesota who explained that he purposely keeps his employee work force below 50, so he does not get caught up in what he views as an even larger web of Federal regulations.

I want to share with the Congress a couple of examples we heard from people, real Americans, outside of Washington about whether OSHA works for them or not. One gentleman named Rod Stewart owns and operates a small manufacturing company in Union City, IN. He makes brooms out of corn husks, and cotton mops.

He found out that when OSHA came and inspected his plant, they did not want to give him advice about how to help those workers. He did not have any help from the Government. The Government did not find any safety concerns. But nonetheless, they fined Mr. Stewart \$500 because he did not have the paperwork warning people about the grave danger of WD-40.

When we have a bureaucracy that has to go and talk and harass the American small businesses about the grave danger of not having a form about the dangers of WD-40, and, Mr. Chairman, for those who are not that mechanical, this is something you can buy at any hardware store in America, and OSHA is fining this small businessman \$500 because he did not have paperwork warning of the grave dangers of this common household substance.

Mr. Chairman, we also heard from people who said that they had similar fines because they did not have the right paperwork for Dawn dishwashing liquid, again, an item that you can buy in every supermarket in America. Yet OSHA has so much money that they can hire people to go out and harass America's businesses and give them fines because they do not have paperwork warning about the dangers of Dawn dishwashing liquid.

Mr. Chairman, I support this amendment because this amendment will send a message to OSHA that we want safer workplaces, but we do not want a bureaucracy that plays "gotcha" with the American small businessman. We

want an OSHA that will do its job, that will look for real safety concerns, that will help American businessmen who want to have a safer workplace know what to do with new technology. We want an OSHA that will redirect its priorities to helping all of us work together to have a safer workplace for American workers.

Mr. Chairman, many of us, when we envision a workplace, we think, gosh, it is going to be unsafe because there are these machines, and it is a very dangerous place to work. We do not realize that OSHA also is in charge of inspecting doctors' offices, a very dangerous place for people to work.

In fact, a good friend of mine, Dr. Probst, from Columbus, IN, a dermatologist, explained that he had been fined because he did not have a 260-page manual that detailed how to change the light bulb in his microscope in his laboratory. Once again, Mr. Chairman, we have to ask ourselves the common-sense question: Is OSHA really helping America's workers be safe when they fine doctors for not having the instruction manual to change the light bulb in their microscope? I think not, Mr. Chairman.

I think we have an agency that has failed in its mission. I think we have an agency that does not deliver a safer workplace. I think we have an agency where even President Clinton has acknowledged that we have to change the direction and stop playing "gotcha," and start helping American workers be safer in their workplace.

Mr. Chairman, I support this amendment and urge my colleagues to vote yes.

Mr. OWENS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment. I understand the frustration of the people who have offered this amendment, because this is an appropriations process, and more and more during the appropriations process, we seem to be legislating and taking away the function of the authorizing committee.

Some members of the authorizing committee have spoken in favor of this legislation, and they know very well that we have been having hearings and discussing OSHA and various OSHA reforms for some time now. I wish they would be kind enough to yield today and take this amendment off the floor, and go back to the authorizing committee to continue that debate, because this is a dangerous game. It is guerilla warfare. They are ambushing OSHA from the floor on an appropriations bill, but it is a very serious place that they have chosen to conduct their ambush.

OSHA saves lives. We do not want to improve the education of children at the cost of their parents coming home in some way crippled or even coming home as a corpse.

The figures speak for themselves. The American Medical Association recently had a study which confirmed the figures we have been quoting for some time now. We have an estimated 30,000 people with various illnesses every year that are contracted in the workplace. We have another 20,000 who suffer from various cancers that are related to the workplace. That is more than 50,000 people. Then we have 6,588 deaths.

Members might dispute the other two figures I mentioned, but we have the proof, we have the corpses, we can document it with dead bodies, 6,588 in 1994. That is generally what the level has been for some time now, large numbers of deaths in the workplace as a result of unsafe workplaces. This is a very serious business.

If Members want to attack organized labor, if they want to go after the American workers, as they have been for the last 2 years, then I do not think OSHA is the place to do it. There are a lot of people out there, in fact, the vast majority of people out there, who benefit from OSHA. They are not members of labor unions, they are ordinary American people, workers who do not necessarily belong to unions, as well as those who belong to unions. They need the protection.

Members have been giving one anecdote after another, one isolated anecdote after another, about the horrors of OSHA and what they are doing to the American people. Why do these Members not level with the American people and tell them how many inspectors there are, and what the ratio of inspectors to job sites would be in their particular State?

□ 1845

I think the gentleman from Missouri [Mr. CLAY] mentioned that in the State of Missouri, it would take the number of OSHA inspectors, when applied to the number of job sites in the State of Missouri, it would take them 339 years, 339 years, to inspect each job site once.

If we go to the State of Indiana, they are a little better off. The ratio of inspectors to job sites is such that the OSHA inspectors would inspect once every 50 years. And of course the greatest extreme is in Kansas where the ratio of OSHA inspectors to job sites would require that we have 421 years, 421 years would be necessary to inspect every job site.

Mr. Chairman, does this sound like a hoard of inspectors, highly paid Federal employees, swarming over the American business community making life difficult for them for no reason, when we have this kind of ratio? Yes, my colleagues on the other side of the aisle can have their isolated anecdotes, but they are isolated when we consider the number of inspectors available versus the number of job sites out there.

OSHA's record, of course, has been a tremendous one, especially in those areas where we had the largest amount of injuries before OSHA was created. In the construction industries, and industries where heavy duty equipment is used, there is an outstanding record in reducing the number of deaths.

Mr. Chairman, since 1970, when the OSHA Act was passed, the rate of workplace fatalities has been cut in half; over 140,000 lives that would have been lost were not lost. Workplaces where OSHA inspected and penalized employers for violations has an average of 22 percent reduction in injuries. They were not frivolous; they saved lives.

Mr. Chairman, let us stop the game playing with the lives of the American workers. If my colleagues want more money for vocational education, we can take it from the B-2 bomber. It does not fly when it rains.

Mr. BLUNT. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

The CHAIRMAN [Mr. GOODLATTE]. Is there objection to the request of the gentleman from Missouri [Mr. BLUNT]?

Mr. OBEY. Mr. Chairman, reserving the right to object.

Mr. Chairman, we obviously have a filibuster by amendment going on here. We have had a succession of occasions on which sponsors and supporters of these amendments ask to speak repeatedly on the House floor. I am not going to object in this instance, but I have to say that we are not going to sit by and allow Members to routinely engage in a convenient filibuster by continuing to ask for the privilege of addressing the House more than once on an issue.

Mr. Chairman, we have 435 Members in this House and if each Member of this House successively asks for this privilege, we could be here until next Christmas. I understand what is happening. There is a small band of Members on that side of the aisle who are determined that this bill never see the light of day. That will bother me substantively but, frankly, politically it will make my day. It will make it a whole lot easier for us to explain in the next election just why it is that the other party ought not to be entrusted with control of this House after the next election.

I would prefer that we not get into that, and I am not going to object in this instance. But it just seems to me that we have exercised this issue well enough Friday and today. There are no new thoughts being expressed and at some point, it seems rational to me to expect people to quit repeating themselves and move to a vote.

Mr. Chairman, I withdraw my reservation of objection.

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

Mr. SOUDER. Mr. Chairman, reserving the right to object.

Mr. Chairman, my reservation, too, is I could understand we could be here forever if we do this. The gentleman from Missouri [Mr. BLUNT], the sponsor of this amendment, has not had a chance to address the House tonight. He did last Friday. Therefore, I am not going to object.

But, Mr. Chairman, I also do not believe that the House should be subjected to the maligning of the motives of different Members. I do not intend to try to filibuster this bill. We are trying to have a debate on amendments. We are going to extend the debate longer than some Members would like, but we are not trying to avoid final passage.

Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

Mr. BLUNT. Mr. Chairman, I appreciate the comments of the gentleman from Wisconsin [Mr. OBEY] and the gentleman from Indiana [Mr. SOUDER]. I ask to speak to the House today only because we have carried the debate on this amendment over the weekend, from Friday to today.

Certainly, the gentleman from Maryland suggested that there were people who would be supporting this amendment who had voted one way or another in 1995. I know many of my friends will support this amendment who are friends of vocational education and would not have been voting the way he suggested in 1995. I know for sure I did not vote that way in 1995, since I was not here in 1995.

Mr. Chairman, this is an amendment about whether we are going to increase funding for OSHA or increase funding for vocational education. It is \$11 million, the increase in the OSHA bill. Apparently, the vocational education, adult education appropriation had no increase.

At one time, in the early information that we received, it said that there was an \$11 million decrease in vocational education. That got me to thinking about why at a time when we are focusing on welfare reform, when we are focusing on getting people to work, when we have just made the significant steps we made to encourage education beyond high school with the tax bill that many of the people who are speaking against this amendment were appropriately and actively for, we would want to just leave vocational education in place and perhaps even cut vocational education, as the early analysis of the bill said we were going to do.

Mr. Chairman, assuming vocational education is where it was last year, and we have \$11 million, the question that this amendment really brings to the floor is whether we take that \$11 million and spend it for more OSHA or we take that \$11 million and spend it for more vocational and adult education.

This process is about choices. This amendment proposes a different choice than the choice presented by the committee. I am a believer in vocational education. I think vocational education may very well, one could argue, be more important than it has ever been as we try to move people to the workplace that have not been to the workplace.

Clearly, OSHA is not achieving the results in the workplace that we want to achieve. The gentleman from Missouri [Mr. CLAY], who mentioned the numbers of deaths appropriately, we should be concerned about those numbers of deaths. But the gentleman also mentioned that there are inspectors in OSHA that would allow every business to be inspected only once every 167 years.

Mr. Chairman, I think a better way to provide workplace safety, even these two choices, is to train people before they go to the workplace so that they are better prepared to be there. I think that is a better effort to get workplace safety than an \$11 million increase in OSHA would be.

Certainly, the vocational education reforms that this Congress will approve spend money more nearly at the local level. I think that is a good change in vocational education. Ninety percent of the money will be spent for the first time under these new guidelines at the local level. This will be money that is spent to strengthen academics, to broaden opportunities after high school, to send more dollars to classrooms for people who are not headed to college.

Mr. Chairman, 75 percent of American youth do not complete a 4-year college degree. Those people are very much in need of additional beyond-high school training.

Mr. Chairman, it is clear that more than half of the new jobs that have been and will be created in the decade of the 1990s will take education beyond high school. Well, 25 to 35 percent of the people going to high school are not graduating from high school to start with in virtually any State. The 75 percent that do not graduate from college need that additional training to fill the jobs that are created in this decade, for many of them their first decade in the workplace.

I think vocational education is important. I think adult education is important. By the way, this amendment does not say to take the money out of compliance or even to take it out of inspection. It takes the money out of OSHA and puts money in the Perkins bill vocational education.

Mr. Chairman, 75 percent of that money goes to vocational education; 10 percent goes to programs for single parents; 8 percent to State level programs and activities; and 5 percent for State administration. Ninety cents of these dollars are getting directly to individuals.

This is about choices. I am encouraging the choice that this amendment proposes and appreciate the opportunity to get to address the House on this day, the second day that we deal with this legislation.

Mr. PORTER. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

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

There was no objection.

Mr. PORTER. Mr. Chairman, for the edification of Members, I just want to repeat something that I said early in the debate. Funding for OSHA in this bill, Mr. Chairman, is \$11.6 million below the President's budget request. Yet, it is still an increase of 3.5 percent over the last fiscal year. When cost increases and Federal pay raises are factored in, the amount provided is actually a reduction from last year's level.

In the bill, Federal compliance assistance activities is increased by 22 percent. Compliance assistance includes such activities as technical assistance to employers, outreach to small businesses, development of voluntary protection programs, and training for employers and employees. While compliance assistance increases by 22 percent, enforcement activities, including the cost of paying for OSHA inspectors, increases only 1 percent above fiscal year 1997.

The House bill continues to encourage OSHA to redirect its efforts toward compliance assistance and regulatory review, and OSHA is actually achieving change in this direction. We should be giving them every encouragement possible, because OSHA is definitely a changed organization; changing in the way Republicans would like to see it changed. I am afraid that if we do not give them some encouragement to continue in that direction, we will end up with an OSHA similar to the one of the past one that none of us wants.

So, Mr. Chairman, I think the amendment, while it has good intentions, would do harm to the priorities that we have set in the bill. They are the proper priorities and I would urge Members to oppose the amendment.

Ms. PELOSI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I was pleased to hear the gentleman from Illinois [Mr. PORTER], the distinguished chairman of our subcommittee, defend his bill and the appropriation in it for OSHA. Indeed, the new OSHA, under the leadership of Joe Dear, the former administrator, and under the leadership of the Clinton administration, is a new agency.

Mr. Chairman, the old OSHA was often seen as adversarial, as some of our colleagues have pointed out, because it relied heavily on regulatory enforcement. But the new OSHA offers

employers the choice between partnership and traditional enforcement. The new OSHA, under the leadership of President Clinton, focuses on serious hazards rather than technical violations.

While the old OSHA frequently cited employers for paperwork violations, the new OSHA has seen an 82 percent decline in paperwork violations from fiscal year 1992 to 1996. And under the old OSHA, employers and workers may have had to hire consultants to comply with complex OSHA rules, but the new OSHA created interactive computer programs, called Expert Advisors, which have been commended by employers, and the media, for providing them with expert compliance advice in an easy, step-by-step process.

I mention this, Mr. Chairman, because some of our colleagues have addressed the old OSHA as a justification for the cut that they are proposing. It is refreshing, frankly, to hear our Republican colleagues talk about the importance of funding vocational education. We all support that, and most of the Republicans who were here at the time voted for a large cut in vocational education, so hearing their defense of it this evening is a change and a refreshing one.

□ 1900

But I fear that it may just be an excuse for them to do, once again, on this amendment what they attempted to do on the previous amendment, where they find a benign program which we all stipulate is important and that we support, vocational education, and we agree with all the merits and benefits of supporting vocational education and wish that our Republican colleagues were with us when the major cut was proposed and passed in vocational education.

They take a program like vocational education and then take money and say, OK, we all support that and then go to take the money to make the increase in vocational education from enforcement of workplace safety rules and regulations.

Last week they took the money from the Wage and Hour administration, again, saying it was for the children, but, indeed, the economic security, the work safety of the workplace for the families of America in this amendment would be threatened and, in that amendment, family and medical leave, wages and hours, all of those other considerations were under assault.

This is about a pattern that we see here in this legislation where our Republican colleagues are trying to hide behind the children of America or people who are in need of education in America and do so by nipping away at worker protections, whether it is in OSHA or in other parts of the Department of Labor which are there to advance wages and benefits for the Amer-

ican worker. That is why I urge our colleagues to vote against this amendment.

Do not be misled by where the money goes. We all agree more money should be there, but that was a fight that was fought at the Committee on the Budget. Again, we should be putting our hand in the pocket of the defense budget or not giving big tax breaks to the wealthiest people in this country who do not need them, if we want to talk about finding more money for vocational education but not taking it from safety in the workplace.

Another argument that is used in the argument against OSHA is about ergonomics. I want to call to the attention of my colleagues this recent GAO report that just came out, August 1997, worker protection, private sector ergonomics programs yield positive results. Simple ergonomic programs can reduce worker compensation costs and injuries, improving employee health and morale and boosting productivity and product quality, this report says, and I quote, Most importantly, we found these efforts do not necessarily have to involve costly or complicated processes or controls, says the report.

So the issue of ergonomics is not any justification for cutting OSHA. Indeed, it is a justification for increasing the OSHA budget. Freezing OSHA at the 1997 level, which is what this budget does, means significant cuts in the new OSHA's partnership and compliance assistance efforts aimed at helping businesses, especially small businesses, to achieve compliance results in the workplace.

I urge our colleagues to vote against this amendment because the funding for OSHA in this bill is still less than the appropriation for OSHA in 1988, 10 years ago, and there are fewer OSHA employees in 1998 than 10 years ago, thanks to the Clinton administration. I urge my colleagues to vote "no."

Mrs. LOWEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise tonight in strong opposition to this amendment which cuts funds from job safety and health. I want to congratulate the gentleman from Illinois [Mr. PORTER] again and our ranking minority member for the important work they did in trying to balance the priorities, and there are so many important priorities in this bill.

What this amendment does is pit one program, assisting hard-working families, against another. Mr. Chairman, I hope my colleagues join me in seeing the irony in an amendment which adds funds to a program training high school students for the workplace by taking away funds from the very program which will ensure that they will be safe from job-related accidents once they are old enough to go to work.

I am also outraged at this amendment. Mr. Chairman, there is a reason

why OSHA was created 25 years ago and my colleagues have clearly stated the improvements that we have seen made in OSHA by Joe Dear and the other administrators of that department.

Workplaces can be dangerous. While most employers do act responsibly, there are those who simply do not. I will never forget one, because in 1991, just shortly after I was elected, a tragic fire took place in a chicken processing plant in Hamlet, NC. Twenty-five workers lost their lives and 50 were injured. It was a tragedy on par with New York's Shirtwaist Triangle fire 80 years before.

When the Hamlet fire broke out, workers were trapped in the building because the fire doors were locked. In the aftermath of this tragedy, it was like Dante's Inferno, when we hear from the witnesses. I sat on the Education and Labor Committee at the time. Survivors of the Hamlet fire testified before us and, frankly, I will never forget their heartrending words.

For the viewers who are listening, they are hearing about OSHA, and sometimes the initials may sound like gobbledygook to many of our viewers, but what they have to understand is OSHA is real and it has a real impact on people's lives.

Let me quote: "I was in the trim room," one female witness told us. "I saw ladies running, running, and they were just screaming and hollering. So I said, I am going with them. And I started running. When we got to the door, one of them stated that the door is locked. So we are trapped in here. So we are going to burn up. And when I look around, I see a big fire and then it was just pitch dark and you couldn't see anything because 50 to 60 of us are running into the area. Some of them were close enough to the door to knock and bang and beat on it. The next thing I know, they were still hollering at the door, stating, somebody let us out of here. Get us out. We are going to die. We are going to die."

Finally, our witness was able to escape when a bulldozer was used to knock the door open. She told us, "I was coughing up black soot, big balls of soot. They were beginning to bring Mary Lillian Wall out, who was standing next to me. When they brought her out, she was already dead. They brought Bertha Jarrell out who I grew up with as a child. She was dead. Then they brought Mary Alice Quick out. I grew up with Mary Alice Quick. She was dead. Then they brought Brenda Kelly out who was a friend of mine who worked in the packing room. She was dead."

Mr. Chairman, government must ensure that hard-working Americans do not have to fear for their lives or their health on the job. OSHA must have the funding to enforce our health and safety laws or, frankly, I worry that we

will see more tragedies like the Hamlet chicken plant fire.

On an average day, 154 workers lose their lives as a result of workplace injuries and illnesses and another 16,000 are injured. In my home State of New York, the most recent statistics show us that 300 workers died in 1 year while 270,900 faced on-the-job injuries and illnesses. Yet OSHA only has enough inspectors to reach every workplace once every 87 years. OSHA has 100 less staff than it did 10 years ago.

So, Mr. Chairman, again, as we said last week, these are shameful and cynical amendments. I have been, throughout my whole years in Congress, and long before that, a strong supporter of vocational education. OSHA needs more funding, not less. Let us not pit one good program against the other. I urge my colleagues to vote against this shameful and cynical amendment.

Mr. McINTOSH. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

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

There was no objection.

Mr. McINTOSH. Mr. Chairman, I do not anticipate needing to use the entire time. The gentlewoman has just told us about one of the tragic episodes in this history of an industrial accident and a fire that did take several people's lives. But I doubt that the gentlewoman knew that when the administrator of OSHA came to my subcommittee and testified, he, too, mentioned this and I asked him, what had you done before the accident to protect those workers. Well, it turned out that OSHA had been notified of the dangerous working conditions in that plant and that they had failed to ever inspect that facility. Those people died, I would submit, because OSHA failed to look for real safety concerns. Perhaps because they are spending all of their time looking for paperwork violations for our Nation's small businesses.

When we have an agency that will put paperwork concerns, and I talked earlier about Dawn dishwashing liquid and WD-40, when we put those above the real safety concerns like those workers that the gentlewoman mentioned and OSHA fails to ever inspect that plant, even when employees in that plant notify them of dangerous working conditions, this is an agency that is failing to do its job.

This administrator was in the Clinton administration. This failure he had to acknowledge came about on an OSHA that he was the administrator for. I think this amendment is a good amendment because it does set the correct priorities. I would urge all of my colleagues to vote for it.

Mr. Chairman, I yield to the gentleman from Kansas [Mr. TIAHRT].

Mr. TIAHRT. Mr. Chairman, I wanted to take the opportunity to speak in

favor of this amendment. I have worked with members of OSHA in Kansas in my home district. I found out that the members of OSHA and the business community, the small business community, the construction businesses had common ideas, common goals. They all wanted to have a safe work environment. But they were having a hard time achieving that safe work environment with the way they were being treated by OSHA. It seemed as though every time a representative from OSHA would come to a job site, the employer had to reach for their checkbook because they knew they were going to get fined, and in most cases they were.

In several instances they had trouble being harassed by losing contractors in a job where more than one contractor would bid, one would lose and then call OSHA with alleged violations and then the winning contractor would have to go through all kinds of contortions trying to prove that there was no violation, that it was unjustified.

And in another case, I met with members from a union, a business manager who said that he went around the area and found nonunion employers and would then call OSHA with alleged violations and have OSHA go out and harass these nonunion employers. He admitted it openly. So when you have an agency that allows itself to be abused and allows small businesses to be abused, then it is a wonder that we should not maybe give this money to a higher priority.

This does leave funding at fiscal year 1997 levels. It does not take out the program at all. It merely stays it at the current level that it is funded. Instead, it takes this small amount of money, \$11.25 million, to vocational education, or vo-tech, which is, by the way, funded below the President's request, some \$79 million.

So what we are doing is taking money from big government and we are giving it to people who have an idea that they can capture the American dream and do so by getting not a college education but get educated in the building skills, electronics, masonry, carpentry, something of that sort.

In Kansas, we have some very good examples of how vo-tech schools have worked with Wichita State University, the local community colleges like Butler County Community College, and come up with programs that not only give students skills to walk into a trade job, but also if they choose to pursue their education, they have an open avenue of transferring credits to these higher universities and can go on and get engineering degrees, degrees in the construction trades.

So what we are doing is taking, diverting a little money away from big government to the American dream for these children. I think that is an admirable goal, something that we should all pursue, the American dream.

But getting back to OSHA, I think what I would like to see, and I think many in America would like to see, is the common goals that we have being pursued, making a safe work environment but also doing it by working together.

Mrs. LOWEY. 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 New York?

There was no objection.

Mrs. LOWEY. Mr. Chairman, I would like to respond to my colleague from Indiana. I would like to make three points. First of all, it was during the Bush administration in 1991, and for those of us who have been on the Committee on Appropriations serving with the gentleman from Illinois [Mr. PORTER], we were very privileged to hear Joe Dear speak to us and tell us about the major changes that have been made with the Clinton administration to OSHA, and we understand there have to be more changes, but I think it is important to know that there have been important changes made.

□ 1915

Second, in North Carolina, where this tragic fire took place, there were 119 inspectors for 175,000 businesses covering 3.3 million workers.

And, third, perhaps the gentleman and I have a different view of government. I really believe that although government is imperfect, that it has an important responsibility to help people's lives, to improve their lives. And, frankly, if the changes Joe Dear has made are not sufficient, then I would like to reach out to my colleague from Indiana, work closely with the gentleman from Illinois [Mr. PORTER] and the gentleman from Wisconsin [Mr. OBEY] and make sure they make continuing changes to improve the lives of workers.

Again, most of the employers are doing this on their own. We are talking about a small number. But it seems to me cynical and, in fact, shameful to say that the way to improve working conditions, to make sure that plants such as Hamlet and others, where terrible tragedies have taken place, do not occur again, to make sure that our workers are covered, the way to do it is to cut money from the OSHA program.

I would think that my colleagues who do not like OSHA, who feel that OSHA is not working and not helping people, should just put in an amendment to repeal OSHA. I would respect that, and I am sure some of my colleagues may think that is the best way to go. I disagree.

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

Mrs. LOWEY. I yield to the gentleman from Indiana.

Mr. McINTOSH. Mr. Chairman, let me say that I would love to take the

gentlewoman up on that offer, very seriously, because there are some good proposals out there that have been tried in some of the States where they create incentives for the worst employers, with the worst records of safety, to come forward and change the habits and the working conditions without being fined. And then if they do not do it, they come down on them with a big hammer afterwards. So there are some good ideas we could work together on.

But let me reassure my colleague that the purpose of this amendment is not only to assure that OSHA, but also, as the gentleman from Kansas [Mr. TIAHRT] said, we do believe the funds would be very well used in trying to take the vocational education program up to the full level that the President had requested.

And so it is a sincere effort to have those funds redirected, not eliminated from the budget but redirected in a way that we think will help workers and give more opportunity for people to find better jobs in industries that are suffering dislocation.

Mrs. LOWEY. Mr. Chairman, reclaiming my time, I want to accept the gentleman's offer to work together to continue to make sure that OSHA continues to serve the people whom it was intended to serve. And I would be delighted to work with the gentleman, with the constraints that I know that the gentleman from Illinois and the gentleman from Wisconsin and the committee worked under, to improve both vocational education funding and OSHA funding, because we want to be absolutely certain that another Hamlet does not take place; and we also want to work to help our young people enter the workplace and get a job so that they can raise a family and feel an important part of this great country of ours.

So let us work together, and I would like to work with the gentleman to increase vocational education and OSHA funding because both have an important place in this bill.

Mr. McINTOSH. Mr. Chairman, if the gentlewoman would continue to yield, let me just say that I look forward to working with her.

Mr. PAYNE. Mr. Chairman, I would like to inform the supporters of this amendment that by cutting the appropriation levels for the Occupational Safety and Health Administration you are sending a message to hard-working Americans that their health and their safety are not worth the money. While I certainly see the merits in increasing funds for the vocational education, I cannot support this amendment because it places too many people at risk. I agree vocational education will increase the number of trained workers. However, I cannot see how, as some of my colleagues have suggested, an increase of funding for vocational education will result in a large decrease in occupational hazards. These hazards are many times not the result of unskilled workers but the result of companies and busi-

nesses who choose not to comply with OSHA standards because of the cost. For example, in Newark, NJ, three workers died in a plant fire in 1992 because the plant did not comply with OSHA regulations. Also, we must take into consideration that some jobs are quite simply dangerous and need regulations to prevent accidents from occurring. Here in Congress, I think we forget that a majority of Americans count on OSHA inspectors and requirements to protect them from the daily dangers of their occupation. Therefore, I implore my colleagues to recognize the need to ensure the safety of our workers by not voting for this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. BLUNT].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 160, noes 237, not voting 36, as follows:

[Roll No. 369]

AYES—160

Aderholt	Fowler	Pitts
Archer	Ganske	Pombo
Army	Gibbons	Portman
Bachus	Goode	Pryce (OH)
Ballenger	Goodlatte	Radanovich
Barr	Goss	Ramstad
Barrett (NE)	Graham	Redmond
Bartlett	Granger	Riggs
Barton	Gutknecht	Riley
Bass	Hall (TX)	Rogan
Bereuter	Hastert	Rogers
Bilbray	Hastings (WA)	Rohrabacher
Billirakis	Hayworth	Royce
Blunt	Hefley	Ryun
Boehner	Hergert	Salmon
Bonilla	Hill	Sanford
Bono	Hilleary	Scarborough
Brady	Hobson	Schaefer, Dan
Bryant	Hoekstra	Schaefer, Bob
Bunning	Hostettler	Sensenbrenner
Burr	Hulshof	Sessions
Burton	Hunter	Shadegg
Buyer	Hutchinson	Shaw
Callahan	Inglis	Skeen
Calvert	Istook	Smith (OR)
Camp	Jenkins	Smith (TX)
Canady	Johnson, Sam	Smith, Linda
Cannon	Jones	Snqwarger
Chabot	Kingston	Solomon
Chambliss	Klug	Souder
Chenoweth	Kolbe	Spence
Christensen	Largent	Stearns
Coble	Latham	Stenholm
Coburn	Lewis (KY)	Stump
Collins	Linder	Sununu
Combest	Lucas	Talent
Cook	Manzullo	Tanner
Cox	McCollum	Taylor (MS)
Crane	McIntosh	Taylor (NC)
Crapo	McKeon	Thomas
Cubin	Mica	Thornberry
Cunningham	Moran (KS)	Thune
Deal	Myrick	Tiahrt
DeLay	Nethercutt	Upton
Doolittle	Neumann	Wamp
Dreier	Norwood	Watkins
Duncan	Nussle	Watts (OK)
Dunn	Oxley	Weldon (FL)
Ehlers	Packard	Weiler
Ehrlich	Parker	White
Emerson	Paul	Wicker
Ensign	Paxon	Young (AK)
Everett	Peterson (PA)	
Foley	Pickering	

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barrett (WI)
Bateman
Becerra
Bentsen
Beraman
Berry
Blshop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Campbell
Cardin
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
English
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Ford
Fox
Frank (MA)
Franks (NJ)
Frost
Furse
Gejdenson
Gekas
Gilchrest
Gillmor
Gilman
Goodling
Gordon

NOES—237

Green
Greenwood
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefner
Hinchev
Hinojosa
Holden
Hooley
Horn
Houghton
Hoyer
Hyde
Jackson (IL)
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kleczka
Kucinich
LaFalce
LaHood
Lampson
Lantos
LaTourrette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (NY)
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek
Menendez
Metcalfe
Millender
McDonald
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Nadler

Neal
Ney
Northrup
Oberstar
Obey
Oliver
Ortiz
Owens
Pallone
Pappas
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Petri
Pomeroy
Porter
Poshard
Price (NC)
Rahall
Regula
Reyes
Rivers
Rodriguez
Roemer
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schumer
Scott
Shays
Sherman
Shimkus
Sisisky
Skaags
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stokes
Strickland
Stupak
Tauscher
Tauzin
Thompson
Thurman
Tierney
Torres
Traficant
Turner
Vento
Visclosky
Walsh
Waters
Watt (NC)
Waxman
Weldon (PA)
Wexler
Wise
Wolf
Woolsey
Wynn
Yates

NOT VOTING—36

Baker	Gehardt	McCarthy (MO)
Barcia	Gonzalez	McInnis
Bliley	Hansen	Miller (CA)
Capps	Hilliard	Murtha
Carson	Jackson-Lee	Pickett
Cooksey	(TX)	Quinn
Dellums	Jefferson	Rangel
Dingell	Kasich	Schiff
Forbes	Kennedy (RI)	Serrano
Frelinghuysen	Klink	
Galleghy	Knollenberg	

Shuster
Towns

Velázquez
Weygand

Whitfield
Young (FL)

□ 1938

Messrs. KIM, FRANKS of New Jersey, SHIMKUS, and Ms. WATERS changed their vote from "aye" to "no."

Mr. WHITE changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. KENNEDY of Rhode Island. Mr. Chairman, because of a delay in transportation, I was regrettably absent for rollcall vote No. 369, concerning the Blunt amendment. If I had been present for that vote I would have voted "no."

PERSONAL EXPLANATION

Ms. MCCARTHY of Missouri. Mr. Chairman, on rollcall No. 369, the Blunt amendment to Labor-HHS-Education Appropriation, I was unavoidably detained in transit. Had I been present, I would have voted "no."

Mr. SMITH of Michigan. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the parliamentarian has informed me that my amendment No. 45 to the Labor-HHS appropriation bill that addresses the substance abuse and mental health funding formula in all the States is not in order but, Mr. Chairman, this issue needs to be addressed.

The Substance Abuse and Mental Health Service Administration is currently obligated under law to revise the formula that allocates money under the Substance Abuse Prevention and Treatment Program as well as the Community Mental Health Services block grants. My own State of Michigan will lose over 19 percent in one year of its funding for this 1998 program. Many other States will lose large amounts as well next year. The department has suggested that an alternative to a 1-year drastic change is that Congress provide for a phasein.

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

Mr. SMITH of Michigan. I yield to the gentleman from Illinois.

Mr. PORTER. I thank the gentleman from Michigan for raising this important issue before the House. When such formulas are altered, it should be in a manner that allows the States to adjust. I agree that no State should be forced to absorb huge losses at one time. I agree with the gentleman that this is an issue that should be resolved to ensure that all States are treated as equitably as possible.

Mr. SMITH of Michigan. My amendment, Mr. Chairman, would have delayed the implementation of the new formula so that the appropriate authorizing committees would have an opportunity to address these issues properly. I would ask the gentleman from Wisconsin [Mr. OBEY], the ranking member of the committee, if he agrees there is merit in some kind of a

more gradual phasein for dramatic funding changes.

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

Mr. SMITH of Michigan. I yield to the gentleman from Wisconsin.

Mr. OBEY. I would simply say that it certainly would be disruptive for many States. If dramatic changes are implemented in 1 year, States will not only lose large amounts of funding but would lose them overnight. It would seem to me that certainly for the effectiveness of State programs there should not be major disruptions in funding. Those changes should be gradual.

Mr. SMITH of Michigan. I thank the gentleman. I call to my colleagues' attention that the Department of Health and Human Services agrees that States should not have major disruption. The National Association of State Alcohol and Drug Abuse Directors have just passed a resolution saying that we should use the current funding base.

I thank the chairman of the committee and ranking member and hope it will be an issue of discussion in conference.

□ 1945

AMENDMENT OFFERED BY MR. NORWOOD

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

The Clerk read as follows:

Amendment offered by Mr. Norwood: Page 17, line 6, after the first dollar amount, insert the following: "(reduced by \$11,250,000)".

Page 68, line 17, after each dollar amount, insert the following: "(increased by \$11,250,000)".

Level-funds OSHA, transfers increase to IDEA, Individuals With Disabilities Education Act.

Mr. NORWOOD. Mr. Chairman, this amendment is one that is very clear-cut and very simple. We are trying to continue to fund IDEA special education. We are moving \$11.25 million from OSHA into IDEA.

Mr. Chairman, I want to point out that this movement of \$11.25 million from OSHA does not, in effect, cut the OSHA budget, but simply retains the same funding of \$325.7 million.

Mr. Chairman, again, this moves funding from OSHA, but it does not cut OSHA. It maintains its funding level at the same amount, \$325.7 million, for 1997.

There are two reasons in my mind for this amendment. One, of course, is that special education is important. I think we all would agree that funding a program that is now 22 years old at the 12 percent level is not correct and it is wrong. The Federal law says that we have to fund special education at 40 percent, though we only do 12 percent.

Mr. Chairman, funding of the special education program at 12 percent, which, thanks to the good works of the gentleman from Pennsylvania, Chairman GOODLING, and others has occurred

just recently, is way inadequate for a Federal program that we are supposed to fund at a 40 percent level.

No one can disagree that the idea of taking children with disabilities and turning them into successful members of society is a very good thing to do.

I noted the other day that one of our Members on the other side of the aisle said, "Well, we are only funding at 12 percent, but it is not our fault. The courts made us do it."

Well, the courts are simply using the law passed by this Congress 22 years ago and stating that the special education must be funded, but presently it is being funded by the taxpayers at home through property taxes.

A Federal law that is a good law, though not funded by us, causes a great deal of concern for the local school boards, as well as local politicians who had nothing to do with it.

Mr. Chairman, I do not think any of us would disagree that it is important and it is critical that we do fund special education. I doubt there is a Member in this House that would think that we should not do that. This is just one more effort for us to try to beef up the funding to that program.

Now, we are taking it from OSHA. I want to make it clear that I do not view this as a discussion about safety and health. I do not think there is a Member in this room who does not consider health and safety in the workplace very, very important.

The debate is not about whether we need an OSHA or not; it is not about whether we wanted a safe and healthy workplace. It is about the process of OSHA, and it is about the process of prioritizing your spending.

We are giving OSHA an increase in 1998 of \$11.5 million, but you cannot justify that. Nobody in their right mind can come up with any data that says, yes, they do need that much more money.

Now, many people relate an increase in dollars into an increase in the objective, which is a safer workplace. But I will tell you, you cannot go by the numbers to tell that.

For example, Mr. Chairman, in 1993 we spent \$291 million in OSHA, and, unfortunately, that year we had 6,331 deaths. Mr. Chairman, you cannot relate the dollars spent in OSHA to workplace deaths.

In 1993 we spent \$291 million; we had 6,331 deaths. Interestingly enough, in 1994 we increased our spending in OSHA and we spent \$297.2 million, but what happened? The death rate went up in the workplace, to 6,588. Then we go to 1995 and we funded OSHA at \$312 million, and we had 6,210 deaths. But then we lowered our spending in 1996 to \$305 million and the death rate came down when we lowered the spending.

The only point I make there, Mr. Chairman, is it is not possible for us to simply say, looking at those numbers,

that you can justify a rate increase in an agency that is not doing exactly what it ought to do, which is improve the health and the safety in the workplace.

Also, tonight a number of times the death rate in 1994 was stated as 6,588. That is the number that was used a number of times. But listen to those numbers. Think about those numbers. On the 6,588 occupational fatalities reported by the BLS in 1992, 42 percent were caused by transportation accidents, and another 20 percent were caused by acts of violence, suicide, and homicide. These are not considered workplace hazards.

The CHAIRMAN. The time of the gentleman from Georgia [Mr. NORWOOD] has expired.

(By unanimous consent, Mr. NORWOOD was allowed to proceed for 1 additional minute.)

Mr. NORWOOD. Mr. Chairman, I would suggest that we ask this agency to spend no more money than it spent last year until it reworks itself. Yes, it has improved; yes, it is better than it was 2 years ago; but it is not good enough. Why are they not focusing on those 40 percent of deaths where they occur out there? That is not what we do. We have to have one-size-fits-all, and everybody gets involved.

Mr. Chairman, we should focus on the areas where there are the most deaths, those industries where they occur, not across the board.

Yes, we only have 900 inspectors, and you may be assured there will never be enough money in OSHA to have enough inspectors to inspect every industry. But why is that agency not focused on where the deaths and injuries are occurring?

Mr. Chairman, that alone is enough reason to send another message to OSHA saying that, yes, we want you to protect health and safety in the workplace, but we want you to rework how this particular Federal agency works so we can have some positive results from it.

Mr. OBEY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the gentleman from Georgia [Mr. NORWOOD] speaks so movingly about the need to fund special education that I am almost persuaded. But then I note, however, that on August 3, 1995, just 2 years ago, the gentleman voted to cut special education by \$160 million below the previous year, and voted to cut it \$250 million below the President's request at that time.

Mr. Chairman, this year the special education account is up \$313 million above last year. The committee has funded it at \$139 million above the President's budget. It is \$1.1 billion above the level the gentleman voted to cut just 2 years ago.

So I would simply say I am happy to welcome the gentleman to the ranks of

those who believe that this is a good program, but I would say that I think what is happening here is pretty obvious. This committee, on a bipartisan basis, has provided a much higher level of funding for special education than it had last year or the year before that. Now we are being told in this amendment, which will take more of the House's time, that we ought to take a tiny amount out of OSHA and move it into this program.

It would add to the amount in this program by only 0.2 percent, but it gives them an opportunity, Mr. Chairman, to again beat up on OSHA, despite the fact that OSHA has had an 82 percent reduction in the number of paperwork citations which they have cited businesses for since President Clinton has come into office.

It is apparent to me that this is not only an opportunity to bash OSHA, it simply represents another effort by a group of Members of the House to try to filibuster the House to death in the hopes that eventually this bill is taken from the House calendar, and the gentleman has a perfect right to do that if he wants.

I would simply note, however, that despite the gentleman's efforts, or despite his suggestion that we cut this funding out of OSHA, there were 237 workplace deaths in his own State last year. There were 187,000 workplace injuries in his State last year.

So it seems to me that the proper thing to do is to try to fund both of these programs to the highest level that we possibly can. That is exactly what the committee has done on a bipartisan basis.

Mr. Chairman, I would urge rejection of the gentleman's amendment on that basis.

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

Mr. OBEY. I yield to the gentleman from Georgia.

Mr. NORWOOD. Mr. Chairman, let me point out to my friend from Wisconsin [Mr. OBEY] that I am absolutely sure the gentleman does not know why I am doing this.

I know the gentleman just told the Members why I am doing this, but I am confident that the gentleman does not know.

Second, let me point out that, yes, I voted against special education, but that was before the Republican Congress came in and helped straighten that bill out. At the time, a considerable amount of that money was going to the attorneys, and until we could stop that particular bleeding problem, then it did not make sense to put taxpayer dollars in it.

Mr. OBEY. Mr. Chairman, reclaiming my time, I would also note that during that time this Congress and this administration working cooperatively have greatly improved the performance of OSHA. I find it interesting, for in-

stance, that much of the criticism these days leveled at OSHA is coming from organized labor, which feels that OSHA under Joe Dear went too far in trying to recognize legitimate concerns expressed by American businessmen.

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So I would simply say, each of us is capable of reaching our own judgments. I am confident that the House will recognize that the committee achieved a reasonable balance in these accounts which deserves to be supported.

Mr. NORWOOD. If the gentleman will continue to yield, Mr. Chairman, I want to tell the gentleman, I do think OSHA has been improved. That is something we all should be proud of.

Has OSHA moved far enough yet, to the point where we are doing a better job in the workplace, where most of the catastrophes occur? The answer would be no.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. OBEY] has expired.

(By unanimous consent, Mr. OBEY was allowed to proceed for 30 additional seconds.)

Mr. OBEY. Mr. Chairman, I would simply note that OSHA has a long way to go in meeting its objectives, with over 6,000 Americans still dying each year. We ought to help them meet those objectives, just as we ought to help the responsible agencies in meeting their needs in dealing with handicapped children and special education-required children. I hope Congress will see fit to do both.

Mr. GRAHAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, to kind of pick up where my colleague, the gentleman from Georgia, left off, I also am on the Education and the Workforce Committee, and this is my third year in Congress, and hopefully every year you learn a bit about how programs work and where money ought to be spent.

At the end of the day, it is a judgment call. The Committee on Appropriations has made some choices that are their version of how it ought to be. Now we have a chance, as Members, to come in and suggest how these choices might change, and does it make sense to rearrange the money and spend money here and take money from there.

Mr. Chairman, the question of money and people is always an intriguing question. If I thought just by increasing appropriations bills we could prevent all workplace deaths, I would do so. If I thought just spending more money would take every family and every parent that has a disabled child and get the most out of that child, I would gladly spend the money. Sometimes it is not about how much you spend but the way you conduct the program, who is controlling the money,

who has say-so of how it is spent; that is probably just as important as the amounts.

The OSHA laws in this country, in my opinion, have in the past focused more on the bureaucracy and more on the paperwork side of the House, rather than on whether or not it is really making the workplace safe. I think that is inevitable. As an agency grows, just like any other business in America, it looks for ways to continue to grow.

This Congress, the 104th Congress, the first Congress I was in, I think inherited a mess. I think we have been working at times in a bipartisan fashion to straighten that mess out. But when we look back at what it was like when we first came here, we had an OSHA agency where 8 out of 10 violations were paperwork violations, and there is no use blaming the Democratic Party for that, because many times the OSHA organization was under Republican control. The facts are it just was not working right. It got soft. We were throwing money in the name of worker safety, but we were not looking at outcomes.

We have had numerous hearings in our committee about outcomes. That is the change I have seen in the last 3 years. We are asking questions about programs that have never been asked before, before we write the check.

Let me tell the gentleman from Wisconsin [Mr. OBEY] some of the questions we have asked about OSHA. One of the basic questions I have asked, if you had a limited pot of money, which I think it is time to start thinking in those terms, where would you spend that money? Would you increase the number of investigators and increase the fining capacity, or would you direct more money into the area of educating businesses to make the workplace safe? We have asked numerous people from OSHA about that mix, and they are doing studies right now: Where is the best place to put your money? Is it in enforcement or is it in education?

We have been finding, I think, consistent—

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

Mr. GRAHAM. I yield to the gentleman from Wisconsin.

Mr. OBEY. I would simply like to point out, Mr. Chairman, that I am the Member of Congress who, along with Sylvio Conte, first pushed OSHA into starting a voluntary compliance program.

Second, I would like to point out, as the chairman already has on two occasions, that this budget gives a 12-percent increase for that voluntary compliance portion of OSHA's budget, and only a 1-percent increase, on average, for the other portions of OSHA's budget. So we are putting the emphasis, in fact, exactly where the gentleman thinks it ought to be.

I thank the gentleman for yielding.

Mr. GRAHAM. I congratulate the gentleman on that move, because it has turned out to be a very good move. But that is not really the point I am trying to make.

The point I am trying to make is, you have a certain number of people on the payroll of OSHA. What do they do every day? Voluntary compliance is one way for an employer to meet the goals and requirements that we place upon them. We have found that maybe if we have more business involvement in voluntary compliance programs that we can get there a little easier and save money for the employer, to let them share the benefits from the savings with their employees.

What I am saying is, when you have a fixed population of workers at OSHA, where should they be spending their time? How should you fashion your work force at OSHA? How many people should be in the "gotcha" business, and how many people should go around every day informing and advising industry, "Here is the latest thing out on worker safety"? That is what I am trying to talk about.

We have gotten a lot of feedback. It seems to me they are on the enforcement end, the "gotcha" end; about two-thirds of their people do that job. We are trying to get a work force mix that probably will do a better job, if you take most of OSHA employees and get them away from the "gotcha" business and you send them into the industry and advise people, and you try to get people up to speed as to what is the best way to make sure that the workers are safe.

Ms. DELAURO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would say there is a disconnect here with my colleague who just finished speaking. It is understood that in fact we could buy the argument that we inherited an OSHA that was a mess. But in fact, in the Contract With America, if Members might recall, their answer to that question was to cut OSHA about 50 percent.

The fact of the matter is that under the Clinton administration, as my colleague, the gentleman from Wisconsin [Mr. OBEY] pointed out a minute ago, in fact, an innovative compliance assistance program, a voluntary compliance assistance program, was developed. It was begun in fact and in truth to help employers identify safety problems before the accidents occur and before inspections and fines occur.

It happens, and it is a fact, that this is an enormously and hugely popular program with business owners. There is a very long waiting list of employers who want help to do the right thing. That is why the committee bill increases the compliance assistance program, as has been mentioned, by 12 percent, so in fact employers can get that

kind of help and advice, and OSHA can provide that to the extent that businesses want it and need it.

But quite honestly, what will happen is that compliance assistance is the part of the budget that will be cut if OSHA's budget is reduced. This is because in fact, first and foremost, OSHA has to enforce the law. So this amendment is shortsighted. It hurts workers and, in fact, hurts the businesses which my friends, some of my friends on the other side of the aisle, seem to want to help. They want to help businesses. In fact, businesses are happy with these voluntary compliance programs.

If we continue in this path, it will in fact cause more deaths, more injuries, and more threats to the health and safety of American consumers, like those that we saw at the Hudson Food plant.

Let me just reiterate. Some Members, some Republicans of this House, seem to think that OSHA has not been cut enough over the past 3 years. But the majority of people do not want to cut it further. Clearly, the sponsors of this amendment share that belief that OSHA has not been cut enough, as do those who were engaged in the previous amendment. I disagree, and quite frankly, I think most Americans will disagree.

There are some facts that I think just speak loud and clear and speak for themselves. Every 5 seconds, every 5 seconds, an American worker is injured or killed on the job. In 5 minutes while I stand here and speak, 60 people will be hurt or will die. We saw the incidents with the Hudson Food plant.

Quite honestly, in that district in Missouri 155 people died of job-related injuries or illnesses in the last year for which we have data. In the State of Missouri, there are 25 inspectors to monitor the safety of places of work. That means that the average Missouri business will not be inspected more than once every 235 years. Clearly the sponsors of these amendments here think that is too often, and they want to reduce it to 250 or 275 years.

Mr. Chairman, let me just say that I am a supporter of the IDEA Program. Last week we were going to cut wage and hour to support IDEA, giving about 67 cents per child to the IDEA Program. Ultimately, there are only some Members of the other party that want to engage in this kind of thing. There has been a very good bipartisan effort put together here in defense of OSHA. Some people are not happy with that.

People have worked very, very hard over the last several months so we would have a good bill that in fact deals with the important issues that workers are facing and that others are facing. Now, all of a sudden, we see this opportunity to filibuster this bill in order to take money from here, take it there. In fact, these are thinly veiled efforts to cut programs here where we

are only talking about \$2 more per child for the IDEA Program.

If we want to help kids, help children, I ask my colleagues to help their families make a decent, living wage, as we were talking about last week. Give their folks the opportunity to work in a safe environment and workplace. That is the kind of thing we ought to be doing to help these families.

PARLIAMENTARY INQUIRY

Mr. SOUDER. Parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. SOUDER. Mr. Chairman, can Members of Congress malign the motives of other Members?

The CHAIRMAN. Members should avoid maligning the personal motives of other Members.

Mr. SOUDER. I thank the Chair. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. SOUDER. I yield to the gentleman from Georgia.

Mr. NORWOOD. Mr. Chairman, I just want to reply to the gentlewoman who just spoke. In 1997, we spent \$325.7 million, and if our amendment passes, in 1998 we will spend \$325.7 million. I would just like to point out that is not a cut of anything, that is just not giving them a raise.

Mr. SOUDER. Reclaiming my time, Mr. Chairman, I would like to point out, and the reason I asked my parliamentary inquiry is we have heard several times tonight that this is a filibuster because we are trying to discuss tough questions, when in fact the minority and the majority, as their differences arise from time to time, will speak for ours.

We have not had motions to rise, motions to adjourn, all sorts of quorum calls, or that type of filibustering tactic. We have had some disagreements in our party, and we are likely to continue to have them in the future. The question comes as to how do we debate these and air them out.

The gentleman from Illinois [Mr. PORTER] and we have had many discussions. He said, let us have a wholesome debate. We are having a wholesome debate. A lot of Members do not like these choices. They want to talk about what we did not 2 or 3 years ago, or what we are allegedly going to do to a lot of the poor working people of America.

This is an increase in OSHA. This is not wiping out OSHA. We are not fighting a battle over whether we are going to eliminate OSHA, whether we are going to eliminate anything here. It is whether we are going to increase OSHA. We are not even proposing to cut OSHA, for crying out loud.

The effort here is to say, what are our priorities. Reluctantly, many of us voted for the budget agreement be-

cause it was a compromise. Spending is increasing. Now, as Members of Congress, we are elected to decide where we are going to put the money and what the priorities are.

There are many of us, including many of us on the Committee on Education and the Workforce, who worked to pass a new IDEA bill. Part of that was increased parent participation; it had better connections to regular curriculum, increased accountability for educational results, improved access to information, opportunity for mediation, improved teaching and learning processes, supports the unique needs of individual students where there can be flexible developmental delay categories for identifying children, all sorts of details with the IDEA bill. We worked on that for 3 years.

A chief staff person of Senator LOTT spent hours and hours trying to reconcile those differences. The gentleman from Pennsylvania [Mr. GOODLING] moved it through our committees. The gentlemen from California, Mr. RIGGS and Mr. CUNNINGHAM, the previous year, working with the subcommittee that I am on and I, as vice chairman of that subcommittee in my first term, worked hard on IDEA.

But do Members know, we have now passed a bill that requires States and local communities to do a lot in their schools to address the needs of these students. We increased their funding, but we did not increase their funding enough.

I would just as soon, quite frankly, the Federal Government was not always increasing their funding, and that we had more decisions at the local level and at the State level in education. But if we are going to spend money, which we are in this bill, I can think of no better place to put it than in the Individuals With Disabilities Education Act.

As we go through this, I do not want to hear all the time that this is just a tactic and this is just a filibuster. This is not. This is saying, OK, if I am going to go along with this bill, I would like to see where the money goes.

We are not gutting OSHA; we are doing increases. For those Members concerned about the compliance section, as I have stated, the next amendment we intend to offer will move some funds around inside OSHA to make sure the compliance section gets even more funding. I compliment those Members and the chairman of the subcommittee for increasing efforts in the compliance section.

When we ran for office, that is what we ran for was to change OSHA from predominantly an organization that comes in, often unannounced, often resulting, in order to intimidate businesses into trying to follow the law, picking on fairly nit-picking-type things or things that are counterproductive, rather than focusing on the grievous offenders.

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Nobody wants to defend anybody where there have been deaths and tragedies. Our friends are getting hurt. Our neighbors are getting hurt. Our relatives are at risk. But we need to do it in a logical way, and working with businesses in a positive way is the way we should do this.

But, Mr. Chairman, they have enough money. The facts are this. We are hearing stories tonight, but the facts are this: When Congress increases OSHA funding, the rate of accidents go down. When Congress has decreased funding, the rate of accidents has gone down. When we have level funding, the rate of accidents has gone down.

The rate of accidents has dropped 4 years in a row, regardless of the funding level of OSHA here in Washington. That is a fact. The stories are tragic, but the fact is the rate of accidents has been going down, and we cannot make dramatic statements based on the OSHA funding. But the truth is this amendment is really a priorities amendment. Do we want to give the money to IDEA?

Mr. Chairman, \$11 million here is a drop in the bucket. We will have plenty of other amendments on this bill that will expand IDEA funding in other things. For those who say this is only 11 million, yes, 11 million is 11 million, and we are going to try to get more to IDEA, too. We agree on supporting that.

Mr. Chairman, let us take something where we have a consensus and we have an impact and put the money there, rather than in organizations that have been counterproductive.

Mrs. LOWEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to say to the gentleman from Indiana [Mr. SOUDER] that I am delighted to see the support for special education. And if the gentleman will forgive some of the skepticism among us, we do remember, for those of us who have been working very hard to fight for special education a long time, we do remember that in 1997 the Republicans voted to level-fund special education. We remember that in 1996 the Republicans voted to cut \$25 million for early childhood special education personnel training and cut \$21 million for innovative special education research and development projects. The Republicans also voted to cut \$90 million for special education teacher training.

So I, frankly, am delighted to see this support for special education, and I would like to work with the gentleman from Indiana [Mr. SOUDER], with the gentleman from Illinois [Mr. PORTER], our distinguished chairman, to continue to increase resources for these very vital programs. But it seems to me, again, to take it from OSHA does not make sense.

Mr. Chairman, the gentleman from Indiana talked about how injuries are going down; however, when we look at the numbers and we see the tremendous need, we are beginning to see, under leaders like Joe Dear, some progress in reforming OSHA. With the help of a bipartisan effort in our committee, and in the gentleman's committee, I am sure, if we are beginning to see progress, let us continue to make progress, to make sure that we protect lives.

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

Mrs. LOWEY. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I would just like to point out that if the House wants to make a real choice, rather than taking a few dollars out of OSHA and putting a few dollars into special education, I would simply note that this House voted to add \$331 million to the Department of Defense budget for nine B-2 bombers that the Air Force did not want and cannot fly in the rain.

In contrast, OSHA's entire budget is only \$336 million. I would suggest that if my colleagues want to find money for special education, or anything else, rather than running the risk of added workplace injuries and deaths, we ought to go to a place that the Pentagon itself recognizes is a waste of money and simply eliminate that program. That would do a real service to this Nation.

Mrs. LOWEY. Mr. Chairman, reclaiming my time, I am not sure if the gentlewoman from North Carolina is on the floor, but I talked before about the tragic fire in Hamlet, NC, and there was real action after that fire. In fact, the number of inspectors were increased 100 percent. The leaders of that program in North Carolina happened to have such an exemplary record that the numbers of workplace injuries have continued to decline.

So I would like to say to the gentleman from Indiana, let us work together to increase money for IDEA and other special education programs. But while we are working together to improve OSHA, to make sure that we are saving lives, let us look at programs like in North Carolina where their increased investments have really made a difference.

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

Mrs. LOWEY. I yield to the gentleman from Indiana.

Mr. SOUDER. Mr. Chairman, one question that I would like to ask of the gentlewoman from New York [Mrs. LOWEY] is that we are not allowed to offer any amendments vis-a-vis the Defense bill to education; is that not correct? The distinguished gentleman from Wisconsin [Mr. OBEY] was suggesting that we could find additional money, but we do not have that option here tonight.

Mrs. LOWEY. Mr. Chairman, reclaiming my time, the gentleman from Illinois [Mr. PORTER] and the gentleman from Wisconsin [Mr. OBEY] and the committee worked incredibly hard making very tough choices. The numbers for special education in this bill have increased, I believe it was over \$313 million, plus 8 percent. So the chairman has done his best, working together in a bipartisan way, to invest in special education programs, and we welcome the gentleman from Indiana to join us so we can continue to look for other opportunities.

Mr. SOUDER. Mr. Chairman, if the gentlewoman will continue to yield, I believe the answer to my first question is "no", we cannot offer any Defense amendments.

I too praise the efforts of the gentleman from Illinois for special education. At the local level, it will probably take between \$1 and \$2 billion to meet what we passed in our bill on IDEA. We are doing what we can on these different efforts.

As far as the OSHA questions in themselves, I put forth the actual data on the rate of accidents which have been declining, regardless of what funding levels we have in Washington. As we reorient those levels and work with Mr. Dear in our oversight, appropriations, and authorizing committees, I think we can make it more effective and more preventive, but it is not proven that it needs more money.

Mrs. LOWEY. Mr. Chairman, again reclaiming my time, money is a factor.

The CHAIRMAN. The time of the gentlewoman from New York [Mrs. LOWEY] has expired.

(By unanimous consent, Mrs. LOWEY was allowed to proceed for 1 additional minute.)

Mrs. LOWEY. Mr. Chairman, I would like to tell the gentleman from Indiana that money is a factor, because we saw in Hamlet, NC, again as I mentioned, after that terrible tragedy, the leaders of the OSHA program in North Carolina, working with the Federal Government, were able to increase their investment and the numbers of tragedies, the numbers of tragedies have gone down tremendously. We see this as a model program.

Mr. Chairman, again, I would like to welcome the gentleman from Indiana to our advocates for special education, and I hope we can work together to continue to make investments in that program, while not cutting other vital programs that make a difference for workers.

Mr. SHADEGG. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the amendment of the gentleman from Georgia [Mr. NORWOOD] on this issue.

Mr. Chairman, I think it is critically important for us to discuss this issue

and to debate it here on the floor. I, myself, have very, very strong feelings about the OSHA Program, about the importance of worker safety, and about the IDEA Program and its importance in our society.

But, Mr. Chairman, before I get to the substance of my views on why this amendment is so critically important, I must comment on the debate that has been going on kind of through the evening. That is the debate which most recently was advanced by the gentlewoman from Connecticut [Ms. DELAURO] that these amendments are somehow improper, and that it is somehow wrong to debate the priorities of spending in this Congress through amendments on the floor to an appropriation bill.

Mr. Chairman, I resent that immensely. This Congress is here precisely for that purpose. We have had a budget agreement, some call it a tremendously historic budget agreement, with our President prior to today's debate. But that sets the broad parameter. The public policy within those numbers is decided here in the appropriations bill.

The Committee on Rules set an open rule, as it has always done on appropriations matters, and I resent immensely any implication that these are other than meritorious debates on this issue.

Mr. Chairman, I believe we have a duty to the American people to debate the question of how we spend this money here and now as the bill goes through. Of course, we owe some respect to the committee and the committee process, but the committee process does not tie our hands. We have a duty, we have a right, we have an obligation on each appropriations bill that comes to this floor to debate those priorities and to decide as a country where the monies we have to spend are to be spent. And that is particularly true in difficult times where ample funding is not necessary.

So any implication that we should not be debating this and that we have to act as a rubber stamp is dead wrong. And in that regard, I would like to compliment the gentleman from Illinois [Mr. PORTER], chairman of the subcommittee, who in meetings with myself and others prior to this debate made it clear that he fully welcomed a full-blown and exhaustive debate of the spending priorities in this bill.

Mr. Chairman, at no point, at no point in those discussions did the gentleman ever say that we have an obligation to defer to what the committee did; we have a duty to accept what the committee has done; we have written it and it is cast in stone.

Mr. Chairman, the gentleman said the exact opposite. He said that we have every single right, issue by issue, to debate the priorities that are set forth in this bill as it comes to the

floor. The gentleman commended us to do it and said he would not criticize us for doing it. That is what the process is for, and he welcomed the process. Thank goodness we have that process.

Mr. Chairman, let me turn then to the issue of OSHA and to the issue of IDEA and this particular amendment. This amendment does a simple thing. It says that OSHA funding, as set last year, is in fact adequate to protect America's workers. And any challenge that says, no, it is not, and that those who advocate this amendment do not care about worker safety, I suggest is an unfair challenge and an unfair attack.

The facts are as the gentleman from Indiana [Mr. SOUDER] stated them. Worker accidents have been declining for 4 years straight. They have declined when the budget went down. They have declined when the budget went up. They have declined when the budget remained constant. I suggest it is unfair to characterize those who support this amendment as being unconcerned with worker safety. The statistics simply do not bear that out.

Mr. Chairman, let me make another point. I believe in worker safety. I once worked as a construction worker and carried a union card. I was deeply concerned about union safety. But that was before OSHA existed, and I thought the State of Arizona and its safety officials did a good job of working to protect the workers on the job site where I was earning my living.

But I think that OSHA has, on occasion, run amuck. When I first got elected to Congress, many contractors in the State of Arizona came so see me about OSHA's proposed fall standards, and they complained bitterly that there was no rationale and no reason; that the fall standards were not well written; that they were not thought out. Roofers came to me, as well as others in the construction industry. I have a brother in Tucson, AZ, who builds homes, and when he saw the first draft of those regulations he said, "John, they're absurd. They make me try to protect from falls for people I cannot protect when they are not even up in the air. They make me protect framing contractors, when I have nothing that I can hook a safety net to."

I think OSHA can be improved, but I do not necessarily think that every year just as the clock turns we automatically have to give it more money. And that brings me to the merits of this very worthwhile amendment.

The IDEA Program is critical, and the parents in my district have come to see me about it.

The CHAIRMAN. The time of the gentleman from Arizona [Mr. SHADEGG] has expired.

(By unanimous consent, Mr. SHADEGG was allowed to proceed for 1 additional minute.)

Mr. SHADEGG. Mr. Chairman, let me just recite briefly, also since my elec-

tion in 1994, parents from schools throughout my congressional district have come to visit me. They have visited me about the issue of special education; both the parents of children who have special education needs and the parents of children who do not have special education needs. They have made a clear point to me, and that point is that at least the parents of those who have children who have special education needs think the Federal Government has done the right thing in IDEA and the goals it set, but the wrong thing in inadequately funding it. The parents of children who do not have special education needs have said the lack of funding for special education hurts them.

Mr. Chairman, this is a good amendment. It ought not to be belittled as too small. It should be supported by each and every one of our colleagues as moving us in the right direction. And for those who say it is not enough, we will offer more amendments later in this debate when we get to the education title to move more money into IDEA fund.

Mr. Chairman, I urge my colleagues to join me in supporting the amendment of the gentleman from Georgia.

Mr. NEUMANN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to support this amendment. I do think it is an amendment that deals with the debate over priorities of spending. We have come to a point in American history where we recognize that there are only a limited number of dollars available to be spent by Washington, because our families out in America are overtaxed already.

So, Mr. Chairman, if we say there is only a limited number of dollars available, we have to do what every American family does. We have to decide where it is that is most important that we spend these dollars. That is what this debate is all about.

In this particular debate, we are debating whether or not the dollars should be used to increase spending in OSHA or whether the increase should go to students with disabilities, to IDEA, instead.

□ 2030

I would like to start here by reemphasizing the fact that if this amendment passes, the OSHA spending does not, in fact, go down but rather OSHA spending remains constant at last year's level. In Wisconsin, where I come from, if you freeze it at last year's level, that is not a cut but spending has been frozen.

As my colleague who spoke before me from Arizona mentioned, I, too, come from the construction industry. I am certainly aware of and familiar with safety standards.

Frankly, you cannot run a business without being first and foremost con-

cerned with the safety of your workers. So OSHA is important in protecting our workers and providing safety for the workers. That is a very high priority, not only to me but to many people out there in this country. But that is not what this is about. This is about where it is that we are going to allow spending increases to occur in the fiscal year 1998 budget process.

In this particular case, what we are asking to do is redirect the increase in spending in OSHA, not a cut, but redirect the increased spending dollars over to help students with disabilities. This is about education. This is about educating the most needy children in the United States of America. This is about directing more dollars to the students who are most in need. That is really what this whole thing comes down to. What we are trying to do is redirect the \$11 million increase that was slated for OSHA over to the most needy students in education in the whole United States of America; that is, our students with disabilities.

I would reemphasize that this is not a cut in spending of OSHA but rather freezing OSHA spending at last year's levels. OSHA was set up in 1970 to provide for worker safety and to help make the workplace a safer facility for workers. In 1990, we had the only real amendment to the OSHA rule. They increased the fine sevenfold in 1990. We find that the majority of those fines deal with paperwork as opposed to some safety violation with roofing or something else of that nature. That is the reason for concern.

But again, that is not the heart and soul of what this bill is about. This bill is about debating what it is that is the highest priority to spend tax dollars, money that is hard-earned by the working people out there in America, what is the highest priority that we spend those limited available dollars on and should it go to increase spending in OSHA, which hires more Washington people, or should it instead go to help students with disabilities, perhaps the most needy part of education in the whole country?

For my vote, I certainly intend to vote to send the money to the students. Students with disabilities certainly have a high priority as far as I am concerned on where we should be spending money.

Over the course of this debate we will be debating lots of amendments that deal with redirecting funds from one portion of this bill to another portion. All through the night we are going to be talking about what it is that is the most highest priority for people in this Congress to spend.

So for me I plan to vote for the amendment. I am going to vote to freeze OSHA spending at last year's levels. No cuts. I am going to vote to freeze it at last year's levels and redirect the money to the neediest students in this country, to IDEA. I would

certainly encourage my colleagues to do the same.

Mr. PORTER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the committee headed by our colleague, the gentleman from Pennsylvania [Mr. GOODLING] and the members of that committee did a wonderful job in providing for real reform of the Individuals With Disabilities Education Act [IDEA] Program earlier this year. Along with the reforms that they accomplished, it is very clear, and I think we all agree on both sides of the aisle, that additional moneys are needed to help kids with disabilities and to provide relief to local taxpayers for the mandate that IDEA imposes on States and local school districts.

For that reason, last year we increased funding in this bill by \$790 million. This year we increased funding by an additional \$312 million. And earlier in this bill we accepted an amendment from the gentleman from Pennsylvania [Mr. GOODLING] to add an additional \$25 million. The total increase in the last 2 years is \$1.127 billion.

The Senate has provided even a greater increase this year in their bill, \$600 million more than we provided in the House bill. I believe I can assure Members, depending on the level of allocation, that we are very likely to go as far as we can toward the Senate's higher number. IDEA is very high priority for us. We certainly are not shirking our responsibility to provide all the funding that we can for it.

It has been said repeatedly that OSHA, on both sides of this debate, that the Occupational Safety and Health Administration [OSHA] is moving in the right direction, and that we ought to encourage them to continue to move in that direction. It is a direction that moves away from the "gotcha," and moves toward helping businesses to make the workplace safer. Its basic promise is that OSHA must work cooperatively with business to ensure greater worker protection.

It has been said also that if we level-fund a program or department of government, that they are getting the same amount of money as the previous year. That would be true if there were no inflation in our economy. Unfortunately, there still is some, and what we did in this bill is provide an increase overall for OSHA of about 3.5 percent over last year.

As I said earlier, a 3.5 percent increase is \$11.6 million below the President's budget request. If you take the cost increases, that is, the inflation increases and Federal pay raises, you actually are providing a reduction from last year in terms of actual buying power. So we are attempting to do what has been said over and over by the proponents of this amendment, to hold OSHA at approximately the same spending level as last year, given infla-

tion. In the process we have moved the additional dollars, into compliance assistance rather than into Federal enforcement. In fact, if you look at the overall figure on the Federal level of compliance assistance, we have increased that by 22 percent whereas Federal enforcement has increased by only 1 percent.

So I think we are moving in the direction that the gentleman would like to move. This amendment is basically the same amendment as the one we just considered. Rather than putting the money cut from OSHA into vocational education, it would take the funding and put it in IDEA. The amendment cuts exactly the same amount of money as the previous amendment.

As I said before, we have done everything we possibly can to move money into IDEA. I believe that we have struck the right balance between each of these programs and that the amendment really is just not necessary.

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

Mr. PORTER. I yield to the gentleman from Georgia.

Mr. NORWOOD. Mr. Chairman, I thank the gentleman for yielding to me.

I want to congratulate him and the gentleman from Pennsylvania [Mr. GOODLING] for increasing funding in IDEA. I want to point out to the gentleman that it is only at 12 percent level. We are funding at 100 percent from home, from the districts and counties. The law that was passed in this Congress said that we would fund it at 40 percent. So that is what we are trying to ask to be done, is fund it at the level the law requires.

Lastly, Mr. Chairman, I am curious about the increased funding for OSHA this year, the \$11.25 million. Does the gentleman know that that will save one life?

Mr. PORTER. Mr. Chairman, I know that without it, we may lose more lives. I think the answer is that no one knows that, to reply to the gentleman.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. PORTER] has expired.

(By unanimous consent, Mr. PORTER was allowed to proceed for 1 additional minute.)

Mr. NORWOOD. Mr. Chairman, if the gentleman will continue to yield, if you look at numbers over the last 5 or 6 years in terms of what the funding level was versus how many deaths we had in the workplace, you clearly can conclude pretty quickly we do not know that we will improve the situation at all by increased funding.

Mr. PORTER. Mr. Chairman, reclaiming my time, I would say to the gentleman, I believe that we are doing better now in terms of overall support for IDEA than we have ever done in the past. And while I agree with the gen-

tleman, we have to do as much more as we possibly can, I think we have done a very, very good job of increasing funding for this vital program. This amendment would not make any substantial difference in what we have accomplished.

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

Mr. PORTER. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I would simply like to point out, in answer to the other gentleman's question, that according to the Bureau of Labor Statistics, the combined rate of workplace injuries and illness in the private sector fell from 11 per hundred workers in 1973.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. PORTER] has again expired.

(On request of Mr. OBEY, and by unanimous consent, Mr. PORTER was allowed to proceed for 2 additional minutes.)

Mr. OBEY. Mr. Chairman, if the gentleman will continue to yield, it fell from 11 per hundred workers in 1973, which is the first year that data were reported, to 8.4 per hundred workers in 1994. That is a 24-percent decrease. The decrease in both injury and illnesses has been the most significant in the industries where we have had the toughest enforcement; namely, manufacturing, construction, and mining industries. So I think it is obvious that the less we do to finance OSHA, the less we do to create a safe and healthy workplace for American workers.

Mr. KINGSTON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I stand in support of the amendment in transferring money from OSHA to handicapped children and to the local school boards, the local school boards and the folks back home, the property taxpayers are making up the difference now in this important IDEA program. We need to help them out. This amendment gives us an opportunity to do that. But it also gives us an opportunity to send yet another message to OSHA that the American people want to get the Government off its back. OSHA is a nitpicking regulatory agency, far beyond their alleged mission of human safety. We talk about safety. It is like OSHA has the franchise on it, Mr. Chairman.

The fact is that let us just say the businesses of America did not care about their workers. Let us just say it did not matter to them. What would be the consequence of having somebody hurt to a manufacturing plant? Workers compensation premiums would go up. That is a substantial amount of money. The workers who are injured would cause downtime to the production line. The machinery would be broken; the car, for example, would be wrecked. There would be bad will.

There would be morale problems. There would be a PR problem. All of these things come into play in the event that a business is not concerned about safety.

But the reality is, Mr. Chairman, businesses do care about their employees. They want their employees to stay there for a long time. They want their employees to be safe. They want their employees to be comfortable, secure, and happy. And that is why they take lots and lots of precautions on their own without OSHA coming in and interfering.

Here is the light reading of the night, Mr. Chairman. You look like you have some spare moments up there. This is the OSHA regulation on asbestos. You will remember that the Environmental Protection Agency outlawed asbestos in all forms and a court threw that out and said, you can't go that far; you are going beyond your mission statement.

But OSHA steps in and says, that is OK. We will enforce it, even though the court said not to. What fine work did they produce as a result of their interference? The first thing they did is they came up with a new brake for cars, even though using the asbestos in automobile brakes did not cause any damage in terms of people breathing asbestos or anything like that. OSHA came in and said, you have to have new brakes on cars.

These new brakes, Mr. Chairman, take twice as long to brake, and as a result, according to a scientific study by the National Safety Board, Transportation, we have been losing 150 people more each year. I repeat, 150 deaths have been caused in addition because of OSHA's great work on taking asbestos out of brakes. That is not looking out for worker safety.

What are some of the other fine examples of the great work that they do?

Well, there was the case of a business that had a problem with employees stealing fire extinguishers, so the business put the fire extinguishers behind a very thin, breakable glass. But then the OSHA inspector came back around and said the fire extinguishers were no longer accessible because they were behind this breakable glass. The company was fined.

Then there was the case of a shampoo manufacturer. The shampoo manufacturer, Mr. Chairman, used large stainless steel open vats to mix the product in. When they were cleaning the product, the bowl, of course, was empty and employees would actually go inside the bowl and clean it.

Well, even though there was no top on them, not just during the cleaning but actually during the mixing of the product, there was not a top for these large vats or bowls, OSHA came in and said that the workers who were cleaning the bowls were in a confined space and, therefore, they needed to be treated like they were in an enclosed tank.

So OSHA required the shampoo company to have rescue teams standing by with respirators and so forth. This is an absurd example of a bureaucracy that has gone crazy.

A couple of other examples. In Indiana, there was a company called Zilkowski Construction Company that was fined for having a can of Pledge furniture polish in a trailer with no material safety data sheet on it. Is that not a real treacherous situation for workers to be exposed to a can of Pledge furniture polish?

□ 2045

And then here is another one. 1992, a company in South Bend, IN was cited by OSHA for not having a brand specific material data safety sheet for chalk. That is chalk that you would write with. That is the kind of ridiculous thing OSHA would do.

The CHAIRMAN. The time of the gentleman from Georgia [Mr. KINGSTON] has expired.

(By unanimous consent, Mr. KINGSTON was allowed to proceed for 2 additional minutes.)

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

Mr. KINGSTON. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, let me simply point out that the gentleman is talking about occurrences in OSHA which can no longer occur because Mr. Dear, when he became director, issued an order which told OSHA not to issue fines because of any consumer product problems that were found. That would deal with whether we are talking about Pledge or whether we are dealing with any of the other items that were raised on the gentleman's side tonight.

Mr. KINGSTON. Reclaiming my time, Mr. Chairman, I am glad the gentleman brings that out because it makes us think maybe there is hope for reform in this agency, but I am still not, and most of the folks back home who were employers who are suffering from all this nitpicking, I still believe they are saying, do not increase this agency, do not send more Government down here to my manufacturing plant.

It is interesting, the manufacturing jobs in America in 1960 were two-thirds of the working population. Today they are one-third. One of the major reasons why businesses go overseas, Mr. Chairman, and we are losing the manufacturing base is because businesses here are having to pay too high a price to do business and commerce in America because of excessive regulatory agencies such as OSHA.

I say, let us not increase them at this time, let us leave their funding at a level base and let us send the difference to handicapped and disabled children in our districts.

Mr. COBURN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I wanted to talk about IDEA for just one moment. As a practicing physician, I have three patients that are very dear to me. One of them is Brandon Jones. I delivered Brandon about 9 years ago and he has a syndrome called Vader Syndrome. He has pulmonary hypertension. He wears oxygen all the time. He has a limited life expectancy, and yet in the public school system in Muskogee, OK, he has to, by Federal mandate, be offered every opportunity to do what every other child can do. The costs for him are approximately \$100,000 a year, just for his education.

There is Felicia Fallegey. At 2 years of age, she was shaken by a babysitter and now has severe, severe cerebral atrophy and damage, yet, by mandate and by right gets to attend school. The cost for this child, who cannot move, who cannot move any extremity, who is bedfast, the cost to care for her in terms of her educational assessment is significant.

Finally, there is Courtney Johnson. Courtney was born with a cerebral accident of malformation at birth. Her developmental abilities have been limited. She is now 13 years of age and is required to have every opportunity for an education that any normal child can have.

What is the problem with all that? We are \$500 million short, Mr. Chairman, of what we should have in the IDEA program. And what we need to do is to look at the school system in Muskogee, OK, that is running a deficit this year. They will not be able to educate all the normal children in our district because we have multiple numbers like these children who deserve this opportunity. But the Federal Government, the U.S. Congress, refuses to send the money that rightfully should go to the individual school district.

When we vote on this amendment, I hope my colleagues will remember Courtney and I hope we will remember Brandon and I hope we will remember Felicia for the positive things IDEA will do for them. But I also hope we will remember the rest of the children who will not get the things they need because we have mandated a policy and we are not willing to pay for it.

Remember Brandon, remember Felicia, and remember Courtney.

Mr. TIAHRT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of this amendment to take money that is currently going to be directed to OSHA and move it toward the IDEA program.

Special education and special needs children have not been fully funded, as has been pointed out earlier, and I think this is a wonderful opportunity to do something about that. When I think of the extra costs that are associated with these children and the opportunities they could have by taking

\$11.25 million from OSHA and moving it to them, I think there should not be any question for a Member of Congress to rise to this opportunity to help these children.

Now, we could go on and talk about some of these children and their special needs, as the gentleman from Oklahoma pointed out, who is also a physician and knows very well on personal terms. I know several children myself that are currently in special needs programs. My wife worked in special education as a speech therapist in public schools for 4 years, working directly with these children, and there is a great need for us to rise to the occasion to give them this additional funding.

If we talk to any school board member across the United States, and in Kansas I have spoken with members of the school board, and quite often their request is that we help with the funding for special needs children to give them the opportunity to be mainstreamed, give them the opportunity to share learning opportunities that are the same as other children have. Yet this is a mandate that they be educated, a mandate from the Federal Government, and we do not fully fund it. We do not give the financial backing for the mandate.

This is something that has been around for some time, and it is a problem that has been around for quite a while, and yet tonight we have the opportunity to do something to correct that, one small step in the right direction.

Where are we taking this money from? We are diverting it from OSHA, diverting it from an organization that has had a lot of problems and is in need of reform. I think we have seen some initial steps.

I know that I have met with the regional director for OSHA in Kansas and he is open to making changes that will work toward a common goal of a safe work environment. And yet when he takes these ideas, and maybe I should explain a little how this came about, I was at the State fair 2 years ago and he walked up to my booth and we struck up a conversation; and I asked him if he would be open to meeting with members of industry, with members of the construction trades and with members of people who interface with OSHA, because they are out there creating and trying to keep jobs in the Kansas area, and he said he would be glad to do that.

So we got together about 30 members of business, small businesses, large businesses, and they met with OSHA, and they came up with a format where they could find onerous regulations and then come up with solutions to change those regulations to get to that common goal of a safe work environment. Well, these ideas are now flowing back up to Washington, DC, and so far we have not seen a lot of change.

But we have seen changes even in the private sector where insurance companies will come into a plant and they will show a plant how they can make a more safe environment; and they work hand-in-hand with the people that are creating and keeping the jobs, work hand-in-hand because there is a common goal there of lowering insurance rates and creating a safer work environment. And they make suggestions.

So one of the questions that I had for OSHA was, why can OSHA not work together with the companies and come up with a way of making a safer work environment? Why does there always have to be a fine on everyone the first visit? And some of the ideas that came out of these meetings with business and OSHA was that, well, why do we not, at the request of the employer, allow OSHA to come in with the guarantee there would not be any fines, but they would go through and list some things that would be potential hazards, get some kind of agreement and a time period to change this work situation or this work location, I should say, change this work location so that they can make a safe work environment, thereby working together, working together with the people who are making the jobs, with OSHA in getting a safe environment, much like the current insurance companies do when they come in and do a risk assessment.

So OSHA would come in and do this risk assessment, it would give them the opportunity to tell the employer where they had shortcomings. The employer could then have a time period to make those changes; and the end result, the common goal, the whole reason that we have OSHA in the first place, would be a safer work environment.

But that is not what has been happening. So this is an opportunity for OSHA to come about and change and move the money to children with special needs.

Mr. HOYER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, a number of proponents of this amendment have risen with some degree of concern about the characterization of motives. I do not intend to characterize anybody's motive; however, I do intend to observe what I think is happening.

There is a desire to cut OSHA. There have been a series of amendments to effect that end. The common theme of those amendments is to cut OSHA or worker-related wage and hour enforcement in the Department of Labor. So that is an observation; it is not a question of any motive.

I frankly conclude that the effort is to cut \$11.2 million out of OSHA from the last two amendments. I understand that. I am confused, I will tell my friend, when I see, as I have expressed before, the 1995 budget offered by those who were here at that point in time

and I see over \$120 million cut in special education, including \$90 million cut for special education teachers of those children that the doctor mentioned a little earlier.

Frankly, my colleagues will forgive us on this side if we do not think there is somewhat of a dichotomy in that action, a contradiction.

That aside, let me speak to OSHA and some of the other observations that have been made. A number of speakers, including the distinguished gentleman from Georgia, have noted that the figures have gotten better in the last 4 years. Now, I do not necessarily think that is a surprise. Very frankly, there has been not a particularly warm feeling about OSHA demonstrated on the other side of the aisle and, frankly, in some respects, on our side of the aisle.

The fact of the matter is, the new administration came in and said, we want to do business in a new way. Mr. Dear, whom the chairman has talked about and others of us have talked about, came in and did, in fact, redirect, reinvented in some respects, the OSHA regime. And in fact I do not think it is a coincidence that things have gotten better during the last 4 years under the Clinton administration and OSHA under the Clinton administration.

But I will say in this context, as well, with respect to OSHA, that the other side wants to cut. In 1980, there were 2,962 employees in OSHA. Today there are 2,230. This is not a bureaucracy out of control. This is, in fact, a substantially reduced complement of employees at OSHA trying to cover more workplaces and more workers.

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

Mr. HOYER. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, I would ask the gentleman if that figure includes State OSHA inspectors, as well?

Mr. HOYER. Reclaiming my time, Mr. Chairman, I would say, no, this is Federal.

Mr. COBURN. If the gentleman will continue to yield, Mr. Chairman, it is important that that is not the limited number of people who are inspecting the workplace.

Mr. HOYER. Mr. Chairman, obviously, we are not budgeting for the States, so I understand that.

Mr. COBURN. Much of that has been shifted to the States who have received that clearance from OSHA; is that correct?

Mr. HOYER. I tell the gentleman, as he well knows, this cut will not affect the States. This cut will only affect the Federal agency.

Mr. NORWOOD. Mr. Chairman, will the gentleman yield on that one little issue?

Mr. HOYER. I yield to the gentleman from Georgia.

Mr. NORWOOD. Mr. Chairman, I would say to the gentleman that this is

not a cut. We are simply freezing it at the same level it was last year, \$325.7 million.

Mr. HOYER. Reclaiming my time, Mr. Chairman, I understand the gentleman's proposition. As the gentleman from Illinois [Mr. PORTER] clearly and accurately pointed out, this is less than inflation plus the pay raise that is going to its employees. So as the gentleman from Illinois correctly pointed out, there is less buying power.

But that aside, the number, frankly, in my opinion, is not the issue here, because although \$11.2 million to all of us is a very large number, when compared with 90 million workers working in the workplace, it is a relatively small number when divided by that figure and the extension of protection.

Let me make this point. The good doctor correctly observed that IDEA is serving some very, very important people and, frankly, I do not take a back seat to anybody in this body on a commitment to those with disabilities. But I will also tell my friend that there has been very, very, very substantial progress since 1970 when OSHA was adopted in workplace safety both at the State in the Federal level throughout the country and in each of our States because, in my opinion, of OSHA; and the statistics bear that out.

□ 2100

I tell my friend that while it is critically important that we spend money on those children with disabilities—

The CHAIRMAN. The time of the gentleman from Maryland [Mr. HOYER] has expired.

(By unanimous consent, Mr. HOYER was allowed to proceed for 2 additional minutes.)

Mr. HOYER. Critically important, I tell my friend the gentleman from Oklahoma who as a doctor I am sure has seen people injured in the workplace who are almost, if not in exactly the same condition because of a work-related injury, in similar conditions. And that it is equally important that we try to prevent those accidents from occurring, make the workplace more safe so that they will continue to be productive citizens, so that employers will save money, insurance companies will save money, and we will have a better economy and a more productive workforce.

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

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

Mr. HEFNER. I happen to represent the district where the people were killed in Hamlet, NC, a very tragic thing that we had there. There was a lot of blame placed on different agencies. I also had people come to my office that said they had been in the textile business, that we have got to do something about OSHA.

I said: "How long you been in the textile business?"

"Our family has been in it 36 years."

"How many times you been checked by OSHA?"

"Well, we've never been checked by OSHA but we know some people in Asheville that was checked and some of the horror stories."

Mr. Chairman, there needs to be some changes made. But I would like to ask the gentleman from Georgia, if we took the \$11 million he is talking about and divided it up among the school districts across the United States, how much each school district would get.

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

Mr. HOYER. I yield to the gentleman from Georgia.

Mr. NORWOOD. I think as I recall it came out to about \$30,000, but that is not all the point.

Mr. HEFNER. The way I figured it up, each school district across the United States would get \$700. Am I wrong?

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

Mr. HOYER. I yield to the gentleman from Oklahoma.

Mr. COBURN. In Muskogee, Oklahoma, we would be happy to have the \$700 that would come to our school district since we have a deficit, and one of the reasons we do is because of the mandate of IDEA on us to educate all our children, not those with just special disabilities. This debate is about priorities. We are going to spend the money.

The CHAIRMAN. The time of the gentleman from Maryland [Mr. HOYER] has again expired.

(On request of Mr. COBURN, and by unanimous consent, Mr. HOYER was allowed to proceed for 2 additional minutes.)

Mr. HOYER. Mr. Chairman, I yield to the gentleman from Oklahoma.

Mr. COBURN. We are going to spend the money, we have all agreed to that. I did not vote for the budget, but that was the will of this House. The President and the Congress decided to do that. There is nothing wrong with having a debate about where we ought to spend it. We are not spending enough money on IDEA. We can achieve better efficiency within the bureaucracies. We can. To say we cannot, we should give up and go home now. That is what we are asking.

Mr. HOYER. Reclaiming my time from the gentleman from Oklahoma, if I may make this point, Mr. Chairman, the point here is you want to cut OSHA. I understand what is being talked about. This budget increases IDEA special education by \$338 million, 8 percent. That is only 8 percent. I have not extrapolated in my head what \$11.2 million does but if 338 is 8 percent, it is obviously below 1 percent.

Mr. COBURN. Three percent. I am talking about OSHA.

Mr. HOYER. But in terms of IDEA, what you are doing for IDEA is essentially only in form, not in substance. The reason for that is that the need that the gentleman from Georgia [Mr. NORWOOD] talks about in terms of 40 percent, the gentleman from Georgia is absolutely correct. We would have to put a whole lot more money in there. We adopted a budget agreement. We would like to have a whole lot more money for almost every object in this bill. Why? Because as Mr. Natcher from Kentucky used to say, this is the people's bill. It deals with their health and with their education, their workplace safety, the very guts of their lives. That is why this bill is so popular. But when you increase an object by \$338 million and then come back and say, well, we need \$11 million additional, all of us know that that will not make a very big impact at all although it will make a big impact to reduce the compliance in OSHA.

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

Mr. HOYER. I yield to the gentleman from Georgia.

Mr. NORWOOD. It is sort of like saving money.

The CHAIRMAN. The time of the gentleman from Maryland [Mr. HOYER] has again expired.

(On request of Mr. NORWOOD, and by unanimous consent, Mr. HOYER was allowed to proceed for 2 additional minutes.)

Mr. HOYER. I yield to the gentleman from Georgia.

Mr. NORWOOD. Mr. Chairman, I will be very brief. We put \$1 in at the time until we build it up and finally get IDEA funded. But the point here is we know what the \$11.25 million would do in IDEA and we do not know what the \$11.25 million would do in OSHA. There is no way for anybody in this room to say they know spending that extra \$11 million next year is going to achieve a certain goal. You cannot prove it from the past numbers.

Mr. HOYER. Mr. Chairman, reclaiming my time, one of the great difficulties obviously talking about Federal expenditures, it is very difficult and clearly I think the gentleman would find it impossible to say we are going to make a marked difference between an increase of \$338 million and an increase of \$349 million in special education. I think that would be an appropriate step for us to take if we had the money available to do that. Having said that, I think one can show that there has been a marked increase in worker safety as a result of the expenditures made in OSHA at the Federal and State levels.

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

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

Mr. HEFNER. The gentleman from Georgia, I do not think one can have a

guarantee that any program that we do is going to save one life or what have you. If we want to go under that assumption, we should not spend any money for breast cancer because we cannot say that the money we spend for breast cancer is going to save one person. But now this money, if you take \$11 million, if you want to really do something, the gentleman from Illinois would like to have more 302 allocation to go to this program. Get the big bucks in there to fund it at 40 percent. But a lot of folks on that side did not even vote for the disabilities and did not vote for the bill, did not vote for minimum wage and for workers. To me, this is a little bit frivolous, and I am not judging, but to me we are making a whole lot of an argument out of \$11 million. That is going to be \$700 to each school district in this country. That just will not get it.

Mr. RIGGS. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. RIGGS. I yield to the gentleman from Georgia.

Mr. KINGSTON. Mr. Chairman, there is a big misconception among many people on that side of the aisle that more spending means less deaths. I want to say in 1994 the number of work-related deaths was 6,632. That number dropped in 1996 to 6,112 and that was with very, very limited increases on the budget for OSHA, in fact so limited that you routinely call it a cut. Let us be honest with ourselves. There is not a proven relationship in spending more money on OSHA bureaucrats and saving workers.

Mr. RIGGS. Mr. Chairman, reclaiming my time, I just want to point out to the gentlemen who were just engaged a moment ago in the colloquy a couple of salient points I mentioned last week and I think bears mentioning again tonight. First of all, the contention has been made that amendments that involve a relatively small, even insignificant amount of money like 4 million extra, the vocational education amendment, or \$11 million more will not do much to meet the Federal obligation to pay 40 percent of the cost of special education in America today. I would submit that just the opposite is true. We want colleagues to keep moving in the direction, and I should not have to tell this to a distinguished senior member of the Committee on Appropriations, but we want to move in the Senate's direction. The other body has increased funding in their version of this bill by \$830 million, building on the \$700 million increase in last year's bill for special education. Why? Because apparently they take more serious than the House of Representatives the obligation of Federal taxpayers to pay 40 percent of the cost of special education pursuant to the original legislation back in the mid-1970s.

Second, again the point that I made last week, if we can reach \$1 billion in new Federal spending for special education, local school districts are then able to redirect the money that they are spending on special education to meet other important local educational needs. But what I do not understand about this debate is why those who oppose this amendment are not talking about holding government programs accountable. That is beyond me. Because in the case of the Department of Labor, we are talking about a \$12 billion governmental bureaucracy based here in Washington, DC.

We have been endeavoring to deliver better services at less cost to taxpayers. The Republican-controlled Congress can take pride in the fact that we have rooted out waste and duplication. We have eliminated 320 Federal programs and grants, and we have now of course achieved a bipartisan agreement to balance the budget for the first time in a generation. We are going to continue our efforts to make sure government is held accountable for actual results, using legislation passed by the Democratic-controlled Congress, the Government Performance and Results Act.

It is a 1993 law, the purpose of which again is to make sure that the Federal Government is smarter and more accountable. Under this act, the Results Act, GPRA, it is called, every agency must submit to Congress clear and concise strategic plans to justify what it is trying to accomplish, why it matters, and whether the agency is successful in accomplishing its goals.

To date, these executive branch agencies, these agencies of the Clinton administration, are receiving failing grades for compliance. In fact, only 4 of the 24 agencies received grades of at least 50 out of a possible 105 for their draft plans. The highest graded agency was the Social Security Administration, receiving a 62 percent, while the lowest, no surprise to my colleagues who want to find further grounds to vote for this amendment, the lowest was the Department of Labor, which received a pathetic 6.5 percent grade out of a possible 105.

Do not buy the argument that this \$11 million increase, new spending, will be lost somehow in this \$12 billion bureaucracy. Do support the amendment, because this \$11 million will go a lot further to meet the educational needs of children with learning disabilities and to fulfill that original Federal obligation, that mandate on Federal taxpayers that Federal taxpayers bear at least 40 percent of the cost of special education in America.

Mr. FRANK of Massachusetts. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I first want to address some of those who have been churlish enough to suggest that this is not the

finest use of time of this body. This has been a very educational debate. For instance, I did not know until right now that if you were opposed to the Occupational Safety and Health Administration you pronounce it AHSHA, whereas if you are in favor of its mission, you pronounce it OHSHA. I will now recommend to people that when you hear them say AHSHA they wish it was abolished. When they say OHSHA, they are in favor of it. That may be the only thing people will learn tonight.

There is one other thing. I did want to extend condolences. I have some colleagues on our side who have been talking about slowing down the procedures of the House to demonstrate the importance of campaign financing. I congratulate some on the other side who have figured out how to preempt that because there is no way in the world anybody could be noticed as slowing down this process. So the Republican conservatives have here preempted the Democratic liberals. There is no way anyone will notice that people are trying to burlesque these proceedings with this set of amendments.

But now let us get to the merits. I think it is very important. We are here choosing between worthy programs, because I think both aid to children with disabilities, and I heard one of my colleagues complaining that the Federal Government is insisting that children be educated. I suppose there are some who think that is a terrible thing for the Federal Government to do. I think it is rather a good thing for the government to do. But I would acknowledge, we are forced to choose between two good things, because I am in the "pronounce it OHSHA" category. I think having a Federal agency that tries to reduce death and industrial accidents is important. I think the history is clear that left to their own devices, corporations, not because they are evil but because they are profit maximizers, by instinct will not in fact put enough into safety and health. Unless you have a government entity insisting on that, there simply will not be enough. Is it perfect? No. But here is what strikes me. We are choosing between two goods. And we are choosing at very small margins.

Meanwhile, this House continues to support tens of billions of dollars for the B-2 bomber. People have talked about problems with individual decisions of the Occupational Safety and Health Administration, but the majority voted for an airplane that cannot go out in the rain.

□ 2115

If, in fact, OSHA had ever decided that you could not make umbrellas that would retract in the rain, we would be very upset. But we just did this with a big airplane.

So what this demonstrates is the lack of sensible priorities that has been

governing in this House. If in fact we were to vote enough for the military, but not way too much, we would not have this problem.

I should note one other thing for people to keep track of, and that is when is a level funding in dollars not a cut? Well, it is not a cut when it happens to deal with occupational safety and health.

If you provide the same dollars for the Labor Department, that is not a cut; but if you were to provide the same dollars for the Defense Department, that is a cut. People who denounce the notion that level funding is a cut here will tell us that we are making a cut there.

There is, of course, a difference. We are debating \$11 million here. In the defense bill, we would not debate \$11 million because of the principle de minimis non curat lex, or the law does not deal with trifles. Neither does the defense appropriation bill. Because "million," I do not think in the Pentagon there is an "M" on the typewriter, because they never deal with less than a billion.

A million, nobody would notice a million. As a matter of fact, I think it would be a violation of occupational safety and health to tell the Pentagon to worry about millions, because they spend so much money, they would get severe eyestrain if they had to worry about millions.

So what we have here is a very clear indication of the distorted priorities that obtain in this House. No, we should not have to choose between trying to prevent occupational disasters for working men and women and educating children.

I hope when we vote again on the budget and when the appropriations committees' conferences come back, we will cut a tinsy-little bit out of that military, and they will be able to take care of OSHA, ASHA, and the children.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia [Mr. NORWOOD].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 157, noes 240, not voting 36, as follows:

[Roll No. 370]

AYES—157

Aderholt	Bilbray	Burton
Archer	Bilirakis	Buyer
Army	Blunt	Callahan
Bachus	Boehner	Calvert
Ballenger	Bonilla	Camp
Barr	Bono	Canady
Bartlett	Brady	Cannon
Barton	Bryant	Chabot
Bass	Bunning	Chambliss
Bereuter	Burr	Chenoweth

Christensen	Hutchinson	Rogan
Coble	Inglis	Rogers
Coburn	Istook	Rohrabacher
Collins	Jenkins	Royce
Combest	Johnson, Sam	Ryun
Cook	Jones	Salmon
Cox	Kasich	Sanford
Crane	Kim	Schaefer, Dan
Crapo	Kingston	Schaffer, Bob
Cubin	Klug	Sensenbrenner
Cunningham	Largent	Sessions
Deal	Latham	Shadegg
DeLay	Lewis (KY)	Skeen
Doolittle	Linder	Smith (MI)
Dreier	Lucas	Smith (OR)
Duncan	Manzullo	Smith (TX)
Dunn	McCollum	Smith, Linda
Ehlers	McCrery	Snowbarger
Ehrlich	McIntosh	Solomon
Emerson	McIntyre	Souder
Ensign	McKeon	Spence
Everett	Mica	Stearns
Fowler	Moran (KS)	Stenholm
Frelinghuysen	Myrick	Stump
Ganske	Nethercutt	Sununu
Gibbons	Neumann	Talent
Gilchrest	Norwood	Tauzin
Goode	Nussle	Taylor (MS)
Goodlatte	Oxley	Taylor (NC)
Graham	Packard	Taylor (NC)
Granger	Parker	Thornberry
Gutknecht	Paul	Thune
Hall (TX)	Paxon	Tiahrt
Hastings (WA)	Peterson (PA)	Upton
Hayworth	Pickering	Wamp
Hefley	Pitts	Watkins
Herger	Pombo	Watts (OK)
Hill	Portman	Weldon (FL)
Hilleary	Pryce (OH)	White
Hoekstra	Ramstad	Whitfield
Hoeftler	Ramond	Wicker
Hulshof	Riggs	Young (AK)
Hunter	Riley	

NOES—240

Abercrombie	Dixon	John
Ackerman	Doggett	Johnson (CT)
Allen	Dooley	Johnson (WI)
Andrews	Doyle	Johnson, E.B.
Baesler	Edwards	Kanjorski
Baldacci	Engel	Kaptur
Barrett (NE)	English	Kelly
Barrett (WI)	Eshoo	Kennedy (MA)
Bateman	Etheridge	Kennedy (RI)
Becerra	Evans	Kennelly
Bentsen	Ewing	Kildee
Berman	Farr	Kilpatrick
Berry	Fattah	Kind (WI)
Bishop	Fawell	King (NY)
Blagojevich	Fazio	Klecza
Blumenauer	Filner	Kolbe
Boehler	Foley	Kucinich
Bonior	Forbes	LaFalce
Borski	Ford	LaHood
Boswell	Fox	Lampson
Boucher	Frank (MA)	Lantos
Boyd	Franks (NJ)	LaTourrette
Brown (CA)	Frost	Lazio
Brown (FL)	Furse	Leach
Brown (OH)	Gejdenson	Levin
Campbell	Gekas	Lewis (CA)
Cardin	Gillmor	Lewis (GA)
Castle	Gilman	Lipinski
Clay	Goodling	Livingston
Clayton	Gordon	LoBiondo
Clement	Goss	Lofgren
Clyburn	Green	Lowe
Condit	Greenwood	Luther
Conyers	Gutierrez	Maloney (CT)
Costello	Hall (OH)	Maloney (NY)
Coyne	Hamilton	Manton
Cramer	Harman	Markey
Cummings	Hastert	Martinez
Danner	Hastings (FL)	Mascara
Davis (FL)	Heffer	Matsui
Davis (IL)	Hinche	McCarthy (MO)
Davis (VA)	Hinojosa	McCarthy (NY)
DeFazio	Hobson	McDade
DeGette	Holden	McDermott
Delahunt	Hooley	McGovern
DeLauro	Horn	McHale
Deutsch	Hoyer	McHugh
Diaz-Balart	Hyde	McKinney
Dickey	Jackson (IL)	McNulty
Dicks	Jefferson	Meehan

Meek	Porter	Snyder
Mendez	Poshard	Spratt
Metcalfe	Price (NC)	Stabenow
Millender	Rahall	Stark
McDonald	Regala	Stokes
Miller (FL)	Reyes	Strickland
Minge	Rivers	Stupak
Mink	Rodriguez	Tanner
Moakley	Roemer	Tauscher
Mollohan	Ros-Lehtinen	Thompson
Moran (VA)	Rothman	Thurman
Morella	Roukema	Tierney
Murtha	Roybal-Allard	Torres
Nadler	Rush	Traffant
Neal	Sabo	Turner
Ney	Sanchez	Vento
Northup	Sanders	Visclosky
Oberstar	Sandlin	Walsh
Obey	Sawyer	Waters
Olver	Saxton	Watt (NC)
Ortiz	Schumer	Waxman
Owens	Scott	Weldon (PA)
Pallone	Shaw	Weller
Pappas	Shays	Wexler
Pascarell	Sherman	Weygand
Pastor	Shlmkus	Wise
Payne	Sisisky	Wolf
Pease	Skaggs	Woolsey
Peterson (MN)	Skelton	Wynn
Petri	Smith (NJ)	
Pomeroy	Smith, Adam	

NOT VOTING—36

Baker	Hansen	Rangel
Barcia	Hilliard	Scarborough
Bliley	Houghton	Schiff
Capps	Jackson-Lee	Serrano
Carson	(TX)	Shuster
Cooksey	Klink	Slaughter
Dellums	Knollenberg	Thomas
Dingell	McInnis	Towns
Flake	Miller (CA)	Velázquez
Foglietta	Pelosi	Yates
Gallegly	Pickett	Young (FL)
Gephardt	Quinn	
Gonzalez	Radanovich	

□ 2134

The Clerk announced the following pair:

On this vote:
Mr. Scarborough for, with Ms. Jackson-Lee against.

Mr. MARKEY changed his vote from "aye" to "no."

Mr. KIM changed his vote from "no" to "aye."

So the amendment was rejected.
The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. CARSON. Mr. Speaker, on Monday, September 8, I was necessarily absent from the House and unable to cast the following rollcall votes. I ask permission that the following explanation for each vote be placed in the appropriate place in the official RECORD.

Mr. Speaker, I was unavoidably absent and unable to cast the following rollcall votes. Had I been present, I would have voted as follows: "Nay" on rollcall votes Nos. 369 and 370.

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

Mr. Chairman, I want to thank the distinguished gentleman from Illinois [Mr. PORTER], the subcommittee chairman, as well as the ranking member, the gentleman from Wisconsin [Mr. OBEY], for bringing the bill before us.

The measure contains over \$2.5 billion for the National Cancer Institute, an agency whose mission is to support basic and applied cancer research and treatment. With that in mind, I would like to engage Chairman Porter in a colloquy.

Mr. Chairman, proton beam therapy is a promising form of treatment for cancer and other life-threatening afflictions. This type of treatment provides an increased dose to the tumor and because the dose distribution is delivered more precisely, damage to surrounding tissue is reduced in comparison to conventional radiation.

The National Cancer Institute is presently funding a proton beam facility as part of its treatment research program.

Mr. Chairman, I would ask the gentleman from Illinois [Mr. PORTER], does he believe it would be useful for the National Cancer Institute to fund additional proton beam facilities to further its research objectives?

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

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

Mr. PORTER. Mr. Chairman, as the gentleman knows, the committee has a strong tradition of refraining from directing NIH to conduct specific types of research with particular research mechanisms. I would be pleased, however, to consult with the National Cancer Institute to learn their views on the advisability of funding an additional proton beam program within the resources provided in this bill.

Mr. HAMILTON. Mr. Chairman, I thank the chairman of the subcommittee.

AMENDMENT OFFERED BY MR. SOUDER

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

The Clerk read as follows:

Amendment offered by Mr. SOUDER:

Page 17, line 14, after the semicolon, insert the following: "and including \$68,725,000 for Federal compliance assistance under the Occupational Safety and Health Act."

Mr. OBEY. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Indiana [Mr. SOUDER] is recognized for 5 minutes on his amendment.

Mr. SOUDER. Mr. Chairman, I rise to speak on behalf of the amendment, which I believe the Parliamentarian has ruled in order.

I am in strong support of this amendment to increase OSHA's compliance assistance program by 50 percent, \$23 million over the recommended amount of \$45.725 million. The increase in funding to this vital program would be offset by decreases to funding for Federal enforcement by \$21 million, it has currently \$127.166 million in the bill, and taking \$2 million from executive administration, which has \$6.586 million currently in the bill.

The reason for the wording of the amendment is because it is on the same line. We had to increase the line on compliance, and then in the debate here, make clear what the amendment was intended to do.

Mr. Chairman, we have heard a lot from Members on the other side of the

aisle tonight about the importance of compliance and working with businesses, and I commend the chairman and the ranking member of the subcommittee for having increased, as I said earlier, the amount of dollars in compliance.

But I think we need more. In fact, I think the majority of the dollars should be used for compliance efforts, and the enforcement efforts should be used for highlighting and focusing on the high-risk cases and that the first goal should be to work to protect the safety of all the workers in this country, not in bureaucratic overhead and in harassment for the many types of stories that we have heard here tonight.

So I presume that there will be a lot of support for this amendment on the other side of the aisle, as well, because this is consistent with the concerns we have heard all evening. This increases the compliance sector, which they were already doing. It goes along the lines of what Mr. Dear has testified in front of our Committee on Government Reform and Oversight and has said in front of the Committee on Education and the Workforce that he wants to move more towards compliance.

It increases on-site consultation programs by designated agencies. It increases conducting general outreach activities and providing technical assistance at the request of employers. It increases training and education grants. It fosters and promotes voluntary protection programs, and gives recognition and assistance to employers who establish occupational safety and health programs. It provides additional money for the OSHA Training Institute.

To provide the additional funding, the amendment would reduce overhead and administrative costs in OSHA and transfer 16 percent of the funding for Federal enforcement for compliance. This does not eliminate Federal enforcement. Furthermore, it does not even touch the State category of, I think it is around \$57 million in enforcement. So the bulk of the enforcement funding is there. It is just saying we need to move at a faster rate towards compliance and working with businesses and employees to avoid accidents, rather than the harassment that we have seen and illustrated.

Furthermore, I believe we will see the science will change, where thus far, as we have pointed out several times tonight, funding went up 1 year, down 1 year, stayed level another year, and in fact the rate of accidents and deaths have been declining steadily. It does not appear correlated with OSHA funding.

If we move the OSHA funding more, with less money, in this case we are not even reducing the money, we are just transferring it, and we should get more bang for the buck through com-

pliance than through enforcement. So I challenge my colleagues to put their money where their mouths have been earlier this evening, because we have heard a lot of good words from the other side of the aisle about the importance of compliance.

I want to point out another thing. We have had a number of interesting votes here tonight, several votes, including one last week, where we had a clear choice: to put more money into IDEA and help children, or to give the money to Federal bureaucrats. Twice the House, with the majority of the Members from the other side, voted to put more money in the bureaucrats rather than towards the children.

We also had one in vocational education versus money for the bureaucrats coming out of Washington. That was defeated, once again with the majority of the Members on the other side of the aisle side voting against more money for vocational education and more money for IDEA.

But there is also an interesting phenomenon occurring on our side. That is, fully two-thirds to three-quarters of the Republicans have been voting against the bill that is being offered to a Republican Congress. It is just the start of a bill that we are going to hear debated at least the rest of this week and probably into next week, and we are only on title I.

What we have seen is that the majority of the Republican Party here, along with some from the other side, in a bipartisan effort, are disturbed about the things in this bill that affect the business community and the workers of this country. We are soon going to hear in section 2 that we are concerned about drug needles, we are concerned about parental notification, we are concerned about lack of funds for breast cancer and other things that we believe are more deserving than some of the other parts of the bill.

Then we will move into the education section, where we are concerned that we are creating new programs without any hearings, instead of funding programs like IDEA, which we have already agreed in the House needs funding.

□ 2145

Then we are going to move to the other agencies, of which there are several, that we said that when we were elected the majority we were going to change, and in fact are seeing either increases in funding or programmatic increases. This is not something that is just focused on this title, but this title has been very clear. I appreciate the opportunity that we have had to debate with the gentleman from Illinois [Mr. PORTER] and other Members of Congress.

The CHAIRMAN. Does the gentleman from Wisconsin insist upon his point of order?

Mr. OBEY. Mr. Chairman, I withdraw my reservation of a point of order.

Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, if we are going to debate this measure tonight with no one here, my understanding is that Members have been told that there would be no more votes tonight. Under those circumstances, it seems to me that since, I assume as was the case on previous amendments, the sponsors will want to be recognized again tomorrow to refresh the memory of the House with respect to their arguments, I see no point in debating this issue further tonight and would inquire what the intention of that side of the aisle in terms of debating this amendment.

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

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

Mr. PORTER. Mr. Chairman, my understanding, because the Chair was about to put the question because there was no more speakers, I would intend that the Committee would now rise.

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

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

Mr. SOUDER. Mr. Chairman, there are a couple of more Members who did not realize that we were going to go to that procedure as fast. However we do that, we can either debate further tomorrow morning or have some of the debate tonight, but there is an intention to not have long debate on this necessarily, but there will be one more amendment on this title.

Mr. OBEY. Mr. Chairman, reclaiming my time, I will strike the last word tomorrow and make my arguments then.

Mr. PORTER. 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. SHADEGG] having assumed the chair, Mr. GOODLATTE, 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. 2264) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1998, and for other purposes, had come to no resolution thereon.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. SHADEGG). 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.

THE IRS IMPROVEMENT ACT OF 1997

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

Mr. COYNE. Mr. Speaker, today, Congressmen RANGEL, MATSUI, HOYER, WAXMAN, and I are introducing the Internal Revenue Service Improvement Act of 1997. This legislation will address the fundamental problem areas currently facing administration of the tax laws by the IRS.

This legislation will codify recent actions taken by the administration to ensure effective oversight of the Internal Revenue Service by the Department of Treasury. The legislation also ensures effective use of the expertise of individuals from the private sector.

The bill will allow the IRS to improve its customer service through more taxpayer-friendly IRS telephone assistance, clearer notices, quality reviews, taxpayer surveys, and increased access to the Taxpayer Advocate offices.

The legislation will also provide the IRS with increased employee training and education, a reform that IRS employees have asked the Congress for so that they can better do their jobs.

The bill will give the IRS Commissioner a 5-year term to run the agency which will result in continuity of management. The Commissioner would be given the authority to hire a top-notch IRS management team and be able to recruit and pay experts, as needed, throughout the agency. IRS employees would be able to work under performance-based and retention arrangements, and the IRS would be able to conduct demonstration projects to test the use of successful private-sector methods of efficiency and customer satisfaction.

The bill will provide for the development of state-of-the-art technology at the IRS. The IRS would be allowed to better integrate its technology with strategic objectives, and develop intellectual capital. Electronic filing of tax returns would be promoted and streamlined to facilitate taxpayers' ability to file error-free, quick refund returns.

Before any of this can be accomplished, however, governance, management, and oversight of the IRS must be improved.

As a member of the National Commission on Restructuring the IRS, I opposed the Commission's recommendation to allow individual taxpayers from the private sector to have final decisionmaking authority over the operation of the IRS, including the appointment of the IRS Commissioner. I think that such an approach raises questions of accountability.

Further, while the Commission proposed that its independent board would only be responsible for running the IRS, and would not have authority over tax policy, tax enforcement, or other taxpayer-sensitive areas, it is not clear to me that these issues can be adequately separated from its proposed role of managing the IRS.

The administration has recognized that the IRS needs to be reformed, and is moving to address the problem with aggressive oversight headed by the Department of the Treasury. As an alternative to having the private sector run the IRS, the administration has proposed insti-

tutionalizing the Department of the Treasury's oversight of major strategic, personnel, and procurement decisions of the IRS with an Executive order creating an IRS Management Board, consisting of Treasury and other Federal officials. Also, the administration has proposed an IRS Advisory Board—consisting of private-sector experts—to enhance oversight of the IRS through systematic analysis and advice to the Treasury Secretary on critical IRS matters. The administration currently is implementing this oversight management plan for the IRS.

To further strengthen and make permanent this oversight initiative, I propose that the Congress enact, by statute, the administration's "Plan for IRS Governance." I think this would serve to institutionalize the management responsibilities of the administration's Oversight Management Board, and the role and functions to be performed by the private-sector advisory board. I encourage the Department of the Treasury to work closely with the Taxpayer Advocate, in overseeing the IRS. I also recommend that the Department of the Treasury be allowed to hire needed private-sector experts, on a full-time basis, paid at competitive pay levels, to insure stable and effective oversight of the IRS. The administration wholeheartedly supported these views, which are reflected in the legislation.

In conclusion, I want to state that I look forward to continuing to work with all Members of Congress to make the IRS the first-class Federal agency the public expects it to be.

THE INTERNAL REVENUE SERVICE IMPROVEMENT ACT OF 1997

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

Mr. RANGEL. Mr. Speaker, today, I, along with Congressman BILL COYNE, Congressman STENY HOYER, Congressman HENRY WAXMAN, and Congressman BOB MATSUI, have introduced legislation to reform the Internal Revenue Service.

My cosponsors have worked long and hard on this legislation, as has our Treasury Secretary, Bob Rubin. It is with the administration's strong commitment to the IRS Improvement Act of 1997 that I am honored to be the lead sponsor of the bill.

My personal thanks go to BILL COYNE and BOB MATSUI for their successive roles in representing the House Democrats on the National Commission on Restructuring the IRS.

I also look forward to continuing to work with my colleagues from the Government Operation and Reform and Appropriations Committees who have jurisdiction over important titles of this bill.

The Internal Revenue Service Improvement Act of 1997 will make many very significant changes both to the way the IRS operates and the Department of the Treasury oversees the IRS.

The beneficiaries of this bill should and will be the American public. Taxpayers expect and deserve a tax administration system that is efficient and well-managed, fair and responsive in its dealings with the public, and staffed by employees who are well-trained and accountable for their actions.

The IRS Improvement Act of 1997 is designed to achieve these goals. The bill institutionalizes the Administration's newly established IRS Management Board and planned IRS Advisory Board as permanent features of the tax law. The Management Board will provide for continued, high-level Government oversight of the IRS, under the direction of the Treasury Department. The Advisory Board will provide for timely and expert advice from the private sector on the fundamental strategic and management direction of the IRS.

Under the bill, the IRS Commissioner would be given a fixed, 5-year term. This will provide not only continuity of direction for the IRS, but also require a long-term commitment from the person charged with administering our tax laws. The President, as required by the Constitution, would continue to appoint the Commissioner as the head of the IRS.

The bill makes major improvements in the area of electronic tax return filing. The time has come for the IRS to promote aggressively the benefits of electronic filing, and for the Congress to eliminate statutory obstacles to making electronic filing the norm rather than the exception.

The bill provides the Treasury Department and the IRS with the ability to put together and hire at the IRS one of the best management teams in the country. Highly skilled, top talent would be able to join the IRS at pay levels commensurate with experience and expertise. Performance-based incentive pay arrangements and a new demonstration management systems could be set up at the IRS, as ways to insure that management goals are met, to hold employees accountable, and to reward quality service.

Finally, the bill provides mechanisms for giving IRS employees the educational and technical training they so desperately seek. The IRS work force is a dedicated and talented group of Federal employees, and they too want to see the IRS improved. They are willing to do their part, but they need the tools—the tools of modern technology, education, and training—which the bill provides.

There is much about which everyone can agree, in our mutual efforts to improve the IRS. We all recognize that the current IRS needs to be improved. Our challenge must be to fix the IRS—and this must be done in a truly bipartisan manner. It is important that no one play politics and this effort by bashing the IRS. We have given the IRS one of the most difficult and important—and thankless—jobs in Government. The IRS deserves our support, constructive criticism, and attention to reform—not our wrath, since we too are to blame.

I look forward to working with all the Members of Congress in enactment of the IRS Improvement Act. I ask for your support.

DEMOCRATIC EDUCATION AGENDA: SCHOOL CONSTRUCTION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from New Jersey [Mr. PALLONE] is recognized for 60 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, tonight I want to continue discussing the

Democrats' education agenda. Last week, I was joined by a few of my Democratic colleagues on the floor to discuss the success the Democrats had in getting education tax breaks for middle and lower income families in the budget deal. We also discussed goals we were likely to pursue in the coming weeks as the budget deal has been signed into law.

This evening, Mr. Speaker, I want to address specifically the issue of school construction. There clearly is a dire need to invest in the physical structure of our schools. That is a matter that every Member of this body has become very familiar with in the last several days.

At this point I would like to yield such time as she might consume to the gentlewoman from New York [Mrs. LOWEY], who has been a leader on this issue and has introduced legislation that I believe would go very far toward solving this very pressing need.

Mrs. LOWEY. Mr. Speaker, I thank the gentleman from New Jersey, and I appreciate the gentleman's help as a cosponsor of this bill. I do hope that working together, and I would hope that more of my Republican colleagues can join us, we can truly get this bill passed.

Mr. Speaker, when we introduced this bill, frankly to provide for a partnership between the Federal, State, and local governments on school construction, I really thought it would be a win-win for everybody. I was so pleased when the President and the Vice President of the United States began talking about the importance of rehabilitating our schools, and I was delighted to know that it had a good chance of being a part of the budget agreement.

Frankly, I could not believe what I heard. I could not believe that TRENT LOTT and NEWT GINGRICH made a point of saying school construction support cannot be in this budget. In fact, in the letter that the leader of the Senate and the leader of the House sent to the President, they were absolutely explicit in saying school construction could not be part of the budget agreement.

Well, frankly, it did not make any sense to me at all. I have visited many schools in my district in New York. We have worked with Senator CAROL MOSELEY-BRAUN in the Senate, and all throughout this country. Whether it is the city or whether it is rural districts, there is a tremendous need for partnerships between the Federal and local governments in helping to rebuild our schools. We are talking about computers. We are talking about repairing infrastructure in our schools. How can we install computers in schools that are really 19th century schools?

Mr. Speaker, I have seen youngsters in classrooms that were originally meant for cafeterias, for restrooms.

They are so overcrowded that the youngsters who are supposed to be studying computers are going to schools that go back to the 19th century.

So, on the one hand we are talking about the 21st century, moving us forward, understanding the value of computers, making sure every schoolroom has computers. And, yet, there are some schools that are still being heated by coal, where there is plastic on the walls. I have visited schools where there are tremendous leaks and the walls are crumbling and there are big sheets of plastic holding the walls up and our kids are supposed to learn in those kinds of schools.

Now, we understand that this is primarily State and local responsibility. We understand that. But there are many things that the Federal Government gets involved in to help be a partner. And in our billions of dollars that we spend for a wide range of programs, what can be more important than making sure that every youngster has a classroom in which they can learn, a classroom in which they are safe?

Our parents are worried, whether it is in New York or Connecticut, which is represented by the gentlewoman from Connecticut [Ms. DELAURO], and New Jersey, parents are worried when they send the youngsters to school because they are not safe. They should feel good about it. They should feel the children are going there to get the best education they can.

What our bill provides for is \$5 billion for 5 years to encourage local school districts to encourage States to invest in rebuilding our schools.

Mr. Speaker, I just want to thank the gentleman from New Jersey very much. I really appreciate the gentleman's work and I appreciate this special order tonight. And I know that my colleague from New Jersey, and my colleague from Connecticut, will continue to explain to the American people how important it is for the Federal Government to be a partner so we can work together to make sure that every youngster has the best education they can, every youngster can leave in the morning, go to a school that is in good shape, have the best computers, the best books so we can continue to be competitive and that the United States of America can be proud that our youngsters are getting the very best education they can.

What is more important? Education is the future. Education is the key to the future. Our school buildings have to be safe and secure so our teachers and our youngsters can work together to make sure that education is the priority that it should be.

So, Mr. Speaker, I look forward to gathering more support in this Congress and this country for school construction.

Mr. PALLONE. Mr. Speaker, really, again, I do not think anything is more

important right now in terms of our education agenda than the need to address the state of our schools, the infrastructure, the overcrowding, the issues that this bill would address.

What we have stated before, and we will state again tonight, is that in this case a relatively small amount of money in terms of the overall Federal budget can really go a long way toward helping the States and the municipalities in dealing with this issue of overcrowding and crumbling schools effectively.

I also think it is particularly important that the gentlewoman talked about the need to upgrade the infrastructure in terms of the electrical wiring. A lot of people do not realize that many of these schools are not equipped to deal with computers and the other high-technology needs. So even if we had the money to do that, how do we put it in if we do not have the money for basic infrastructure? That is why I think this is such an important part of the Democrats' education agenda.

Mrs. LOWEY. Mr. Speaker, if the gentleman would continue to yield, I am sure that the gentleman from New Jersey and the gentlewoman from Connecticut agree with me that the Speaker, Mr. GINGRICH and the leader TRENT LOTT must have made an error. I do not understand how anybody could be against school construction. And when we are talking about a budget, it is just impossible for me to believe that anyone could be so forceful in saying the school construction money could not and should not and we will not agree to a budget in which there is school construction money.

So I would really call on the Speaker and the leader in the Senate and all my Republican colleagues and Senate colleagues, we now have about 110 cosponsors, to join us in this bill. Let us do it in a bipartisan way and work together to improve our schools.

Mr. PALLONE. Mr. Speaker, I yield now to the gentlewoman from Connecticut [Ms. DELAURO] who, again, has been stressing and formulating a lot of the Democratic policy agenda on education.

□ 2200

Ms. DELAURO. Mr. Speaker, I thank the gentleman from New Jersey. I am pleased to join with him tonight and my colleague, the gentlewoman from New York [Mrs. LOWEY] for her leadership on this school construction issue. It is remarkable. It is a small amount of money that can help to leverage a lot of money in terms of the ability to use this so that municipalities can pay interest on their loans in order to get those bonds and to get those loans in order to rebuild crumbling schools in struggling urban areas.

I am so pleased, I understand our colleague from North Carolina is going to join with us as well this evening, to

rise, to stand up for America's middle-class families. These are families who work hard. They play by the rules. They want what every other family wants in this country, a shot at the American dream, the chance to make their kids' lives a little bit better than their own.

We all know that in America it is education that can make the dream a reality. Education has truly been the key opportunity in our society. It is now more true than I think in any other time in terms of a new global economy, which we are faced with, and this kind of an economy requires up-to-date skills and lifelong learning.

Our public school system desperately needs our help. Young people need to be able to attend a school in safety, without fear of violence and drugs in the hallways, or whether it is on the playgrounds and, as we have been starting to talk about tonight, America's children need to attend schools that are structurally sound and that are not crumbling around them.

There was a recent report, I know my colleagues know this, a recent report by the U.S. General Accounting Office. And it found that one-third, one-third of America's schools need extensive repair.

In May, just a few months ago, I visited the Fair Haven Middle School in my home town of New Haven, CT. Like so many schools around the Nation, Fair Haven was built over a half century ago. Consequently, like anything that would be a half century old, it needs repairs, and it needs an overhaul of its electrical, of its plumbing system.

I walked down the corridors and the pipes are exposed. Now, I know my colleague from North Carolina was a school principal, has been engaged in the school system and knows and has watched kids on a day-to-day basis. I do not know any group of kids that walks down the center of a corridor and never hits up against the side of the walls. That is not my experience with kids. But when it is wintertime in a place like Connecticut and the heat is on, those pipes are hot. What happens? A kid comes along, his friend, kidding around, or her friend, kidding around, you give them an elbow, you nudge them, boom, into the hot pipe. You have got some kid with a burned arm.

We are looking at the health and safety of our youngsters in schools.

I went into the auditorium of this school. It was like a bat cave. The lighting was so poor that, in fact, they could not hold the kinds of events you hold in an auditorium because you cannot see. You just cannot see. It is not a question of turning the lights down for the performance. The lights are down. They do not go on.

The heating system, the air-conditioning system, just decrepit and need to have repair.

Nobody is asking for bells and whistles. We are just asking for an environmentally sound area, an environment, if you will, in which our kids can go to school.

Last year in the school lunch debate, the American people acknowledged that children whose empty stomachs are growling cannot focus in school and they cannot learn. Why do we think that our kids can be in schools that are falling down around them and believe that they can succeed?

As my colleague from New York, Mrs. LOWEY, pointed out, there are some Republicans, some on the other side of the aisle, who have repeatedly blocked Democratic efforts to help schools find the resources that they need to repair and to rebuild. I find it almost as outrageous and unconscionable as she did. And I know my colleagues here tonight find it unconscionable that the Speaker of the House of Representatives, that the leader of the other body would specifically single out school construction as the area to apply the axe and to cut out that \$5 billion, a small amount of money, which does not in fact pay for these repairs. Essentially, what should be understood, it allows for school districts, for municipalities, for States to alleviate the interest on the bonds that they have to float in order to do these kinds of repairs. It just makes good sense.

I would just like to say that I have been concerned about this issue of crumbling infrastructure and I have introduced something called the National Infrastructure Development Act, introduced it in the 103d Congress. It is an innovative, creative financing mechanism that brings private dollars and public dollars together to raise capital to invest in our schools. It also is for roads and bridges and deep water ports, but one of the cornerstones is to be able to invest in our schools. It just makes good sense. That is what we ought to be about in terms of trying to meet the needs of our kids, of our schools, and particularly to alleviate the concerns and fears of the mothers and fathers who send their kids to school every day and know that they are in a safe and a healthy environment.

I am really delighted to participate in this effort tonight.

Mr. PALLONE. Mr. Speaker, I thank the gentlewoman.

I had some interesting statistics about school conditions by State, which maybe I could just use our four States as an example just to give you an idea, because we come from different States and different environs.

But, for example, in my home State of New Jersey, the share of schools with at least one building in need, this would be an individual school district or municipality, the share of schools

with at least one building in need of extensive repair is 19.1 percent. In Connecticut, it is 30 percent. In New York, it is 32.8 percent. In North Carolina, it is 36.1 percent. So regardless, just in our own States, those figures.

Then it is even higher, if you look at the number of schools with one unsatisfactory environmental condition. This goes back to whether it is air quality, whatever it happens to be. For New Jersey, it is 46 percent. For North Carolina, it is 58 percent; Connecticut, 60 percent. The list goes on.

Probably the worst example right now is the District of Columbia, where we are tonight, because a lot of us are aware of the fact that the schools are actually not open in the District of Columbia because of the fact that, I guess it was a judge that ruled, as a result of a case, that the schools were in such bad condition physically that it was unsafe to open them until they did the repairs.

My understanding is that it may be at least 3 weeks before they open the District of Columbia schools, which means they may not be going to school until almost the end of September or early October.

I just wanted to mention that one of our colleagues, the gentlewoman from the District of Columbia [Ms. NORTON], actually started a program where she is encouraging high school students in the District to come and work as interns in our office while the schools are closed so that they are not sitting around idly.

I happen to have this one guy, Andre, who is in my office now, at the Duke Ellington School in Georgetown. I guess that is the school for the arts. And he has been doing a very good job and helping around the office. But it just reminds me every day, when I see him when I come in in the morning, this guy should be in school. He should not be here interning in my office. I am glad he is here, but it is not just the District of Columbia, it is throughout the country. This is just getting worse and worse all the time.

I want to thank the gentlewoman.

Ms. DELAURO. Mr. Speaker, just to point this out, this \$5 billion that the gentlewoman from New York [Mrs. LOWEY] has been talking about, just for the schools in the New Haven area, they would receive \$17 million, again, to help cover the interest on the loans. We are not talking about creating a wild-eyed bureaucracy. It is to meet the kinds of needs that the gentleman has identified.

Mr. PALLONE. Mr. Speaker, I want to yield now to the gentleman from North Carolina [Mr. ETHERIDGE], who is, I think it is fair to say, our education specialist within the Democratic caucus.

Mr. ETHERIDGE. Mr. Speaker, I thank the gentleman from New Jersey for organizing this special order. I

think it is important, what we are about, and the gentlewoman from Connecticut touched on something I want to expand on, if I may.

As you are talking about school quality and quality of the air in the buildings, I think a lot of our people who are looking in tonight around this country many times do not think about the energy crisis we went through over the last 15, 20 years. In many of the buildings we now occupy, the quality of the air is not what it should be because buildings were not built to be as secure as we have those buildings in a lot of places across this country today.

So we closed the buildings. We have done a lot of things to save energy. But in the process of doing that, we have cut out a lot of cross ventilation where we do not have air-conditioning, where we do not have air moving in those buildings. If you are in after lunch and the child has had lunch, and that is true of us as adults, if you have lunch and you go to a place where the air is not moving, guess what is going to happen? You become sedentary, you nod off, you get sleepy. You do not pay attention.

We wonder why children are not as alert as they should be. That is why in most of schools now, your toughest courses, they organize them so you can have those early in the morning.

And the point you talked about, it is so true, we have a lot of inadequate facilities all across this country, depending on where you are, rural areas or in urban centers, for that matter, where the tax bases have been stretched. We have not had the resources in recent years.

And I mentioned this last week, and I believe it very strongly, I have been in probably more schools than anyone who is currently serving in Congress, but certainly over the last 8 years, on a regular basis, I was in the public schools in North Carolina. And I have yet to have a child come to me and ask me who paid for their school building, who pays their teacher or buys their books or anything else. They only know what they get.

I think we have to get beyond that. We have a responsibility for all the children. And the responsibility is great, I think.

But when we look at the facilities, we need to look also at the growth areas of this country, because I went into a building today in my State. I looked at the list. California is projected in high schools to grow 36 percent in the next 10 years. North Carolina, a 27-percent growth in high schools. That is not speaking to the problem in kindergarten through the eighth grade.

What is really happening is this is the echo of the baby boom. In other words, the baby boomers are now having babies. And when they have them, they tend to show up in school eventu-

ally. When they show up in school, they are allowed to have good facilities.

What is happening, we have not been able to build those infrastructures because of a number of issues over the last several years. But as you look, I went into a school this morning, a new elementary school that is in its third year. Nice school, the kind of building with all the modern conveniences, computers, et cetera, that you would want. Did not have enough. The school was built for less than 600 elementary children, a community that is booming. And that is true of a lot of places in North Carolina because of the economic growth in the research triangle.

This school has 1,200 children, 1,200, an outstanding principal, a great staff, but they have 18 portable classrooms on that school ground. They have expanded the physical properties twice in terms of permanent buildings. And one of the teachers showed me one of the classes where they were teaching art and English, and it was in the hall of a new building.

Some of this money could have made a big difference in buying them bonds so they could expand. This county just passed the largest bond issue in their history. Our State, last November, on the general election ballot passed a \$1.9 billion bond issue, largest bond issue in our State's history and, I might say, by the largest majority. And that would not come close to meeting our needs.

I think that could be repeated 50 other times across this country, whether it be urban or rural. The point is that, as the gentlewoman from Connecticut has pointed out and our colleague from New York, not only do we have inadequate facilities that need upgrading, refitting, prepared for computers that are not there, and have air quality that is substandard in a lot of cases, but we need buildings for children who are showing up at schools that do not have buildings, do not have desks, and a lot of other things.

I would acknowledge that, by and large, historically that has been a local or State issue, but I come back to the point at one time that was also true of water and sewer in this country. And then we realized that there was a national responsibility to leverage and we leveraged.

□ 2215

And there are a lot of other things we leverage to make a difference when it becomes a national priority.

As the gentlewoman from Connecticut has so adequately pointed out, I do not know of anything that is a greater national priority today than to have a well-educated citizenry to occupy the jobs of the 21st century, when roughly two out of three will require education beyond high school.

And if it is going to require education beyond high school, it seems to

me commonsense dictates we should get them through high school first. And to get them through high school we have to start them right, encourage them, get them reading and doing math and a lot of those things that have been talked about. It will not be easy, but it is a tremendous investment in the infrastructure of this country that will make a significant difference for children.

We have talked about the numbers, and it is repeated. I was looking at some statistics today in terms of different States, of how the growth is growing. It is not even, but the States that tend to be growing faster were States that have had some economic opportunity. But the problem we have is it is growing so rapidly in many of those States they have a difficult time keeping up with the infrastructure, too. So I think if we could help, we could leverage that.

We had an opportunity with the budget deal that did not happen, but we have not adjourned yet. Last time I checked, we have not adjourned. We still have an opportunity to correct some of those problems, and I trust that we will. Because there are going to be a lot of young people, and I think a lot of voters will ask us when we go home, what did we do on this issue that we left hanging. And I trust we can say to them before we adjourn, in October or November or whatever it is, that, yes, we were good stewards; yes, we did leverage; yes, we did realize there was a tremendous need. We did not stick our heads in the sand and say it was someone else's responsibility, it was someone else's duty. We did do our part on it. And I trust we will.

As for me, as the old saying goes, as for me and my house, I plan to vote, if I get a shot at it, as I did before, because I think our children are waiting for us to take that action.

I thank the gentleman for putting this special order together because it is important.

One final point I will make, my colleague from Connecticut touched on it, and that is this whole issue of infrastructure in the buildings, of computers, and we talked about the Internet. We have so few schools today that have the wiring, as she has pointed out, but more importantly, we do not even have the telephone lines in a lot of cases to carry that Internet access that is so important that each of us in this Congress has access to.

If it is important for those of us who are making public policy decisions, I think the Vice President was right, and the President, when they said we want to make it available to the schools, because it is available in a lot of our schools that have money. It is true in most States around this country.

If it is true for those that have the resources, then certainly it ought to be true and the opportunity ought to be

there for every single child, because who knows which ones will be the doctors, the lawyers, who will find the cure to the problems in the world; and we need to give them the same opportunity no matter where we live.

I yield to my colleague from Connecticut.

Ms. DELAURO. That really is, I think, a critical point. I have spent a lot of time in schools and I got very, very much involved in the connecting up of schools in my district to the Internet. I worked with the business community, and a number of them sponsored the cost of the wiring, et cetera.

And in fact in a number of these schools the fact was that the actual physical plant did not allow for the wiring up, and that is one set of the problems, some of which we are talking about here tonight.

But just as in the past, education in this country has been the great equalizer, that is, public education has been the great equalizer, so that no matter what our station in life, no matter what our social status was, or is, that we could achieve success based on our God-given talent.

Now, I think that that is what needs to be preserved in all of this. And when we talk about some places, and now that we have moved into this technological age, we have to view the opportunity for the use of the Internet and computers and the ability of the physical plants of our schools, like a Fairhaven Middle School, which is a half century old, being able to accommodate that.

Because then, in fact, what we are going to do, if we are not vigilant about this and if we do not put the resources necessary into infrastructure and into making sure that we have the phone lines and the computers, then we will create a stratified society where those places that can afford to have this kind of technology and this kind of access are going to get the benefits of it, and those that cannot are going to be held back from their ability to compete, their ability to succeed in this new global economy.

The vistas and the potential of the computer and the Internet of just exponentially expanding horizons and opportunities for knowledge, we have to be very careful that we do not set people back in this process but have to be really guardians of that concept of public education.

Mr. ETHERIDGE. If the gentleman would yield, the point she has made is so well taken. Because really what she is talking about, there was a time, and many people like to talk of it as if it were yesterday, but it has been a little more than that, but the truth is when the textbook was so important, that was the one thing we had to pass knowledge on to the next generation, if we did not have the one-to-one ratio.

As I have said, the best learning takes place when the teacher is on one end of the log and the student on the other. But we have to have more than that today. But the truth was, it was the textbook. Then we added the video to the classroom. But today the Internet provides an opportunity.

We really do not know what the dimensions of it really are because we have not had the opportunity to access that in a classroom. The schools that have it, by and large have it in a media center, or what we used to call a library. Some have it in the classroom, depending on where they are, but very few. But that, with broadband networks available to transfer a tremendous amount of information for long distances, will at least allow a classroom, a group of students to be in a classroom in the most remote part of this country, and they can access information anywhere in the world they can receive.

As a matter of fact, just this spring we had a four-school hookup, one in Massachusetts, one in Ireland, one in England, and I forget where the other one—oh, it was in Swift Creek Elementary in Wake County. Each group of students, rather than just hook up and chat, had a research project on the Internet. They had already had the access to the Internet, had done their research project, then they put the project up on the Internet and shared it with the other three schools, two in foreign countries; and then other schools did it, who took it to Australia, et cetera.

The point being these students were dealing with some very complicated things, I mean the European Common Market. I am not talking about high school students, I am talking about elementary school students, 5th and 6th graders. Well, these were 3rd and 4th graders.

Now, they were communicating, some of them, with a group. I said in Ireland; it really was in Brussels, because I remember at the end, the students in North Carolina had done research on lighthouses along the eastern seashore, and particularly the Cape Hatteras lighthouse, about its getting pretty close to the edge and a lot of debate about how to move it.

The point being they had done it, but the youngsters in Brussels, when they finished their dialogue on their projects, they started communicating back to the students in the United States in French.

We are talking about something that is so vast, and the point the gentleman was just making, how important it is that no child, and this happened to be a school that had a lot of business partnerships.

What about those communities that have no business partnerships, that have no large corporate sponsors? Whose responsibility does it fall upon

then to make sure that that child in that community has access to the same kind of opportunities? Because they are as much a citizen of the United States, or whatever State they may be in, as these other students are. And if we deprive them of that opportunity, I think we have cheated ourselves.

And that was the point the gentlewoman made so well is how we level the playing field and provide the opportunity for the child and families in the future to move into the middle class in America. And education is the only way we will do it unless they come from privilege and money to start with.

Ms. DELAURO. I just want to make the point, because all this is by way of saying no one is suggesting that we bankrupt the Federal Government to do this; that this is going to be this giant program to use Federal dollars for this. Simply spoken, it is that a small amount of money in partnership with the cities and towns and local school districts where the money is leveraged so that there is a small participation by the Federal Government that allows these projects to go forward.

That seems to me to be an appropriate function for government. It is not only appropriate, I think it is what we need to do as people in public life. It needs to be our responsibility to make sure that we are providing these kinds of tools in order for the schools that can do this and that the kids can learn, and that the parents receive the benefit of this effort, as well, in terms of seeing what happens with their youngsters.

Mr. ETHERIDGE. If the gentlewoman will yield, what we are really talking about is making funds available for buying down the interest, which will, in turn, encourage that local jurisdiction, State or school district to proceed with a bond issue, or however they want to do it, then to acquire resources to do what they want to do right now, but because of the extra costs are unable to do so in many cases, for a variety of reasons.

It may be a community that has seen industry move out over the last several years. It may be a community does not have the tax base to be able to do it, but if we leveraged it and brought the interest rate down, it would be to a point they could do it.

And ultimately, the gentlewoman knows as well as I do, if we have a good strong education system in a community, economic growth will follow. As sure as the sun comes up tomorrow morning, we will see economic growth and prosperity will move very quickly.

Ms. DELAURO. And I emphasize public education because it is critical. The gentleman made the point before, my colleague from New Jersey has made the point, we need to invest in public education and that is where we need to put our resources, because that is

where we maximize and level that playing field so that all youngsters can take advantage of this opportunity.

I am not denigrating or I am not putting aside private education. Believe me, they play a tremendous role. But there are, in a number of instances, resources that can be brought to bear, and what we should not do is to create a world of education and opportunity that was once before only the purview of the rich and the privileged.

Mr. ETHERIDGE. I agree.

Mr. PALLONE. I think what both my colleagues are talking about is equal opportunity. That is really what it is all about. We just want to make sure there is equal opportunity.

And I wanted to mention, if I could, the way this is financed, again I am looking at the bill that was supported by the President and that our colleague, the gentlewoman from New York (Mrs. Lowey) has introduced, and it says that the Partnership to Rebuild America's School Act would provide up to a 50 percent subsidy of interest or the present value equivalent of other financing costs to a school district. So basically a leveraging, as the gentleman said, to lower the interest costs.

And of course these States and the local localities have to contribute money, and it is basically a partnership with the Federal Government.

The money can be used for a number of infrastructure needs, whether it is fixing or upgrading classrooms, building new schools, addressing health and safety, problems with air quality, plumbing, heating, lighting, or electricity.

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I just wanted to mention because the gentleman from North Carolina pointed out about the fact of why we have this overcrowding because of what is happening with the baby boomers' children basically, and also the gentlewoman from Connecticut talked about the need with regard to the Internet and computers. The statistics we have show that 46 percent of schools lack even the electrical wiring necessary for computers in their classrooms and a mere 9 percent of classrooms are currently connected to the Internet. More than half the Nation's schools lack the needed infrastructure to access the Internet or network their computers. It is a question of the ability to buy the computers but also the infrastructure needs before you can even get them in place.

The other thing is in regard to the overcrowding and the fact that we need more schools and more classrooms. I have to be honest, until I started looking into this, I had no idea about what kind of increased school population there was, particularly on the high school level where a lot of times the costs are the greatest because of all the

high tech or other needs that come into play. But just to give some statistics here, it says that the school enrollment this year broke the all-time record set by baby boomers in 1971. These are the baby boomers' children.

It says that demand for school facilities will continue to be high. School enrollment is projected to continue to climb over the next several years growing from 52.2 million in this school year to 54.6 million over the next 5 or 6 years. High school enrollment is increasing even faster than elementary and secondary. The crisis and the need for new classrooms is centered in the high school. It says some States in particular are projected to witness astronomical increases in high school enrollment. There is where the gentleman said about how it varies from State to State. Just to give a few states, California will experience an increase of 35 percent in high school enrollment over the next 10 years. North Carolina, the gentleman's state, will experience an increase of 27 percent in high school enrollment over the next 10 years. Rhode Island, one of the New England States, 21 percent in high school enrollment. Texas, 19 percent.

Although it varies from State to State, we can see that regardless of the region, we have the phenomenon. One of the places with the biggest problem of overcrowding is right nearby here, in Virginia. Many of the cases that keep coming up are in Virginia. There is a case here with Salem High School in Virginia Beach. It was built in 1989 at a cost of \$20.8 million and was designed to accommodate 2,000 students. Today only 8 years later, in 1997, the school's population stands at 2,615 students and is climbing. In just 5 years, they exceeded their enrollment projections for their new school. I am sure there are a lot of cases we could cite around the country where that is the case.

Again, when we talk about this bill, it is only \$5 billion. Of course we could obviously do even more than that. I am just amazed again at how our colleagues on the other side of the aisle excluded this from the budget. We talked about it quite a bit during the whole course of debate on the budget. I guess to this day we do not know exactly why they insisted on it.

Ms. DELAURO. I find it interesting, again what I do not understand is why this program so specifically, it was almost singled out, as we know, "Under no circumstances are we going to allow for this school construction funding." I do not understand it. I cannot explain it. I suppose it would be an interesting conversation to have with our colleagues on the other side of the aisle. I do not think it is all of them. I think it is just some. I do not know. Maybe they think that helping to pay for the interest on this stuff is too much meddling. I truly do not understand it. Or that the schools are in good shape or

that we do not need it. I do not think you can go to any district whether it is an inner city or suburban school that is not facing the same kinds of problems. It is a question of degree maybe in some areas, especially, and I go back to the Fair Haven Middle School, it is a half century old versus a school that is 20, 25, 50 years old, there is a different state of repair. But I have been to schools in inner cities and in the suburbs in my district and again I say they have all of the same kinds of problems. My hope is that we are able to come to a meeting of the minds on this in a bipartisan way where we focus in on public education and in the direction of putting more of an investment in public education today, whether it is on the issue of the infrastructure which we have been talking about, the overcrowding issue which we also have been talking about. We also want to make sure that our children can read by the third grade, that they are literate. Again in today's economy, my God, they cannot survive. They will be left in the dust. The whole issue of safety in addition to safety because of the physical plant but their safety from drugs and from violence. These are critical issues that face us in public education. I am quite proud that Democrats I think have taken the lead in these areas and want to make sure that we do have a sound and a strong and a true commitment to public education in this country. It has served us well.

Mr. PALLONE. If I could just add, because I know that we do not have a lot of time left, our whole purpose really in coming to the floor and starting this education initiative again after the budget is to try to get our colleagues on the Republican side to come together with us on some of these issues. That is how we started out with many of the tax credits and the plans that ended up in the budget that improve access and affordability of higher education and ultimately if we keep at it, we hopefully can get the Republican leadership, the majority leadership on the other side to come together on school construction and the overcrowding issue as well, as well as the need for national standards that we talked about last week.

Mr. ETHERIDGE. It actually accentuates the fact that there is considerable need. It is going to continue. We have just passed the tax credits and other things for young people to make it beyond high school. But the point is that we now have an opportunity to go back and rework that foundation. No house is ever stronger than the foundation you put under it. We have a chance to really strengthen that foundation, provide for some infrastructure needs that are badly needed, and I would agree with the gentlewoman from Connecticut. All these things are important and we must do them. But

certainly children being able to read, compute, do math, safety, those are givens. We all agree that has to be done. But I hope we can now do some of the same things for the other needs that our K-12 children have that we were able to force together for those beyond high school and provide that dream of an educational opportunity. I think to do it we have to keep reminding people that the job is not finished, that we did not get done just because we went home in July and took a break. We have got a lot yet to do. It is going to be here next week, next month, next year. Until we get the job done, we are going to still be there knocking on that door, and the children are waiting for us to take that action.

Mr. PALLONE. Mr. Speaker, I appreciate my colleagues joining me tonight. As I said, we talked about the need for national standards last week. We talked about school construction needs tonight. There are a lot more educational priorities that we as Democrats are going to be discussing over the next few weeks.

Ms. DELAURO. I think that it is not each of the individual pieces, but it is where our values and our priorities lie as a country. I think we truly are in a defining moment about who we are and what we stand for. I do not think we can do enough in terms of the kind of commitment that we can have to these standards and values. I think it will set a tone and a direction for what the 21st century is going to be about. We talk a lot about bridges and all that, we can do it in hardware, software and so forth, but that is not the point. The point is fundamentally what kind of time and effort and resources do we commit to providing the opportunity for our youngsters, our kids, to really learn, to be able to expand their minds with what we are learning about zero to 3 and when kids start to learn. These are exciting times, I think, for us, exciting times for us to serve where we can truly make a contribution to a future generation, because so many did it for us.

Mr. PALLONE. The gentlewoman is just talking about equal opportunity, and that is what it is all about. We want any kid regardless of where he or she is to be able to have the equal opportunity. They will not be able to unless we encourage some kind of standards and at the same time we improve the infrastructure.

I want to thank both my colleagues for joining me and the gentlewoman from New York [Mrs. LOWEY] before. We are going to continue pressing this education issue over the next few weeks and over this Congress.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HOUGHTON (at the request of Mr. ARMEY) for today after 7 p.m., on account of illness.

Ms. JACKSON-LEE of Texas (at the request of Mr. GEPHARDT) for today, on account of official business.

Mr. RANGEL (at the request of Mr. GEPHARDT) for today, on account of business in the district.

Mr. GONZALEZ (at the request of Mr. GEPHARDT) for today and the balance of the week, on account of medical reasons.

Ms. CARSON (at the request of Mr. GEPHARDT) for today, on account of illness.

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. PALLONE) to revise and extend their remarks and include extraneous material:)

Mr. COYNE, for 5 minutes, today.

Mr. RANGEL, for 5 minutes, today.

Mrs. CLAYTON, for 5 minutes, today.

Mrs. MCCARTHY of New York, for 5 minutes, today.

Mr. BLUMENAUER, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. PALLONE) and to include extraneous matter:)

Mr. POSHARD.

Mr. LAFALCE.

Ms. DELAURO.

Mr. SHERMAN.

Mr. BLAGOJEVICH.

Mr. TORRES.

Mr. ROEMER.

Mr. ENGEL.

Ms. MCCARTHY of Missouri.

(The following Members (at the request of Mr. COBURN) and to include extraneous matter:)

Mr. DUNCAN.

Mr. YOUNG of Alaska.

Mr. CUNNINGHAM.

Mr. FORBES.

ADJOURNMENT

Mr. PALLONE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 40 minutes p.m.), under its previous order the House adjourned until tomorrow, Tuesday, September 9, 1997, at 9 a.m. for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from

the Speaker's table and referred as follows:

4871. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Potato Research and Promotion Plan; Suspension of Portions of the Plan; Amendments of the Regulations Regarding Importers' Votes; and Clarification of Reporting Requirements [FV-96-703IFR] received September 5, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4872. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—1997 Amendment to Cotton Board Rules and Regulations Adjusting Supplemental Assessment on Imports [CN-97-003] received September 5, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4873. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Milk in the Tennessee Valley Marketing Area; Suspension of Certain Provisions of the Order [DA-97-09] received September 5, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4874. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Pyridate; Pesticide Tolerances for Emergency Exemptions [OPP-300527; FRL-5736-9] (RIN: 2070-AB78) received August 25, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4875. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Sethoxydim; Pesticide Tolerances for Emergency Exemptions [OPP-300533; FRL-5738-6] (RIN: 2070-AB78) received August 25, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4876. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Coat Proteins of Watermelon Mosaic Virus-2 and Zucchini Yellow Mosaic Virus and the Genetic Material necessary for its production; Exemption from the requirement of a tolerance [OPP-300537; FRL-5739-3] (RIN: 2070-AB78) received August 25, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4877. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Chlorfenapyr; Pesticide Tolerances for Emergency Exemptions [OPP-300529; FRL-5737-7] (RIN: 2070-AB78) received August 25, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4878. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Coat Protein of Papaya Ringspot Virus and the Genetic Material Necessary for its Production; Exemption from the requirement of a tolerance [OPP-300538; FRL-5739-4] (RIN: 2070-AB78) received August 25, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4879. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Coat Protein of Cucumber Mosaic Virus and the Genetic Material Necessary for its Production; Exemp-

tion from the Requirement of a Tolerance [OPP-300539; FRL-5739-5] (RIN: 2070-AB78) received August 25, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4880. A letter from the Director, Congressional Budget Office, transmitting the CBO's Sequestration Update Report for FY 1998, pursuant to Public Law 101-508, section 13101(a) (104 Stat. 1388-587); to the Committee on Appropriations.

4881. A letter from the Assistant Secretary, Department of the Navy, transmitting notification of intent to study a commercial or industrial type function performed by 45 or more civilian employees for possible outsourcing, pursuant to 10 U.S.C. 2304 nt.; to the Committee on National Security.

4882. A letter from the Secretary of Defense, transmitting a report entitled "Use of Test and Evaluation Installations by Commercial Entities," pursuant to Public Law 103-160, section 846(a) (107 Stat. 1723); to the Committee on National Security.

4883. A letter from the Acting Under Secretary, Department of Defense, transmitting a report waiving the application of the survivability tests to the F-22 program, pursuant to Public Law 104-106, section 2366(c); to the Committee on National Security.

4884. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Data Universal Numbering System Number [DFARS Case 97-D019] received September 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

4885. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to the People's Republic of China, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking and Financial Services.

4886. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Morocco, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking and Financial Services.

4887. A letter from the Chairman, Federal Housing Finance Board, transmitting the Board's annual report for the 1996 calendar year, pursuant to 12 U.S.C. 1422b; to the Committee on Banking and Financial Services.

4888. A letter from the Secretary of Health and Human Services, transmitting the fiscal year 1995 Annual Report of the National Institute for Occupational Safety and Health (NIOSH), Centers for Disease Control and Prevention (CDC), pursuant to 29 U.S.C. 671(f); to the Committee on Education and the Workforce.

4889. A letter from the Secretary of Health and Human Services, transmitting the 1996 annual report on the Loan Repayment Program for Research Generally, pursuant to 42 U.S.C. 2541-1(i); to the Committee on Commerce.

4890. A letter from the Assistant Secretary for Policy, Management and Budget, Department of the Interior, transmitting the Department's Fiscal Year 1993 Annual Report to Congress on progress in conducting environmental remedial action at federally owned or operated facilities, pursuant to Public Law 99-499, section 120(e)(5) (100 Stat. 1669); to the Committee on Commerce.

4891. A letter from the Administrator, Energy Information Administration, Department of Energy, transmitting a report entitled "Electricity Prices in a Competitive Environment: Marginal Cost Pricing of Generation Services and Financial Status of Elec-

tric Utilities"; to the Committee on Commerce.

4892. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Designation of Areas for Air Quality Planning Purposes; Indiana [IN83-1a; FRL-5882-6] received August 25, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4893. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Missouri [MO 032-1032; FRL-5877-3] received August 25, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4894. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Missouri [MO 030-1030; FRL-5877-2] received August 25, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4895. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Emission Guidelines for Existing Sources and Standards of Performance for New Stationary Sources: Large Municipal Waste Combustion Units [AD-FRL-5879-4] received August 25, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4896. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—List of Regulated Substances and Thresholds for Accidental Release Prevention [FRL-5881-8] received August 25, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4897. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Air Quality: Revision to Definition of Volatile Organic Compounds—Exclusion of 16 Compounds [FRL-5880-9] (RIN: 2060-AG70) received August 25, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4898. A letter from the Secretary, Federal Trade Commission, transmitting the Report to Congress for 1995 pursuant to the Federal Cigarette Labeling and Advertising Act, pursuant to 15 U.S.C. 1337(b); to the Committee on Commerce.

4899. A letter from the Chairman, Nuclear Regulatory Commission, transmitting a report on the nondisclosure of safeguards information for the quarter ending June 30, 1997, pursuant to 42 U.S.C. 2167(e); to the Committee on Commerce.

4900. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Use of Fixed Neutron Absorbers at Fuels and Materials Facilities [Regulatory Guide 3.70] received September 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4901. A letter from the Secretary of Energy, transmitting a report proposing to delay the submission of the National Energy Policy Plan until April 1, 1998; to the Committee on Commerce.

4902. A letter from the Secretary of Health and Human Services, transmitting the 1996 Annual Report on the AIDS Research Loan Repayment Program; to the Committee on Commerce.

4903. A letter from the Secretary of Health and Human Services, transmitting the semi-annual report on activities of the Inspector

General for the period October 1, 1996, through March 31, 1997, and the semiannual management report for the same period, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

4904. A letter from the Manager, Employee Benefits/Payroll, AgriBank, transmitting the annual report disclosing the financial condition of the Retirement Plan for the Employees of the Seventh Farm Credit District, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Reform and Oversight.

4905. A letter from the Executive Director, Committee for Purchase from People Who Are Blind or Severely Disabled, transmitting the Committee's final rule—Additions to the Procurement List [97-016] received September 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

4906. A letter from the Chief Financial Officer, Department of the Interior, transmitting the Report on Accountability for 1996; to the Committee on Government Reform and Oversight.

4907. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—OMB Approval Numbers Under the Paperwork Reduction Act [FRL-5483-4] received August 25, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

4908. A letter from the Chairman, Federal Communications Commission, transmitting the annual report in compliance with the Government in the Sunshine Act during the calendar year 1996, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform and Oversight.

4909. A letter from the Acting Comptroller General, General Accounting Office, transmitting a monthly listing of new investigations, audits, and evaluations; to the Committee on Government Reform and Oversight.

4910. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Federal Employees Health Benefits Program Acquisition Regulation; Truth in Negotiations Act and Related Changes (RIN: 3206-AH45) received September 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

4911. A letter from the Director, Financial Services, Library of Congress, transmitting activities of the United States Capitol Preservation Commission Fund for the first nine months of the fiscal year 1997, pursuant to Public Law 100-696, section 804 (102 Stat. 4610); to the Committee on House Oversight.

4912. A letter from the Deputy Associate Director for Royalty Management, Department of the Interior, transmitting notification of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Resources.

4913. A letter from the Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting the Department's final rule—Public Land Records (Bureau of Land Management) [WO-420-1050-00-24-1A] (RIN: 1004-AC 81) received September 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4914. A letter from the Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska;

Scallop Fishery; Closure in Registration Area O [Docket No. 970613138-7138-01; I.D. 082897C] received September 5, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4915. A letter from the Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries Off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Sablefish Trip Limit Changes South of 36 degrees N. Lat. [Docket No. 961227373-6373-01; I.D. 082797F] received September 5, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4916. A letter from the Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Scallop Fishery; Closure in Registration Area H [Docket No. 970613138-7138-01; I.D. 082897B] received September 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4917. A letter from the Deputy Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Red Snapper Management Measures [Docket No. 970730185-7206-02; I.D. 070797B] (RIN: 0648-AJ13) received September 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4918. A letter from the Program Director, National Fund for Medical Education, transmitting the Fund's audited financial statement for the year ended December 31, 1996, pursuant to 36 U.S.C. 1101(34) and 1103; to the Committee on the Judiciary.

4919. A letter from the Accounting Administrative Supervisor, National Society of the Daughters of the American Revolution, transmitting their report and financial audit for the year ending February 28, 1997, pursuant to 36 U.S.C. 1101(66) and 1103; to the Committee on the Judiciary.

4920. A letter from the Acting Assistant Secretary, Department of the Army, transmitting a report on the authorization of a deep-draft navigation project at Chignik Harbor, Alaska, pursuant to Public Law 104-303, section 101(b)(1); to the Committee on Transportation and Infrastructure.

4921. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Regulated Navigation Area Regulations; Lower Mississippi River [CGD08-97-008] (RIN: 2115-AE84) received August 11, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4922. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Procedures for Abatement of Highway Traffic Noise and Construction Noise (Federal Highway Administration) [FHWA Docket No. 96-26; FHWA-97-2348] (RIN: 2125-AD97) received August 11, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4923. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 777-200 Series Airplanes (Federal Aviation Administration) [Docket No. 97-NM-124-AD; Amdt. 39-10104; AD 97-17-02] (RIN: 2120-AA64) received August 25, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4924. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron, Inc. Model 214ST Helicopters (Federal Aviation Administration) [Docket No. 96-SW-27-AD; Amdt. 39-10108; AD 97-17-06] (RIN: 2120-AA64) received August 25, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4925. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC-9-80 Series Airplanes and Model MD-88 Airplanes (Federal Aviation Administration) [Docket No. 96-NM-53-AD; Amdt. 39-10110; AD 96-23-07 R1] (RIN: 2120-AA64) received August 25, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4926. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Realignment of VOR Federal Airways in the vicinity of Helena, AR (Federal Aviation Administration) [Airspace Docket No. 96-ASW-31] (RIN: 2120-AA66) received August 25, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4927. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Removal of Class D Airspace; Glenview, IL (Federal Aviation Administration) [Airspace Docket No. 97-AGL-2] (RIN: 2120-AA66) received August 25, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4928. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Ely, MN (Federal Aviation Administration) [Airspace Docket No. 97-AGL-12] (RIN: 2120-AA66) received August 25, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4929. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace, Aurora, MO (Federal Aviation Administration) [Docket No. 97-ACE-15] (RIN: 2120-AA66) received August 25, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4930. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Saab Model SAAB 2000 Series Airplanes (Federal Aviation Administration) [Docket No. 96-NM-167-AD; Amdt. 39-10099; AD 97-16-07] (RIN: 2120-AA64) received August 25, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4931. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Grand River, MI (Coast Guard) [CGD09-97-008] (RIN: 2115-AE47) received August 11, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4932. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Safety Zone; San Pedro Bay, CA (Coast Guard) [COTP Los Angeles-Long Beach, CA; 97-005] (RIN: 2115-AA97) received August 11, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4933. A letter from the General Counsel, Department of Transportation, transmitting

the Department's final rule—Drawbridge Operation Regulations; Hood Canal, WA (Coast Guard) [CGD13-95-011] (RIN: 2115-AE47) received August 11, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4934. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Atlantic Intracoastal Waterway, Florida (Coast Guard) [CGD07-97-020] (RIN: 2115-AE47) received August 11, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4935. A letter from the Acting Assistant Secretary, Department of Defense, transmitting the Department's report on the Civilian Separation Pay Program during Fiscal Year 1996, pursuant to 5 U.S.C. 5597 nt.; jointly to the Committees on National Security and Government Reform and Oversight.

4936. A letter from the Secretary of Energy, transmitting a report to notify that the Department will require an additional 45 days to transmit the implementation plan for addressing the issues raised in the Defense Nuclear Facilities Safety Board's Recommendation 97-1 concerning the safe storage of uranium-233 material, pursuant to 42 U.S.C. 2286d(e); jointly to the Committees on National Security and Commerce.

4937. A letter from the Acting Secretary, Department of Energy, transmitting the Department's Annual Report to the Congress on activities of the Department of Energy in response to recommendations and other interactions with the Defense Nuclear Facilities Safety Board, pursuant to 42 U.S.C. 2286e(b); jointly to the Committees on Commerce and National Security.

4938. A letter from the President and Chief Executive Officer, United States Enrichment Corporation, transmitting a draft of proposed legislation to amend the Atomic Energy Act of 1954 to provide additional funding for continued predeployment activities relating to the Atomic Vapor Laser Isotopic Separation Technology for the Enrichment of Uranium; jointly to the Committees on Commerce and the Budget.

4939. A letter from the Acting Director, Defense Security Assistance Agency, transmitting a report authorizing the transfer of up to \$100M in defense articles and services to the Government of Bosnia-Herzegovina, pursuant to Public Law 104-107, section 540(c); jointly to the Committees on International Relations and Appropriations.

4940. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on intent to obligate funds for additional program proposals for purposes of Nonproliferation and Disarmament Fund activities, pursuant to Public Law 104-208, title II; jointly to the Committees on International Relations and Appropriations.

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. TALENT: Committee on Small Business. H.R. 2261. A bill to reauthorize and amend the programs of the Small Business Act and the Small Business Investment Act, and for other purposes; with an amendment (Rept. 105-246). Referred to the Committee of the Whole House on the State of the Union.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

[Omitted from the Record of September 5, 1997]

H.R. 10. Referral to the Committee on Commerce extended for a period ending not later than September 30, 1997.

H.R. 695. Referral to the Committee on Commerce extended for a period ending not later than September 12, 1997.

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 Ms. WOOLSEY:

H.R. 2427. A bill to recognize business which show an exemplary commitment to participating with schools to enhance educators' technology capabilities and to make every student technologically literate; to the Committee on Education and the Workforce.

By Mr. RANGEL (for himself, Mr. COYNE, Mr. HOYER, Mr. WAXMAN, and Mr. MATSUI):

H.R. 2428. A bill to improve the operations and governance of the Internal Revenue Service, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SENSENBRENNER (for himself, Mr. TALENT, Mr. BROWN of California, Mr. LAFALCE, Mrs. MORELLA, Mr. GORDON, Mr. BARTLETT of Maryland, Mr. POSHARD, and Mr. DAVIS of Virginia):

H.R. 2429. A bill to reauthorize the Small Business Technology Transfer Program through fiscal year 2000; to the Committee on Small Business, and in addition to the Committee on Science, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DELAHUNT:

H.R. 2430. A bill to amend the Immigration and Nationality Act to exempt certain adopted children, and certain children coming to the United States for adoption, from the requirement to present documentation of vaccination against vaccine-preventable diseases; to the Committee on the Judiciary.

By Mr. WOLF (for himself, Mr. PORTER, Mr. WATTS of Oklahoma, Mr. HALL of Ohio, Mr. ADERHOLT, Mr. SMITH of New Jersey, Ms. PELOSI, Mr. HUTCHINSON, Mr. ROHRBACHER, Mr. BLUNT, Mr. BISHOP, Mr. DUNCAN, Mr. MANTON, Mr. OLVER, Mr. GILCHREST, Mr. KING of New York, Mr. BOB SCHAFER, Mr. GILLMOR, Mr. COOKSEY, Mr. GILMAN, Mr. DICKEY, Mr. LIPINSKI, Mr. EHLERS, Mr. WAMP, Mrs. KELLY, and Mr. TOWNS):

H.R. 2431. A bill to establish an Office of Religious Persecution Monitoring, to provide for the imposition of sanctions against countries engaged in a pattern of religious persecution, and for other purposes; to the Committee on International Relations, and in addition to the Committees on Ways and Means, the Judiciary, Banking and Financial

Services, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAFALCE:

H.R. 2432. A bill to provide relief for domestic producers of tailored wool apparel from increased imports of such apparel from Canada; to the Committee on Ways and Means.

By Ms. RIVERS:

H.R. 2433. A bill to amend the Federal Election Campaign Act of 1971 to require candidates for the House of Representatives or the Senate to file information included in quarterly candidate reports with the Federal Election Commission within 48 hours of the time the information becomes available, to require all reports filed with the Federal Election Commission to be filed electronically, to require the information contained in such reports to be made available through the Internet, and for other purposes; to the Committee on House Oversight.

By Mr. TRAFICANT:

H.R. 2434. A bill to establish counseling programs for disabled and retired police officers; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII,

Mr. ISTOOK introduced a bill (H.R. 2435) for the relief of Farah Sirmanshahi, Sepandan Farnia, and Farbod Farnia; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 18: Mr. CRAMER and Ms. STABENOW.
 H.R. 59: Mr. BRADY.
 H.R. 123: Mr. COX of California, Mr. PACKARD, and Mr. ISTOOK.
 H.R. 165: Mr. BISHOP.
 H.R. 251: Ms. RIVERS.
 H.R. 306: Mr. WOLF and Mr. CRAMER.
 H.R. 399: Mr. ROTHMAN and Mrs. EMERSON.
 H.R. 402: Ms. FURSE.
 H.R. 424: Mrs. KELLY.
 H.R. 598: Mr. SAXTON.
 H.R. 712: Mr. SANDLIN.
 H.R. 789: Mr. DEAL of Georgia.
 H.R. 816: Mr. CAMP.
 H.R. 859: Mr. CRAMER and Mr. DEAL of Georgia.
 H.R. 864: Mr. RANGEL, Mr. WELLER, and Mr. WELDON of Pennsylvania.
 H.R. 922: Mr. HILL.
 H.R. 923: Mr. HILL.
 H.R. 934: Mr. CRAPANZANO and Ms. ROS-LEHTINEN.
 H.R. 953: Mr. MORAN of Virginia.
 H.R. 978: Mr. DIXON.
 H.R. 986: Mr. BARTLETT of Maryland, Mr. CHABOT, Mr. BLILEY, and Mr. COBURN.
 H.R. 1010: Mr. FOX of Pennsylvania and Mr. WELDON of Florida.
 H.R. 1036: Mr. NETHERCUTT and Mrs. EMERSON.
 H.R. 1079: Mr. SHERMAN, Mr. OBERSTAR, Mr. CONDIT, Ms. WATERS, and Mrs. THURMAN.
 H.R. 1117: Ms. VELÁZQUEZ and Mr. ENGEL.
 H.R. 1169: Mr. MILLER of Florida, Mr. ROTHMAN, Ms. KAPTUR, and Mr. DEUTSCH.
 H.R. 1285: Mrs. JOHNSON of Connecticut.
 H.R. 1328: Mr. STARK.
 H.R. 1371: Mrs. THURMAN, Mr. COBURN, Mr. ROHRBACHER, and Mr. SANDLIN.

H.R. 1375: Mr. KIND of Wisconsin.
 H.R. 1378: Mr. SMITH of Texas.
 H.R. 1425: Mr. LANTOS.
 H.R. 1437: Ms. NORTON.
 H.R. 1456: Mr. SANDERS.
 H.R. 1457: Mr. MILLER of California, Mr. DELLUMS, and Mr. KUCINICH.
 H.R. 1619: Mr. BEREUTER and Mr. LUCAS of Oklahoma.
 H.R. 1689: Mr. WELDON of Florida, Mr. BILLIRAKIS, and Mr. SAWYER.
 H.R. 1693: Mr. RUSH, Mr. FOGLIETTA, Mr. KLECZKA, and Mr. KUCINICH.
 H.R. 1719: Mr. NETHERCUTT.
 H.R. 1754: Mr. BISHOP.
 H.R. 1788: Mr. MOAKLEY.
 H.R. 1839: Mr. LUCAS of Oklahoma and Mr. JOHN.
 H.R. 1842: Mr. CANNON.
 H.R. 1849: Ms. WOOLSEY.
 H.R. 1858: Mr. HILLIARD and Mr. JOHNSON of Wisconsin.
 H.R. 1904: Mr. RUSH.
 H.R. 1984: Mr. LIVINGSTON, Mr. PETRI, Mr. NORWOOD, Mr. CHAMBLISS, Mr. POSHARD, Mr. MICA, Mr. HANSEN, Mr. SKEEN, Mr. EVERETT, Mr. LINDER, Ms. PRYCE of Ohio, Mr. GREEN, and Mr. THOMAS.
 H.R. 1993: Mr. LIPINSKI.
 H.R. 2004: Mr. KENNEDY of Massachusetts.
 H.R. 2074: Mr. BARR of Georgia.
 H.R. 2140: Mr. ROTHMAN and Mr. MARTINEZ.
 H.R. 2174: Mr. KENNEDY of Massachusetts and Mr. ROTHMAN.
 H.R. 2185: Mr. HINOJOSA.
 H.R. 2202: Mrs. JOHNSON of Connecticut, Mr. ROTHMAN, Mr. MICA, Mr. CALLAHAN, Mr. FORD, Mr. MURTHA, Mr. STEARNS, Mr. SANDLIN, Mr. CUMMINGS, and Mr. KENNEDY of Massachusetts.
 H.R. 2223: Mr. STUMP and Mr. ENSIGN.
 H.R. 2248: Mr. MICA, Mr. SHAYS, Mr. HOUGHTON, Mr. FATTAH, Mr. CRANE, Mr. BERRY, Mr. MARKEY, Mr. STUPAK, Ms. CARSON, Mr. JOHNSON of Wisconsin, Mr. LAHOOD, Mr. DAN SCHAEFER of Colorado, Mr. STOKES, Mr. HERGER, Mr. SPRATT, Mr. OBERSTAR, Mr. PETERSON of Pennsylvania, Mr. CONYERS, Mr. WELDON of Florida, Mr. MCINTYRE, Mr.

MORAN of Virginia, Mr. LATOURETTE, Mr. LUCAS of Oklahoma, Mr. HOBSON, Mr. WAMP, Mr. CRAPO, Ms. GRANGER, Mrs. ROUKEMA, Mr. SHIMKUS, Mr. COX of California, Mr. WYNN, Mr. BENTSEN, Mr. GOODE, Mr. HULSHOF, Ms. DANNER, Ms. JACKSON-LEE, Mr. LEWIS of Kentucky, Mr. RANGEL, Mr. JEFFERSON, Mr. ADAM SMITH of Washington, and Mr. COOKSEY.

H.R. 2335: Mr. SCOTT and Mr. MORAN of Virginia.

H.R. 2341: Mr. FILNER and Mr. CUMMINGS.

H.R. 2351: Ms. DELAURO, Mr. DAVIS of Illinois, Mr. GUTIERREZ, Mr. CLAY, Ms. ESHOO, Mr. NADLER and Mr. PASCRELL.

H.R. 2373: Mr. KASICH and Mr. REDMOND.

H.R. 2380: Mr. MCINTOSH, Mrs. CHENOWETH, Mr. CANADY of Florida, and Mr. LIPINSKI.

H.R. 2392: Mr. GEKAS.

H. Con. Res. 6: Mr. CUMMINGS and Mr. SHERMAN.

H. Con. Res. 107: Mr. SABO, Mr. HASTINGS of Florida, and Mr. DOYLE.

H. Con. Res. 134: Mr. INGLIS of South Carolina, Mr. RAHALL, Mr. BOB SCHAFFER, Ms. CARSON, and Ms. WOOLSEY.

H. Res. 139: Mr. STENHOLM.

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. 695: Mr. JONES.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2267

OFFERED BY: Mr. HOSTETTLER

AMENDMENT No. 12: Page 49, line 9, insert "(reduced by \$175,100,000)" after "\$185,100,000".

Page 49, line 10, insert "(reduced by \$74,100,000)" after "\$74,100,000".

Page 49, line 12, insert "(reduced by \$500,000)" after "\$500,000".

H.R. 2267

OFFERED BY: Mr. KENNEDY OF MASSACHUSETTS

AMENDMENT No. 13: Page 81, line 5, insert before ", of which" the following: "(reduced by \$2,000,000)" and on page 96, line 23, insert before the colon the following: "(increased by \$2,000,000)".

H.R. 2267

OFFERED BY: Mr. KENNEDY OF MASSACHUSETTS

AMENDMENT No. 14: Page 117, after line 2, insert the following:

SEC. 617. No funds appropriated or otherwise made available by this Act may be used for the "Access Mexico Program" of the Department of Commerce.

H.R. 2267

OFFERED BY: Mrs. NORTHUP

AMENDMENT No. 15: Page 38, after line 11, insert the following:

EXCEPTION FROM VACCINATION REQUIREMENT FOR ADOPTED CHILDREN

SEC. 110. Section 212(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(1)) is amended—

(1) in subparagraph (A)(ii), by inserting "except as provided in subparagraph (C)," after "(i)"; and

(2) by adding at the end the following:

"(C) EXCEPTION FOR ADOPTED CHILDREN.—Subparagraph (A)(ii) shall not apply to a child who is—

"(i) described in section 101(b)(1)(F);

"(ii) seeking an immigrant visa as an immediate relative under section 201(b); and

"(iii) 10 years of age or younger at the time a petition is filed in the child's behalf to accord a classification as an immediate relative under such section."