

## HOUSE OF REPRESENTATIVES—Wednesday, March 18, 1998

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. MCINNIS).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
March 18, 1998.

I hereby designate the Honorable SCOTT MCINNIS to act as Speaker pro tempore on this day.

NEWT GINGRICH,  
Speaker of the House of Representatives.

### PRAYER

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

Whenever the tides of the times do change and whatever the fleeting high-lights of the day, remind us, O God, of Your steady and reliable word that points to the eternal values of the spirit. We know that our focus must be on those matters that are ahead, even as we discern in our hearts that our vision should be to You, our Creator and our hope. We know that we will be steady and sturdy for our tasks if we keep our eyes on Your gifts and on Your promises. 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 Florida (Mr. WELDON) come forward and lead the House in the Pledge of Allegiance.

Mr. WELDON of Florida 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.

### THE KYOTO ARCHITECT

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

Mr. SENSENBRENNER. Mr. Speaker, this past Monday, the self-pro-

claimed architect of the United Nations global warming treaty, Raul Estrada-Oyuela, filled the atmosphere with some hot air of his own. Upset that Members of Congress dared to criticize the Kyoto Treaty, the Washington Times reported Mr. Estrada's proclamation that "Congress is acting as though the rest of the world doesn't exist, not only on this matter but on others . . . Perhaps they need to get in touch with the rest of the world," he continued.

I am sure we all appreciate the lecture, Mr. Speaker, but I am afraid Mr. Estrada does not understand Congress' role. We are here to represent the interests of our constituents in the United States, not the interests of U.N. bureaucrats or other nations.

I understand why some, including Mr. Estrada's Argentina, are eager to sign up for this treaty. They are not bound by it. The President should reject signing a treaty the Administration is unable to defend in its current form.

I commend Mr. Estrada's refreshing candor expressing the U.N. mindset for America's interests.

### EXPANSION OF HEALTH COVERAGE FOR AMERICANS

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

Ms. KILPATRICK. Mr. Speaker, yesterday Democrats in the House joined President Clinton in announcing expansion of health coverage for Americans 55 to 65 years old. We, the Democratic Caucus, also introduced legislation that would say that these 55- to 65-year-old Americans who have in many cases been displaced and laid out and without health insurance may be able to buy into Medicare and in that sense have insurance for themselves and their families.

The Congressional Budget Office has confirmed that this is a prudent targeted proposal that will not at all put Medicare at risk and will not be costly or increase cost to the Medicare program. Americans age 55 to 65 need the coverage. Many have been displaced. Health care is essential for our families to be stable and for our children to be healthy.

I am proud of our Democratic Caucus. We look forward to moving this legislation through the Congress and put at rest many fears that seniors who have worked for this country, have

toiled for this country, and now need the support.

### 1,000 ONE-MINUTE SPEECHES

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

Mr. HEFLEY. Mr. Speaker, it is my great honor today to give the 1,000th one-minute speech to the 105th Congress for the Republican side, a thousand one-minute speeches in support of the Republican Party vision of smaller limited government and the belief that all God's children are born with certain inalienable rights that no government, no officer of the court, and no politician can ever take away.

It is a vision that cherishes liberty above all, liberty tempered by the necessary moral restraints that are the hallmark of a civilized society. It is a vision that takes its inspiration from the Founding Fathers of our great Nation, Founders who declared our independence, fought a revolution against government tyranny, and then after 4 months of heated debate and honorable compromise crafted a sacred document that is still revered 211 years later. The Constitution of the United States is the document that guides us all, Democrats and Republicans, through this ongoing experiment in Democratic self-government.

Let us agree, all of us on both sides of the aisle, that we share a common vision that America stands for liberty and the freedom to pursue our dreams from sea to shining sea. And may God bless America.

### GROWING COMMUNITIES HELP WITH SCHOOL CONSTRUCTION

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

Mr. ETHERIDGE. Mr. Speaker, I rise today to urge my colleagues to pass legislation to assist States and local communities meeting their need to build new schools, reduce overcrowding and improve good discipline and quality instruction.

Yesterday, the number crunchers at the Census Bureau confirmed what many of us already know, communities across America are growing with leaps and bounds. For example, in Wake County, one of my counties in my district, it grew by 29.4 percent from 1990 to 1997. That is an additional 125,000-plus people. Likewise, another county,

□ 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.

Johnston County, has grown by more than 25 percent during that same period.

This tremendous growth places a heavy burden on our communities to build schools to teach our children. The result is that we have children attending schools in trailers and in dilapidated buildings. The Secretary of Education has projected an explosion of growth in the school age population in the years to come in every State in this country.

The baby boom echo is now upon us. It is up to Congress to move and act. Children do not care who funds buildings. They want them funded.

#### KYOTO TREATY OF CLIMATE CHANGE

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

Mr. KNOLLENBERG. Mr. Speaker, as a member of the oversight delegation that attended the negotiations over the U.N. treaty on climate change, I am absolutely outraged by U.N. official Raul Estrada's comments about congressional opposition to the overreaching Kyoto Accord.

As I mentioned yesterday, Mr. Estrada and the rest of the world need to understand that, as representatives of the United States, our first obligation is to protect America's interests. The Kyoto treaty places the entire burden of reducing greenhouse gas emissions on developed nations and most particularly the United States, while giving developing nations like China, India, Mexico and Brazil a free pass. This would impose unrealistic burdens on the American people and significantly lower the standard of living of our country. Make no mistake about it, if this treaty goes through, we will lose jobs and our citizens will pay more for goods and services.

Mr. Speaker, while the rest of the world may have an interest in seeing America's economy suffer, we do not. I urge my colleagues to remain firm in their opposition to the Kyoto treaty on climate change.

#### TRUST BUT VERIFY

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

Mr. TRAFICANT. Mr. Speaker, 2 years ago the White House told China, If you promise to stop selling missiles to terrorist nations, we will give you most favored nation trade status; and China said, Good, that's great. Okay.

Last year the White House said, Look, you are breaking your promise, China; you are selling missiles to Iran and Iraq. Come on. They said, Okay, you are right. This time we will stop.

This year the White House has just announced that they are going to share our nuclear technology programs with China because China has promised to stop this madness, and they said this time China really means it.

Beam me up. These are not promises; these are lies. I would like to say one thing. Somebody is inhaling over at the White House with this program with China. We are financing the biggest national security threat in our history, Mr. Speaker. I think Ronald Reagan's words "trust but verify" should be taken to heart in this Congress.

#### APRIL 15 TAX FILING DEADLINE

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

Mr. CHABOT. Mr. Speaker, while millions of Americans took time out last Sunday night to either defend or condemn the President's job interviewing techniques, the clock kept right on ticking towards that April 15 deadline. That is right, Mr. Speaker, I am talking about the April 15 tax filing deadline, a National day of reckoning for taxpayers across the Nation.

Most Americans tend to put off their tax filing because it is such an unpleasant task. Do my colleagues realize that Tax Freedom Day this year is May 9, which means that everything they earn until May 9 goes to Washington and only after that are they entitled to the fruits of their labor?

The Tax Code is so complex that millions of Americans need to pay for professional help just to figure out how much they owe. Mr. Speaker, Washington is giving the taxpayers of this Nation a lousy deal. Washington wastes too much of the taxpayers' money and then adds insult to injury by making it almost impossible to figure out how much this Government is going to fleece them for. It is taxpayer abuse, plain and simple.

#### CAMPAIGN FINANCE REFORM

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

Mr. DAVIS of Florida. Mr. Speaker, as the recent report of the Thompson Senate Committee demonstrates, there is widespread and serious abuse of our Nation's campaign finance system on both sides.

One of the most rapidly growing excesses is that of soft money, unlimited amounts of money people can contribute to either political party. And the other is the incredible proliferation of advertising by outside third-party groups.

That is why a substantial portion of the Democratic freshmen in this House, together with Members of the Republican freshmen class, have filed a

bill calling for a ban on soft money and mandating disclosure with respect to these outside third-party ads.

The Speaker said the House will soon take up campaign finance reform. Mr. Speaker, an increasing number of American citizens are watching closely to see whether we take this issue seriously and whether we are going to do something about it. When we take up campaign finance reform; let us take up a real bill, let us take up one that bans soft money; let us take up one that forces disclosure with respect to these ads by outside third-party groups.

#### KYOTO CLIMATE TREATY

(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, my father used to tell me that "if it ain't broke, don't fix it." Will our Federal Government ever get it right? Unfortunately, the Kyoto climate treaty tries not only to fix something that is not broken, it fails miserably to do what its supporters say it will do.

Despite the lack of concrete scientific evidence today of the existence of global warming, this President is more than willing to put millions of American jobs at risk by signing the ill-conceived treaty. Entering into this agreement will cause unemployment to rise, prices to rise, American productivity to decline, and the American economy to be less competitive in the world market. Even the Wall Street Journal calls the Kyoto agreement the equivalent of a \$100- to \$200-billion-dollar-a-year tax increase.

At a time when our economy is booming, interest rates are down, and more people are working than ever, it is irresponsible to jeopardize this by entering the United States into this treaty. This treaty is bad for America. It is bad for Americans.

#### H.R. 2183 CLOSES SOFT MONEY LOOPHOLE

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

Mr. BERRY. Mr. Speaker, the Thompson report released last week has confirmed what we all know, that the integrity of our political system has been undermined by the influence of soft money. The soft money loophole is the primary culprit for the abuses that Congress has spent millions of dollars to investigate.

Through the soft money loophole, a single donor can give unlimited amounts of money to influence Federal elections. Soft money circumvents nearly a century of campaign finance law. It has effectively deregulated our campaign finance system with disastrous results.

The freshmen wanted to fix the main abuses of the current system. We put differences aside and created a fair, bipartisan campaign finance reform bill, H.R. 2183, the Bipartisan Campaign Integrity Act. H.R. 2183 closes the soft money loophole. It gets elected officials out of the business of raising \$1 million special interest contributions. H.R. 2183 is fair. It is bipartisan. The bill has strong bipartisan support from both sides of the aisle.

Mr. Speaker, the freshmen bill must be allowed to come to the House floor without any poison pills.

Mr. Speaker, the freshmen deserve a vote. We have worked hard to create a fair and honest bill. Your decision now to allow a clean vote on the freshman bill will prove to the American people that Congress does care about restoring integrity to the political process.

□ 1015

**SOYBEAN FUEL CAN REDUCE DEPENDENCE ON FOREIGN OIL**

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

Mr. SHIMKUS. Mr. Speaker, I rise to recognize the hardworking men and women that are in town this week for the American Soybean Association's annual conference. Earlier this week I had the opportunity to speak at the conference and bring them up to date on legislation I have introduced on their behalf.

As many in this Chamber know, after the Gulf War, Congress acted to reduce our national dependence on foreign oil by enacting the Energy and Policy Act of 1992. This statute requires State and Federal vehicle fleets to use expensive alternative fuels and technologies in order to reduce its oil dependency.

Unfortunately biodiesel, a fuel derived from soybeans, was not included in the list of fuels that fleet managers could use to comply with this Federal mandate, largely because the fuel was still being tested and developed.

My bill, H.R. 2568, the Energy Policy Amendments Act of 1997, which has 55 cosponsors, will allow biodiesel to be used in diesel engines across the Nation to reduce harmful emissions, clean our air, and increase the demand for soybeans, all at a reduced cost when compared to traditional alternative fuel technologies.

Mr. Speaker, biodiesel is just one example of a good clean air policy.

**MEDICARE EXPANSION**

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I am here to announce that

the Democratic Caucus stands for the do-something Congress and we are going to lead this Congress to do something for the American people. That is why I am very proud that we have recognized that there are those Americans who do not have health insurance, hardworking Americans, 55 years to under 65 years, who for a long time have worked in their community, worked very hard, but for some reason have fallen upon hard times. Maybe they have lost their job, maybe they are suffering from heart disease, strokes and cancer which falls highly among people from 45 to 54.

This bill that the Democratic Caucus is supporting along with the President of the United States is very fair and reasonable and rational and it makes a lot of good sense. That is, to allow those aged 55 to 65 to buy into insurance, particularly the Medicare insurance. It allows those individuals to pay no more than 125 percent.

Why do we need that? Just last year we passed a portability bill where you could pass your insurance on once you moved to another employer. That does not work. We need to have this bill.

**A REPUBLICAN VIEW OF MEDICARE EXPANSION**

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

Mr. KINGSTON. Mr. Speaker, last year 67-year-old Sarah Rutherford of Brunswick, Georgia was very distraught about her health care, because she knew that in April 1995 the Clinton Medicare trustees said Medicare was going to go bankrupt if we did not do anything about it. After many struggles in Congress we finally passed a bipartisan bill that cut down on Medicare fraud, gave seniors more choices, and increased spending on Medicare for people like Ms. Rutherford from \$5,000 to \$7,000. Most importantly it created a bipartisan tax force to look at Medicare not just for the next election but for the next generation, to correct Medicare for the next 5 or 10 years. This bipartisan commission is working and working very hard.

Now in an apparent desperation attempt to get the focus off the White House, the President has come up with a new entitlement on Medicare to say, and listen to this, in his own words, he will be qualified for Medicare in 3 or 4 years. When the President of the United States retires, he will be able to go on Medicare.

I say, "Mr. President, go ahead and retire, but stay away from Ms. Rutherford's Medicare."

**A DEMOCRATIC VIEW OF MEDICARE EXPANSION**

(Ms. DELAURO asked and was given permission to address the House for 1

minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, Americans nearing retiring age are one of the most uninsured populations because in fact they have less access to and they are at greater risk of losing employer-based health insurance. There are 30,000 such folks in my State of Connecticut alone. I might add that the group that is particularly at risk are women who are between 62 and 64 years old, lacking health insurance, nearing retirement, not at 65 yet, not eligible yet for Medicare.

This is only going to get worse, Mr. Speaker, as baby boomers near retirement. Democrats do have a proposal to expand that access to health care to Americans between 55 and 64. It would provide the opportunity to buy into the Medicare program, to pay the premium, to pay a cost in order to get the access to that kind of coverage. It does not draw on the Medicare trust fund resources needed to provide care to those who are over 65. This Congress has a responsibility to address this growing problem. Let us have the Republican leadership follow the Democrats.

**REJECT THE GLOBAL WARMING TREATY**

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

Mr. WELDON of Florida. Mr. Speaker, is it fair to let some of our fastest growing competitors like China, Mexico and India have an advantage? That is what the U.N. Climate Treaty will do. The President still vows to sign it. This flawed treaty will force the U.S. to commit to emissions reductions that will put Americans on a strict energy diet, a more than 30 percent cutback in our energy use, while allowing our international competitors to increase their emissions. The administration says, a U.N.-run pie-in-the-sky trading scheme will somehow soften the pain. It sounds like rationing to me.

What about the jobs that will move to more than 130 countries overseas that are not committed to these emission reductions? That will harm our families, it will destroy our economy, and it will still do nothing for the world's environment. It is not global, it is not fair, and it will not work. I encourage a rejection of this treaty.

**KYOTO PROTOCOL**

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

Ms. DANNER. Mr. Speaker, I rise today to express my opposition to the Kyoto Protocol. Economists predict that the emissions levels agreed to in the protocol will have a devastating

and disproportionate effect on the entire population of the United States. Further, these legally binding reductions are applicable only to developed nations and do not apply to developing nations such as India and China, two of the worst violators when it comes to greenhouse gas emissions.

Before the administration takes any action that might lead to the adoption of the Kyoto Protocol, Members of Congress must be certain that this action does not harm our citizens. We are elected to represent our constituents, and the dictates of the international committees must not be our dictates. As we all know, many nations do not honor the international agreements they sign, but the United States does. If the United States ratifies a treaty, we abide by the provisions of that treaty. That treaty becomes the law of our land. We would encourage the administration not to sign this protocol.

#### AMERICAN PEOPLE DESERVE WHOLE TRUTH

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

Mr. PITTS. Mr. Speaker, once again we are told that the White House is cooperating fully with Judge Starr and other investigators assigned by Attorney General Reno to discover the truth about allegations of wrongdoing. Their idea of cooperating fully is somewhat laughable. Consider recent revelations about how the White House is cooperating fully with the independent counsel.

The White House hired private investigator Terry Lenzner to dig up dirt on Federal investigators. The White House has spread false rumors to reporters including a false allegation about the conduct of a Starr investigator during a 1994 trial. The White House has repeatedly leaked information to the press and then turned around and blamed Starr's office for leaks.

Mr. Speaker, two questions need to be answered. One, what money paid for the private investigators, tax dollars or private funds? And, two, who got the results of the investigation, the dirt?

Mr. Speaker, I do not know what others think, but I am getting tired of falsehoods. Regardless of what the polls say, the American people deserve better, the whole truth, and nothing but the truth.

#### MEDICARE EXPANSION

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

Mr. MCDERMOTT. Mr. Speaker, this is in the nature of a public service announcement. If you are a woman in this society who gets your health in-

urance through your husband and who is younger than your husband, you should be listening to what President Clinton is offering to the American people. He says that if you are going to have no health insurance when your husband gets to 65, you can buy into the Medicare program at cost, no additional cost to the program. I sit on the Medicare Commission. This will not destroy Medicare for anybody else because it is a pay-as-you-go plan. But if you see your future as a place where you are not going to have health insurance, you are like hundreds of thousands of people in this society today between the age of 55 and 65 who have been offered a program by the President. The leadership of the House of Representatives refuses to take that up. They do not care about your health insurance. Pick up the phone and give them a call.

#### EDUCATION SAVINGS ACCOUNTS

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

Mr. DELAY. Mr. Speaker, if the President offers you anything, you better turn and run. What is the President afraid of? Why does he keep hiding from the truth? Last year Bill Clinton threatened to veto the historic balanced budget agreement because it contained a provision establishing a tax-free savings account for education. This year he has maintained his steadfast opposition to this common-sense proposal. Why? Because he is afraid of the Nation's powerful teachers unions.

This proposal will help millions of middle-class families save for the education of their children. It will give parents more power to make the right education choices for their kids. Mr. Speaker, the President should stop hiding from the truth and drop his opposition of tax-free education savings accounts. It is a smart way to improve education in America.

#### GLOBAL WARMING

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

Mr. PETERSON of Pennsylvania. Mr. Speaker, the debate we need to have in America is do we have global warming? One study shows since 1900 there is less than a 1 degree change in temperature. Satellite data shows a slight cooling.

Those who are proclaiming we have global warming want us to agree to the Kyoto Treaty that will drastically change our competitiveness and will radically change our economy. Over 130 countries are not part of that agreement. The debate we need to have is do we have global warming. We have not had that important scientific discussion. I asked a climatologist in my dis-

trict, who is one of the world's most renowned, do we have global warming? He says, there is no evidence of it.

Those who believe in global warming and want us to sign this treaty need to stand up and tell the American people how we have global warming, what the evidence is. Until they provide that evidence, scientific evidence, we need to say no to the U.N. and to Vice President GORE and the Kyoto Treaty.

#### CHILD PORNOGRAPHY

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

Mr. RILEY. Mr. Speaker, all crimes, particularly those involving acts of violence, are an assault upon society. But crimes against children, Mr. Speaker, are an attack upon the very soul of our society. Among the worst of these crimes is child pornography. Today Federal law does prohibit individuals from possessing child pornography, but unfortunately the law does not go far enough. In fact, it only prohibits the possession of three or more items that visually depict children in sexually explicit situations.

□ 1030

Mr. Speaker, that is wrong; and it is time we do something about it.

Last month, the gentleman from Alabama (Mr. BACHUS) and I introduced House Resolution 3185, the Abolishing Child Pornography Act. This legislation would close the three or more loopholes by making the possession of all child pornography illegal, whether it is two photographs or 200 photographs.

I urge my colleagues, Mr. Speaker, to bring this important legislation to the floor so that we can finally do what is right for our children.

#### LOWER TAXES MEANS MORE FREEDOM FOR AMERICANS

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

Mr. ROGAN. Mr. Speaker, when Congress cuts taxes, people have more freedom. Freedom to decide how to spend the money they earn as they see fit. Freedom to save and invest for their own home, for a new car or a family vacation. Freedom to prepare for their retirement, and freedom to save for their children's education or to continue their own. Freedom to live the American dream, just as their parents and grandparents dared to dream.

Mr. Speaker, America is still a land of opportunity for millions of people who have the perseverance and discipline to make it so. Over 1 million immigrants come to our shores each year demonstrating that they, too, believe that America is the land of opportunity.

If Congress wants to allow our people to use their talents and hard work to get ahead, it should cut taxes for families. But, if Congress prefers instead to continue imposing ever-greater burdens on our families, the American dream will become just that—a dream.

#### SALUTE TO FORT BENNING, GEORGIA

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

Mr. COLLINS. Mr. Speaker, I am honored to congratulate Fort Benning, Georgia, for winning the Army Community of Excellence Chief of Staff Award. This is the sixth consecutive year that Fort Benning has been recognized as the best Army installation in the United States.

The award is indicative of the ability of professionalism of the tens of thousands of soldiers that pass through Fort Benning's gate each year and of the successful partnership that exists among Fort Benning, Columbus, Georgia, and Phoenix City, Alabama, communities.

The soldiers and civilians who work under the leadership of General Carl Ernst and his staff continue to reinforce Fort Benning's long-standing commitment to military quality, focusing on the watch words, "First in training, first in readiness, and first in quality of life."

Fort Benning constitutes a cornerstone of our national defense. To all of the personnel at Fort Benning, I offer my sincere thanks and congratulations for a job well done.

#### TOO EARLY TO ADOPT KYOTO AGREEMENT

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

Mr. WHITFIELD. Mr. Speaker, the Clinton administration is launching a major offensive for the adoption of the protocol negotiated at Kyoto regarding global warming. Vice President GORE has been one of the leading advocates of this and has declared there is no longer any significant disagreement in the science community that the greenhouse effect is real. In fact, Vice President GORE has said that 98 percent of the science community would concur that a greenhouse emergency has begun.

However, the administration fails to tell the American people that, in 1992, a survey showed that of the two professional groups responsible for climate change in America, that only 17 percent said that warming trends convinced them that an artificial greenhouse was in effect.

Vice President GORE frequently refers to the intergovernmental panel on

climate change to buttress his argument that we have global warming. However, he fails to say that in that same report there are hundreds of documents that say that there is no global warming taking effect.

It is too early for us to adopt the Kyoto Agreement.

#### KEEPING OUR PROMISES: ADHERING TO THE BALANCED BUDGET AGREEMENT

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

Mr. MILLER of Florida. Mr. Speaker, what a difference a year makes. Last year, Congress promised the American taxpayers to limit government spending and balance the Federal budget. This year, Congress is considering breaking that promise.

Today, I am here to announce that I, as a Member of Congress, will not support abandoning the balanced budget agreement for special interest projects. This latest assault on our efforts at fiscal reform is transportation spending. The Senate just finished their version of ISTEA which will break the budget caps for \$18 billion and the House version in its current form exceeds the caps by more than \$22 billion.

To stick to the agreement, this excessive spending will require massive spending cuts. Congress and the American people deserve to know if, when and where these cuts will be made before we are asked to vote for increased transportation spending.

I am here this morning to ask my colleagues to keep their promise we made to the American people last year and adhere to the balanced budget agreement. The future of our children is more important to me than the Federal Government picking up the tab for a "Dan Miller Expressway."

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules and will be followed by two rollcall votes ordered yesterday.

#### VESSEL HULL DESIGN PROTECTION ACT

Mr. COBLE. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 2696) to amend title 17, United States Code, to provide for protection of certain original designs, as amended.

The Clerk read as follows:

H.R. 2696

*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 referred to as the "Vessel Hull Design Protection Act".

#### SEC. 2. PROTECTION OF CERTAIN ORIGINAL DESIGNS.

Title 17, United States Code, is amended by adding at the end the following new chapter:

#### "CHAPTER 12—PROTECTION OF ORIGINAL DESIGNS

"Sec.

"1201. Designs protected.

"1202. Designs not subject to protection.

"1203. Revisions, adaptations, and rearrangements.

"1204. Commencement of protection.

"1205. Term of protection.

"1206. Design notice.

"1207. Effect of omission of notice.

"1208. Exclusive rights.

"1209. Infringement.

"1210. Application for registration.

"1211. Benefit of earlier filing date in foreign country.

"1212. Oaths and acknowledgments.

"1213. Examination of application and issue or refusal of registration.

"1214. Certification of registration.

"1215. Publication of announcements and indexes.

"1216. Fees.

"1217. Regulations.

"1218. Copies of records.

"1219. Correction of errors in certificates.

"1220. Ownership and transfer.

"1221. Remedy for infringement.

"1222. Injunctions.

"1223. Recovery for infringement.

"1224. Power of court over registration.

"1225. Liability for action on registration fraudulently obtained.

"1226. Penalty for false marking.

"1227. Penalty for false representation.

"1228. Enforcement by Treasury and Postal Service.

"1229. Relation to design patent law.

"1230. Common law and other rights unaffected.

"1231. Administrator; Office of the Administrator.

"1232. No retroactive effect.

#### "§ 1201. Designs protected

"(a) DESIGNS PROTECTED.—

"(1) IN GENERAL.—The designer or other owner of an original design of a useful article which makes the article attractive or distinctive in appearance to the purchasing or using public may secure the protection provided by this chapter upon complying with and subject to this chapter.

"(2) VESSEL HULLS.—The design of a vessel hull, including a plug or mold, is subject to protection under this chapter, notwithstanding section 1202(4).

"(b) DEFINITIONS.—For the purpose of this chapter, the following terms have the following meanings:

"(1) A design is 'original' if it is the result of the designer's creative endeavor that provides a distinguishable variation over prior work pertaining to similar articles which is more than merely trivial and has not been copied from another source.

"(2) A 'useful article' is a vessel hull, including a plug or mold, which in normal use

has an intrinsic utilitarian function that is not merely to portray the appearance of the article or to convey information. An article which normally is part of a useful article shall be deemed to be a useful article.

“(3) A ‘vessel’ is a craft, especially one larger than a rowboat, designed to navigate on water, but does not include any such craft that exceeds 200 feet in length.

“(4) A ‘hull’ is the frame or body of a vessel, including the deck of a vessel, exclusive of masts, sails, yards, and rigging.

“(5) A ‘plug’ means a device or model used to make a mold for the purpose of exact duplication, regardless of whether the device or model has an intrinsic utilitarian function that is not only to portray the appearance of the product or to convey information.

“(6) A ‘mold’ means a matrix or form in which a substance for material is used, regardless of whether the matrix or form has an intrinsic utilitarian function that is not only to portray the appearance of the product or to convey information.

#### “§ 1202. Designs not subject to protection

“Protection under this chapter shall not be available for a design that is—

“(1) not original;

“(2) staple or commonplace, such as a standard geometric figure, a familiar symbol, an emblem, or a motif, or another shape, pattern, or configuration which has become standard, common, prevalent, or ordinary;

“(3) different from a design excluded by paragraph (2) only in insignificant details or in elements which are variants commonly used in the relevant trades;

“(4) dictated solely by a utilitarian function of the article that embodies it; or

“(5) embodied in a useful article that was made public by the designer or owner in the United States or a foreign country more than 1 year before the date of the application for registration under this chapter.

#### “§ 1203. Revisions, adaptations, and rearrangements

“Protection for a design under this chapter shall be available notwithstanding the employment in the design of subject matter excluded from protection under section 1202 if the design is a substantial revision, adaptation, or rearrangement of such subject matter. Such protection shall be independent of any subsisting protection in subject matter employed in the design, and shall not be construed as securing any right to subject matter excluded from protection under this chapter or as extending any subsisting protection under this chapter.

#### “§ 1204. Commencement of protection

“The protection provided for a design under this chapter shall commence upon the earlier of the date of publication of the registration under section 1213(a) or the date the design is first made public as defined by section 1210(b).

#### “§ 1205. Term of protection

“(a) IN GENERAL.—Subject to subsection (b), the protection provided under this chapter for a design shall continue for a term of 10 years beginning on the date of the commencement of protection under section 1204.

“(b) EXPIRATION.—All terms of protection provided in this section shall run to the end of the calendar year in which they would otherwise expire.

“(c) TERMINATION OF RIGHTS.—Upon expiration or termination of protection in a particular design under this chapter, all rights under this chapter in the design shall terminate, regardless of the number of different articles in which the design may have been used during the term of its protection.

#### “§ 1206. Design notice

“(a) CONTENTS OF DESIGN NOTICE.—(1) Whenever any design for which protection is sought under this chapter is made public under section 1210(b), the owner of the design shall, subject to the provisions of section 1207, mark it or have it marked legibly with a design notice consisting of—

“(A) the words ‘Protected Design’, the abbreviation ‘Prot’d Des.’, or the letter ‘D’ with a circle, or the symbol \*D\*;

“(B) the year of the date on which protection for the design commenced; and

“(C) the name of the owner, an abbreviation by which the name can be recognized, or a generally accepted alternative designation of the owner.

Any distinctive identification of the owner may be used for purposes of subparagraph (C) if it has been recorded by the Administrator before the design marked with such identification is registered.

“(2) After registration, the registration number may be used instead of the elements specified in subparagraphs (B) and (C) of paragraph (1).

“(b) LOCATION OF NOTICE.—The design notice shall be so located and applied as to give reasonable notice of design protection while the useful article embodying the design is passing through its normal channels of commerce.

“(c) SUBSEQUENT REMOVAL OF NOTICE.—When the owner of a design has complied with the provisions of this section, protection under this chapter shall not be affected by the removal, destruction, or obliteration by others of the design notice on an article.

#### “§ 1207. Effect of omission of notice

“(a) ACTIONS WITH NOTICE.—Except as provided in subsection (b), the omission of the notice prescribed in section 1206 shall not cause loss of the protection under this chapter or prevent recovery for infringement under this chapter against any person who, after receiving written notice of the design protection, begins an undertaking leading to infringement under this chapter.

“(b) ACTIONS WITHOUT NOTICE.—The omission of the notice prescribed in section 1206 shall prevent any recovery under section 1223 against a person who began an undertaking leading to infringement under this chapter before receiving written notice of the design protection. No injunction shall be issued under this chapter with respect to such undertaking unless the owner of the design reimburses that person for any reasonable expenditure or contractual obligation in connection with such undertaking that was incurred before receiving written notice of the design protection, as the court in its discretion directs. The burden of providing written notice of design protection shall be on the owner of the design.

#### “§ 1208. Exclusive rights

“The owner of a design protected under this chapter has the exclusive right to—

“(1) make, have made, or import, for sale or for use in trade, any useful article embodying that design; and

“(2) sell or distribute for sale or for use in trade any useful article embodying that design.

#### “§ 1209. Infringement

“(a) ACTS OF INFRINGEMENT.—Except as provided in subsection (b), it shall be infringement of the exclusive rights in a design protected under this chapter for any person, without the consent of the owner of the design, within the United States and during the term of such protection, to—

“(1) make, have made, or import, for sale or for use in trade, any infringing article as defined in subsection (e); or

“(2) sell or distribute for sale or for use in trade any such infringing article.

“(b) ACTS OF SELLERS AND DISTRIBUTORS.—A seller or distributor of an infringing article who did not make or import the article shall be deemed to have infringed on a design protected under this chapter only if that person—

“(1) induced or acted in collusion with a manufacturer to make, or an importer to import such article, except that merely purchasing or giving an order to purchase such article in the ordinary course of business shall not of itself constitute such inducement or collusion; or

“(2) refused or failed, upon the request of the owner of the design, to make a prompt and full disclosure of that person's source of such article, and that person orders or reorders such article after receiving notice by registered or certified mail of the protection subsisting in the design.

“(c) ACTS WITHOUT KNOWLEDGE.—It shall not be infringement under this section to make, have made, import, sell, or distribute, any article embodying a design which was created without knowledge that a design was protected under this chapter and was copied from such protected design.

“(d) ACTS IN ORDINARY COURSE OF BUSINESS.—A person who incorporates into that person's product of manufacture an infringing article acquired from others in the ordinary course of business, or who, without knowledge of the protected design embodied in an infringing article, makes or processes the infringing article for the account of another person in the ordinary course of business, shall not be deemed to have infringed the rights in that design under this chapter except under a condition contained in paragraph (1) or (2) of subsection (b). Accepting an order or reorder from the source of the infringing article shall be deemed ordering or reordering within the meaning of subsection (b)(2).

“(e) INFRINGING ARTICLE DEFINED.—As used in this section, an ‘infringing article’ is any article the design of which has been copied from a design protected under this chapter, without the consent of the owner of the protected design. An infringing article is not an illustration or picture of a protected design in an advertisement, book, periodical, newspaper, photograph, broadcast, motion picture, or similar medium. A design shall not be deemed to have been copied from a protected design if it is original and not substantially similar in appearance to a protected design.

“(f) ESTABLISHING ORIGINALITY.—The party to any action or proceeding under this chapter who alleges rights under this chapter in a design shall have the burden of establishing the design's originality whenever the opposing party introduces an earlier work which is identical to such design, or so similar as to make prima facie showing that such design was copied from such work.

“(g) REPRODUCTION FOR TEACHING OR ANALYSIS.—It is not an infringement of the exclusive rights of a design owner for a person to reproduce the design in a useful article or in any other form solely for the purpose of teaching, analyzing, or evaluating the appearance, concepts, or techniques embodied in the design, or the function of the useful article embodying the design.

#### “§ 1210. Application for registration

“(a) TIME LIMIT FOR APPLICATION FOR REGISTRATION.—Protection under this chapter

shall be lost if application for registration of the design is not made within two years after the date on which the design is first made public.

“(b) WHEN DESIGN IS MADE PUBLIC.—A design is made public when an existing useful article embodying the design is anywhere publicly exhibited, publicly distributed, or offered for sale or sold to the public by the owner of the design or with the owner's consent.

“(c) APPLICATION BY OWNER OF DESIGN.—Application for registration may be made by the owner of the design.

“(d) CONTENTS OF APPLICATION.—The application for registration shall be made to the Administrator and shall state—

“(1) the name and address of the designer or designers of the design;

“(2) the name and address of the owner if different from the designer;

“(3) the specific name of the useful article embodying the design;

“(4) the date, if any, that the design was first made public, if such date was earlier than the date of the application;

“(5) affirmation that the design has been fixed in a useful article; and

“(6) such other information as may be required by the Administrator.

The application for registration may include a description setting forth the salient features of the design, but the absence of such a description shall not prevent registration under this chapter.

“(e) SWORN STATEMENT.—The application for registration shall be accompanied by a statement under oath by the applicant or the applicant's duly authorized agent or representative, setting forth, to the best of the applicant's knowledge and belief—

“(1) that the design is original and was created by the designer or designers named in the application;

“(2) that the design has not previously been registered on behalf of the applicant or the applicant's predecessor in title; and

“(3) that the applicant is the person entitled to protection and to registration under this chapter.

If the design has been made public with the design notice prescribed in section 1206, the statement shall also describe the exact form and position of the design notice.

“(f) EFFECT OF ERRORS.—(1) Error in any statement or assertion as to the utility of the useful article named in the application under this section, the design of which is sought to be registered, shall not affect the protection secured under this chapter.

“(2) Errors in omitting a joint designer or in naming an alleged joint designer shall not affect the validity of the registration, or the actual ownership or the protection of the design, unless it is shown that the error occurred under deceptive intent.

“(g) DESIGN MADE IN SCOPE OF EMPLOYMENT.—In a case in which the design was made within the regular scope of the designer's employment and individual authorship of the design is difficult or impossible to ascribe and the application so states, the name and address of the employer for whom the design was made may be stated instead of that of the individual designer.

“(h) PICTORIAL REPRESENTATION OF DESIGN.—The application for registration shall be accompanied by two copies of a drawing or other pictorial representation of the useful article embodying the design, having one or more views, adequate to show the design, in a form and style suitable for reproduction, which shall be deemed a part of the application.

“(i) DESIGN IN MORE THAN ONE USEFUL ARTICLE.—If the distinguishing elements of a design are in substantially the same form in different useful articles, the design shall be protected as to all such useful articles when protected as to one of them, but not more than one registration shall be required for the design.

“(j) APPLICATION FOR MORE THAN ONE DESIGN.—More than one design may be included in the same application under such conditions as may be prescribed by the Administrator. For each design included in an application the fee prescribed for a single design shall be paid.

“§ 1211. Benefit of earlier filing date in foreign country

“An application for registration of a design filed in the United States by any person who has, or whose legal representative or predecessor or successor in title has, previously filed an application for registration of the same design in a foreign country which extends to designs of owners who are citizens of the United States, or to applications filed under this chapter, similar protection to that provided under this chapter shall have that same effect as if filed in the United States on the date on which the application was first filed in such foreign country, if the application in the United States is filed within 6 months after the earliest date on which any such foreign application was filed.

“§ 1212. Oaths and acknowledgments

“(a) IN GENERAL.—Oaths and acknowledgments required by this chapter—

“(1) may be made—

“(A) before any person in the United States authorized by law to administer oaths; or

“(B) when made in a foreign country, before any diplomatic or consular officer of the United States authorized to administer oaths, or before any official authorized to administer oaths in the foreign country concerned, whose authority shall be proved by a certificate of a diplomatic or consular officer of the United States; and

“(2) shall be valid if they comply with the laws of the State or country where made.

“(b) WRITTEN DECLARATION IN LIEU OF OATH.—(1) The Administrator may by rule prescribe that any document which is to be filed under this chapter in the Office of the Administrator and which is required by any law, rule, or other regulation to be under oath, may be subscribed to by a written declaration in such form as the Administrator may prescribe, and such declaration shall be in lieu of the oath otherwise required.

“(2) Whenever a written declaration under paragraph (1) is used, the document containing the declaration shall state that willful false statements are punishable by fine or imprisonment, or both, pursuant to section 1001 of title 18, and may jeopardize the validity of the application or document or a registration resulting therefrom.

“§ 1213. Examination of application and issue or refusal of registration

“(a) DETERMINATION OF REGISTRABILITY OF DESIGN; REGISTRATION.—Upon the filing of an application for registration in proper form under section 1210, and upon payment of the fee prescribed under section 1216, the Administrator shall determine whether or not the application relates to a design which on its face appears to be subject to protection under this chapter, and, if so, the Register shall register the design. Registration under this subsection shall be announced by publication. The date of registration shall be the date of publication.

“(b) REFUSAL TO REGISTER; RECONSIDERATION.—If, in the judgment of the Administrator, the application for registration relates to a design which on its face is not subject to protection under this chapter, the Administrator shall send to the applicant a notice of refusal to register and the grounds for the refusal. Within 3 months after the date on which the notice of refusal is sent, the applicant may, by written request, seek reconsideration of the application. After consideration of such a request, the Administrator shall either register the design or send to the applicant a notice of final refusal to register.

“(c) APPLICATION TO CANCEL REGISTRATION.—Any person who believes he or she is or will be damaged by a registration under this chapter may, upon payment of the prescribed fee, apply to the Administrator at any time to cancel the registration on the ground that the design is not subject to protection under this chapter, stating the reasons for the request. Upon receipt of an application for cancellation, the Administrator shall send to the owner of the design, as shown in the records of the Office of the Administrator, a notice of the application, and the owner shall have a period of 3 months after the date on which such notice is mailed in which to present arguments to the Administrator for support of the validity of the registration. The Administrator shall also have the authority to establish, by regulation, conditions under which the opposing parties may appear and be heard in support of their arguments. If, after the periods provided for the presentation of arguments have expired, the Administrator determines that the applicant for cancellation has established that the design is not subject to protection under this chapter, the Administrator shall order the registration stricken from the record. Cancellation under this subsection shall be announced by publication, and notice of the Administrator's final determination with respect to any application for cancellation shall be sent to the applicant and to the owner of record.

“§ 1214. Certification of registration

“Certificates of registration shall be issued in the name of the United States under the seal of the Office of the Administrator and shall be recorded in the official records of the Office. The certificate shall state the name of the useful article, the date of filing of the application, the date of registration, and the date the design was made public, if earlier than the date of filing of the application, and shall contain a reproduction of the drawing or other pictorial representation of the design. If a description of the salient features of the design appears in the application, the description shall also appear in the certificate. A certificate of registration shall be admitted in any court as prima facie evidence of the facts stated in the certificate.

“§ 1215. Publication of announcements and indexes

“(a) PUBLICATIONS OF THE ADMINISTRATOR.—The Administrator shall publish lists and indexes of registered designs and cancellations of designs and may also publish the drawings or other pictorial representations of registered designs for sale or other distribution.

“(b) FILE OF REPRESENTATIVES OF REGISTERED DESIGNS.—The Administrator shall establish and maintain a file of the drawings or other pictorial representations of registered designs. The file shall be available for use by the public under such conditions as the Administrator may prescribe.

“§ 1216. Fees

“The Administrator shall by regulation set reasonable fees for the filing of applications

to register designs under this chapter and for other services relating to the administration of this chapter, taking into consideration the cost of providing these services and the benefit of a public record.

#### “§ 1217. Regulations

“The Administrator may establish regulations for the administration of this chapter.

#### “§ 1218. Copies of records

“Upon payment of the prescribed fee, any person may obtain a certified copy of any official record of the Office of the Administrator that relates to this chapter. That copy shall be admissible in evidence with the same effect as the original.

#### “§ 1219. Correction of errors in certificates

“The Administrator may, by a certificate of correction under seal, correct any error in a registration incurred through the fault of the Office, or, upon payment of the required fee, any error of a clerical or typographical nature occurring in good faith but not through the fault of the Office. Such registration, together with the certificate, shall thereafter have the same effect as if it had been originally issued in such corrected form.

#### “§ 1220. Ownership and transfer

“(a) PROPERTY RIGHT IN DESIGN.—The property right in a design subject to protection under this chapter shall vest in the designer, the legal representatives of a deceased designer or of one under legal incapacity, the employer for whom the designer created the design in the case of a design made within the regular scope of the designer's employment, or a person to whom the rights of the designer or of such employer have been transferred. The person in whom the property right is vested shall be considered the owner of the design.

“(b) TRANSFER OF PROPERTY RIGHT.—The property right in a registered design, or a design for which an application for registration has been or may be filed, may be assigned, granted, conveyed, or mortgaged by an instrument in writing, signed by the owner, or may be bequeathed by will.

“(c) OATH OR ACKNOWLEDGEMENT OF TRANSFER.—An oath or acknowledgment under section 1212 shall be prima facie evidence of the execution of an assignment, grant, conveyance, or mortgage under subsection (b).

“(d) RECORDATION OF TRANSFER.—An assignment, grant, conveyance, or mortgage under subsection (b) shall be void as against any subsequent purchaser or mortgagee for a valuable consideration, unless it is recorded in the Office of the Administrator within 3 months after its date of execution or before the date of such subsequent purchase or mortgage.

#### “§ 1221. Remedy for infringement

“(a) IN GENERAL.—The owner of a design is entitled, after issuance of a certificate of registration of the design under this chapter, to institute an action for any infringement of the design.

“(b) REVIEW OF REFUSAL TO REGISTER.—(1) Subject to paragraph (2), the owner of a design may seek judicial review of a final refusal of the Administrator to register the design under this chapter by bringing a civil action, and may in the same action, if the court adjudges the design subject to protection under this chapter, enforce the rights in that design under this chapter.

“(2) The owner of a design may seek judicial review under this section if—

“(A) the owner has previously duly filed and prosecuted to final refusal an application in proper form for registration of the design;

“(B) the owner causes a copy of the complaint in the action to be delivered to the Administrator within 10 days after the commencement of the action; and

“(C) the defendant has committed acts in respect to the design which would constitute infringement with respect to a design protected under this chapter.

“(c) ADMINISTRATOR AS PARTY TO ACTION.—The Administrator may, at the Administrator's option, become a party to the action with respect to the issue of registrability of the design claim by entering an appearance within 60 days after being served with the complaint, but the failure of the Administrator to become a party shall not deprive the court of jurisdiction to determine that issue.

“(d) USE OF ARBITRATION TO RESOLVE DISPUTE.—The parties to an infringement dispute under this chapter, within such time as may be specified by the Administrator by regulation, may determine the dispute, or any aspect of the dispute, by arbitration. Arbitration shall be governed by title 9. The parties shall give notice of any arbitration award to the Administrator, and such award shall, as between the parties to the arbitration, be dispositive of the issues to which it relates. The arbitration award shall be unenforceable until such notice is given. Nothing in this subsection shall preclude the Administrator from determining whether a design is subject to registration in a cancellation proceeding under section 1213(c).

#### § 1222. Injunctions

“(a) IN GENERAL.—A court having jurisdiction over actions under this chapter may grant injunctions in accordance with the principles of equity to prevent infringement of a design under this chapter, including, in its discretion, prompt relief by temporary restraining orders and preliminary injunctions.

“(b) DAMAGES FOR INJUNCTIVE RELIEF WRONGFULLY OBTAINED.—A seller or distributor who suffers damage by reason of injunctive relief wrongfully obtained under this section has a cause of action against the applicant for such injunctive relief and may recover such relief as may be appropriate, including damages for lost profits, cost of materials, loss of good will, and punitive damages in instances where the injunctive relief was sought in bad faith, and, unless the court finds extenuating circumstances, reasonable attorney's fees.

#### “§ 1223. Recovery for infringement

“(a) DAMAGES.—Upon a finding for the claimant in an action for infringement under this chapter, the court shall award the claimant damages adequate to compensate for the infringement. In addition, the court may increase the damages to such amount, not exceeding \$50,000 or \$1 per copy, whichever is greater, as the court determines to be just. The damages awarded shall constitute compensation and not a penalty. The court may receive expert testimony as an aid to the determination of damages.

“(b) INFRINGER'S PROFITS.—As an alternative to the remedies provided in subsection (a), the court may award the claimant the infringer's profits resulting from the sale of the copies if the court finds that the infringer's sales are reasonably related to the use of the claimant's design. In such a case, the claimant shall be required to prove only the amount of the infringer's sales and the infringer shall be required to prove its expenses against such sales.

“(c) STATUTE OF LIMITATIONS.—No recovery under subsection (a) or (b) shall be had for

any infringement committed more than 3 years before the date on which the complaint is filed.

“(d) ATTORNEY'S FEES.—In an action for infringement under this chapter, the court may award reasonable attorney's fees to the prevailing party.

“(e) DISPOSITION OF INFRINGING AND OTHER ARTICLES.—The court may order that all infringing articles, and any plates, molds, patterns, models, or other means specifically adapted for making the articles, be delivered up for destruction or other disposition as the court may direct.

#### “§ 1224. Power of court over registration

“In any action involving the protection of a design under this chapter, the court, when appropriate, may order registration of a design under this chapter or the cancellation of such a registration. Any such order shall be certified by the court to the Administrator, who shall make an appropriate entry upon the record.

#### “§ 1225. Liability for action on registration fraudulently obtained

“Any person who brings an action for infringement knowing that registration of the design was obtained by a false or fraudulent representation materially affecting the rights under this chapter, shall be liable in the sum of \$10,000, or such part of that amount as the court may determine. That amount shall be to compensate the defendant and shall be charged against the plaintiff and paid to the defendant, in addition to such costs and attorney's fees of the defendant as may be assessed by the court.

#### “§ 1226. Penalty for false marking

“(a) IN GENERAL.—Whoever, for the purpose of deceiving the public, marks upon, applies to, or uses in advertising in connection with an article made, used, distributed, or sold, a design which is not protected under this chapter, a design notice specified in section 1206, or any other words or symbols importing that the design is protected under this chapter, knowing that the design is not so protected, shall pay a civil fine of not more than \$500 for each such offense.

“(b) SUIT BY PRIVATE PERSONS.—Any person may sue for the penalty established by subsection (a), in which event one-half of the penalty shall be awarded to the person suing and the remainder shall be awarded to the United States.

#### “§ 1227. Penalty for false representation

“Whoever knowingly makes a false representation materially affecting the rights obtainable under this chapter for the purpose of obtaining registration of a design under this chapter shall pay a penalty of not less than \$500 and not more than \$1,000, and any rights or privileges that individual may have in the design under this chapter shall be forfeited.

#### “§ 1228. Enforcement by Treasury and Postal Service

“(a) REGULATIONS.—The Secretary of the Treasury and the United States Postal Service shall separately or jointly issue regulations for the enforcement of the rights set forth in section 1208 with respect to importation. Such regulations may require, as a condition for the exclusion of articles from the United States, that the person seeking exclusion take any one or more of the following actions:

“(1) Obtain a court order enjoining, or an order of the International Trade Commission under section 337 of the Tariff Act of 1930 excluding, importation of the articles.

“(2) Furnish proof that the design involved is protected under this chapter and that the

importation of the articles would infringe the rights in the design under this chapter.

"(3) Post a surety bond for any injury that may result if the detention or exclusion of the articles proves to be unjustified.

"(b) SEIZURE AND FORFEITURE.—Articles imported in violation of the rights set forth in section 1208 are subject to seizure and forfeiture in the same manner as property imported in violation of the customs laws. Any such forfeited articles shall be destroyed as directed by the Secretary of the Treasury or the court, as the case may be, except that the articles may be returned to the country of export whenever it is shown to the satisfaction of the Secretary of the Treasury that the importer had no reasonable grounds for believing that his or her acts constituted a violation of the law.

**"§ 1229. Relation to design patent law**

"The issuance of a design patent under title 35 for an original design for an article of manufacture shall terminate any protection of the original design under this chapter.

**"§ 1230. Common law and other rights unaffected**

"Nothing in this chapter shall annul or limit—

"(1) common law or other rights or remedies, if any, available to or held by any person with respect to a design which has not been registered under this chapter; or

"(2) any right under the trademark laws or any right protected against unfair competition.

**"§ 1231. Administrator; Office of the Administrator**

"In this chapter, the 'Administrator' is the Register of Copyrights, and the 'Office of the Administrator' and the 'Office' refer to the Copyright Office of the Library of Congress.

**"§ 1232. No retroactive effect**

"Protection under this chapter shall not be available for any design that has been made public under section 1210(b) before the effective date of this chapter."

**SEC. 3. CONFORMING AMENDMENTS.**

(a) TABLE OF CHAPTERS.—The table of chapters for title 17, United States Code, is amended by adding at the end the following:

**"12. Protection of Original Designs .... 1201".**

(b) JURISDICTION OF DISTRICT COURTS OVER DESIGN ACTIONS.—(1) Section 1338(c) of title 28, United States Code, is amended by inserting ", and to exclusive rights in designs under chapter 12 of title 17," after "title 17".

(2)(A) The section heading for section 1338 of title 28, United States Code, is amended by inserting "designs," after "mask works,".

(B) The item relating to section 1338 in the table of sections at the beginning of chapter 85 of title 28, United States Code, is amended by inserting "designs," after "mask works,".

(c) PLACE FOR BRINGING DESIGN ACTIONS.—Section 1400(a) of title 28, United States Code, is amended by inserting "or designs" after "mask works".

(d) ACTIONS AGAINST THE UNITED STATES.—Section 1498(e) of title 28, United States Code, is amended by inserting ", and to exclusive rights in designs under chapter 12 of title 17," after "title 17".

**SEC. 4. EFFECTIVE DATE.**

The amendments made by sections 2 and 3 shall take effect one year after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. COBLE) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina (Mr. COBLE).

**GENERAL LEAVE**

Mr. COBLE. 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 North Carolina?

There was no objection.

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

During our subcommittee hearing on H.R. 2696, the marine manufacturers effectively demonstrated that "hull splashing," an industry term for applying a direct molding process to a boat hull in an effort to create a knock-off design, is harmful and pervasive enough to warrant legislative redress.

Consumers who purchase boats with knock-off hulls are defrauded in the sense that they are not benefiting from the many attributes of hull design, other than shape, that are structurally relevant, including those related to quality and safety. It is also highly unlikely that consumers know that a boat has been copied from an existing design. Most importantly, for the purposes of promoting intellectual property rights, if manufacturers are not permitted to recoup at least some of their research and development costs, they may no longer invest in new, innovative boat designs.

Accordingly and consistent with the history of design legislation, H.R. 2696 protects the original designs of vessel hulls. Owners of protected designs must register their work with the Copyright Office, and the term of protection allows for 10 years. The owner will enjoy the exclusive right to make, import and sell any legislative hull embodying a protected design. Infringers will be liable for compensatory damages or lost sales, and a court may increase damages by as much as \$50,000 in egregious cases.

Finally, Mr. Speaker, during the full committee markup of the bill, the gentleman from Virginia (Mr. SCOTT) expressed his desire that H.R. 2696 not cover large ships manufactured for military use. It was never our intention to protect designs for large vessels used by the Merchant Marine or the Armed Services, and I am pleased that we were able to develop some compromise language on the subject that is acceptable to all parties involved.

This language and a few technical changes to the bill are incorporated in the manager's amendment which I offer as a substitute to the bill as reported by the committee.

In sum, Mr. Speaker, this is a good bill that will offer limited protection to an industry in which effort, investment and creativity are presently unrewarded. I urge my colleagues to pass H.R. 2696, as amended.

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

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

I rise in support of H.R. 2696, the Vessel Hull Design Protection Act. This legislation creates a new design patent for vessel hulls. Confusion between copyright patent and trademark protection for hull models over the years has apparently produced a proliferation of unattributed and bad copies of expensive designs, and this legislation articulates clearer standards for the grant of a design patent.

This industrial design problem is illustrated in the Supreme Court's 1989 decision in *Bonito Boats*, effectively denying intellectual property protection for a Florida boat designer because of the contrary Florida State law. Here, I agree with the subcommittee Chairman, Mr. COBLE, in that it is important that we send a message that when it comes to theft of patents and trademarks, it is necessary for Congress to set a predictable and uniform Federal rule.

The Patent and Trademark Office does not have a formal view on this bill; but, as a general policy, they prefer not to enumerate subgroups of patents. Nevertheless, they do not oppose this legislation.

Finally, I would like to thank the Chairman for his cooperation and kind assistance by adding clarifying language that exempts vessels more than 200 feet. This language, while maintaining copyright protection of smaller vessels, will not interfere with the commercial practices of the industry for larger vessels, and that is a very significant concern in my congressional district.

Mr. Speaker, I urge my colleagues to support the bill.

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

Mr. COBLE. Mr. Speaker, I yield myself such time as I may consume to express my thanks to the gentleman from Virginia (Mr. SCOTT) and the other members of the subcommittee for having worked very cooperatively with us in this matter.

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 North Carolina (Mr. COBLE) that the House suspend the rules and pass the bill, H.R. 2696, 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.

**FEDERAL COURTS IMPROVEMENT ACT OF 1998**

Mr. COBLE. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 2294) to make improvements in the operation and administration of the Federal courts, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2294

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

**SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the “Federal Courts Improvement Act of 1998.”

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

**Sec. 1. Short title and table of contents.**

**TITLE I—JUDICIAL FINANCIAL ADMINISTRATION**

**Sec. 101.** Reimbursement of judiciary for civil and criminal forfeiture expenses.

**Sec. 102.** Transfer of retirement funds.

**Sec. 103.** Extension of Judiciary Information Technology Fund.

**Sec. 104.** Bankruptcy fees.

**Sec. 105.** Disposition of miscellaneous fees.

**TITLE II—JUDICIAL PROCESS IMPROVEMENTS**

**Sec. 201.** Extension of statutory authority for magistrate judge positions to be established in the district courts of Guam and the Northern Mariana Islands.

**Sec. 202.** Magistrate judge contempt authority.

**Sec. 203.** Consent to magistrate judge authority in petty offense cases and magistrate judge authority in misdemeanor cases involving juvenile defendants.

**Sec. 204.** Savings and loan data reporting requirements.

**Sec. 205.** Place of holding court in the Eastern District of Texas.

**Sec. 206.** Federal substance abuse treatment program reauthorization.

**Sec. 207.** Membership in circuit judicial councils.

**Sec. 208.** Sunset of civil justice expense and delay reduction plans.

**Sec. 209.** Repeal of Court of Federal Claims filing fee.

**Sec. 210.** Technical bankruptcy correction.

**Sec. 211.** Technical amendment relating to the treatment of certain bankruptcy fees collected.

**TITLE III—JUDICIAL PERSONNEL ADMINISTRATION, BENEFITS, AND PROTECTIONS**

**Sec. 301.** Disability retirement and cost-of-living adjustments of annuities for territorial judges.

**Sec. 302.** Federal Judicial Center personnel matters.

**Sec. 303.** Judicial administrative officials retirement matters.

**Sec. 304.** Judges’ firearms training.

**Sec. 305.** Exemption from jury service.

**Sec. 306.** Expanded workers’ compensation coverage for jurors.

**Sec. 307.** Property damage, theft, and loss claims of jurors.

**Sec. 308.** Annual leave limit for court unit executives.

**Sec. 309.** Transfer of county to Middle District of Pennsylvania.

**Sec. 310.** Creation of two divisions in Eastern District of Louisiana.

**Sec. 311.** District judges for the Florida district courts.

**Sec. 312.** Change in composition of divisions in Western District of Tennessee.

**Sec. 313.** Payments to military survivors benefits plan.

**Sec. 314.** Creation of certifying officers in the judicial branch.

**Sec. 315.** Authority to prescribe fees for technology resources in the courts.

**TITLE IV—CRIMINAL JUSTICE ACT AMENDMENTS**

**Sec. 401.** Maximum amounts of compensation for attorneys.

**Sec. 402.** Maximum amounts of compensation for services other than counsel.

**Sec. 403.** Tort Claims Act amendment relating to liability of Federal public defenders.

**TITLE I—JUDICIAL FINANCIAL ADMINISTRATION**

**SEC. 101. REIMBURSEMENT OF JUDICIARY FOR CIVIL AND CRIMINAL FORFEITURE EXPENSES.**

(a) **TRANSFERS FROM JUSTICE AND TREASURY FORFEITURE FUNDS.**—Section 524(c) of title 28, United States Code, is amended—

(1) by inserting after paragraph (11) the following paragraph (12):

“(12)(A) In the fiscal year following the fiscal year in which this paragraph is enacted and in each fiscal year thereafter, an amount as specified in subparagraph (B) shall be transferred annually to the judiciary into the fund established under section 1931 of this title, for expenses incurred in—

“(i) adjudication of civil and criminal forfeiture proceedings that result in deposits into the Fund (except the expense of salaries of judges);

“(ii) representation, pursuant to the provisions of section 3006A of title 18 or section 408(q) of the Controlled Substances Act (21 U.S.C. 848(q)) of offenders whose assets have been seized in such forfeiture proceedings, to the extent that such expenses of representation could have been recovered through an order for payment or for reimbursement of appropriations for defender services pursuant to section 3006A(f) of title 18; and

“(iii) supervision by United States probation officers of offenders under home detention or other forms of confinement outside of facilities of the Bureau of Prisons.

“(B) The amount to be transferred under subparagraph (A)—

“(i) shall be a portion of the amount of the combined fiscal year deposits into both the Fund and the Department of the Treasury Forfeiture Fund established by section 9703 of title 31 (hereinafter referred to in this paragraph as ‘both Funds’), which shall not exceed the statement of costs incurred by the judiciary in providing the services identified in subparagraph (A), as set forth by the Director of the Administrative Office of the United States Courts in a report to the Attorney General and the Secretary of the Treasury no later than 90 days after the end of the fiscal year in which the expenses were incurred, except that—

“(I) the total amount to be transferred from both Funds shall not exceed \$50,000,000, or 10 percent of the total combined deposits into both Funds, whichever is less;

“(II) the proportion of the amount transferred from the Fund to the total amount to be transferred shall be equal to the proportion of the fiscal year deposits into the Fund to the combined fiscal year deposits in both Funds; and

“(III) the total amount to be transferred from both Funds may exceed the limits set

out in this subparagraph, subject to the discretion of the Attorney General and the Secretary of the Treasury; and

“(ii) shall be paid from revenues deposited into the Fund during the fiscal year in which the expenses were incurred and are not required to be specified in appropriations Acts.”

(b) **TREASURY FORFEITURE FUND.**—Section 9703 of title 31, United States Code, is amended—

(1) by redesignating subsection (p) as subsection (q); and

(2) by inserting after subsection (o) the following new subsection:

“(p) **TRANSFER TO THE FEDERAL JUDICIARY.**—In the fiscal year following the fiscal year in which this subsection is enacted and in each fiscal year thereafter, an amount necessary to meet the requirements of section 524(c)(12) of title 28 shall be transferred to the judiciary, subject to the limitations, terms, and conditions specified in that section for such transfers.”

(c) **CONFORMING AMENDMENT.**—Section 1931(a) of title 28, United States Code, is amended by inserting “or other judicial services, including services provided pursuant to section 3006A of title 18 or section 408(q) of the Controlled Substances Act (21 U.S.C. 848(q))” after “courts of the United States”.

**SEC. 102. TRANSFER OF RETIREMENT FUNDS.**

Section 377 of title 28, United States Code, is amended by adding at the end thereof the following new subsection:

“(p) Upon election by a bankruptcy judge or a magistrate judge under subsection (f) of this section, all of the accrued employer contributions and accrued interest on those contributions made on behalf of the bankruptcy judge or magistrate judge to the Civil Service Retirement and Disability Fund, as defined under section 8348 of title 5, shall be transferred to the fund established under section 1931 of this title, except that if the bankruptcy judge or magistrate judge elects under section 2(c) of the Retirement and Survivors’ Annuities for Bankruptcy Judges and Magistrates Act of 1988 (Public Law 100-659), to receive a retirement annuity under both this section and title 5, only the accrued employer contributions and accrued interest on such contributions made on behalf of the bankruptcy judge or magistrate judge for service credited under this section may be transferred.”

**SEC. 103. EXTENSION OF JUDICIARY INFORMATION TECHNOLOGY FUND.**

Section 612 of title 28, United States Code, is amended—

(1) by striking “equipment” each place it appears and inserting “resources”;

(2) by striking subsection (f) and redesignating subsequent subsections accordingly;

(3) in subsection (g), as so redesignated, by striking paragraph (3); and

(4) in subsection (i), as so redesignated,—

(A) by striking “Judiciary” each place it appears and inserting “judiciary”;

(B) by striking “subparagraph (c)(1)(B)” and inserting “subsection (c)(1)(B)”;

(C) by striking “under (c)(1)(B)” and inserting “under subsection (c)(1)(B)”.

**SEC. 104. BANKRUPTCY FEES.**

Subsection (a) of section 1930 of title 28, United States Code, is amended by adding at the end the following new paragraph:

“(7) In districts that are not part of a United States trustee region as defined in section 581 of this title, the Judicial Conference of the United States may require the debtor in a case under chapter 11 of title 11 to pay fees equal to those imposed by paragraph (6) of this subsection. Such fees shall

be deposited as offsetting receipts to the fund established under section 1931 of this title and shall remain available until expended.”.

**SEC. 105. DISPOSITION OF MISCELLANEOUS FEES.**

For fiscal year 1999 and thereafter, any portion of miscellaneous fees collected as prescribed by the Judicial Conference of the United States pursuant to sections 1913, 1914(b), 1926(a), 1930(b), and 1932 of title 28, United States Code, exceeding the amount of such fees in effect on September 30, 1998, shall be deposited into the special fund of the Treasury established under section 1931 of title 28, United States Code.

**TITLE II—JUDICIAL PROCESS IMPROVEMENTS**

**SEC. 201. EXTENSION OF STATUTORY AUTHORITY FOR MAGISTRATE JUDGE POSITIONS TO BE ESTABLISHED IN THE DISTRICT COURTS OF GUAM AND THE NORTHERN MARIANA ISLANDS.**

Section 631 of title 28, United States Code, is amended—

(1) by striking the first two sentences of subsection (a) and inserting the following: “The judges of each United States district court and the district courts of the Virgin Islands, Guam, and the Northern Mariana Islands shall appoint United States magistrate judges in such numbers and to serve at such locations within the judicial districts as the Judicial Conference may determine under this chapter. In the case of a magistrate judge appointed by the district court of the Virgin Islands, Guam, or the Northern Mariana Islands, this chapter shall apply as though the court appointing such a magistrate judge were a United States district court.”; and

(2) by inserting in the first sentence of paragraph (1) of subsection (b) after “Commonwealth of Puerto Rico,” the following: “the Territory of Guam, the Commonwealth of the Northern Mariana Islands.”.

**SEC. 202. MAGISTRATE JUDGE CONTEMPT AUTHORITY.**

Section 636(e) of title 28, United States Code is amended to read as follows:

**“(e) CONTEMPT AUTHORITY.—**

“(1) IN GENERAL.—A United States magistrate judge serving under this chapter shall have within the territorial jurisdiction prescribed by his or her appointment the power to exercise contempt authority as set forth in this subsection.

“(2) SUMMARY CRIMINAL CONTEMPT AUTHORITY.—A magistrate judge shall have the power to punish summarily by fine or imprisonment such contempt of his or her authority constituting misbehavior of any person in the magistrate judge’s presence so as to obstruct the administration of justice. The order of contempt shall be issued pursuant to the Federal Rules of Criminal Procedure.

“(3) ADDITIONAL CRIMINAL CONTEMPT AUTHORITY IN CIVIL CONSENT AND MISDEMEANOR CASES.—In any case in which a United States magistrate judge presides with the consent of the parties under subsection (c) of this section, and in any misdemeanor case proceeding before a magistrate judge under section 3401 of title 18, the magistrate judge shall have the power to punish by fine or imprisonment criminal contempt constituting disobedience or resistance to the magistrate judge’s lawful writ, process, order, rule, decree, or command. Disposition of such contempt shall be conducted upon notice and hearing pursuant to the Federal Rules of Criminal Procedure.

“(4) CIVIL CONTEMPT AUTHORITY IN CIVIL CONSENT AND MISDEMEANOR CASES.—In any

case in which a United States magistrate judge presides with the consent of the parties under subsection (c) of this section, and in any misdemeanor case proceeding before a magistrate judge under section 3401 of title 18, the magistrate judge may exercise the civil contempt authority of the district court. This paragraph shall not be construed to limit the authority of a magistrate judge to order sanctions pursuant to any other statute, the Federal Rules of Civil Procedure, or the Federal Rules of Criminal Procedure.

“(5) CRIMINAL CONTEMPT PENALTIES.—The sentence imposed by a magistrate judge for any criminal contempt provided for in paragraphs (2) and (3) shall not exceed the penalties for a Class C misdemeanor as set forth in sections 3581(b)(8) and 3571(b)(6) of title 18.

“(6) CERTIFICATION OF OTHER CONTEMPTS TO THE DISTRICT COURT.—Upon the commission of any such act—

“(A) in any case in which a United States magistrate judge presides with the consent of the parties under subsection (c) of this section, or in any misdemeanor case proceeding before a magistrate judge under section 3401 of title 18, that may, in the opinion of the magistrate judge, constitute a serious criminal contempt punishable by penalties exceeding those set forth in paragraph (5) of this subsection, or

“(B) in any other case or proceeding under subsection (a) or (b) of this section, or any other statute, where—

“(i) the act committed in the magistrate judge’s presence may, in the opinion of the magistrate judge, constitute a serious criminal contempt punishable by penalties exceeding those set forth in paragraph (5) of this subsection,

“(ii) the act that constitutes a criminal contempt occurs outside the presence of the magistrate judge, or

“(iii) the act constitutes a civil contempt, the magistrate judge shall forthwith certify the facts to a district judge and may serve or cause to be served upon any person whose behavior is brought into question under this paragraph an order requiring such person to appear before a district judge upon a day certain to show cause why he or she should not be adjudged in contempt by reason of the facts so certified. The district judge shall thereupon hear the evidence as to the act or conduct complained of and, if it is such as to warrant punishment, punish such person in the same manner and to the same extent as for a contempt committed before a district judge.

“(7) APPEALS OF MAGISTRATE JUDGE CONTEMPT ORDERS.—The appeal of an order of contempt pursuant to this subsection shall be made to the court of appeals in cases proceeding under subsection (c) of this section. In any other proceeding in which a United States magistrate judge presides under subsection (a) or (b) of this section, section 3401 of title 18, or any other statute, the appeal of a magistrate judge’s summary contempt order shall be made to the district court.”.

**SEC. 203. CONSENT TO MAGISTRATE JUDGE AUTHORITY IN PETTY OFFENSE CASES AND MAGISTRATE JUDGE AUTHORITY IN MISDEMEANOR CASES INVOLVING JUVENILE DEFENDANTS.**

**(a) AMENDMENTS TO TITLE 18.—**

(1) PETTY OFFENSE CASES.—Section 3401(b) of title 18, United States Code, is amended by striking “that is a class B misdemeanor charging a motor vehicle offense, a class C misdemeanor, or an infraction,” after “petty offense”.

(2) CASES INVOLVING JUVENILES.—Section 3401(g) of title 18, United States Code, is amended—

(A) by striking the first sentence and inserting the following: “The magistrate judge may, in a petty offense case involving a juvenile, exercise all powers granted to the district court under chapter 403 of this title.”;

(B) in the second sentence by striking “any other class B or C misdemeanor case” and inserting “the case of any misdemeanor, other than a petty offense.”; and

(C) by striking the last sentence.

(b) AMENDMENTS TO TITLE 28.—Section 636(a) of title 28, United States Code, is amended by striking paragraphs (4) and (5) and inserting in the following:

“(4) the power to enter a sentence for a petty offense; and

“(5) the power to enter a sentence for a class A misdemeanor in a case in which the parties have consented.”.

**SEC. 204. SAVINGS AND LOAN DATA REPORTING REQUIREMENTS.**

Section 604 of title 28, United States Code, is amended in subsection (a) by striking the second paragraph designated (24).

**SEC. 205. PLACE OF HOLDING COURT IN THE EASTERN DISTRICT OF TEXAS.**

(a) TEXAS.—The second sentence of section 124(c)(3) of title 28, United States Code, is amended by inserting “and Plano” after “held at Sherman”.

(b) TEXARKANA.—Sections 83(b)(1) and 124(c)(6) of title 28, United States Code, are each amended by adding before the period at the end of the last sentence the following: “, and may be held anywhere within the Federal courthouse in Texarkana that is located astride the State line between Texas and Arkansas”.

**SEC. 206. FEDERAL SUBSTANCE ABUSE TREATMENT PROGRAM REAUTHORIZATION.**

Section 4(a) of the Contract Services for Drug Dependent Federal Offenders Treatment Act of 1978 (Public Law 95-537; 92 Stat. 2038; 18 U.S.C. 3672 note) is amended by striking all that follows “there are authorized to be appropriated” and inserting “for fiscal year 1998 and each fiscal year thereafter such sums as may be necessary.”.

**SEC. 207. MEMBERSHIP IN CIRCUIT JUDICIAL COUNCILS.**

Section 332(a) of title 28, United States Code, is amended—

(1) by striking paragraph (1) and inserting the following:

“(1) The chief judge of each judicial circuit shall call and preside at a meeting of the judicial council of the circuit at least twice in each year and at such places as he or she may designate. The council shall consist of an equal number of circuit judges (including the chief judge of the circuit) and district judges, as such number is determined by majority vote of all such judges of the circuit in regular active service.”;

(2) by striking paragraph (3) and inserting the following:

“(3) Except for the chief judge of the circuit, either judges in regular active service or judges retired from regular active service under section 371(b) of this title may serve as members of the council.”; and

(3) by striking “retirement,” in paragraph (5) and inserting “retirement under section 371(a) or section 372(a) of this title.”.

**SEC. 208. SUNSET OF CIVIL JUSTICE EXPENSE AND DELAY REDUCTION PLANS.**

Section 103(b)(2)(A) of the Civil Justice Reform Act of 1990 (Public Law 101-650; 104 Stat. 5096; 28 U.S.C. 471 note), as amended by Public Law 105-53 (111 Stat. 1173), is amended by inserting “471,” after “sections”.

**SEC. 209. REPEAL OF COURT OF FEDERAL CLAIMS FILING FEE.**

Section 2520 of title 28, United States Code, and the item relating to such section in the table of contents for chapter 165 of such title, are repealed.

**SEC. 210. TECHNICAL BANKRUPTCY CORRECTION.**

Section 1228 of title 11, United States Code, is amended by striking "1222(b)(10)" each place it appears and inserting "1222(b)(9)".

**SEC. 211. TECHNICAL AMENDMENT RELATING TO THE TREATMENT OF CERTAIN BANKRUPTCY FEES COLLECTED.**

(a) AMENDMENT.—The first sentence of section 406(b) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1990 (Public Law 101-162; 103 Stat. 1016; 28 U.S.C. 1931 note) is amended by striking "service enumerated after item 18" and inserting "service not of a kind described in any of the items enumerated as items 1 through 7 and as items 9 through 18, as in effect on November 21, 1989".

(b) APPLICATION OF AMENDMENT.—The amendment made by subsection (a) shall not apply with respect to fees collected before the date of the enactment of this Act.

**TITLE III—JUDICIAL PERSONNEL ADMINISTRATION, BENEFITS, AND PROTECTIONS****SEC. 301. DISABILITY RETIREMENT AND COST-OF-LIVING ADJUSTMENTS OF ANNUITIES FOR TERRITORIAL JUDGES.**

Section 373 of title 28, United States Code, is amended—

(1) by amending subsection (c)(4) to read as follows:

"(4) Any senior judge performing judicial duties pursuant to recall under paragraph (2) of this subsection shall be paid, while performing such duties, the same compensation (in lieu of the annuity payable under this section) and the same allowances for travel and other expenses as a judge on active duty with the court being served."

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

"(e)(1) Any judge of the District Court of Guam, the District Court of the Northern Mariana Islands, or the District Court of the Virgin Islands who is not reappointed (as judge of such court) shall be entitled, upon attaining the age of 65 years or upon relinquishing office if the judge is then beyond the age of 65 years—

"(A) if the judicial service of such judge, continuous or otherwise, aggregates 15 years or more, to receive during the remainder of such judge's life an annuity equal to the salary received when the judge left office; or

"(B) if such judicial service, continuous or otherwise, aggregated less than 15 years, to receive during the remainder of such judge's life an annuity equal to that proportion of such salary which the aggregate number of such judge's years of service bears to 15.

"(2) Any judge of the District Court of Guam, the District Court of the Northern Mariana Islands, or the District Court of the Virgin Islands who has served at least five years, continuously or otherwise, and who retires or is removed upon the sole ground of mental or physical disability, shall be entitled to receive during the remainder of such judge's life an annuity equal to 40 percent of the salary received when the judge left office, or, in the case of a judge who has served at least ten years, continuously or otherwise, an annuity equal to that proportion of such salary which the aggregate number of such judge's years of judicial service bears to 15." and

(3) by amending subsection (g) to read as follows:

"(g) Any retired judge who is entitled to receive an annuity under this section shall be entitled to a cost-of-living adjustment in the amount computed as specified in section 8340(b) of title 5, except that in no case may the annuity payable to such retired judge, as increased under this subsection, exceed the salary of a judge in regular active service with the court on which the retired judge served before retiring."

**SEC. 302. FEDERAL JUDICIAL CENTER PERSONNEL MATTERS.**

Section 625 of title 28, United States Code, is amended—

(1) in subsection (b)—

(A) by striking ", United States Code,";

(B) by striking "pay rates, section 5316, title 5, United States Code" and inserting "under section 5316 of title 5, except that the Director may fix the compensation of 4 positions of the Center at a level not to exceed the annual rate of pay in effect for level IV of the Executive Schedule under section 5315 of title 5"; and

(C) by striking "the Civil Service" and all that follows through "Code" and inserting "subchapter III of chapter 83 of title 5 shall be adjusted pursuant to the provisions of section 8344 of such title, and the salary of a re-employed annuitant under chapter 84 of title 5 shall be adjusted pursuant to the provisions of section 8468 of such title";

(2) in subsection (c)—

(A) by striking ", United States Code,";

(B) by inserting a comma after "competitive service"; and

(C) by striking the comma after "such title"; and

(3) in subsection (d)—

(A) by striking ", United States Code," each place it appears"; and

(B) by striking ", section 5332, title 5" and inserting "under section 5332 of title 5".

**SEC. 303. JUDICIAL ADMINISTRATIVE OFFICIALS RETIREMENT MATTERS.**

(a) DIRECTOR OF ADMINISTRATIVE OFFICE.—Section 611 of title 28, United States Code, is amended—

(1) in subsection (d), by inserting "a congressional employee in the capacity of primary administrative assistant to a Member of Congress or in the capacity of staff director or chief counsel for the majority or the minority of a committee or subcommittee of the Senate or House of Representatives," after "Congress,";

(2) in subsection (b)—

(A) by striking "who has served at least fifteen years and" and inserting "who has at least fifteen years of service and has";

(B) in the first undesignated paragraph, by striking "who has served at least ten years," and inserting "who has at least ten years of service,"; and

(3) in subsection (c)—

(A) by striking "served at least fifteen years," and inserting "at least fifteen years of service,"; and

(B) by striking "served less than fifteen years," and inserting "less than fifteen years of service,".

(b) DIRECTOR OF THE FEDERAL JUDICIAL CENTER.—Section 627 of title 28, United States Code, is amended—

(1) in subsection (e), by inserting "a congressional employee in the capacity of primary administrative assistant to a Member of Congress or in the capacity of staff director or chief counsel for the majority or the minority of a committee or subcommittee of the Senate or House of Representatives," after "Congress,";

(2) in subsection (c)—

(A) by striking "who has served at least fifteen years and" and inserting "who has at least fifteen years of service and has";

(B) in the first undesignated paragraph, by striking "who has served at least ten years," and inserting "who has at least ten years of service,"; and

(3) in subsection (d)—

(A) by striking "served at least fifteen years," and inserting "at least fifteen years of service,"; and

(B) by striking "served less than fifteen years," and inserting "less than fifteen years of service,".

**SEC. 304. JUDGES' FIREARMS TRAINING.**

(a) IN GENERAL.—Chapter 21 of title 28, United States Code, is amended by adding at the end thereof the following new section:

**"§464. Carrying of firearms by judicial officers**

"(a) AUTHORITY.—A judicial officer of the United States is authorized to carry a firearm, whether concealed or not, under regulations promulgated by the Judicial Conference of the United States. The authority granted by this section shall extend only to—

"(1) those States in which the carrying of firearms by judicial officers of the State is permitted by State law, and

"(2) regardless of State law, to any place where the judicial officer of the United States sits, resides, or is present on official travel status.

"(b) IMPLEMENTATION.—

"(1) REGULATIONS.—The regulations promulgated by the Judicial Conference under subsection (a) shall—

"(A) require a demonstration of a judicial officer's proficiency in the use and safety of firearms as a prerequisite to the carrying of firearms under the authority of this section; and

"(B) ensure that the carrying of a firearm by a judicial officer under the protection of the United States Marshals Service while away from United States courthouses is consistent with the policy of the Marshals Service on the carrying of firearms by persons receiving such protection.

"(2) ASSISTANCE BY OTHER AGENCIES.—At the request of the Judicial Conference, the Department of Justice and appropriate law enforcement components of the Department shall assist the Judicial Conference in developing and providing training to assist judicial officers in securing the proficiency referred to in subsection (b)(1).

"(c) DEFINITION.—For purposes of this section, the term, 'judicial officer of the United States' means—

"(1) a justice or judge of the United States as defined in section 451 in regular active service or retired from regular active service;

"(2) a justice or judge of the United States who has retired from the judicial office under section 371(a) for—

"(A) a 1-year period following such justice or judge's retirement; or

"(B) a longer period of time if approved by the Judicial Conference of the United States when exceptional circumstances warrant;

"(3) a United States bankruptcy judge;

"(4) a full-time or part-time United States magistrate judge;

"(5) a judge of the United States Court of Federal Claims;

"(6) a judge of the District Court of Guam;

"(7) a judge of the District Court for the Northern Mariana Islands;

"(8) a judge of the District Court of the Virgin Islands; or

"(9) an individual who is retired from one of the judicial positions described under paragraphs (3) through (8) to the extent provided for in regulations of the Judicial Conference of the United States.

"(d) EXCEPTION.—Notwithstanding section 46303(c)(1) of title 49, nothing in this section authorizes a judicial officer of the United States to carry a dangerous weapon on an aircraft or other common carrier."

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 21 of title 28, United States Code, is amended by adding at the end thereof the following:

"464. Carrying of firearms by judicial officers."

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect upon the earlier of the promulgation of regulations by the Judicial Conference under the amendments made by this section or one year after the date of the enactment of this Act.

SEC. 305. EXEMPTION FROM JURY SERVICE.

(a) MEMBERS OF THE ARMED FORCES.—Paragraph (6) of section 1863(b) of title 28, United States Code, is amended to read as follows:

"(6) specify that members in active service in the Armed Forces of the United States are barred from jury service on the ground that they are exempt."

(b) CONFORMING AMENDMENT.—Section 1869 of title 28, United States Code, is amended by repealing subsection (i).

SEC. 306. EXPANDED WORKERS' COMPENSATION COVERAGE FOR JURORS.

Paragraph (2) of section 1877(b) of title 28, United States Code, is amended—

(1) by striking "or" at the end of clause (C); and

(2) by inserting before the period at the end of clause (D) ", or (E) traveling to or from the courthouse pursuant to a jury summons or sequestration order, or as otherwise necessitated by order of the court".

SEC. 307. PROPERTY DAMAGE, THEFT, AND LOSS CLAIMS OF JURORS.

Section 604 of title 28, United States Code, is amended by adding at the end thereof the following new subsection:

"(i) The Director may pay a claim by a person summoned to serve or serving as a grand juror or petit juror for loss of, or damage to, personal property that occurs incident to that person's performance of duties in response to the summons or at the direction of an officer of the court. With respect to claims, the Director shall have the authority granted to the head of an agency by section 3721 of title 31 for consideration of employees' personal property claims. The Director shall prescribe guidelines for the consideration of claims under this subsection."

SEC. 308. ANNUAL LEAVE LIMIT FOR COURT UNIT EXECUTIVES.

Section 6304(f)(1) of title 5, United States Code, is amended by adding at the end thereof the following:

"(F) the judicial branch designated as a court unit executive position by the Judicial Conference of the United States."

SEC. 309. TRANSFER OF COUNTY TO MIDDLE DISTRICT OF PENNSYLVANIA.

(a) TRANSFER.—Section 118 of title 28, United States Code, is amended—

(1) in subsection (a) by striking "Philadelphia, and Schuylkill" and inserting "and Philadelphia"; and

(2) in subsection (b) by inserting "Schuylkill," after "Potter,".

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—This section and the amendments made by this section shall take

effect 180 days after the date of the enactment of this Act.

(2) PENDING CASES NOT AFFECTED.—This section and the amendments made by this section shall not affect any action commenced before the effective date of this section and pending on such date in the United States District Court for the Eastern District of Pennsylvania.

(3) JURIES NOT AFFECTED.—This section and the amendments made by this section shall not affect the composition, or preclude the service, of any grand or petit jury summoned, impaneled, or actually serving on the effective date of this section.

SEC. 310. CREATION OF TWO DIVISIONS IN EASTERN DISTRICT OF LOUISIANA.

(a) CREATION OF TWO DIVISIONS.—Section 98(a) of title 28, United States Code, is amended to read as follows:

"(a) The Eastern District comprises two divisions.

"(1) The New Orleans Division comprises the parishes of Jefferson, Orleans, Plaquemines, Saint Bernard, Saint Charles, Saint John the Baptist, Saint Tammany, Tangipahoa, and Washington.

"Court for the New Orleans Division shall be held at New Orleans.

"(2) The Houma Division comprises the parishes of Assumption, Lafourche, Saint James, and Terrebonne.

"Court for the Houma Division shall be held at Houma."

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—This section and the amendments made by this section shall take effect 180 days after the date of the enactment of this Act.

(2) PENDING CASES NOT AFFECTED.—This section and the amendments made by this section shall not affect any action commenced before the effective date of this section and pending on such date in the United States District Court for the Eastern District of Louisiana.

(3) JURIES NOT AFFECTED.—This section and the amendments made by this section shall not affect the composition, or preclude the service, of any grand or petit jury summoned, impaneled, or actually serving on the effective date of this section.

SEC. 311. DISTRICT JUDGES FOR THE FLORIDA DISTRICT COURTS.

(a) IN GENERAL.—The President shall appoint, by and with the advice and consent of the Senate—

(1) 3 additional district judges for the middle district of Florida; and

(2) 2 additional district judges for the southern district of Florida.

(b) TEMPORARY JUDGESHIP.—

(1) IN GENERAL.—The President shall appoint, by and with the advice and consent of the Senate, 1 additional district judge for the middle district of Florida.

(2) FIRST VACANCY NOT FILLED.—The first vacancy in the office of district judge in the middle district of Florida, occurring 7 years or more after the confirmation date of the last judge named to fill the judgeships created by subsection (a) and this subsection for the middle district of Florida, shall not be filled.

(c) TABLES.—In order that the table contained in section 133 of title 28, United States Code, reflects the changes in the total number of permanent district judgeships authorized by subsection (a) of this section, the item relating to Florida in such table is amended to read as follows:

"Florida:  
Northern ..... 4

Middle ..... 14  
Southern ..... 18"

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section, including such sums as may be necessary to provide appropriate space and facilities for the judicial positions created by this section.

(e) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the date of enactment of this Act.

SEC. 312. CHANGE IN COMPOSITION OF DIVISIONS IN WESTERN DISTRICT OF TENNESSEE.

(a) IN GENERAL.—Section 123(c) of title 28, United States Code, is amended—

(1) in paragraph (1) by inserting "Dyer," after "Decatur,"; and

(2) in paragraph (2) by striking "Dyer,".

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—This section and the amendments made by this section shall take effect on the date of the enactment of this Act.

(2) PENDING CASES NOT AFFECTED.—This section and the amendments made by this section shall not affect any action commenced before the effective date of this section and pending in the United States District Court for the Western District of Tennessee on such date.

(3) JURIES NOT AFFECTED.—This section and the amendments made by this section shall not affect the composition, or preclude the service, of any grand or petit jury summoned, impaneled, or actually serving in the Western Judicial District of Tennessee on the effective date of this section.

SEC. 313. PAYMENTS TO MILITARY SURVIVORS BENEFITS PLAN.

Section 371(e) of title 28, United States Code, is amended by inserting after "such retired or retainer pay" the following: ", except such pay as is deductible from the retired or retainer pay as a result of participation in any survivor's benefits plan in connection with the retired pay,".

SEC. 314. CREATION OF CERTIFYING OFFICERS IN THE JUDICIAL BRANCH.

(a) APPOINTMENT OF DISBURSING AND CERTIFYING OFFICERS.—Chapter 41 of title 28, United States Code, is amended by adding at the end the following new section:

"§ 613. Disbursing and certifying officers

"(a) DISBURSING OFFICERS.—The Director may designate in writing officers and employees of the judicial branch of the Government, including the courts as defined in section 610 other than the Supreme Court, to be disbursing officers in such numbers and locations as the Director considers necessary. Such disbursing officers shall—

"(1) disburse moneys appropriated to the judicial branch and other funds only in strict accordance with payment requests certified by the Director or in accordance with subsection (b);

"(2) examine payment requests as necessary to ascertain whether they are in proper form, certified, and approved; and

"(3) be held accountable for their actions as provided by law, except that such a disbursing officer shall not be held accountable or responsible for any illegal, improper, or incorrect payment resulting from any false, inaccurate, or misleading certificate for which a certifying officer is responsible under subsection (b).

"(b) CERTIFYING OFFICERS.—(1) The Director may designate in writing officers and employees of the judicial branch of the Government, including the courts as defined in section 610 other than the Supreme Court, to

certify payment requests payable from appropriations and funds. Such certifying officers shall be responsible and accountable for—

“(A) the existence and correctness of the facts recited in the certificate or other request for payment or its supporting papers;

“(B) the legality of the proposed payment under the appropriation or fund involved; and

“(C) the correctness of the computations of certified payment requests.

“(2) The liability of a certifying officer shall be enforced in the same manner and to the same extent as provided by law with respect to the enforcement of the liability of disbursing and other accountable officers. A certifying officer shall be required to make restitution to the United States for the amount of any illegal, improper, or incorrect payment resulting from any false, inaccurate, or misleading certificates made by the certifying officer, as well as for any payment prohibited by law or which did not represent a legal obligation under the appropriation or fund involved.

“(c) RIGHTS.—A certifying or disbursing officer—

“(1) has the right to apply for and obtain a decision by the Comptroller General on any question of law involved in a payment request presented for certification; and

“(2) is entitled to relief from liability arising under this section in accordance with title 31.

“(d) OTHER AUTHORITY NOT AFFECTED.—Nothing in this section affects the authority of the courts with respect to moneys deposited with the courts under chapter 129 of this title.”.

(b) CONFORMING AMENDMENT.—The table of sections for chapter 41 of title 28, United States Code, is amended by adding at the end the following item:

“613. Disbursing and certifying officers.”.

(c) DUTIES OF DIRECTOR.—Paragraph (8) of subsection (a) of section 604 of title 28, United States Code, is amended to read as follows:

“(8) Disburse appropriations and other funds for the maintenance and operation of the courts;”.

**SEC. 315. AUTHORITY TO PRESCRIBE FEES FOR TECHNOLOGY RESOURCES IN THE COURTS.**

(a) IN GENERAL.—Chapter 41 of title 28, United States Code, is amended by adding at the end the following:

**“§614. Authority to prescribe fees for technology resources in the courts**

“The Judicial Conference is authorized to prescribe reasonable fees pursuant to sections 1913, 1914, 1926, 1930, and 1932, for collection by the courts for use of information technology resources provided by the judiciary for remote access to the courthouse by litigants and the public, and to facilitate the electronic presentation of cases. Fees under this section may be collected only to cover the costs of making such information technology resources available for the purposes set forth in this section. Such fees shall not be required of persons financially unable to pay them. All fees collected under this section shall be deposited in the Judiciary Information Technology Fund and be available to the Director without fiscal year limitation to be expended on information technology resources developed or acquired to advance the purposes set forth in this section.”.

(b) CONFORMING AMENDMENT.—The table of sections for chapter 41 of title 28, United

States Code, is amended by adding at the end the following new item:

“614. Authority to prescribe fees for technology resources in the courts.”.

(c) TECHNICAL AMENDMENT.—Chapter 123 of title 28, United States Code, is amended—

(1) by redesignating the section 1932 entitled “Revocation of earned release credit” as section 1933 and placing it after the section 1932 entitled “Judicial Panel on Multidistrict Litigation”; and

(2) in the table of sections by striking the 2 items relating to section 1932 and inserting the following:

“1932. Judicial Panel on Multidistrict Litigation.

“1933. Revocation of earned release credit.”

**TITLE IV—CRIMINAL JUSTICE ACT AMENDMENTS**

**SEC. 401. MAXIMUM AMOUNTS OF COMPENSATION FOR ATTORNEYS.**

Paragraph (2) of subsection (d) of section 3006A of title 18, United States Code, is amended—

(1) in the first sentence—

(A) by striking “3,500” and inserting “5,000”; and

(B) by striking “1,000” and inserting “1,500”; and

(2) in the second sentence by striking “2,500” and inserting “3,600”; and

(3) in the third sentence—

(A) by striking “750” and inserting “1,100”; and

(B) by striking “2,500” and inserting “3,600”; and

(4) by inserting after the second sentence the following new sentence: “For representation of a petitioner in a non-capital habeas corpus proceeding, the compensation for each attorney shall not exceed the amount applicable to a felony in this paragraph for representation of a defendant before a United States magistrate or the district court, or both. For representation of such petitioner in an appellate court, the compensation for each attorney shall not exceed the amount applicable for representation of a defendant in an appellate court.”; and

(5) in the last sentence by striking “750” and inserting “1,100”.

**SEC. 402. MAXIMUM AMOUNTS OF COMPENSATION FOR SERVICES OTHER THAN COUNSEL.**

Section 3006A(e) of title 18, United States Code, is amended—

(1) in paragraph (2)—

(A) in subparagraph (A) by striking “300” and inserting “450”; and

(B) in subparagraph (B) by striking “300” and inserting “450”; and

(2) in paragraph (3) in the first sentence by striking “1,000” and inserting “1,500”.

**SEC. 403. TORT CLAIMS ACT AMENDMENT RELATING TO LIABILITY OF FEDERAL PUBLIC DEFENDERS.**

Section 2671 of title 28, United States Code, is amended in the second undesignated paragraph—

(1) by inserting “(1)” after “includes”; and

(2) by striking the period at the end and inserting the following: “, and (2) any officer or employee of a Federal public defender organization, except when such officer or employee performs professional services in the course of providing representation under section 3006A of title 18.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. COBLE) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina (Mr. COBLE).

GENERAL LEAVE

Mr. COBLE. 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 now under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 2294 contains several provisions that are needed to improve the Federal court system. It is designed to improve administration and procedures, eliminate operational inefficiencies, and reduce operating expenses.

The provisions contained in H.R. 2294 address administrative, financial, personnel, organizational, and technical changes that are needed by the Article III Federal courts and their supporting agencies. These provisions are designed to have a positive impact on the operations of the Federal courts and enhance the delivery of justice in the Federal system.

The manager's amendment makes no substantive changes. However, on the advice of legislative counsel, certain technical and conforming changes have been made to H.R. 2294.

Also, after consultation with the Committee on the Budget, it became rather clear that the provision regarding the “Rule of 80” would require unanticipated expenditures.

□ 1045

Therefore, it was taken out of H.R. 2294 and will be reconsidered in the future. H.R. 2294, Mr. Speaker, is necessary legislation for the proper functioning of our Article III United States Courts. It is nonpartisan, non-controversial, and I urge the House to pass 2294.

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

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

Mr. Speaker, I rise in support of H.R. 2294, the Federal Courts Improvement Act of 1997. This bipartisan legislation is the result of a long list of desired changes from the Administrative Office of the United States Courts.

I thank the gentleman from North Carolina (Mr. COBLE), my subcommittee chairman, and the gentleman from Massachusetts (Mr. FRANK), the ranking member, for working together to produce a bipartisan bill that all of the members of the Committee on the Judiciary could agree to.

Among other provisions included in this bill is an amendment to 28 U.S.C. to authorize reimbursements to the judicial branch out of funds in the Justice Department Asset Forfeiture Fund

and the Department of the Treasury Asset Forfeiture Fund for certain expenses incurred by the judicial branch in connection with the adjudications of asset forfeitures. Section 303 provides that a U.S. magistrate judge shall be given the power to exercise contempt authority within the territorial jurisdiction prescribed by his or her appointment.

Another important element of this legislation is that it reauthorizes appropriations for fiscal year 1998 and subsequent years such sums as may be necessary to carry out the drug and alcohol after care program for Federal offenders administered by the probation and pretrial services division of the Administrative Office of the United States Courts.

This legislation also eliminates exemptions for members of State and local fire or police departments and public officers of Federal and State governments from Federal jury service.

Lastly, the bill extends Federal Employees' Compensation Act protections to jurors while they are traveling to and from court. So I urge my colleagues to support this bill.

Mr. Speaker, I yield 4 minutes to the gentlewoman from Texas (Ms. SHEILA JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman for yielding me the time. I thank the gentleman for his leadership on this bill, and I thank the chairman as well.

Let me cite my appreciation for some of the very vital points that we find in the Federal Courts Improvement Act. Particularly, as a member of the Committee on Science, let me applaud the provision that permanently extends the Judiciary Information Technology Fund, which provides the judiciary with the capital to purchase and maintain computers and other technologies and removes the funds from the budget management process of the executive branch.

How often I have heard from my judges throughout the United States on the importance of having this kind of technology in the courts? So I particularly appreciate the fact that we have this particular process included.

I also note something that I think is very interesting, and maybe we should not applaud, but I do. That is that it eliminates the current exemption from Federal jury duty for members of the police, fire departments, elected public officials of Federal and State governments, and their appointees. I realize what that says, but I do hope that further enhances the democratic process, and as well, the opportunity for an expanded jury.

Likewise, I support the compensation of jurors as they travel from one place to the next. The Southern District of Texas is a very large district. That creates a heavy burden on our jurors and persons that would commit themselves to this process.

Mr. Speaker, I do have another improvement that, unfortunately, cannot be added to this bill. I would simply say that what would really improve the process is, of course, the need for the confirmation of appointees to the United States Courts that are being sent over to the other body.

I would argue vigorously that the litmus test that is being utilized, the conservative litmus test that befell Judge Massiah-Jackson just 48 hours ago, is a tragedy and a disgrace. I would hope that we take the Federal Courts Improvement Act to heart. As I reflected on the last 20 years of confirmation processes, when we had a Republican administration and a Democratic Congress, never in the history of this Congress have we seen such obstructionist processes utilized to distract away from the confirmation process. My rights, my constituents' rights, those of us who believe in social justice and civil rights, are being denied.

So this bill does not go far enough for me. Frankly, we need to get a grip on this process and realize that the process of government is not obstructionist, it is to realize and to go forward and to allow the process to meet its course.

I feel sad for Judge Massiah-Jackson, an able jurist, attacked even by those that would pretend to want justice, not looking at her record accurately. Frankly, this is happening all over the country. I am facing it in the State of Texas, and we are backlogged without the necessary courts and judges to fill them. I simply say to my colleagues, it is time now to really have a Federal Courts Improvement Act; that is, to proceed to the requests of Justice Rehnquist, the Supreme Court Justice, Chief Justice, who has said we cannot function, as I paraphrase him, with the extreme backlog that we have.

I would think that, in all good conscience, we cannot pass this bill without recognizing that we have a real problem in not confirming the very able appointees that have been appointed by this administration. I hope my colleagues will certainly understand and comprehend and help us pass a real Courts Improvement Act with the appointment of our able jurists.

Mr. Speaker, this legislation implements a number of administrative changes to the federal court system recommended by the United States Judicial Conference.

The U.S. Judicial Conference serves as the administrative and policy-making arm of the judiciary branch, advising Congress on the creation of new judgeships and the modification of the court system. Biennially, the Conference submits recommendations, such as those that comprise H.R. 2294, to Congress for improvements to the federal justice system.

One important factor in my support of this legislation is that the changes it contains are largely those requested by judges themselves; these are not changes being forced upon an unwilling judiciary. Such cooperation between

the judicial and legislative branches is encouraging.

I would like to thank both Congressman COBLE, Chairman of the Judiciary Subcommittee on Courts and Intellectual Property, and Congressman FRANK, Ranking Member of the Subcommittee, for their hard work in crafting this nonpartisan bill. Their leadership is to be commended and I hope will set an example of the accomplishments and benefits realized with cooperation, a quality that has been notably absent as the logjam of Senate judicial confirmations continues to worsen.

Now I turn to discussion of certain of the provisions of this legislation. In particular, I would like to draw your attention to Section 305 of this bill which authorizes federal judges to carry firearms when crossing municipal or state lines, and establishes a firearms training program for those judges. It is an unfortunate comment on our society's diminishing respect for both authority and life itself that our federal judges are so threatened that must be given the right to carry a concealed weapon simply to ensure their ability to protect themselves. While I am always mindful of states' right to regulate in this area, I am convinced that the growing threat to federal judges' safety warrants our involvement in this instance. Further, the training which will accompany this right should allay safety concerns.

Next, I turn to Section 401 of the bill. Section 401 increases the maximum compensation for attorneys serving as appointed counsel in federal criminal cases. Section 401 would simply increase maximum case compensation by approximately the rate of inflation since 1986 (43.3 percent) the last year that case compensation maximums were increased. This increase is well-deserved and long overdue. It is a change that is necessary to ensure that those of our citizens who are unable to afford the often daunting expense of legal representation receive appropriate and able representation from their appointed counsel.

Finally, I want to bring your attention to Section 206 of H.R. 2294 which reauthorize appropriations for federal substance abuse treatment aftercare programs for this and subsequent years. In my home state of Texas, state officials estimate that 70 to 85 percent of prison inmates need some level of substance abuse treatment. In Texas, 51 percent of persons convicted of a drug law violation who had their probation revoked had used drugs within 24 hours of their crime. The same is true of 36 percent of violent offenders. Prisons can assist inmates and help to reduce crime by helping released inmates to participate in community-based treatment services. In the absence of such support, released inmates too often find themselves in the same environment of drug use and criminal behavior which landed them in jail originally. Reauthorization of the federal substance abuse treatment aftercare programs is critical to helping break this cycle by providing a helping hand to newly released inmates—by assisting them in successfully reentering society.

For these reasons, I rise today in support of H.R. 2294 and urge my colleagues to join me in support of this legislation.

Mr. COBLE. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Florida (Mr.

CANADY), a valued member of the Subcommittee on Courts and Intellectual Property.

Mr. CANADY of Florida. Mr. Speaker, I want to express my gratitude to the gentleman for his leadership on this bill. This is a significant bill which will help ensure that the Federal courts are able to carry out their important work in the most effective manner possible. I thank the gentleman for his leadership, and I commend this bill to all the Members of the House. I am hopeful that we will see this bill passed into law in very short order.

Mr. SCOTT. Mr. Speaker, I yield 2 minutes to the gentleman from Guam (Mr. UNDERWOOD).

Mr. UNDERWOOD. Mr. Speaker, I rise in strong support of this legislation, H.R. 2294, legislation which provides much needed improvements for the effective operation of our Federal judiciary system.

This is particularly welcome by the District Court of Guam in order to relieve the backlog of cases. Over the past 3 years our local District Court judge had one of the highest caseloads of similar judges in the country. The majority of his cases dealt with drug violations, illegal immigration cases, and firearms cases.

Due to the vagaries of Guam's Organic Act, the Guam District Court judge currently serves as both criminal and civil judge, and also functions as the magistrate judge, the bankruptcy judge, and the territorial tax court judge. Due to this huge caseload, the Ninth Circuit in California has had to send visiting judges to Guam to help manage the caseload.

I applaud the work of Chief Judge John Unpingco of the District Court of Guam, and especially for his diligence and dedication to the effective enforcement of Federal laws on Guam. The Federal judiciary on Guam and the Commonwealth of the Northern Marianas will be better served with the authority to hire magistrate judge positions.

I thank the gentleman from Virginia (Mr. ROBERT SCOTT) for yielding me the time to express my strong support for this bill. I thank members of the Committee on the Judiciary for their expeditious action in improving this bill.

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

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

In closing, I want to express my thanks to the gentleman from Massachusetts (Mr. BARNEY FRANK), the ranking member on the subcommittee, the gentleman from Virginia (Mr. SCOTT), and Democrats and Republicans alike who worked very cooperatively and very much in unison with each other in bringing this bill to its present stage.

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

The SPEAKER pro tempore (Mr. TIAHRT). The question is on the motion offered by the gentleman from North Carolina (Mr. COBLE) that the House suspend the rules and pass the bill, H.R. 2294, 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.

#### PERSONAL EXPLANATION

Mr. MANZULLO. Mr. Speaker, the House of Representatives just passed under suspension of the rules HR 2294, the Federal Courts Improvement Act of 1998. I was unavoidably detained from floor proceedings. However, had I been present I would have requested a recorded vote and voted against the bill.

I strongly opposed the measure based upon one section of the bill: Section 202. This section would grant magistrate judges contempt authority. I am adamantly opposed to granting such power to these judges on constitutional grounds. I am not alone in this. In fact, the Justice Department in its comments printed in the committee report argues that giving such power to non Article III judges raises constitutional concerns. Magistrates do not go through the normal nomination process. As the Supreme Court stated in a recent opinion, the power to hold persons in criminal contempt is not only awesome, but is also an inherent power of Article III judges. Magistrate judges are not Article III judges.

The Legislative Branch has much to lose if it continues to grant increased powers to those who are unelected. In my congressional district, a Federal magistrate has taken control of a local school district. To put it simply, he single handedly ordered the school board to raise taxes. Out of fear of contempt orders from the magistrate, school board members who were opposed to the tax increase switched their votes to support the tax increase. From the very fact that HR 2294 attempts to grant this power, it is clear that Federal magistrates do not currently have that power. However, it is also clear that there were no attempts made by the court to clear up the misunderstanding about that power and in fact promoted the false concept. Imagine what type of abuse of power we would see IF we actually grant such authority.

I am sure that there are other commendable provisions in HR 2294. However, it is my sincere hope that Section 202 as passed by voice vote today in the House of Representatives is stripped out of the final version of this legislation.

#### CIVIL RIGHTS COMMISSION ACT OF 1998

Mr. CANADY of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3117) to reauthorize the United States Commission on Civil Rights, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3117

*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 "Civil Rights Commission Act of 1998".*

#### SEC. 2. EXTENSION AND AUTHORIZATION OF APPROPRIATIONS.

(a) EXTENSION.—Section 6 of the Civil Rights Commission Act of 1983 (42 U.S.C. 1975d) is amended by striking "1996" and inserting "2001".

(b) AUTHORIZATION.—The first sentence of section 5 of the Civil Rights Commission Act of 1983 (42 U.S.C. 1975c) is amended to read "There are authorized to be appropriated such sums as may be necessary to carry out this Act for fiscal years through fiscal year 2001."

#### SEC. 3. STAFF DIRECTOR.

Section 4(a)(1) of the Civil Rights Commission Act of 1983 (42 U.S.C. 1975b(a)(1)) is amended—

(1) by striking "There shall" and inserting the following:

"(A) IN GENERAL.—There shall";

(2) by striking "(A)" and inserting the following:

"(i)";

(3) by striking "(B)" and inserting the following:

"(ii)"; and

(4) by adding at the end the following:

"(B) TERM OF OFFICE.—The term of office of the Staff Director shall be 4 years.

"(C) REVIEW AND RETENTION.—The Commission shall annually review the performance of the staff director."

#### SEC. 4. APPLICATION OF FREEDOM OF INFORMATION, PRIVACY, SUNSHINE, AND ADVISORY COMMITTEE ACTS.

Section 4 of the Civil Rights Commission Act of 1983 (42 U.S.C. 1975b) is amended by adding at the end the following:

"(f) APPLICATION OF CERTAIN PROVISIONS OF LAW.—The Commission shall be considered to be an agency, as defined in section 551(1) of title 5, United States Code, for the purposes of sections 552, 552a, and 552b of title 5, United States Code, and for the purposes of the Federal Advisory Committee Act."

#### SEC. 5. REQUIREMENT FOR INDEPENDENT AUDIT.

Section 4 of the Civil Rights Commission Act of 1983 (42 U.S.C. 1975b) is further amended by adding at the end the following:

"(g) INDEPENDENT AUDIT.—Beginning with the fiscal year ending September 30, 1998, and each year thereafter, the Commission shall prepare an annual financial statement in accordance with section 3515 of title 31, United States Code, and shall have the statement audited by an independent external auditor in accordance with section 3521 of such title."

#### SEC. 6. TERMS OF MEMBERS.

(a) IN GENERAL.—Section 2(c) of the Civil Rights Commission Act of 1983 (42 U.S.C. 1975(c)) is amended by striking "6 years" and inserting "5 years".

(b) APPLICABILITY.—The amendment made by this section shall apply only with respect to terms of office commencing after the date of the enactment of this Act.

#### SEC. 7. REPORTS.

Section 3(c)(1) of the Civil Rights Commission Act of 1983 (42 U.S.C. 1975a(c)(1)) is amended by striking "at least one report annually" and inserting "a report on or before September 30 of each year".

#### SEC. 8. SPECIFIC DIRECTIONS TO THE COMMISSION.

(a) IMPLEMENTATION OF GAO RECOMMENDATIONS.—The Commission shall, not later than June 30, 1998, implement the United States General Accounting Office recommendations regarding revision of the Commission's Administrative

Instructions and structural regulations to reflect the current agency structure, and establish a management information system to enhance the oversight and project efficiency of the Commission.

(b) **ADA ENFORCEMENT REPORT.**—Not later than September 30, 1998, the Commission shall complete and submit a report regarding the enforcement of the Americans with Disabilities Act of 1990.

(c) **RELIGIOUS FREEDOM IN PUBLIC SCHOOLS.**—  
(1) **REPORT REQUIRED.**—Not later than September 30, 1998, the Commission shall prepare, and submit under section 3 of the Civil Rights Commission Act of 1983, a report evaluating the policies and practices of public schools to determine whether laws are being effectively enforced to prevent discrimination or the denial of equal protection of the law based on religion, and whether such laws need to be changed in order to protect more fully the constitutional and civil rights of students and of teachers and other school employees.

(2) **REVIEW OF ENFORCEMENT ACTIVITIES.**—Such report shall include a review of the enforcement activities of Federal agencies, including the Departments of Justice and Education, to determine if those agencies are properly protecting the religious freedom in schools.

(3) **DESCRIPTION OF RIGHTS.**—Such report shall also include a description of—

(A) the rights of students and others under the Federal Equal Access Act (20 U.S.C. 4071 et seq.), constitutional provisions regarding equal access, and other similar laws; and

(B) the rights of students and teachers and other school employees to be free from discrimination in matters of religious expression and the accommodation of the free exercise of religion; and

(C) issues relating to religious non-discrimination in curriculum construction.

(d) **CRISIS OF YOUNG AFRICAN-AMERICAN MALES REPORT.**—Not later than September 30, 1999, the Commission shall submit a report on the crisis of young African-American males.

(e) **FAIR EMPLOYMENT LAW ENFORCEMENT REPORT.**—Not later than September 30, 1999, the Commission shall submit a report on fair employment law enforcement.

(f) **REGULATORY OBSTACLES CONFRONTING MINORITY ENTREPRENEURS.**—Not later than September 30, 1999, the Commission shall develop and carry out a study on the civil rights implications of regulatory obstacles confronting minority entrepreneurs, and report the results of such study under section 3 of the Civil Rights Commission Act of 1983.

#### SEC. 9. ADVISORY COMMITTEES.

Section 3(d) of the Civil Rights Commission Act of 1983 (42 U.S.C. 1975a(d)) is amended by adding at the end the following: "The purpose of each such advisory committee shall be to conduct fact finding activities and develop findings or recommendations for the Commission. Any report by such an advisory committee to the Commission shall be fairly balanced as to the viewpoints represented."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. CANADY) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Florida (Mr. CANADY).

#### GENERAL LEAVE

Mr. CANADY of Florida. 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 Florida?

There was no objection.

Mr. CANADY of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3117, the Civil Rights Commission Act of 1998, reauthorizes the U.S. Commission on Civil Rights through fiscal year 2001, and institutes reforms to help ensure that the commission will be more effective in pursuing its important mission.

The Committee on the Judiciary considered this legislation on March 3 of this year, adopted 1 amendment by voice vote, and reported the bill favorably to the full House by voice vote.

The Civil Rights Commission is an independent, bipartisan commission originally established by the Civil Rights Act of 1957. The Commission's statutory authorization expired on September 30 of 1996. I am pleased that we have developed bipartisan legislation making the Civil Rights Commission more effective in carrying out its important mission. It is fitting that a reauthorization bill is bipartisan, since one of the strengths of the commission is its bipartisan nature.

The bill contains a number of provisions designed to strengthen and improve the performance of the commission. The current statute is silent as to the specific term of office for and accountability of the Commission's Staff Director. Since the Staff Director apparently wields considerable power within the Commission, it is important that the Staff Director be accountable to the appointed members of the Commission. Accordingly, section 3 of the bill provides for a 4-year term of office for the Staff Director, and requires that the Commission annually review the performance of the Staff Director.

Section 4 of our bill applies the Freedom of Information Act, the Privacy Act, the Sunshine Act, and the Federal Advisory Committee Act to the Commission's operations. These laws are designed to ensure that government conducts its operations in the spirit of openness, respect for the civil rights of individuals, and equal access. The Civil Rights Commission should comply with all of these important laws.

In a June, 1997, report the U.S. General Accounting Office found that the Commission's management controls over its operations are weak and do not ensure that the Commission is able to meet its statutory responsibilities, its spending data is not maintained by officer function, and furthermore, that its operations have not been audited by an outside accounting firm.

Every governmental entity should periodically review its fiscal operations, and the Commission is certainly no exception. Accordingly, section 5 of our bill requires that the Commission prepare an annual financial

statement for audit by an independent external auditor.

Section 6 changes the term of membership for future commissioners from its current 6 years to 5 years. Under this section, existing commissioners' terms are unaffected, and there is no limit to the number of times a commissioner can be reappointed. Reduced term length could help to energize the Commission, bring in new perspectives, and make the Commission more effective and responsive.

Section 8 requires the Commission to implement the General Accounting Office recommendations calling for revision of the Commission's structural regulations to reflect the current agency structure, and for the establishment of a management information system to enhance the efficiency of the Commission. GAO identified these reforms as necessary for the continued viability of the Commission, which the GAO had termed an agency in disarray.

Current law provides that Congress may require the Commission to submit reports as Congress shall deem appropriate. Throughout the Commission's history, Congress has identified specific projects for the Commission to complete. In line with this practice, section 8 of our bill requires the Commission to complete its report regarding the enforcement of the Americans with Disabilities Act, its report regarding religious freedom in the schools, its report on the crisis of young African American males, its report on fair employment law enforcement, and its work on the civil rights implication of regulatory obstruction confronting minority entrepreneurs.

These are all projects the Commission itself has independently chosen to conduct, so this provision merely ensures timely completion of the work which the Commission has initiated on these projects.

Section 9 sets forth the purpose of the Commission's State advisory committees, which is to conduct fact-finding activities and develop findings or recommendations by the Commission, and provides that any report by such advisory committee to the Commission shall be fairly balanced as to the viewpoints represented.

Again, we believe that the bipartisan nature of the Commission is its strength, and it is important that this viewpoint balance be reflected at all levels of the Commission's work.

Finally, I want to thank the gentleman from Virginia (Mr. SCOTT), the ranking member of the Subcommittee on the Constitution, for his leadership and work in developing this legislation. I think it is important that we move forward with the reauthorization of the Civil Rights Commission with necessary reforms which are contained in the legislation. I think this will be good for the Commission and good for advancing the agenda of civil rights in this country.

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

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

I rise in favor of H.R. 3117, the Civil Rights Commission Act of 1998. The United States Commission on Civil Rights was established in 1959 to provide the country with advice and counsel on how to best address our still complex and persevering problems in civil rights.

Although the Commission was initially intended to last only 2 years, because of its importance and good work, it still serves as a valuable tool in our war against bigotry. In recent years the Commission has held hearings and released reports on issues such as church burnings, employment discrimination, police brutality and hate crimes. In addition, the Commission has made plans to study disability discrimination and the religious freedom in schools.

The Commission's work on Title VI of the Civil Rights Act is particularly timely. Title VI prohibits discrimination on the basis of race and national origin in federally-assisted programs. After extensive study of Justice Department's Title VI enforcement efforts, the Commission concluded that the Justice Department's enforcement efforts were inadequate.

As a result of this report, the Justice Department has improved its Title VI enforcement program, and other Federal and State agencies have made significant improvements as well. The Department of Agriculture has relied heavily on this report in its response to the problem of discrimination against black farmers. No other agency provides this crucial information. Without civil rights, without the Civil Rights Commission, one would wonder how thoroughly such concerns and under-enforcement and noncompliance would be addressed.

Mr. Speaker, last year, as the chairman of the subcommittee has indicated, the General Accounting Office released a report on the Civil Rights Commission. The report pointed out a number of management and organizational problems and made recommendations on how the Commission could best address these concerns.

The Commission has actively moved to initiate all of the GAO's recommendations. Its management information system will soon be operational. This will allow greater accountability in program management. In addition, the Commission is in the process of implementing other GAO recommendations which provide, which will provide greater public access to the information and processes of the Commission and will better ensure staff compliance with Commission rules and regulations.

The Commission has graciously responded to the GAO's recommendations, and therefore we will enjoy an even stronger Commission.

Mr. Speaker, the Commission has some tough work ahead of it. I look forward to the Commission continuing its unyielding fight against discrimination that still divides this country. In addition, I look forward to the Congress's full and continued support of the Civil Rights Commission.

Finally, Mr. Speaker, I would like to thank the chairman of the subcommittee, the gentleman from Florida, for his efforts and work in a bipartisan nature to make sure that the Commission was not politicized. We have worked together in this reauthorization effort. I would like to thank him again for working in a bipartisan effort.

Mr. Speaker, I yield 5 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, to both the chairman and ranking member, I, too, want to add my appreciation for the cooperative bipartisan effort of reauthorizing the Civil Rights Commission Act and as well continuing the funding until 2001. Dr. Berry and the Commissioners who presently serve and have served in the past have had awesome responsibility. I appreciate their leadership on the question of civil rights.

Many times in an acrimonious debate the question arises, why do we need a United States Civil Rights Commission? I am delighted that this Committee on the Judiciary through the Subcommittee on the Constitution has seen fit to continue the work of this body that, for those who may not be aware, covers issues involving charges of citizens being deprived of voting rights because of color, religion, sex, age, disability or national origin.

This Commission also collects and studies information concerning legal developments on voting rights, monitors the enforcement of Federal laws and policies from a civil rights perspective, and serves as a national clearinghouse for information. I believe that it is extremely important as our country becomes increasingly diverse that there is a commission that oversees and protects these very important rights.

I also think, as the GAO agency report, that there are and is room for improvement. I do not believe that the report focused on the lack of intent or the commitment of the Civil Rights Commission, but certainly I believe that the process of including and establishing a computerized management information system and updating internal management communication procedures is a good procedure.

I also think that it is very helpful, and I thank the committee for directing the Commission to prepare by Sep-

tember 30 reports on religious freedom, antidiscrimination policies and practices in public schools, the crisis among young African American males, regulatory obstacles facing minority entrepreneurs and enforcement of the Americans with Disabilities Act.

In particular with the religious freedom question and as it relates to those in public schools, as I am not in support of the religious freedom amendment that is being proposed, one of the reasons is because I say we do have religious freedom. We have the first amendment. Many times the interpretations in our local communities and public schools are excessive in terms of not allowing people to worship and to freely express their commitment to religion. I hope that this study by the U.S. Civil Rights Commission will give us the ammunition that the first amendment does right, and that those problems that are isolated throughout our Nation can be corrected by local influence.

Then I would simply say that it is extremely important as I work with young African American males in this country and in this community that we focus on the crises of discrimination with respect to African American males. In particular as they travel about the highways and byways are they targeted by law enforcement because of no uncertain reasons. As they move in and out of neighborhoods, are they targeted; are they targeted as they go into the shopping malls of America? It is extremely important that we focus on their improvement and their growth.

Then, Mr. Speaker, I would simply like to say I hope that the Civil Rights Commission will help us in explaining to the American people the crucial and viable importance of renewing the Voter Rights Act of 1965. As late as the mayoral election in 1997, when Lee P. Brown ran in Houston, Texas, we found a circumstance of voter rights violation, of adding people to the rolls, of adding votes to the compilation that people who had not even voted, of accusations and charges circling around the question of race. We are delighted that he was elected, but we realize that there are problems. The latest congressional races in Texas we also saw discrimination and voter intimidation.

Barbara Jordan, when she was in this body, had the pleasure of amending the Voter Rights Act of 1965 to include language minorities. We saw the tragedy of the Loretta Sánchez intimidation process. I truly believe that we are not ready to eliminate the Voter Rights Act that was passed in 1965. The Civil Rights Commission in its duties will have the responsibility and the obligation to document voter rights violations and will require us, I think, to

have the basis, to have the documentation necessary to hopefully have a vigorous and serious debate on the importance of renewing the Voter Rights Act.

I would simply close, Mr. Speaker, by saying one thing in conclusion related to this whole process of court appointments which I spoke about earlier. Tragically we find that the criticism of Judge Massiah-Jackson dealt with possible vulgarities which I have no knowledge of and soft on crime. I will say that she was noted as giving some of the highest sentences of any judge.

I think the important point is we wonder about what has been said by judges of years past still on the bench in the deep South when vulgarities were talked about by various judges as it related to those civil rights workers and African Americans who were pressing forward for their rights. With that I would say that it is important that the Civil Rights Commission continues to monitor these violations and hopefully that it will give us the momentum to renew the Voter Rights Act that needs to be renewed.

The Commission that we seek to reauthorize here today was created in 1957, at a time in our nation's history when the notion of universal civil rights was still in doubt. Even though just over two scores later, we have made great strides in the area of civil rights, the distance we still have to travel is nonetheless significant. Therefore, Mr. Speaker, I rise in support of H.R. 3117 and the reauthorization of the Civil Rights Commission.

While I certainly support the reauthorization of this Commission, I have some serious questions about both the language of this bill and the delays that this reauthorization action has faced thus far in the legislative process. In particular, some of the restrictions on the purview of the Commission in language of this bill concern me greatly. The reduction in length of Commissioners' terms and the short duration of this reauthorization bill seem to reflect a diminishing regard for civil rights in this Congress.

As is often the case in a serious discussion about civil rights, I return to the famous legal phrase of "Where there's a right, there's a remedy." There is absolutely a right for Americans to be free from infringement upon their civil rights. When these rights are violated, victims are entitled to a remedy. The Commission on Civil Rights provides one such remedy. The Commission investigates charges of civil rights violations, collects information on voting rights, monitors law enforcement activities, and educates the public on civil rights issues. It is also imperative that we renew the Voting Rights Act when it is up for renewal next year. Last night in a special order we celebrated the 33rd anniversary of the Selma March which was held so that every American citizen can exercise his right to vote. We must renew the Voting Rights Act of 1965. Why are we not supporting these efforts with every possible resource?

We should not allow ideological differences over issues such as affirmative action to cloud the debate over this particular bill. Of course,

I believe that the very fact that the existence of discrimination exists to the extent that this Commission is still so necessary evidences the need for continued affirmative action. However, whatever your perspective, the positive activities of this Commission cannot be overlooked.

The Commission has had some organizational and managerial issues that it is currently remedying. We cannot allow administrative problems to overshadow the substantive good work accomplished by the Commission on Civil Rights. Attempts to distract our focus from the investigatory and educational accomplishments of the Commission are rooted in either an opposition to, or an apathy about, equal civil rights for all Americans.

This bill contains provisions directing the Commission on Civil Rights to complete certain reports. I will be particularly interested in the results of the studies on the crisis confronting young African American males, fair employment law enforcement, and regulatory obstacles facing minority entrepreneurs. In light of all of these things, with my points of hesitancy duty noted, I still support this reauthorization initiative, so that our tomorrows might be brighter than our yesterdays.

Mr. CONYERS. Mr. Speaker, I strongly support the United States Commission on Civil Rights, and support this bill to reauthorize the Commission. However, I am concerned that, while the legislation places deadlines for reporting, the Commission remains underfunded and without the resources necessary to complete its many essential functions.

Congress has consistently appropriated funds to the Commission below the President's authorization request, leaving the Commission year after year with inadequate resources to carry out its directive of investigating charges of citizens deprived of their civil rights, monitoring the enforcement of Federal civil rights laws, and serving as a national clearinghouse for information related to discrimination. With no specified funding level, the proposed legislation increases the possibility that Congress will continue its pattern of underfunding an important and critical component of this Nation's goal of eliminating discrimination in all its ugly forms.

Moreover, there is no indication that the Majority is prepared to support increased funding for the Commission as requested in the FY 1999 Budget. In fact, in its Estimates and Views on the 1999 Budget, the Majority remains noncommittal on the appropriateness of the President's request of \$11 million funding request. However, each year, the Congress continues to underfund the Commission. Last year, the Commission requested \$11 million, but was only appropriated \$8.75 million.

While increased congressional oversight over the Commission may be warranted, it is irresponsible for the Committee to place additional burdens on the Commission and yet continue to overlook the need for full funding of the Commission. It is an unnecessary and intrusive requirement to have the Commission constantly under the obligation of responding to the many requests made by the Majority, but without any provision for the funds necessary to perform its duties effectively.

The Majority has consistently focused on the problems associated with enforcement of

our civil rights laws and insists that discrimination is no longer the problem it was 30 years ago. However, there is no question that the need for the Commission is greater than ever before. Discrimination continues to be a persistent problem in American society, and the role of the Civil Rights Commission plays a crucial part in fighting it. Instead of continually scrutinizing perceived defects in remedies to discrimination, we need to examine the persistent, invidious, intractable and often disguised nature of race and gender discrimination that is an undeniable fact in America today. This is what the U.S. Commission on Civil Rights was established to do, and Congress has an obligation to provide it with the necessary resources to do so.

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

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

The SPEAKER pro tempore (Mr. McINNIS). The question is on the motion offered by the gentleman from Florida (Mr. CANADY) that the House suspend the rules and pass the bill, H.R. 3117, 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.

#### LOBBYING DISCLOSURE TECHNICAL AMENDMENTS ACT OF 1997

Mr. CANADY of Florida. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 758) to make certain technical corrections to the Lobbying Disclosure Act of 1995.

The Clerk read as follows:

S. 758

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

#### SECTION 1. SHORT TITLE AND REFERENCE.

(a) SHORT TITLE.—This Act may be cited as the "Lobbying Disclosure Technical Amendments Act of 1997".

(b) REFERENCE.—Whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Lobbying Disclosure Act of 1995.

#### SEC. 2. DEFINITION OF COVERED EXECUTIVE BRANCH OFFICIAL.

Section 3(3)(F) (2 U.S.C. 1602(3)(F)) is amended by striking "7511(b)(2)" and inserting "7511(b)(2)(B)".

#### SEC. 3. CLARIFICATION OF EXCEPTION TO LOBBYING CONTACT.

(a) CERTAIN COMMUNICATIONS.—Section 3(8)(B)(ix) (2 U.S.C. 1602(8)(B)(ix)) is amended by inserting before the semicolon the following: "including any communication compelled by a Federal contract grant, loan, permit, or license".

(b) DEFINITION OF "PUBLIC OFFICIAL".—Section 3(15)(F) (2 U.S.C. 1602(15)(F)) is amended by inserting "or a group of governments acting together as an international organization" before the period.

#### SEC. 4. ESTIMATES BASED ON TAX REPORTING SYSTEM.

(a) SECTION 15(a).—Section 15(a) (2 U.S.C. 1610(a)) is amended—

(1) by striking "A registrant" and inserting "A person, other than a lobbying firm,"; and

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

"(2) for all other purposes consider as lobbying contacts and lobbying activities only—

"(A) lobbying contacts with covered legislative branch officials (as defined in section 3(4)) and lobbying activities in support of such contacts; and

"(B) lobbying of Federal executive branch officials to the extent that such activities are influencing legislation as defined in section 4911(d) of the Internal Revenue Code of 1986."

(b) SECTION 15(b).—Section 15(b) (2 U.S.C. 1610(b)) is amended—

(1) by striking "A registrant that is subject to" and inserting "A person, other than a lobbying firm, who is required to account and does account for lobbying expenditures pursuant to"; and

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

"(2) for all other purposes consider as lobbying contacts and lobbying activities only—

"(A) lobbying contacts with covered legislative branch officials (as defined in section 3(4)) and lobbying activities in support of such contacts; and

"(B) lobbying of Federal executive branch officials to the extent that amounts paid or costs incurred in connection with such activities are not deductible pursuant to section 162(e) of the Internal Revenue Code of 1986."

(c) SECTION 5(c).—Section 5(c) (2 U.S.C. 1604(c)) is amended by striking paragraph (3).

#### SEC. 5. EXEMPTION BASED ON REGISTRATION UNDER LOBBYING ACT.

Section 3(h) of the Foreign Agents Registration Act of 1938 (22 U.S.C. 613(h)) is amended by striking "is required to register and does register" and inserting "has engaged in lobbying activities and has registered".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. CANADY) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Florida (Mr. CANADY).

#### GENERAL LEAVE

Mr. CANADY of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. 758.

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

There was no objection.

Mr. CANADY of Florida. Mr. Speaker, I yield to myself such time as I may consume.

Mr. Speaker, S. 758 the Lobbying Disclosure Technical Amendments Act of 1997 addresses several technical issues which have been raised during the initial months of implementation of the Lobbying Disclosure Act of 1995.

Once the Lobbying Disclosure Act was implemented by the Clerk of the House and the Secretary of the Senate, several minor problems with the language of the statute became apparent. The offices of the Clerk and the Secretary have sought to interpret the

Lobbying Disclosure Act with respect to these problems in accordance with the original intent of the law, but this technical corrections bill is necessary to clarify the language of the Act to ensure compliance with the Act's original intention.

In 1996, the gentleman from Massachusetts (Mr. FRANK) and I sponsored similar legislation, H.R. 3435, which passed the House under suspension of the rules by voice vote. A dispute over one of the provisions contained in the bill precluded that bill from passing in the Senate in the last Congress. Except for the removal of this section and one other, the language contained in S. 758 is identical to H.R. 3435. The amendments made by S. 758 will strengthen what is already widely viewed as a significant and successful law.

The Lobbying Disclosure Act of 1995 was the first substantive reform in the laws governing lobbying disclosure since the Federal Regulation of Lobbying Act of 1946. This reform was necessary due to the Supreme Court's narrow construction of the 1946 law. That construction came in the case of *United States v. Harriss*, which effectively eviscerated the 1946 act.

In the fall of 1995, the House passed this landmark legislation in identical form to the Senate-passed language. This enabled passage of the bill by the Congress and sent it directly to the President. We were thus responsible for the first meaningful lobbying disclosures legislation in over 40 years.

The bill before us today simply clarifies various technical issues arising from that landmark legislation. Section 2 of the bill clarifies the definition of covered executive branch official under the act. Section 3 of the bill adds a clarification of the exception to a lobbying contact so that any communication compelled by a Federal contract, grant, loan, permit, or license would not be considered a lobbying contact.

Moreover, at the request of the administration, section 3 of the bill also makes plain that groups of governments acting together as international organizations, such as the World Bank, will not be required to register under the Lobbying Disclosure Act.

In addition, section 4 of the bill clarifies how estimates based on the tax reporting system can and should be used in relation to reporting lobbying expenses. This section also provides that registrants engaged in executive branch lobbying and who make a section 15 election under the Act must use the Tax Code uniformly for all their executive branch lobbying registration and reporting under the act.

Finally, section 5 of S. 758 clarifies the original intent of the act by providing that anyone engaged in even a de minimis level of lobbying activities on behalf of a foreign commercial entity can register under the Lobbying Dis-

closure Act rather than under the Foreign Agents Registration Act of 1938.

This change reaffirms the congressional intent of requiring disclosure of foreign nongovernment representations under the Lobbying Disclosure Act and disclosure of foreign governmental representations under the Foreign Agents Registration Act.

I want to thank the ranking member on the Subcommittee on the Constitution for his cooperation in moving forward this legislation which has already been passed by the Senate. I believe that this legislation is something that will simply help make a good and important law function with the maximum efficiency.

Mr. Speaker, I reserve the balance of my time

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

Mr. Speaker, as a result of a recent study on the lobbying disclosure reports, we now know that special interest groups are spending approximately \$100 million a month to lobby the Federal Government. Before the Lobbying Disclosure Act of 1995, there were no requirements in place that would have made this information available.

Mr. Speaker, there is nothing inherently wrong with those who petition their government. In fact, we ought to be encouraging more participation in the democratic process. But the public is entitled to have an idea of how much money is being spent by groups as they advance their particular interests.

Mr. Speaker, the Lobbying Disclosure Act was the first legislation to reform lobbying activities in any substantial way since the Federal Regulation of Lobbying Act of 1946.

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Under the Lobbying Disclosure Act, individuals and organizations who lobby the Federal Government are no longer exempt from reporting and disclosure requirements. Professional lobbyists are now required to disclose who pays them, how much to lobby the Federal Government, that is Congress and the executive branch, and on what issues. The LDA has been very successful in providing understandable requirements for lobbyists, as well as providing important information to the public about lobbying activities.

S. 758 addresses several technical issues which have been raised during the implementation of the Lobbying Disclosure Act of 1995. The original House version, H.R. 3435, which was co-sponsored by my colleagues on the Committee on the Judiciary, the gentleman from Florida (Mr. CANADY) and the gentleman from Massachusetts (Mr. FRANK), and I would like to at this point congratulate both of them for working in a bipartisan manner to fashion legislation that everyone could agree on.

Mr. Speaker, that bill passed the Committee on the Judiciary by a unanimous rollcall vote of 25 to 0 and then passed the House without opposition.

In the Senate, two provisions were removed from the legislation. Both sides have agreed, however, that the removal of these two provisions, which were removed at the urging of several Senators, was not enough to warrant reconsideration of the legislation.

One provision which was removed from the original version would have simplified the manner in which U.S. multinational companies disclosed information about their subsidiaries or other related entities with a significant direct interest in the outcome of the company's lobbying activities.

The second provision would have limited the recordkeeping of registrants under Section 5 of the act by eliminating the requirement that the report contain a list of lobbyists for each general issue area and, instead, required the registrant to provide a list of all employees who acted as a lobbyist for the organization in one section.

This change would have eliminated the need for organizations with a wide range of general issue areas and a large number of registered lobbyists to undertake the time-consuming task of discerning which lobbyists worked on which issues.

In summary, Mr. Speaker, this bill passed the Senate by unanimous consent; and I urge my colleagues to vote for the bill.

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

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

The SPEAKER pro tempore (Mr. McINNIS). The question is on the motion offered by the gentleman from Florida (Mr. CANADY) that the House suspend the rules and pass the Senate bill, S. 758.

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

A motion to reconsider was laid on the table.

**ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE**

The SPEAKER pro tempore. Debate has concluded on all motions to suspend the rules. Pursuant to the provisions of clause 5 of rule I, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed on Tuesday, March 17, 1998, in the order in which that motion was entertained.

Votes will be taken in the following order:

House Concurrent Resolution 152, by the yeas and the nays; and House Concurrent Resolution 235, by the yeas and the nays.

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

**EXPRESSING SENSE OF CONGRESS REGARDING NORTHERN IRELAND**

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the concurrent resolution, House Concurrent Resolution 152, as amended.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 152, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 407, nays 2, answered "present" 1, not voting 21, as follows:

[Roll No. 56]  
YEAS—407

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|--------------|---------------|----------------|
| Abercrombie  | Coble         | Ganske         |
| Ackerman     | Coburn        | Gejdenson      |
| Aderholt     | Collins       | Gekas          |
| Allen        | Combest       | Gibbons        |
| Andrews      | Condit        | Gilchrest      |
| Archer       | Conyers       | Gillmor        |
| Bachus       | Cook          | Gilman         |
| Baesler      | Cooksey       | Goode          |
| Baker        | Costello      | Goodlatte      |
| Baldacci     | Cox           | Goodling       |
| Ballenger    | Coyne         | Gordon         |
| Barcla       | Cramer        | Goss           |
| Barrett (NE) | Crapo         | Graham         |
| Barrett (WI) | Cubin         | Granger        |
| Bartlett     | Cummings      | Green          |
| Barton       | Cunningham    | Greenwood      |
| Bass         | Danner        | Gutknecht      |
| Bateman      | Davis (FL)    | Hall (OH)      |
| Becerra      | Davis (VA)    | Hall (TX)      |
| Bentsen      | Deal          | Hamilton       |
| Bereuter     | DeFazio       | Hansen         |
| Berman       | DeGette       | Harman         |
| Berry        | DeLauro       | Hastert        |
| Bilbray      | DeLauro       | Hastings (FL)  |
| Bilirakis    | DeLay         | Hayworth       |
| Bishop       | Deutsch       | Hefley         |
| Blagojevich  | Diaz-Balart   | Herger         |
| Billey       | Dickey        | Hill           |
| Blumenauer   | Dicks         | Hilleary       |
| Blunt        | Dingell       | Hilliard       |
| Boehert      | Dixon         | Hinchey        |
| Boehner      | Doggett       | Hinojosa       |
| Bonilla      | Dooley        | Hobson         |
| Bonior       | Doyle         | Hoekstra       |
| Borski       | Dreier        | Holden         |
| Boswell      | Duncan        | Hooley         |
| Boucher      | Dunn          | Horn           |
| Boyd         | Edwards       | Hostettler     |
| Brady        | Ehlers        | Hoyer          |
| Brown (CA)   | Ehrlich       | Hulshof        |
| Brown (FL)   | Emerson       | Hunter         |
| Brown (OH)   | Engel         | Hutchinson     |
| Bryant       | English       | Hyde           |
| Bunning      | Ensign        | Istook         |
| Burr         | Eshoo         | Jackson (IL)   |
| Burton       | Etheridge     | Jackson-Lee    |
| Buyer        | Evans         | (TX)           |
| Callahan     | Everett       | Jefferson      |
| Calvert      | Farr          | Jenkins        |
| Camp         | Fattah        | John           |
| Campbell     | Fawell        | Johnson (CT)   |
| Canady       | Fazio         | Johnson (WI)   |
| Cannon       | Filner        | Johnson, E. B. |
| Capps        | Foley         | Johnson, Sam   |
| Cardin       | Forbes        | Jones          |
| Carson       | Ford          | Kanjorski      |
| Castle       | Fossella      | Kaptur         |
| Chabot       | Fowler        | Kasich         |
| Chambliss    | Fox           | Kelly          |
| Chenoweth    | Frank (MA)    | Kennedy (MA)   |
| Christensen  | Franks (NJ)   | Kennedy (RI)   |
| Clay         | Frelinghuysen | Kennelly       |
| Clayton      | Frost         | Kildee         |
| Clement      | Furse         | Kilpatrick     |
| Clyburn      | Gallegly      | Kim            |

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|---------------|---------------|--------------|
| Kind (WI)     | Ney           | Shays        |
| King (NY)     | Northup       | Sherman      |
| Kingston      | Norwood       | Shimkus      |
| Kleccka       | Nussle        | Shuster      |
| Klink         | Oberstar      | Siskis       |
| Klug          | Obey          | Skaggs       |
| Knollenberg   | Olver         | Skeen        |
| Kolbe         | Ortiz         | Skelton      |
| Kucinich      | Owens         | Slaughter    |
| LaFalce       | Oxley         | Smith (MI)   |
| LaHood        | Packard       | Smith (NJ)   |
| Lampson       | Pallone       | Smith (OR)   |
| Lantos        | Pappas        | Smith (TX)   |
| Largent       | Pascrell      | Smith, Adam  |
| Latham        | Pastor        | Smith, Linda |
| LaTourette    | Paxon         | Snowbarger   |
| Lazio         | Payne         | Snyder       |
| Leach         | Pease         | Solomon      |
| Levin         | Pelosi        | Souder       |
| Lewis (GA)    | Peterson (MN) | Spence       |
| Lewis (GA)    | Peterson (PA) | Spratt       |
| Lewis (KY)    | Petri         | Stabenow     |
| Linder        | Pickering     | Stark        |
| Livingston    | Pickett       | Stearns      |
| LoBlondo      | Pitts         | Stenholm     |
| Lofgren       | Pombo         | Stokes       |
| Lowe          | Pomeroy       | Strickland   |
| Lucas         | Porter        | Stump        |
| Luther        | Portman       | Stump        |
| Maloney (CT)  | Price (NC)    | Sununu       |
| Maloney (NY)  | Pryce (OH)    | Talent       |
| Manton        | Quinn         | Tanner       |
| Manzullo      | Radanovich    | Tauscher     |
| Markey        | Rahall        | Tauzin       |
| Mascara       | Ramstad       | Taylor (MS)  |
| Matsui        | Rangel        | Taylor (NC)  |
| McCarthy (MO) | Redmond       | Thomas       |
| McCarthy (NY) | Regula        | Thompson     |
| McCollum      | Reyes         | Thornberry   |
| McCrary       | Riggs         | Thune        |
| McDermott     | Riley         | Thurman      |
| McGovern      | Rivers        | Tiahrt       |
| McHale        | Rodriguez     | Tierney      |
| McHugh        | Roemer        | Torres       |
| McInnis       | Rogan         | Towns        |
| McIntyre      | Rogers        | Traficant    |
| McKeon        | Rohrabacher   | Upton        |
| McKinney      | Ros-Lehtinen  | Velázquez    |
| McNulty       | Rothman       | Vento        |
| Meehan        | Roukema       | Visclosky    |
| Meek (FL)     | Roybal-Allard | Walsh        |
| Meeks (NY)    | Royce         | Wamp         |
| Menendez      | Rush          | Watkins      |
| Metcalfe      | Ryun          | Watt (NC)    |
| Mica          | Sabo          | Watts (OK)   |
| Millender-    | Salmon        | Waxman       |
| McDonald      | Sánchez       | Weldon (FL)  |
| Miller (CA)   | Sanders       | Weldon (PA)  |
| Miller (FL)   | Sandlin       | Weller       |
| Minge         | Sanford       | Wexler       |
| Mink          | Sawyer        | Weygand      |
| Moakley       | Saxton        | White        |
| Mollohan      | Scarborough   | Whitfield    |
| Moran (KS)    | Schaefer, Dan | Wicker       |
| Moran (VA)    | Schaffer, Bob | Wise         |
| Morella       | Schumer       | Wolf         |
| Murtha        | Scott         | Woolsey      |
| Myrick        | Sensenbrenner | Wynn         |
| Nadler        | Serrano       | Yates        |
| Neal          | Sessions      | Young (AK)   |
| Nethercutt    | Shadegg       | Young (FL)   |
| Neumann       | Shaw          |              |

NAYS—2

Paul

ANSWERED "PRESENT"—1

Barr

NOT VOTING—21

- |            |               |          |
|------------|---------------|----------|
| Army       | Gutierrez     | McIntosh |
| Crane      | Hastings (WA) | Parker   |
| Davis (IL) | Hefner        | Poshard  |
| Doolittle  | Inglis        | Schiff   |
| Ewing      | Lipinski      | Stupak   |
| Gephardt   | Martinez      | Turner   |
| Gonzalez   | McDade        | Waters   |

□ 1139

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

**ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE**

The SPEAKER pro tempore (Mr. MCINNIS). Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on the additional motion to suspend the rules on which the Chair has postponed further proceedings.

**CALLING FOR AN END TO VIOLENT REPRESSION OF LEGITIMATE RIGHTS OF PEOPLE OF KOSOVA**

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the concurrent resolution, House Concurrent Resolution 235, as amended.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 235, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 406, nays 1, answered "present" 1, not voting 23, as follows:

[Roll No. 57]  
YEAS—406

Abercrombie  
Ackerman  
Aderholt  
Allen  
Andrews  
Archer  
Army  
Bachus  
Baesler  
Baker  
Baldacci  
BALLENGER  
Barca  
Barrett (NE)  
Barrett (WI)  
Bartlett  
Barton  
Bass  
Bateman  
Becerra  
Bentsen  
Bereuter  
Berman  
Berry  
Billrakis  
Bishop  
Blagojevich  
Bliley  
Blumenauer  
Blunt  
Boehler  
Boehner  
Bonilla  
Bonior  
Borski  
Boswell  
Boucher  
Boyd

Brady  
Brown (CA)  
Brown (FL)  
Brown (OH)  
Bryant  
Bunning  
Burr  
Burton  
Buyer  
Callahan  
Calvert  
Camp  
Campbell  
Canady  
Cannon  
Capps  
Cardin  
Carson  
Castle  
Chabot  
Chambliss  
Chenoweth  
Christensen  
Clay  
Clayton  
Clement  
Clyburn  
Coble  
Coburn  
Collins  
Combest  
Condit  
Conyers  
Cook  
Cooksey  
Costello  
Cox  
Coynce

Cramer  
Crapo  
Cublin  
Cummings  
Cunningham  
Danner  
Davis (FL)  
Davis (VA)  
Deal  
DeFazio  
DeGette  
DeLahun  
DeLauro  
DeLay  
Deutsch  
Diaz-Balart  
Dicks  
Dingell  
Dixon  
Doggett  
Dooley  
Doyle  
Dreier  
Duncan  
Dunn  
Edwards  
Ehlers  
Ehrlich  
Emerson  
Engel  
English  
Ensign  
Eshoo  
Etheridge  
Evans  
Everett  
Ewing  
Farr

Fattah  
Fazio  
Filner  
Foley  
Forbes  
Ford  
Fossella  
Fowler  
Fox  
Frank (MA)  
Franks (NJ)  
Frelinghuysen  
Frost  
Furse  
Gallegly  
Ganske  
Gejdenson  
Gibbons  
Gilchrest  
Gillmor  
Gilman  
Goode  
Goodlatte  
Goodling  
Gordon  
Goss  
Granger  
Green  
Greenwood  
Gutknecht  
Hall (OH)  
Hall (TX)  
Hamilton  
Hansen  
Harman  
Hastert  
Hastings (FL)  
Hastings (WA)  
Hayworth  
Hefley  
Herger  
Hill  
Hilleary  
Hilliard  
Hinches  
Hinojosa  
Hoekstra  
Holden  
Hooley  
Horn  
Hostettler  
Houghton  
Hoyer  
Hulshof  
Hunter  
Hutchinson  
Hyde  
Istook  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
Jenkins  
John  
Johnson (CT)  
Johnson (WI)  
Johnson, E. B.  
Johnson, Sam  
Jones  
Kanjorski  
Kaptur  
Kasich  
Kelly  
Kennedy (MA)  
Kennedy (RI)  
Kennelly  
Kildee  
Kilpatrick  
Kim  
Kind (WI)  
King (NY)  
Kingston  
Kleczka  
Klink  
Klug  
Knollenberg  
Kolbe  
Kucinich  
LaFalce  
LaHood  
Lampson  
Lantos  
Largent  
Latham  
LaTourette  
Lazio

Leach  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Linder  
Livingston  
LoBiondo  
Lofgren  
Lowey  
Lucas  
Luther  
Maloney (CT)  
Maloney (NY)  
Manton  
Manzullo  
Markey  
Mascara  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McCollum  
McCrery  
McDermott  
McGovern  
McHale  
McHugh  
McInnis  
McIntosh  
McIntyre  
McKeon  
McKinney  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Metcalf  
Mica  
Millender-  
McDonald  
Miller (CA)  
Miller (FL)  
Minge  
Mink  
Moakley  
Mollohan  
Moran (KS)  
Moran (VA)  
Morella  
Murtha  
Myrick  
Nadler  
Neal  
Nethercutt  
Neumann  
Ney  
Northup  
Norwood  
Nussle  
Oberstar  
Obey  
Oliver  
Ortiz  
Owens  
Oxley  
Packard  
Pallone  
Pappas  
Pascrell  
Pastor  
Paxon  
Payne  
Pease  
Pelosi  
Peterson (MN)  
Peterson (PA)  
Petri  
Pickering  
Pickett  
Pitts  
Pombo  
Pomeroy  
Porter  
Portman  
Price (NC)  
Pryce (OH)  
Quinn  
Radanovich  
Rahall  
Ramstad  
Rangel  
Redmond  
Regula  
Reyes  
Riggs

Riley  
Rivers  
Rodriguez  
Roemer  
Rogan  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Rothman  
Roukema  
Roybal-Allard  
Royce  
Rush  
Ryun  
Sabo  
Salmon  
Sanchez  
Sanders  
Sandlin  
Sanford  
Sawyer  
Saxton  
Schaefer, Dan  
Schaffer, Bob  
Schumer  
Scott  
Sensenbrenner  
Serrano  
Sessions  
Shadegg  
Shaw  
Shays  
Sherman  
Shimkus  
Shuster  
Siskis  
Skaggs  
Skeen  
Skelton  
Slaughter  
Smith (MI)  
Smith (NJ)  
Smith (OR)  
Smith (TX)  
Smith, Adam  
Smith, Linda  
Snowbarger  
Snyder  
Solomon  
Souder  
Spence  
Spratt  
Stabenow  
Stark  
Stearns  
Stenholm  
Stokes  
Strickland  
Stump  
Sununu  
Talent  
Tanner  
Tauscher  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Thomas  
Thompson  
Thornberry  
Thune  
Thurman  
Tiahrt  
Tierney  
Torres  
Towns  
Traficant  
Upton  
Velazquez  
Vento  
Visclosky  
Walsh  
Wamp  
Waters  
Watkins  
Watt (NC)  
Watts (OK)  
Waxman  
Weldon (FL)  
Weldon (PA)  
Weller  
Wexler  
Weygand  
White  
Whitfield  
Wicker  
Wise

Wolf  
Woolsey  
Wynn  
Yates  
Young (AK)  
Young (FL)

NAYS—1

Paul

ANSWERED "PRESENT"—1

Barr

NOT VOTING—23

Bilbray  
Crane  
Davis (IL)  
Dickey  
Doollittle  
Fawell  
Gekas  
Gephardt  
Gonzalez  
Graham  
Gutierrez  
Hefner  
Hobson  
Inglis  
Lipinski  
Martinez  
McDade  
Parker  
Poshard  
Scarborough  
Schiff  
Stupak  
Turner

□ 1149

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

**PERSONAL EXPLANATION**

Mr. SCARBOROUGH. Mr. Speaker, on roll call no. 57, I was inadvertently detained and missed the vote. Had I been present, I would have voted "Yes".

**DIRECTING THE PRESIDENT TO REMOVE U.S. ARMED FORCES FROM BOSNIA-HERZEGOVINA**

Mr. GILMAN. Mr. Speaker, pursuant to the order of the House of Thursday, March 12, 1998, I call up the concurrent resolution (H. Con. Res. 227) directing the President pursuant to section 5(c) of the War Powers Resolution to remove United States Armed Forces from the Republic of Bosnia and Herzegovina, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore (Mr. MCINNIS). The concurrent resolution is considered read for amendment.

The text of House Concurrent Resolution 227 is as follows:

H. CON. RES. 227

*Resolved by the House of Representatives (the Senate concurring),*

**SECTION 1. REMOVAL OF UNITED STATES ARMED FORCES FROM THE REPUBLIC OF BOSNIA AND HERZEGOVINA.**

(a) FINDINGS.—The Congress finds the following:

(1) The Congress has the sole power to declare war under article I, section 8, of the Constitution.

(2) A state of war has not been declared to exist with respect to the situation in the Republic of Bosnia and Herzegovina.

(3) A specific authorization for the use of United States Armed Forces with respect to the situation in the Republic of Bosnia and Herzegovina has not been enacted.

(4) The situation in the Republic of Bosnia and Herzegovina constitutes, within the meaning of section 4(a)(1) of the War Powers Resolution (50 U.S.C. 1543(a)(1)), either hostilities or a situation where imminent involvement in hostilities is clearly indicated

by the circumstances into which United States Armed Forces have been introduced.

(b) **REMOVAL OF ARMED FORCES.**—Pursuant to section 5(c) of the War Powers Resolution (50 U.S.C. 1544(c)), the Congress hereby directs the President to remove United States Armed Forces from the Republic of Bosnia and Herzegovina by June 30, 1998 (unless the President requests and the Congress authorizes a later date), except for a limited number of members of the Armed Forces sufficient only to protect United States diplomatic facilities and citizens, and noncombatant personnel to advise the North Atlantic Treaty Organization (NATO) Commander in the Republic of Bosnia and Herzegovina, and unless and until a declaration of war or specific authorization for such use of United States Armed Forces has been enacted.

(c) **DECLARATION OF POLICY.**—The requirement to remove United States Armed Forces from the Republic of Bosnia and Herzegovina under subsection (b) does not necessarily reflect any disagreement with the purposes or accomplishments of such Armed Forces, nor does it constitute any judgment of how the Congress would vote, if given the opportunity to do so, on either a declaration of war or a specific authorization for the use of such Armed Forces.

The SPEAKER pro tempore. Pursuant to the order of the House of Thursday, March 12, 1998, amendment No. 1 printed in the CONGRESSIONAL RECORD of that day is adopted.

The text of House Concurrent Resolution 227, as modified, is as follows:

H. CON. RES. 227

*Resolved by the House of Representatives (the Senate concurring).*

**SECTION 1. REMOVAL OF UNITED STATES ARMED FORCES FROM THE REPUBLIC OF BOSNIA AND HERZEGOVINA.**

(a) **FINDINGS.**—The Congress finds the following:

(1) The Congress has the sole power to declare war under article I, section 8, of the Constitution.

(2) A state of war has not been declared to exist with respect to the situation in the Republic of Bosnia and Herzegovina.

(3) A specific authorization for the use of United States Armed Forces with respect to the situation in the Republic of Bosnia and Herzegovina has not been enacted.

(4) The situation in the Republic of Bosnia and Herzegovina constitutes, within the meaning of section 4(a)(1) of the War Powers Resolution (50 U.S.C. 1543(a)(1)), either hostilities or a situation where imminent involvement in hostilities is clearly indicated by the circumstances into which United States Armed Forces have been introduced.

(b) **REMOVAL OF ARMED FORCES.**—

(1) **IN GENERAL.**—Pursuant to section 5(c) of the War Powers Resolution (50 U.S.C. 1544(c)), the Congress hereby directs the President to remove United States Armed Forces from the Republic of Bosnia and Herzegovina not later than 60 days after the date on which a final judgment is entered by a court of competent jurisdiction determining the constitutional validity of this concurrent resolution, unless a declaration of war or specific authorization for such use of United States Armed Forces has been enacted.

(2) **EXCEPTION.**—The requirement to remove United States Armed Forces from the Republic of Bosnia and Herzegovina under paragraph (1) shall not apply with respect to—

(A) a limited number of members of the Armed Forces sufficient only to protect

United States diplomatic facilities and citizens; or

(B) noncombatant personnel to advise the North Atlantic Treaty Organization (NATO) Commander in the Republic of Bosnia and Herzegovina.

(c) **DECLARATION OF POLICY.**—The requirement to remove United States Armed Forces from the Republic of Bosnia and Herzegovina under subsection (b) does not necessarily reflect any disagreement with the purposes or accomplishments of such Armed Forces, nor does it constitute any judgment of how the Congress would vote, if given the opportunity to do so, on either a declaration of war or a specific authorization for the use of such Armed Forces.

The SPEAKER pro tempore. The gentleman from California (Mr. CAMPBELL) will control 60 minutes and the gentleman from New York (Mr. GILMAN) and the gentleman from Indiana (Mr. HAMILTON) each will control 30 minutes.

The Chair recognizes the gentleman from New York (Mr. GILMAN).

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

Mr. Speaker, I rise in opposition to the resolution of the distinguished gentleman from California (Mr. CAMPBELL). Although I understand and am sympathetic to the gentleman's efforts to assert the prerogatives concerning the war-making authority vested in the Congress by the U.S. Constitution, I believe for reasons of both policy and procedure that this measure is not the manner in which we should endeavor to uphold those prerogatives. On policy grounds, this resolution would send an untimely signal that this House no longer supports the Dayton peace agreement for Bosnia, an agreement that is now just showing signs of succeeding.

In the past few months, we have seen the glimmerings of success in regenerating a stable civil society in all of Bosnia. War criminals are voluntarily turning themselves in, and there is a new, more moderate government of the Bosnian Serbs that actually wants to cooperate with implementing the peace plan. Restructuring and reforming of the police in both the Bosnian-Croat Federation and the Republic of Srpska is proceeding. Moreover we have expended in excess of \$7 billion to implement our peace plan in Bosnia. Withdrawal at this stage would place that considerable investment at risk, with no guarantee that we would not be called upon in the future to once again introduce our forces if the conflict reignites.

On procedural grounds, far from restoring congressional authority to declare war, this resolution would take the authority and place it in the hands of the court. The resolution provides no recourse for the Congress to reconsider the requirement for the withdrawal of our Armed Forces, absent adoption of an authorization. We can have no way of knowing what the situation may be on the ground in Bosnia,

in this country or elsewhere in the world that could have a bearing on the withdrawal of our troops from Bosnia when and if the courts eventually rule on the constitutionality of this measure. Moreover, it provides no latitude to the Commander in Chief for an orderly and safe withdrawal that might require more time than the 60 days stipulated.

Finally, and perhaps most importantly, the neighboring region of Kosovo in southern Serbia is experiencing an upsurge of violence and new instability. Decisive action by the international community stopped any more massacres like the one that claimed the lives of hundreds in Srebrenica. Now we are told at least 80 persons, including 22 women and children, have been killed in recent days in Kosovo by Serbian police. This resolution could undercut our efforts to stop the bloodshed there by calling into question our national resolve.

I understand the gentleman is concerned about how this resolution will be perceived here in the Congress. He is also concerned how it will be seen in the Supreme Court. I am concerned how it will be seen in Sarajevo, in the Serb capital of Banja Luka or the war criminal capital of Pale. Passage of this resolution now could be interpreted as a vote of no confidence in our Bosnia policy. It could send confusing signals about our national resolve to persevere to friend and foe alike, and it would pull the rug out from under our troops and commanders who are out there in the field and who justly take pride in what they have been accomplishing in Bosnia.

I regret that we are now facing a clash between asserting congressional prerogative on the question of war-making and sound policy. For the reasons just stated, our Committee on International Relations, Mr. Speaker, voted by a convincing margin to disapprove this resolution. Given the progress made toward peace and the position of our troops in the field, I urge our House to support good policy and to oppose H. Con. Res. 227.

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

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

Mr. Speaker, the resolution carries the following explicit language: What we do today, and I quote, "does not necessarily reflect any disagreement with the purposes or accomplishments of such Armed Forces, nor does it constitute any judgment of how the Congress would vote, if given the opportunity to do so, on either a declaration of war or a specific authorization for the use of such Armed Forces," end quote.

My friend and distinguished colleague who has just spoken, therefore, presents, I believe, an inaccurate reflection of what this resolution does. It

does not take a position on the advisability or not of being in Bosnia, but it does assert, and strongly so, that it is the right and it is the obligation of the Congress of the United States to say yes or no before United States troops are engaged in hostilities overseas.

□ 1200

What has happened is this: The President put troops into Bosnia in December of 1995. He did not obtain the approval of Congress in advance. He should have. And that would be true whether he was a Democrat or a Republican. It is the obligation of Congress to approve the use of United States troops overseas.

Now, of course, I recognize that, in the context of an emergency, it is the right of the President, his duty, to respond to an attack upon the United States or upon its Armed Forces. But this is not the situation in Bosnia. There has been plenty of time for the President to bring the matter to Congress and ask for our approval.

Some of my colleagues will vote yes if we have the opportunity to vote. Some will vote no. That debate is not today's debate. Today's debate is that it is our responsibility to vote. For all of us who call ourselves members of the generation touched by Vietnam, surely we will remember that the War Powers Resolution under which I bring this motion today was passed to prevent presidents from putting United States troops in hostilities overseas without the approval of the people's representatives, and the War Powers Resolution says that one may not assume that approval from any appropriation bill, and one may not assume that approval from any treaty. One must come to the Congress and obtain that explicit approval.

Some argue that, well, maybe the President should have submitted this for congressional approval at the time that he inserted troops, but now time has passed and it would send the wrong signal to require a vote in Congress right now. How can it be that the usurpation of a right as of December, 1995, suddenly becomes a grant of the right because we have not stood up and asserted our constitutional obligation? If it was incumbent upon the President to ask our permission before he put the troops in, it is still incumbent upon him to do so.

Others argue that, well, maybe I am right in this resolution, but Kosovo presents an opportunity now that is so dangerous we might be sending the wrong signal. Well, it is precisely for that reason that we should take the matter here and debate it, so that if we support using troops there, it will be clear we do.

In the Committee on International Relations last week, the ambassador of the United States to this most troubled region, Robert Gelbard, testified that

the administration was not ruling out any options in Kosovo; and he answered that question specifically in the context of the use of American forces. Accordingly, we may very well find ourselves with troops in Kosovo without having had the issue debated and approved here in advance.

Why is it so important to approve in advance? Because if we do not, we are stuck with the situation of American troops already overseas. And very few Members are able to say, well, now that they are overseas, let us change our policy. That is why the Constitution requires the vote to be up front.

The War Powers Resolution gives us the opportunity to give the President 60 days, after which it must come to Congress if he has inserted troops into hostilities or into a situation where hostilities are reasonably likely to be expected.

Mr. Speaker, I pity in this debate somebody who has to maintain that there are no hostilities in Bosnia. In our deliberations in the Committee on International Relations, no member advanced that argument. I doubt that argument will be able to be sustained. Nevertheless, some have suggested that; and to them I would urge them to look at the phrase "hostilities" and then look at the reason for having this provision in law.

The phrase "hostilities" is in the War Powers Resolution explicitly to cover cases even where there have not been shots fired, and I quote from the House Committee report: "'Hostilities' also encompasses a state of confrontation in which no shots have been fired, but where there is a clear and present danger of armed conflict."

Mr. Speaker, that clearly is the situation today. The administration, I think, ought to admit as much regarding Kosovo where they say, no option, including the use of American troops, is being ruled out.

The House Report continues: "'Imminent hostilities' denotes a situation in which there is a clear potential, either for such a state of confrontation or for actual armed conflict."

Do we have a clear potential for a state of confrontation? Of course we do. To say otherwise is to mince words. To say otherwise is to prevaricate; to say otherwise is to strain the language to avoid the obligation that it is the Congress that must approve the use of force overseas.

Some argue, there has not been a large-scale attack on United States troops. Well, let me just remind my colleagues, Mr. Speaker, that United States troops in Bosnia have been shot at, have been wounded, have died in Bosnia. And in the report to the bill as it came out of the Committee on International Relations, there is a documented list, to which I might refer later in debate, as to all of these incidents where American troops have been

shot at, have been wounded, have died. Tell the families of those servicemen and women that there are no hostilities in Bosnia. I do not think anyone can.

The argument is next advanced that perhaps it is the situation that hostilities existed when we put troops into Bosnia but hostilities no longer exist, because we have so successfully put an end to the confrontation there. The War Powers Resolution and our constitutional obligation is nevertheless implicated.

The Under Secretary of Defense, in his letter to our committee, mentioned a likely resumption of hostilities if we did not keep our troops there. The Secretary of State's designee, the Acting Assistant Secretary of State for Legislative Affairs, in her letter to Chairman GILMAN refers once again to the possible recurrence of war, of genocide if our troops are not kept there. All these are legitimate arguments, when we have the opportunity to vote on it, but they completely undercut the argument that there are no hostilities in Bosnia or no likelihood or probability of such hostilities.

There are other indications of hostilities as well, but one additional fundamental argument. Imagine the danger of taking the interpretation that, in order to have hostilities, one must have American soldiers killed in action in higher numbers than they already have been. What a dangerous interpretation of this law. If that is what it takes, then we give an incentive to an enemy of the United States to kill more Americans so as to create the opportunity for a vote. That is why we should have had the vote in December of 1995, before American troops were put at risk.

Lastly, Mr. Speaker, in terms of proving the existence of the use of force, I note the fact that the administration, the Defense Department, pays a hostile fire premium to soldiers. We call it combat pay, but the technical term is "hostile fire pay," and they have been paying that to our soldiers in Bosnia from the start. It is very hard for the administration to argue that there are no hostilities in Bosnia.

So what do we do today? Today we say, it is for Congress to assert its constitutional obligation. It is wrong to continue to let this obligation and authority atrophy.

The question arises, will we be pulling our troops out in a dangerous fashion; will we be pulling them out in the middle of a difficult time; as my colleague, the gentleman from New York (Mr. GILMAN), the Chairman of the committee intimated? No. This resolution allows the matter to go to court. People of goodwill have debated the constitutionality of the War Powers Resolution. If it is constitutional, let us prove that it is. If it is unconstitutional, let us prove that instead; and

then let us reconstruct what there might be in place of this vehicle.

As it is now, we have the worst of all possible situations. The President uses force, and the Congress gives up its constitutional obligation to approve or disapprove, and that, Mr. Speaker, is the greatest tragedy of all.

I recur to the Members of this body who have been touched by the Vietnam experience, and that, I think, includes all of us. Did we not promise that this shall never happen again? Did we not say that next time we will get the approval of the people's representatives before we put United States troops into hostilities overseas? We have let that obligation drop from our fingers for too long. Today is our chance to restore that duty and our honor.

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

The SPEAKER pro tempore (Mr. MCINNIS). The gentleman from New York (Mr. GILMAN) has 25½ minutes remaining; the gentleman from Indiana (Mr. HAMILTON) has 30 minutes remaining; and the gentleman from California (Mr. CAMPBELL) has 15 minutes remaining.

Mr. HAMILTON. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman for yielding me this time.

I do not doubt the sincerity of my colleague from California (Mr. CAMPBELL), but I ask him the question of do we need any more Kosovos? This is a question of protecting lives.

I have been to Bosnia, and I understand the pain of the people who are trying to survive. The War Powers Act has never been utilized; and frankly, I think the irony of this vote may send it to the courts and the courts rule it unconstitutional. But the real question is whether or not we want the courts to run our foreign policy, or do we want the right kinds of decisions to be made on behalf of the people in the Balkans who need the peacekeeping troops who have been there to provide peace. This legislation, frankly, makes no sense; and it adds to the disruptiveness of the process of a foreign policy of which our allies can count on.

Let us not show ourselves as wimps. Let us show ourselves as friends. Let us understand that we are keeping peace, that our military personnel are in peace, that the dangers of loss of life has been diminished and that the people in the Balkans need us. Do we need say anymore?

I hope my colleagues will defeat this resolution.

Mr. Speaker, I rise today in strong opposition to this resolution. Everyone on the floor of the House knows that we have American troops defending the peace in Bosnia.

Why would we want to put those troops in harms way by passing a resolution that would send a clear message that we do not support their presence there?

Why would we want to send a message that we no longer support the Dayton Peace Accords?

Now is not the time to test the War Powers Act with the lives of our troops. The enemies of peace are watching us today and there is no reason to give them any other signal than our continued support and commitment to maintaining the peace in Bosnia.

The recent venture by the brutal Serbian police action should be enough of a warning signal. These forces are just waiting for us to show any sign of weakness so they can take advantage of the situation in Bosnia.

As a member of the House Judiciary Committee, this resolution makes no sense at all. The separation of powers never gives the right of our courts to decide matters of foreign policy. Courts have declined to do anything like this over and over again.

So, for reasons of both policy and procedure, I am strongly opposed to this resolution.

Mr. HAMILTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I rise in strong opposition to this resolution. I believe that it is legally incorrect. I believe it is strategically a mistake, and I believe morally it ought to be rejected.

I, of course, was one of those who believed strongly that the United States and its allies ought to act decisively in the Balkans, particularly in Bosnia. I urged, as my colleagues will recall, the unilateral lifting of the arms embargo so that peoples under siege could defend themselves. I believe that was the morally correct and legally correct position.

This resolution I believe is legally wrong because, contrary to the arguments of my friend from California (Mr. CAMPBELL), who maintains that we are in the midst of hostilities, I would suggest that any person deployed anywhere in the world is subject to hostilities. We have tragically lost men and women in uniform as the result of terrorist acts or some other act in places of the world that clearly hostilities did not exist, Japan being an example, West Germany being another.

I believe that, strategically, the adoption of this resolution would be a significant and unfortunate mistake. The deployment of U.S. troops and allied troops in Bosnia was pursuant to an agreement, the Dayton Accords, in which all parties to the conflict agreed to accept United States and allied troops for the purposes of peacekeeping, not for the purposes of projecting themselves into hostilities. So that even if one adopts the argument that 5(c) of the War Powers Act is sustainable, one should reject the presumption that it applies in this instance.

I urge my colleagues to reject this unfortunate resolution.

Mr. CAMPBELL. Mr. Speaker, I yield 5½ minutes to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, I am going to vote in favor of this resolution. Let me say, first, that I think the predictions of chaos and gloom are mistaken. If we were to vote this resolution and begin an orderly process of involving the courts and requiring this Congress to face up to its responsibilities, nothing would happen precipitously. We would have plenty of time to deal with it.

□ 1215

I am voting for the resolution for a couple of reasons. First of all, I have consistently, since being here, taken the position that the President of the United States should not commit significant troop levels for prolonged periods of time without congressional approval. That is whether I agree with the specific commitment or not.

A lot changed for me in 1992. 1992 was a good year electorally, but it did not change my constitutional view that the President ought not to be making these commitments. To respond to emergencies is one thing, but a long-term commitment is another. It does seem to me that we ought to have congressional approval. I believe that with regard to Iraq, I would support military action against Iraq if they violate the agreement they made recently, but I do think it ought to come here first.

I have a particular reason for supporting this. It is really made clear in the letter from my leaders and colleagues on the Democratic side. It said, "Third," the third reason for voting no, "If U.S. troops leave Bosnia, our allies will leave. There will be no NATO force in Bosnia without us." That is intolerable.

That is what I find most attractive about this. We have got to put an end to the greatest welfare program in the history of the world. That is the welfare program whereby the wealthy nations of Western Europe, prosperous, strong, and facing no enemy, continue to be heavily subsidized by the taxpayers of the United States.

If you lose your job in Germany or France or Italy tomorrow, you do not lose your health care. People in our districts who lose their jobs will lose their health care, in many cases. We just saw a reference to a bill, we tried our best to change it, that is not working, because people are priced out of the market.

How come those countries can afford to provide health care to people who lose their jobs and we cannot? Because we do them the enormous favor of paying their military budgets. It made sense for the United States in the late forties to go to the aid of a weak and poor Europe facing a Communist threat. Today Europe is strong, the Communist threat has disappeared, and the only constant is that we continue to spend tens of billions of dollars on their defense.

I accept our responsibility in South Korea, I accept our responsibility in Iraq, but why, what is written that says if we leave, they have to leave? Can Europe do nothing by itself? Are Germany and England and France and Spain and Norway and Belgium and Denmark, with a little help from Luxembourg, are they not all capable of keeping some troops in Bosnia, Bosnia, which is so close to them?

We are going to be asked very shortly, in a supplemental appropriation, to cut funds for important American domestic programs to pay for those troops in Bosnia. They will not be making those cuts in Germany and England. By the way, when it comes to people in need, I am for it. I am going to vote for the IMF, if we can work out the right conditions. I want American money to go to help alleviate distress overseas. But I am not prepared to have the United States taxpayer continue to subsidize the nations of Western Europe, and encouraging in them the greatest sense of welfare dependency we have.

We cut funds to American welfare recipients because they should be out on their own. So should Western Europe. I simply want to repudiate this notion, if U.S. troops leave Bosnia our allies will leave. Why? What is this, follow the leader? Simon says? Yes, it is true, probably in the short term, because we are the great enablers of European dependency. We are the ones who in fact allow the wealthy and powerful collection of nations that consist of Western Europe to act as if they were incapable of doing anything on their own. If we do not in fact take a lead, that is what will continue to happen.

I am in favor of a continued presence in Bosnia, but it ought to be European. We will be in South Korea without the Europeans. We will do Iraq mostly alone. But the Europeans ought to do Europe.

The fact is that what this resolution aims at is an intolerable status quo, a status quo in which the American people, taxpayers, are being asked to pay an undue burden. By the way, I am not suggesting that the answer is that Europe has to greatly increase its military.

My conservative friends have made a very good important point: When a good is free, people will take more of it than they need. As long as the American taxpayer will extend for free to the Europeans the services of the American defense establishment, the Europeans will claim more of it than they need. They are threatened by no one. They have a responsibility. We will meet our worldwide responsibilities.

I hope we will vote for this resolution, in fact to repudiate the third point in what my leaders have said. There is no reason at all why the United States should have to spend bil-

ions of dollars which we will soon be taking from our own domestic needs to subsidize Western Europe.

Mr. HAMILTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Missouri (Mr. SKELTON).

Mr. GILMAN. Mr. Speaker, I yield 3 minutes to gentleman from Missouri.

The SPEAKER pro tempore. The gentleman from Missouri (Mr. SKELTON) is recognized for 5 minutes.

Mr. SKELTON. Mr. Speaker, I rise in opposition to this House concurrent resolution. I guess it is the small town country lawyer coming out in me, but to begin with, this is legally wrong.

Under the original War Powers Act a concurrent resolution was required. Subsequent to that there was a Chadha decision in 1983 that says you cannot do it without a joint resolution, that gives a President the opportunity to agree or disagree. Subsequent to the Chadha decision there was a statute that was all-encompassing, including this statute, the War Powers Act that requires a joint resolution. Consequently, this being an attempt to pass a concurrent resolution at best is moot.

That in and of itself is enough reason to oppose it. But it should be opposed for other reasons, for policy reasons, for practical reasons as well. The policy implications of adoption of this resolution are clear. Adoption of this resolution by this House would send the wrong message, a very wrong message, to our troops in Bosnia, of whom I am so very proud, to our allies and friends helping us in Bosnia, and third, to friends and foes alike around the world.

First, our troops would view the adoption of this resolution as telling them that despite their efforts, which have been successful in bringing peace to Bosnia, we made a mistake. My views on our efforts in Bosnia have evolved over the last 3 years to reluctant support, and I do support it.

Mr. Speaker, our troops are doing a magnificent job. I have had the opportunity to visit with them just a few weeks ago in Bosnia, and I tell you that they know what they are doing, they know that it is a success, and they are proud of the fact that they are there bringing peace to that troubled corner of the world. I thank them for what they are doing.

Second, our allies and friends in Bosnia would wonder why this Congress is taking this action when now we made not only substantial progress in this effort, but we are near real success. Since we have become directly involved in Bosnia through our diplomatic efforts 3 years ago, the war in Bosnia has stopped.

We are in Bosnia there with allies and friends. Thirty-eight other countries are involved with us. Those combined forces make a substantial contribution to this joint effort. The other nations are contributing about 75 per-

cent of the military forces, and the current stabilization force is a successful effort. About 85 percent of the funds for economic reconstruction are being supplied by our European and other allies. I say this to remind my friend, the gentleman from Massachusetts (Mr. FRANK), who was talking about them not paying their fair share. Mr. Speaker, they are.

Mr. Speaker, we will be sending the wrong message to friends and foes alike. They would view the adoption of this resolution as a sign that the United States is rethinking its role as leader in the world. Mr. Speaker, we are the leader of this free world. We have stepped up to the plate. We are there batting a thousand. We must continue that in Bosnia.

The role as leader on the world stage is so very important. It has been said, and they will say so, our allies from Europe will say so, that they could not do it by themselves. Remember, they were there with UNPROFOR and that did not work, and it took American leadership to go in with the IFOR and now the SFOR.

Were this to be adopted, the credibility of this country, the credibility of our leadership would be undermined drastically. Europe continues to be of vital interest to the United States. On two occasions earlier in this century our country fought wars to keep the Old World from falling under the domination of hostile powers. From 1945 until 1989 we found ourselves involved in another struggle, the Cold War, which compelled us to keep some 300,000 troops in Europe until that conflict ended in 1989.

Now for the third time in this century we are trying to secure an enduring peace, because if we are able to do this, the rest of Europe will follow and there will be a peaceful Europe, under the leadership and because of the leadership of the United States of America.

Mr. CAMPBELL. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. BONILLA).

Mr. BONILLA. Mr. Speaker, I thank the gentleman for yielding me the time. I rise in strong support of the resolution he is presenting today.

Mr. Speaker, this is not about some of the issues that have been discussed earlier today and it is not about the merits of the War Powers Act. That will be decided ultimately by the courts. What I mean by that is the constitutionality. This is not about preventing the President, if he would choose to do so, to withdraw our forces from the Balkans and from Bosnia in a smooth fashion, and transfer those responsibilities to Europeans.

We are certainly not voting today on the performance of our troops. They are doing an outstanding job, as they are assigned, in Bosnia. In fact, I have just returned from Bosnia and can report that our forces have achieved their military goals.

But political success is another story. Political success is many years away. This is not a secret. I think everyone knows that the President's promises of quick success were not grounded in reality. The question before us today is does America, does America have a national interest in Bosnia that justifies a long-term, expensive military commitment.

The costs of this commitment are real and extend far beyond the billions of dollars that we have to appropriate in the upcoming supplemental bill. They include the young soldier that I met from east Texas on the trip to Bosnia who told me that his wife is about to leave him because he has been over-deployed too many months, too many times overseas during the last 2½ years. His family is falling apart. It was a gut-wrenching moment when he had to confess that before several other troops during a lunch we had with the troops at Camp McGovern.

Others told me about the necessities they have for pay raises and health care needs. When I go back home I talk to veterans of World War II, Korea, and Vietnam who say that they cannot even get to see a doctor anymore, because there is not enough money in the budget back home to pay for their medical needs.

So what we are making is a choice here between spending money and endangering our troops' lives overseas on questionable social engineering projects, or choosing to spend that money on keeping our military strong.

A lot of people out there do not realize that our military is not even what it was during the Gulf War. We cannot sustain another effort like that because of our overdeployment. We are spread too thin. Our troops' morale in some cases is already in question. We do not have a national interest in Bosnia that justifies this cost in other areas of our military operations, or in perhaps some other areas that we may have to cut back on in social spending that my colleague, the gentleman from Massachusetts, alluded to earlier on.

□ 1230

He was very eloquent in his remarks about the commitment of Europe in this project. Why can we not, after leading the peacekeeping mission in the first place, now be able to turn over this project to our European friends? Why has not the administration worked the phones and tried to get the leaders of countries in Europe to say, when we have done so much, we have got things established here, why can we not turn it over to you now? After all, it is in your own backyard.

The bottom line is we are having to make tough choices today, and let us not think that because of the wonderful things we have accomplished so far in Bosnia that we are somehow doing more than propping up a house of cards

that could fall apart once we leave. We cannot make everyone in Bosnia love each other. We cannot solve problems that have existed for generations there. I urge my colleagues to vote for this resolution to end this deployment. It would be criminal to do otherwise.

Mr. HAMILTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Tennessee (Mr. CLEMENT).

Mr. CLEMENT. Mr. Speaker, I thank the gentleman very much for yielding me the time. As a member of the Committee on International Relations, we had the opportunity to vote on the Campbell resolution just this past week. I was real pleased that the chairman of the Committee on International Relations, the gentleman from New York (Mr. GILMAN), as well as the gentleman from Indiana (Mr. HAMILTON), as well as Members we have heard from, the gentleman from Missouri (Mr. SKELTON), ranking Democrat on the Committee on National Security, all are in total agreement and opposed to the Campbell resolution.

I had the opportunity to travel with the Committee on National Security, the gentleman from Missouri (Mr. SKELTON), to Bosnia. I will tell my colleagues, it was enlightening to me. I had so many of the people that live in that troubled area come up to me and thank America for being a part, for bringing peace in the area. If it was not for the United States, we would not have peace in the Bosnian area now. Remember those terrible pictures, remember the television scenes of the rape and pillage and destruction in that area and how quickly we forget. It was the United States of America, the Dayton Accord, that showed the leadership and the vision to bring about peace.

I asked the rank and file members, our soldiers, not the colonels and the generals, but the soldiers, I said, do you think we should stay there after June 30 of this year? Without exception they replied, Congressman, I am homesick, I miss my family, I miss my friends, but we ought to stay in Bosnia after June 30, or everything we have done will be unraveled. We do not need to do that.

That is where World War I started, and how quickly we forget that, too. I am proud of the United States. I am proud of our leadership. I am proud of our soldiers. I am proud that they are making a difference. I think this particular resolution on legal grounds as well as on policy grounds is not in our best interest.

Vote against the Campbell resolution.

Mr. GILMAN. Mr. Speaker, I yield 7 minutes to the gentleman from Indiana (Mr. BUYER).

Mr. BUYER. Mr. Speaker, this is not easy for me. This is not easy for me because I have covered the waterfront like the gentleman from Missouri (Mr.

SKELTON) on this issue. We had a good discussion at a hearing this morning with the Secretary of State and the Secretary of Defense and the Chairman of the Joint Chiefs of Staff and General Wes Clark. I thought it was a very productive hearing the gentleman from Missouri (Mr. SKELTON) held with the gentleman from South Carolina (Mr. SPENCE) of the Committee on National Security.

It was some time ago the gentleman from Missouri (Mr. SKELTON) and I and the gentleman from Pennsylvania (Mr. MCHALE), we brought some resolutions to the floor, three of them. As a matter of fact, the first one that we brought with regard to Bosnia was we do not like where the Dayton Accord is going. We heard a lot of the discussions coming out of Dayton, and what was happening was that the President got the parties to the table, and there was some sort of anxiety to get something on the paper and to use U.S. ground forces to separate the warring factions. So they were anxious to do that. But the House stepped forward with a vote of 315 Members that said, wait a minute, do not use U.S. ground forces to separate the parties. Focus, force the parties to focus on the real reasons they are killing each other. That is how we will move to cure. That is what was the vote of this House.

But there really was not the close coordination and cooperation between the House and the administration because they went and did as they pleased. And they used U.S. ground troops to separate the warring factions. When you do that without permitting the parties to focus on why they are killing each other, it will require generations to cure. And there is where we have ourselves today.

The military, I have heard the speakers, they are right, the troops are wonderful. The morale is high. They meet their deadlines. They are doing real missions, and they are proud of their efforts. We should be proud of them. But the civil implementation of Dayton lagged very far behind. The special Ambassador that we have today in that position over the last 9 months has made leaps and bounds in progress. He needs our support.

Now, it is awkward for me to be standing here saying this, but when you go to Bosnia and you see this effort, all of us must endorse an enduring peace in Bosnia. The ultimate question is by whom? I believe the United States as a sole remaining superpower has a responsibility to quiet and ensure regional stability. But when you have then civil wars within a region that pose no threat to destabilize a region, then we need to rely upon our regional allies. Aha, there is the debate.

I do not believe, as the last Speaker or the Vice President or the President says, we had to be in Bosnia because Bosnia had the potential of destabilizing Europe. That is false. We do

not have the same dynamic of the Hun-garian Empire. The emotion of saying, well, that is where two wars started does not move me. I think it is important for us to place great stressors on our European allies to play a greater role, but where we are today is when the President has stepped forward and he has said that with regard to the civil implementation process in Bosnia, we will set real benchmarks for success, I will share with the House that I am working with the gentleman from Nebraska (Mr. BERUTER) and we will bring a resolution to the floor that these will be benchmarks with specificity. They will neither be vague nor ambiguous. And we will also give some dates certain to move that process along, because we do not want to be in Bosnia for the next 15 to 20 years. I think that is the intent of the gentleman from California (Mr. CAMPBELL). I agree with him.

I also voted with the gentleman from Illinois (Mr. HYDE) a few years back to repeal the War Powers Act. You say, well, how can you then vote against the gentleman from California (Mr. CAMPBELL) today? Well, because I do not like using the backdrop for what he has done here. I do not like the backdrop on Bosnia.

I gave the commitment to the President that, yes, I am your critic, but I am your constructive critic. I want to help you get out of the box from which we are presently in. You see because when I was in Bosnia, I did not see evidence of where a true self-sustaining peace was at hand. That is hard for me to say. The United States is presently caught. We are in a box. If the United States, if we leave, the parties will likely, with likely probability, return to bloodshed. Therefore, the U.S. forces remaining, we provide the reassurance to the people, and at the same time we provide cover to the elected leaders who move slowly and call for patience.

Changing the dynamic in Bosnia is extraordinarily important because the leaders in Bosnia of the Croats, the Muslims and the Serbs were also the present war leaders. These individuals focus on their differences, what separates them, rather than that which could bring them together in commonality.

The elections this fall will be very important. So what we hope to do not only is in changing this dynamic, but when we set these, when we set real benchmarks to measure success, it is also matched with troop reductions that we then move to an over-the-horizon position. That is where we want to take this.

So, reluctantly, I have to come to the floor and oppose the gentleman from California's measure. It is not easy for me to do that, given how I feel on the War Powers Act, and I wanted to share that with you.

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

Mr. BUYER. I yield to the gentleman from Missouri.

Mr. SKELTON. Mr. Speaker, first let me thank the gentleman from Indiana for his statement, for his sound reasoning, and for his courage in his comments today. The troops have no better friend than the gentleman from Indiana. I know, not just those in Bosnia, but those across the world appreciate his efforts on their behalf.

What the gentleman from Indiana says is so true about American leadership and necessity for us being there. As he pointed out, I have rethought my position. I agree with him. I think he is right. I think we should continue on.

Mr. BUYER. Mr. Speaker, I thank the gentleman from Missouri.

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

Mr. Speaker, the debate is not over whether American troops should be in Bosnia or not, the debate is on a resolution which says Congress should decide whether they should be there or not. Otherwise we are a debating society. That is all we are.

The President does what he wants. We can talk about it, but we have no power. That is wrong. It is constitutionally wrong. It is wrong for the respect we owe our troops in Bosnia.

The American Legion supports this resolution, Mr. Speaker. They do because they believe, and I quote, that "the administration must now decide on the extent of the future mission in Bosnia and explain to the American people and Congress how many forces will be needed, what their security missions will be, and for how long will they be deployed," end quote.

Our debate will at some point, God willing, be on whether we should be in Bosnia or not. All we debate today is whether it is the duty of the Congress to give that approval in advance, and whether the President, not having obtained that approval in advance, must now seek that. It is patriotic, and it is responsible to the soldiers under fire in hostilities that we do so.

Mr. Speaker, I yield 4 minutes to the gentleman from Florida (Mr. SCARBOROUGH).

Mr. SCARBOROUGH. Mr. Speaker, I thank the gentleman from California for yielding me this time. I certainly respect people on both sides of this argument, certainly the ranking member of the Committee on National Security and the gentleman from Indiana, the chairman of the Subcommittee on Military Personnel, that just spoke.

I am a member of the Committee on National Security myself. I hear all these arguments, but they are arguments on policy, they are not arguments on Constitution; they are not arguments on law, they are not arguments on the procedure that James Madison and our Founding Fathers gave to us over 220 years ago on how we were going to run a war, how we were going to send troops across the world.

James Madison wrote in the early 18th century that the Founders intentionally vested the instruments of war-making capability in the hands of the legislative branch because they knew, the Founders recognized, that the executive branch would be the most prone to war and be the most prone to sending troops across the world.

Look what has happened now. We have more troops in more places across the world than at any time in the history of this Republic. We are giving them less to work with. They have been well-founded.

Somebody said this was about us being wimps or about protecting lives or waving the flag or supporting the troops. Those arguments are all red herrings. The fact is that indefinite mission creep, the type we have seen over the past few years, without congressional consent will do violence to the Constitution and do violence to the ideals of Madison and of Jefferson and of our other founders.

Back in 1995, the President promised 1 year, and then we were promised another. Now it is indefinite. For those people that do want to argue policy and say, well, gee, we need to let this go on without congressional consent, I am reminded of testimony by a U.N. General to the Committee on National Security from Canada back in 1995 before we went in there. He said, you Americans think you are going to tidy this up in a year or two with one or two divisions. He said, you have no idea what you are doing.

The fact is, he explained about how he was responsible for seeing what war crimes had been committed. He said one morning he went and he saw where Muslims, women and children, had been slaughtered and thrown off the roadside. A Serb came up to him, and he said, "it serves them right." The U.N. General said, "it serves them right?" For what? For what?

□ 1245

And the Serb responded, "Because of what they did to us in the 17th century." This U.N. general looked at us, laughed, and he said, "And you silly Americans think that you are going to get this resolved in a year or two." We are not.

And it is not about whether I believe we should be in Bosnia or not, it is about whether we in this Congress are going to face up to the constitutional obligations that James Madison and our Founding Fathers gave to us over 220 years ago. And if we are not willing to do that, then we are going to find ourselves here next year and the next year and the next year; and I think that is unfortunate.

Mr. HAMILTON. Mr. Speaker, I yield 2½ minutes to the distinguished gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, I, too, have had the chance to go to Bosnia;

and I can say that there is a myth that exists that says that people just cannot get along with each; they just hate each other and are going to kill each other. That is not true.

There is leadership in that area which drilled hostilities and which made it possible for conditions of war to erupt. It is not that there is something in the hearts of those people that they cannot get along. Those people are us. We are those people.

I met with widows in Srebrenica, whose husbands were thrown into a ditch after they were shot, who are still asking the question about why; and who still hold out a hand of friendship and brotherhood with people who they have been told are enemies.

We have to realize there is no imperative here for war. There is an imperative for peace as long as the United States is involved with the 34 other nations which exist to help keep peace.

Now we have heard from sources here today. Let me quote a few sources.

General Wesley Clark, Supreme Allied Commander of Europe. He says, if this resolution passes, it will say to our troops and to everyone else that being there was a mistake; we did not really mean it when we sent our troops to Bosnia. He says, it would undercut all our efforts in Bosnia if this resolution passes.

General Shelton, Chairman of the Joint Chiefs of Staff, has said, pulling U.S. forces out of Bosnia would cripple the mission at a critical time when we are achieving success in that troubled country.

I met with the widows. I saw places destroyed as a result of this war. But I also saw a people who are struggling to rebuild. I saw a nation which has hope because the United States of America has stood by its commitment for freedom and justice, because the United States of America, a leader of 34 nations, has said that we are not going to let genocide exist anywhere in the world.

We know that over 50 years ago there was genocide. We know that it occurred in Europe as a result of nationalism, religious and racial hatred. We know that there was an attempt to make an area ethnically pure.

We also know the international community a few years ago stood by silently as more than two million people were displaced. The international community stood by silently when there was two million people displaced and 200,000 human beings killed.

Now we are in a role of leadership. Now we are in a role where our troops are doing a job. We are in a role where we are a leader among nations, and we are keepers of the peace. That is our mission, and that is our role. Let us keep the peace. Let us reject this resolution.

Mr. CAMPBELL. Mr. Speaker, I yield 4 minutes to the gentleman from Washington (Mr. METCALF).

Mr. METCALF. Mr. Speaker, I wish to thank the gentleman for yielding me this time and for bringing this legislation before us today.

Mr. Speaker, we are here today debating this issue nearly 1½ years after the promised withdrawal date of December, 1996. That withdrawal date was then extended to June of 1997. Later, the withdrawal date was extended to June of 1998. Recently, the withdrawal deadline was completely eliminated; and U.S. troops are now apparently permanently stationed in Bosnia.

I want to make it clear at the outset that I will do everything necessary to support our troops, and I commend them for their actions in Bosnia. However, I believe the best way to support our troops is to bring them home.

During the initial debate surrounding the deployment of troops to Bosnia, this Congress went on record in opposition to the deployment, stopping just short of complete denial of funds. Regrettably, the President committed troops anyway; and our concerns have been realized.

In December of 1997, I came to this floor to oppose the deployment of troops in Bosnia. I opposed it because the President had failed completely to specify the mission of our deployment and what vital United States' interests were threatened. I felt the mission had little chance, given the lack of clearly stated or understood objectives.

In my speech, I stated that we have learned through sad experience that it is easy to rush troops into an area of contention, but it is extremely difficult to solve the problems once we get there and even more difficult to get out in a timely and honorable way. Mr. Speaker, that has indeed become the reality in Bosnia.

The President failed completely to outline the goals that our military had to achieve before they could safely leave. A well-defined exit strategy, based on achievement of a set of tactical goals, has been lacking from the start. Now the President, after repeatedly breaking his promises regarding the withdrawal, has extended the deployment permanently.

Mr. Speaker, the resolution today is a simple one. It states that the President must receive an authorization from Congress or must withdraw the troops from Bosnia. Furthermore, under the War Powers Act, the Congress must authorize any extended deployment when troops are subject to hostilities.

I know that no one is going to argue that American troops are not facing hostilities in that region. Coalition soldiers have been killed, and American troops are properly receiving combat pay because of the deployment. Combat pay is deserved because of the hostilities that exist, but that pay determines that the War Powers Resolution must apply and that continued deploy-

ment is dependent upon a specific authorization from Congress.

In closing, I want to again commend the gentleman from California (Mr. CAMPBELL) for the legislation and urge a "yes" vote on this legislation.

Mr. HAMILTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Speaker, I thank the gentleman for yielding me this time; and I rise in opposition to this resolution, which I feel sends the wrong signal about our mission in Bosnia today. It sends the wrong signal to the hard-liners in that country, the wrong signals to the people in Bosnia, who are facing crucial national elections this September.

A few weeks ago I, along with the gentleman from Ohio (Mr. KUCINICH) and four of my colleagues, had a chance to go over and visit Bosnia on a fact-finding mission. What I saw there, the mission being pursued and the men and women in American uniform performing that mission, made me proud. Except for the day when my younger brother returned home from the Gulf War, I have never felt more proud to be an American.

By all accounts, this peacekeeping policy in Bosnia has been an unqualified success. The Dayton Peace Accord is working; NATO is working; the killing has stopped; the genocide, stopped; ethnic cleansing and rapes, stopped; economic development is taking root; democratic institutions are being created; and the children of Bosnia are laughing and playing outside again, all because of our involvement. This, in essence, is the best of America.

Our bipartisan delegation drafted a statement of our findings which I would like to insert into the RECORD at the appropriate time.

Now is not the time to turn Bosnia over to the hard-liners again; and I, for one, do not intend to surrender the children on the streets of Sarajevo to the snipers again. I urge my colleagues to support the mission and the people of Bosnia. Support our troops in Bosnia. Oppose this resolution.

Mr. Speaker, the document referred to earlier is submitted, as follows:

#### OBSERVATIONS AND CONCLUSIONS

(By Representative Roger Wicker, Representative Saxby Chambliss, Representative Lindsey Graham, Representative Gil Gutknecht, Representative Ron Kind, Representative Dennis Kucinich)

1. The delegation wishes to acknowledge the impressive professionalism and dedication of U.S. service personnel serving on the ground in Bosnia and supporting Operation Joint Guard from deployment sites in Hungary and Italy. It was clear that U.S. military forces are performing their mission in an exemplary fashion. They are being asked to do more with less and are responding admirably. The American people can be proud of the way their armed forces—active duty, reserve, and national guard components—have risen to the challenge of ensuring a peaceful, secure, and stable environment in

Bosnia. All Americans owe these soldiers, sailors, airmen, and marines a debt of gratitude.

2. We have been informed that U.S. force levels in Bosnia are likely to be reduced from the current 8,500 to 6,900. We are concerned that a lower troop level may lead to increased risk, given the potential for violence directed against or involving U.S. troops as they execute their missions. We believe that an appropriate level of forces in Bosnia must be based on a sound military assessment of the risks and not on any political considerations. Force protection must be a top priority. Increasing the risk to U.S. forces is not an acceptable policy option. At a minimum, we recommend that U.S. force levels not be reduced until after the September 1998 elections are held and a review of the security situation is conducted. We feel that progress in Bosnia should be judged by the achievement of specific milestones and that any troop reduction should be tied to the achievement of these milestones.

3. Prior to the elections in December 1997, which brought to power more moderate leadership within the Republika Srpska, hard-line Bosnian Serbs in power demonstrated an unwillingness to comply with the terms of the Dayton Agreement. As a result, the overwhelming bulk of Western economic aid has flowed to the Muslim-Croat dominated Federation of Bosnia and Herzegovina. The recently elected moderate government within the Republika Srpska lacks the financial resources to function effectively, raising concerns about the government's political viability. We were advised by our military and diplomatic leadership that \$5 million in U.S. assistance to the new Republika Srpska government is essential, as part of a \$20 to 30 million dollar international assistance package, to demonstrate our commitment to the long-term viability of the new government until it begins generating sufficient revenues on its own. We strongly support appropriation of this \$5 million in assistance. Compared to the \$2 to 3 billion dollars invested annually in support of the military operation, \$5 million is a relatively small price to pay to ensure the stability of the new, reform-minded Republika Srpska government. However, we also believe that any U.S. assistance of this nature should not be funded from Department of Defense accounts.

4. Among the more pressing needs within Bosnia is the establishment of an economic infrastructure that will give the Bosnian people sense of hope and the prospect of a brighter economic future. Without a productive economy, we believe there is little chance for a lasting peace.

5. The need for a continued American troop presence on the ground in Bosnia was stressed by U.S. military commanders, political officials, diplomats, and the Bosnian people with whom we met. There is a widespread conviction that U.S. troops are essential to preventing a resumption of war. Having seen the situation in Bosnia first hand, it is clear to us that the presence of American forces is necessary.

6. The September 1998 Bosnian elections will be a watershed in determining whether Bosnia moves forward or backward. Until then, we believe that the United States should actively continue to support the process of Dayton implementation. Given the effort already expended, it would be foolish to change our political, diplomatic, or military policy in Bosnia before the September elections have taken place. However, we do not believe that the U.S. commitment can be open-ended. SFOR will provide important

support to the Office of the High Representative in its efforts to create the climate for a fair election. Notwithstanding our observations of the role in peace being played by U.S. troops, we are concerned about the annual exercise of funding our peacekeeping operations in Bosnia by means of supplemental appropriations. We encourage the Administration to pursue means by which such contingencies can, at least to some degree, be funded other than at the cost of other important national priorities.

7. We are convinced the United States has a vital interest in the stability of Central Europe. The United States is the undisputed leader of the Free World. This role carries with it responsibilities, and among these is participating in efforts to ensure Europe's stability. However, it is our desire that the future of Bosnia ultimately be determined by the Bosnian people themselves.

Mr. CAMPBELL. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. PAUL).

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

I rise in strong support of this resolution, and I compliment the gentleman from California for bringing it to this floor.

This is an immensely important constitutional issue and one that we should pay close attention to and obviously support. I would like this same principle, of course, to apply across the board, especially when it comes to bombing foreign countries, like Iraq, because we should not be involved in war efforts without the consent of the Congress.

The Constitution is very, very clear on this. Unfortunately, policy has drifted away from a noninterventionist constitutional approach. Just in the last 2 days we had five resolutions implying that we have the economic strength, we have the military power and the wisdom to tell other people what to do.

Usually it starts just with a little bit of advice that leads next to then sending troops in to follow up with the advice that we are giving. So I think this is very, very important, to get this out on the table, debate this, and for Congress to reassume the responsibility that they have given to an imperial presidency.

Prior to World War II there were always debates in the House of Representatives any time we wanted to use military force. Whether it was 150 years ago, when we decided to spread our borders southward towards Mexico, or whether 100 years ago when we decided to do something in Cuba, it came here. They had the debates, they had the arguments, but they came to the floor and debated this.

Today, ever since World War II, we have reneged on that responsibility. We have turned it over to the President and allowed him to be involved. We have given him words of encouragement that implies that we support his position. We do so often and, as far as I am concerned, too carelessly. But

when we do this, the President then assumes this responsibility; and, unfortunately, since World War II, it has not even been for national security reasons.

The Persian Gulf War was fought with the assumption that the administration got the authority from the United Nations. If we are to express ourselves and to defend our national sovereignty, we should have the Congress vote positive on this resolution because it is so critical.

Today, we have been overextended. Our military is not as strong as some people believe. Our economy is probably not nearly as strong as some believe. We have troops that could be attacked in Korea. We have the potentiality of bombing Baghdad at the same time we have troops in harm's way in Bosnia. So we have spread ourselves too thinly, and we are vulnerable.

We have a responsibility here. The Congress has a responsibility to the American people. We are here to defend the national sovereignty and the protection of the United States. Troops in Bosnia threatens our national security and threatens the lives of the American citizen who is protecting or fighting in this region. So it is up to us to assume this responsibility.

Mr. GILMAN. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi (Mr. TAYLOR).

Mr. TAYLOR of Mississippi. Mr. Speaker, I wish to tell my friend from California (Mr. CAMPBELL) that, had this vote been taken 1 year ago today, I would have voted with him.

In October, I went to Bosnia, after doing everything I could to keep our troops from going there both under a Republican and a Democratic President. I went to Bosnia with a bad attitude and a notebook looking for kids to tell me that we should not be there, and I spoke with hundreds of them. Not one said we should not be there.

See, we are asked to put our political lives on the line. Those kids are putting their lives on the line. They think they should be there.

Should Congress vote every time troops are deployed? Absolutely. But that is not what this resolution is about. This resolution is pulling the plug on the most successful American military venture in the history of our country.

Are we somehow disappointed that there was not a body count; that there were not thousands of Xs killed; that our smart bombs did not blow up bridges? I can assure my colleagues that I, as a Congressman, am not in the least bit disappointed that I did not have to write letters of condolences to the moms and the dads and the spouses and the kids because we did not lose anybody.

This is one of the greatest victories in American military history, and we

won it almost without firing a shot. Every one of the established goals they have accomplished. Not because of me, but because of guys like Walter Yates, Master Sergeant Taylor, PFC Rhodes from Ocean Springs, Mississippi. They did their job, and we ought to be proud of them.

□ 1300

I am not going to pull the plug and see to it that those things that they have accomplished are for naught. Some people come to this floor and say, well, we are building four-bedroom, three-bath houses with swimming pools for these people. Go to Brcko. Do you know what their idea of peace is? Peace is being able to walk into the front yard to a circle of bricks 6 feet deep that they throw a bucket down and get their water; and every night they get on their knees and pray to their god in gratitude that that night they will not be raped, they will not be tortured, their husband will not be drug off, and just maybe their kids who had to flee four or five years ago can come home.

Our troops have done a magnificent job. We should support them. We should defeat this resolution.

Mr. CAMPBELL. Mr. Speaker, I yield myself 30 seconds. If the gentleman from Mississippi (Mr. TAYLOR) would stay on the floor just for a moment. I am pleased that he would have voted in favor of my resolution one year ago.

What has happened to the Constitution of the United States during the last year, Mr. Speaker? If it was our obligation one year ago to say yea or nay, it remains our obligation to say yea or nay. On the policy itself, if it is a good one, we should vote yea at this time.

Mr. TAYLOR of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. CAMPBELL. I yield to the gentleman from Mississippi.

Mr. TAYLOR of Mississippi. Mr. Speaker, correct me, but my colleague's resolution says that they should withdraw within 60 days. It is not a question whether or not they should be there. He is mandating that they would withdraw. I am not going to do that. I am not going to pull the plug on those kids.

Mr. CAMPBELL. Mr. Speaker, I yield myself an additional 30 seconds.

I am so pleased that my friend from Mississippi has raised this at this point. The wording of the resolution is critically different from what he just told this body, in good faith, I am sure. My resolution says that the troops must come home unless the President obtains the approval of the House of Representatives and the Senate of the United States, unless he obtains that approval; and they are not to come home until 60 days after a court of competent jurisdiction has issued a final judgment that we are proceeding in a constitutional manner.

So it is not correct that we are pulling the plug. We are pulling the plug only if the President does not ask us for permission.

Mr. Speaker, I yield 4 minutes to the gentleman from South Carolina (Mr. SANFORD).

Mr. SANFORD. Mr. Speaker, I rise in support of this amendment for a couple of different reasons, but the first reason I rise in support is this simple document called the Constitution.

What is interesting about this document, I am not a lawyer, I am not a legal expert, but what is interesting about the Constitution is it was written in layman's terms. And when I look here in section 8 and I read that it is the Congress that shall have the power to declare war, to raise and support armies, to provide and maintain the Navy, et cetera, it seems to me crystal clear that the Founding Fathers, for some odd reason, wanted the Congress to be involved in the event of war.

Now why is that? War is a very messy thing. We have 435 folks over here, we have 100 folks over on the Senate side; it is hard to get agreement on anything. Why would they want us to be involved in that messy process? And I think the reason, quite simply, is the reason of accountability.

How many of my colleagues have seen the President of the United States in the local grocery store shopping for a gallon of milk? I mean, maybe if it is some weird press opportunity he is there, but it is not a normal occurrence. And yet, 435 folks clear outside of here every weekend and go back to their Congressional districts. And in fact it was just last Friday that I, along with my five-year-old boy Marshall, went to the Harris Teeter on East Bay Street in Charleston, South Carolina, to get a gallon of milk; and it was there that three folks came up to me and said, you know, MARK, this bothers me about x, y, and z, three different issues that were of concern to folks at home.

What the Founding Fathers wanted, the reason they had it here, was they wanted accountability. When body bags come back from a war, they do not come to Washington, D.C. They go to Tulsa, Oklahoma. They go to Topeka, Kansas. They go to Savannah, Georgia. They go to a lot of different places that are represented by the 435 districts in this body.

So what I would ask as we contemplate this resolution is that we think about not only the accountability that the Founding Fathers intended but also on how this has been a reasonable and tested idea.

The War Powers Act came out of a democratically controlled Congress; and what it said was that through this learning experience called the Vietnam War, at the end of 60 days, or possibly 90 days with an override, but 60 days it is this body that ought to decide on things like war.

Without further ado, I rise in support of this amendment. Again, we have had a lot of discussion on Bosnia and on leadership. This would do nothing to Bosnia. It would do nothing to our status as a world leader. But what it would do is preserve this thing called the Constitution and making sure that the President comes here to check out things like war.

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

Mr. HAMILTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California (Mr. BERMAN).

Mr. BERMAN. Mr. Speaker, I would like to speak to the comments of the gentleman from South Carolina and earlier the gentleman from Florida, who talked about our constitutional obligation. Because I think when we examine this closely, and I say this with tremendous respect for both the sincerity and the principle, not to mention the legal acumen of the sponsor of this resolution, but this is a laughable way to claim we are fulfilling our constitutional obligations, really laughable.

This resolution is pursuant to section 5(c) of the War Powers Resolution, as I understand it. 5(c) says, "notwithstanding subsection (b)," which is the report triggering action language, "at any time that the United States armed forces are engaged in hostilities . . . without a declaration of war," there is not one here, and I will concede generally and I will concede for this purpose that we are in hostilities in Bosnia, "without a declaration of war, without specific statutory authorization," and we have no specific statutory authorization, I do not consider an appropriation to be a substitute for that, "such forces shall be removed by the President if the Congress so directs by concurrent resolution."

If the gentleman from California (Mr. CAMPBELL) had offered a resolution under expedited procedures to test the meaning of the War Powers Act and whether or not a court would uphold it in the best possible circumstances, which is what he claims he is trying to do, he would have offered a resolution to pull the forces out now. He shirked from that, even though that is his true feeling, he acknowledged such in the Committee on International Relations, and instead has put forth this fancy-dancy thing that responds to the gentleman from Mississippi (Mr. TAYLOR) by saying, I am not asking for them to come out; I am simply asking for a resolution that says that after we test this resolution, if we do not let them stay in, they will then come out.

There should be a resolution right in front of us now testing our constitutional obligations, what our view is on this issue, are we for or against this particular intervention and it should be done. They have the expedited procedures we have which they say they

are asking for. This resolution does not do it. I urge a no vote.

Mr. CAMPBELL. Mr. Speaker, I yield 4 minutes to the gentleman from Illinois (Mr. HYDE), the distinguished chairman of the Committee on the Judiciary.

Mr. HYDE. Mr. Speaker, I thank the gentleman for yielding me the 4 minutes.

I find myself in an awkward situation here. I think the War Powers Act is unconstitutional. I think it is a bad law. I thought so when Ronald Reagan was President, not so my friends over there. They thought it was a great idea. When George Bush was President, I still thought it was not a great idea. But so many Members over there, at least some of the more mature, the ones with graying hair, thought it was a great idea. But today they do not think it is such a great idea.

Now Congress would like to finesse this whole question of troops in Bosnia. If something goes wrong, nobody asked us. So the troops are there. They probably should be there. For how long, I am not sure. But we have this War Powers Act, which, in my judgment, is an invasion of the constitutional power of the Commander in Chief.

But, on the other hand, it is a way to get Congress to face up to its responsibility as to whether or not we should put our troops in harm's way. So in a way, inartfully however it is drafted, it does strike a chord in favor of the involvement of Congress in the decision, the very dangerous decision, of committing troops.

So, as far as I am concerned, there has been a double standard on this issue, just as there is on the independent counsel laws. So many people loved the law when the Republicans were in the White House and now they find it fraught with flaws. So we have the War Powers Act, which was a wonderful thing as long as it put restraints on Ronald Reagan and George Bush. But now that we have another occupant of the White House, why, it is shot through with flaws and it is unwise.

So look, it is the law. We have sworn to uphold the law. We have taken an oath to uphold the Constitution. And so, as long as it is the law, the other principle at play here is we should enforce it, we should obey it. As long as we ignore it, we are weakening the very fabric of our laws. And so much as I do not like the law, it is the law.

And since we have not repealed it, and June 7, 1995, I lost here on the floor 201 to 217 "no" to repeal the act, and some of my friends over there who are defending it today voted against me and gave me no help in repealing what I think is a bad law. So we have the law. And today I intend to uphold the law because it is on the books and it is one way to involve Congress in this very important decision.

So I thank and I salute the gentleman from California (Mr. CAMPBELL)

for bringing this forward. Otherwise, this very important and controversial law would just be ignored, and I think that is not exactly adhering to our sworn duties.

So my colleagues are making us face up to a tough question. It is on the books it is the law. As much as I do not like the law and as much as I would like it repealed, it is not repealed. They will not let it be repealed. So let us enforce the law and hope for the best.

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

Mr. GILMAN. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. COX), the chairman of our policy committee.

Mr. COX of California. Mr. Speaker, I thank the chairman for yielding me the time.

I rise in opposition to the resolution offered by my good friend and colleague the gentleman from California (Mr. CAMPBELL), but not because I lack any respect for his legal acumen for the policies, which are very serious, that he raises or for his punctilious avoidance of the question of President Clinton's Bosnia policy. The resolution itself makes it very clear that is not what this is about.

Section 1(c) says, "The requirement to remove United States armed forces from the Republic of Bosnia and Herzegovina does not necessarily reflect any disagreement with the purposes or accomplishments of such armed forces." What is under discussion here is not whether troops should be in Bosnia, according to the resolution itself, but rather the War Powers Resolution.

I agree wholeheartedly with the words spoken by the gentleman from Illinois (Mr. HYDE), chairman of the Committee on the Judiciary, just a moment ago that the War Powers Resolution is unconstitutional. I too have been on the floor trying to repeal it for some years. I too have opposed it through the tenure of both Democratic and Republican Presidents. And of course, as we all know, the War Powers Resolution has been every day since it was first passed declared unconstitutional by Presidents Clinton, Bush, Reagan, Carter, Ford, and Nixon.

The War Powers Resolution, paradoxically, weakens both the Congress and the executive branch. Here is how it weakens Congress. Under article I, section 8, clauses 1, 11, and 14, Congress has the power "to provide for the common defense, to declare war," and to "make rules for the Government and Regulation of the land and naval forces."

The appropriations clause, article I, section 9, clause 7, grants the Congress the power of the purse, which we could use here very effectively if we wish to oppose the President's Bosnia policy. That power obviously extends to the

fields of foreign affairs and defense. So too does Article I, section 8, clause 12, which explicitly empowers Congress "to raise and support armies."

As Justice Jackson stated in the Steel Seizure case, "The President has no monopoly of 'war powers,' whatever they are." But the War Powers Resolution, with its 60-day grace period, purports to give the President *carte blanche* to make war for a full 2 months without congressional authorization. That subverts the Constitution.

□ 1315

Here is how the War Powers Resolution weakens the President: The vesting clause, Article II, section 1 of the Constitution, unambiguously grants the President the totality of, quote, the executive power. Section 2 provides that, quote, the President shall be Commander in Chief of the Army and Navy. For centuries, American Presidents have relied on these grants of authority to use our Armed Forces in a host of contexts without prior congressional action, such as responding to attacks on or threats to American forces, citizens or property; or when secrecy or surprise are essential; or when the urgency and immediacy of a military response leaves no opportunity for congressional action.

But the War Powers Resolution purports to shrink these historic, inherent Presidential powers to just one circumstance, a direct attack on the United States, or our forces. This is a distortion of our Constitution. It ignores the entire course of our constitutional history. If it were correct, then Presidents Adams, Jefferson, Lincoln, Grant, Wilson, FDR, Truman and Eisenhower are all law-breakers.

No American President of either party, including President Clinton, has ever recognized this perversion of our constitutional order. None has even pretended to follow its terms.

The resolution offered today offends the Constitution not merely in the ways I have just outlined, but in an entirely novel manner, by linking the forced withdrawal of U.S. forces to a decision on its own constitutionality by a Federal court. Federal judges and Federal courts ought not to be in charge of troop deployment decisions.

In addition to violating Article I governing Congress and Article II governing the President, this resolution violates Article III governing the judiciary as well, because as the Supreme Court established over two centuries ago in *Hayburn's Case*, under our Constitution Congress may not impose on a Federal court duties that are repugnant to the judicial function.

For these reasons, while I wish to compliment the gentleman from California, I urge a vote against this resolution.

Mr. Speaker, I rise in opposition to Mr. CAMPBELL's resolution on Bosnia, which

comes to the Floor pursuant to the War Powers Resolution.

Many of us have long been troubled by the substance of the President's unfocused, hand-to-mouth policy in Bosnia. The deployment occurred in the absence of a national consensus or even a broad national debate, because of an abject failure of presidential leadership. President Clinton failed to consult Congress or the American people prior to ordering the deployment, and thereby failed to build the requisite public support before sending 20,000 American soldiers in harm's way. That is why in October 1995 strongly supported H. Res. 247, which called on the President to obtain congressional authorization before deploying U.S. troops to Bosnia—a process that would necessarily have resulted in the sort of broad national discussion that should precede such operations. Such a debate would also have required the President to articulate the mission he was ordering our troops to undertake—something he has yet to do. And it might well have avoided the ignominious process whereby the President twice broke commitments to the American people concerning the length of the deployment. As it is, the President's open-ended commitment of forces in Bosnia is undermining U.S. military readiness around the world in the present, and diverting resources needed to protect U.S. security in the future. In my view, the President's Bosnia policy is an abject failure, and the way in which he arrived at it is a case study in how not to conduct foreign affairs.

But the merits of the President's Bosnia policy is not the subject of this Resolution, as the Resolution itself makes clear. Section 1(c) states categorically that "[t]he requirement to remove United States Armed Forces from the Republic of Bosnia and Herzegovina \* \* \* does not necessarily reflect any disagreement with the purposes or accomplishments of such Armed Forces; nor does it constitute any judgment of how the Congress would vote, if given the opportunity to do so, on either a declaration of war or a specific authorization for the use of such Armed Forces." And the dissenting views added by the Resolution's sponsor to the International Relations Committee's unfavorable report explain that "[t]he style of section 5(c) [the part of the War Powers Resolution pursuant to which this Resolution is offered] requires that the concurrent resolution call for the removal of troops. If it did not do that, it couldn't be called a 5(c) concurrent resolution. However, [the Resolution] is otherwise entirely neutral on whether the policy of the United States should be to have armed forces in Bosnia under the present circumstances or not." Whatever else the vote is today, it is not a vote on the President's Bosnia's policy.

In addition to my concerns about the substance of the President's policy, I share the concerns felt by many of my colleagues about the constitutional implications of the President's repeated decisions to commit U.S. forces to areas of conflict without the assent of Congress—not just in Bosnia, but in Iraq, Haiti, and Somalia. I believe that this constitutional concern is at the core of my colleague's Resolution, and I should add that I greatly respect his legal acumen.

But the War Powers Resolution, under which this Resolution is offered, is not the way

to address any of these policy and constitutional issues. It is itself a symptom of the current confusion over the constitutional roles of the President and Congress in the field of foreign affairs. And it is worse than useless as a tool for addressing either flawed policy or usurpation of constitutional responsibility.

The War Powers Resolution is now, and has been every day since the moment it passed, unconstitutional. Presidents Clinton, Bush, Reagan, Carter, Ford, and Nixon have all opposed the Resolution. It paradoxically weakens both the President and the Congress. In time of crisis it increases the risk of war. And it offends two centuries of constitutional history.

*Here is how it weakens the Congress:* Article I, section 8, clauses 1, 11, and 14 of the Constitution give to Congress the power to "provide for the common defense," to "declare war," and to "make Rules for the Government and Regulation of the land and naval forces." And the Appropriations Clause, Article I, Section 9, Clause 7, grants Congress the power of the purse—a power that extends to the fields of foreign affairs and defense. So too does Article I, Section 8, Clause 12, which explicitly empowers Congress to "raise and support Armies." As Justice Jackson stated in the *Steel Seizure Case*, "[The President] has no monopoly of 'war powers,' whatever they are. While Congress cannot deprive the President of the command of the army and navy, only Congress can provide him an army and navy to command."

But the War Powers Resolution, with its 60-day grace period, purports to give the President "carte blanche" to make war for a full two months without congressional authorization—a statutory easement across the Constitution.

*Here is how it weakens the President:* the Vesting Clause—Article II, section 1 of the Constitution—unambiguously grants the President the totality of "the executive power." Section 2 provides that "The President shall be Commander in Chief of the Army and Navy. \* \* \*" For centuries, American Presidents have relied on these grants of authority to use our armed forces in a host of contexts, without prior congressional action: such as responding to attacks on, or threats to, American forces, citizens, or property; or when secrecy or surprise are essential; or where the necessity for immediate military response left no opportunity for congressional action. But the War Powers Resolution purports to shrink these historic, inherent presidential powers to just one circumstance—a direct attack on the United States, or our forces.

This is a distortion of our Constitution. It ignores the entire course of our constitutional history. If it were correct, then Presidents Adams, Jefferson, Lincoln, Grant, Wilson, FDR, Truman, and Eisenhower were all lawbreakers. No American President of either party, including President Clinton, has ever recognized this perversion of our constitutional order; none has even pretended to follow its terms.

The War Powers Resolution claims to force an end to hostilities in 60 days, unless Congress has affirmatively acted. This unwise and inflexible rule has emboldened our enemies abroad to doubt our resolve. It has tempted them to think that America's staying power in

any conflict was limited to 60 days. It is ironic that a measure, designed to minimize the use of force, vastly magnified the risks of war.

And the War Powers Resolution illegitimately pretends to allow Congress by simple concurrent resolution to compel the President to break off military action. That is a flatly unconstitutional legislative veto, as the Supreme Court made clear a decade and a half ago in *Chadha v. INS*.

This resolution offered by Mr. Campbell is just such a concurrent resolution pursuant to the War Powers Resolution. Whatever one might think of the continued deployment of American troops in Bosnia, Mr. Campbell's concurrent resolution represents just such an unconstitutional legislative veto. Indeed, it offends the Constitution not merely in the ways I have described above, but in an entirely novel manner—by linking the forced withdrawal of U.S. forces to a decision on its own constitutionality by a federal court. Thus, in addition to violating Article I, governing Congress, and Article II, governing the President, this Resolution violates Article III, governing the judiciary, as well. As the Supreme Court established over two centuries ago in *Hayburn's Case*, under our Constitution Congress may not impose on a federal court duties that are repugnant to the judicial function. I believe it would be difficult to imagine a duty more repugnant to the judicial function than the exercise of Congress' war powers and the President's authority as Commander-in-Chief to determine when and if American troops are withdrawn from what the proponents of this Resolution insist is a theatre of war.

Mr. Speaker, I understand that some Members may be tempted to support Mr. Campbell's Resolution today precisely because they agree with me that both the War Powers Resolution and this Resolution are unconstitutional, in the hope that we can use this legislation to gain a definitive judicial decision that the War Powers Resolution is unconstitutional. That hope is unavailing.

No federal court either would or should entertain such a lawsuit. Judge Bork and Justice Scalia have long maintained that Members of Congress have no independent standing in court to challenge infringements of our prerogatives. And just last year the Supreme Court agreed with them when it refused to hear a congressional challenge to the line-item-veto statute. Moreover, a dispute between the political branches over war and foreign affairs powers is the quintessence of a non-justiciable political question. The War Powers Resolution already distorts the constitutional authority of both Congress and the President. I would be sorry to see it become the vehicle for the judiciary, as well, to usurp non-judicial functions.

Mr. Speaker, in closing I wish to reiterate my respect for the great legal ability of my distinguished colleague from California, and for the extraordinarily serious legal and policy concerns that animate his Resolution. Since I share his concerns, I wish I could support his Resolution. But the Framers of the Constitution ordained a very different process when Congress seeks to correct errors of policy and vindicate its constitutional prerogatives.

Mr. HAMILTON. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Colorado (Mr. SKAGGS).

Mr. SKAGGS. Mr. Speaker, I want to express my deep respect to the gentleman from California for bringing this before the House.

I agree with him that we ought to face up to our constitutional responsibilities, and that would incline me to support him. I agree with him that we need to challenge the constitutionality one way or another of the War Powers Resolution. That would incline me to support him.

However, believing that the War Powers Resolution is a constitutional abomination, I hate to invoke it in order to challenge it, and that leads me to oppose him.

If it were valid, I believe that his resolution is misplaced in relying on section (4)(a)(1); that the facts that we have before us are much more a (4)(a)(2) set of facts, that is, deployment with combat equipment, and that does not permit his resolution under 5(c), and that leads me to oppose him.

Finally, I believe the administration's policy is a good policy with worthy purposes that is making a positive difference, and that also leads me to oppose him.

Mr. CAMPBELL. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri (Mr. BLUNT).

Mr. BLUNT. Mr. Speaker, I want to say that I appreciate the debate here today. The debate has been on constitutional principles. It has been enlightening for me as a freshman Member. But I rise in support of this resolution. I rise in support of this resolution because I am persuaded by the argument that we should remove this law from the books if we are not going to enforce it. I also believe that if we remove this law from the books, we need to find other ways to assert the responsibility of the Congress in making these decisions.

The decisions like the decision we are talking about today is, of course, I believe, a decision not about policy, but a decision about principle and a decision about the congressional involvement in that principle. Beyond that, even the facts of this case do not relate to imminent threat to Americans, to immediate decisions that have to be made by the President. The Cold War is over. The allocation of responsibility, the abdication of responsibility to the President that may have been well understood during the 50 years of the Cold War no longer serve that purpose. This is clearly not a decision created by approaching the nuclear precipice. This is not a decision that one person has to make in the middle of the night. This is not a decision that needs to be made without the Congress taking part of the responsibility.

We probably should give some credit to the President for being willing to shoulder the entire responsibility if we abdicate our responsibility, but we should stand up for the responsibility

that we have been sworn to uphold, the responsibility to be involved in a decision to commit American troops in harm's way.

I urge that we vote for this resolution. The debate on the policy clearly comes later. We can argue many things about that policy. Very few Members of this Congress want to withdraw funding from American troops. We have to deal with the policy, not with the appropriation. I urge support of this resolution.

Mr. HAMILTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Maryland (Mr. CARDIN).

Mr. CARDIN. I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in opposition to this resolution. This is not a true vote on the merits of the War Powers Act, nor is it a product of thoughtful and open debate about U.S. policy in Bosnia. It gambles with the effectiveness of the NATO mission and with the safety of our troops under the guise of testing the constitutionality of the War Powers Act.

If passed, this bill would signal a weakened congressional resolve to support U.S. forces as they work to maintain the fragile Bosnian peace. We all know this is a sensitive time in the Balkans, and we know that SFOR is a linchpin of stability in a region where ethnic tensions are running high. Families torn apart by the Bosnian war are just beginning the delicate task of resuming their lives and attempting to return to their old homes. Meanwhile, tensions continue to mount between the Serbian Government and ethnic Albanians in nearby Kosovo. Now more than ever the United States must signal its strong partnership in NATO's existing presence in the Balkans.

This bill would undermine SFOR's stabilizing effect on the Balkan region with a message that Congress does not support this mission despite SFOR's very real peaceful impact. At this extremely tenuous time, the bill would turn foreign policy over to the courts, which would be charged with determining the constitutionality of the resolution. In the interim, the future of Bosnia and of our forces in SFOR would hang in the balance. This is not the way to debate the War Powers Act.

The committee with jurisdiction over this issue and the expertise to assess its impact has recommended that this resolution not pass. Let us act responsibly for our brave men and women in Bosnia. Let us complete our mission. Let us defeat this resolution.

Mr. CAMPBELL. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Speaker, it all comes down to this. Those people who are supporting the resolution of the gentleman from California (Mr. CAMPBELL) believe that the President of the United States should not be able

to send our troops all over the world in open-ended commitments unless Congress has some vote on it. The people who are opposing the Campbell amendment have the opposite opinion.

Let us note that this conflict that we are talking about today was a long time in coming. For years, many of us in this body shouted to the heavens to try to end what was an immoral arms embargo which prevented the victims of aggression in the Balkans from defending themselves. Those people who maintained this embargo which left the aggressors with all the weapons, those are the same people who now say and told us and came to us, "We have to send U.S. troops."

They got what they wanted. What they wanted was not victims being able to defend themselves, helped by the United States to defend themselves, but instead American troops committed on the ground in what is an endless commitment and an endless drain on our resources.

American troops, committed to the Balkans, sets a precedent. That means they can be sent everywhere in order to solve all the problems in all the trouble spots, that our troops are now subservient to international interests rather than to national interests. That is what we are seeing, an evolution in the policy.

I think that policy is wrong. The United States of America, and we as Americans, should be proud to stand up for what is in our interest, and we will lead the world to a better way by supporting those people in the Balkans and elsewhere to enable them to defend themselves, not to send our troops over to be cannon fodder, not to substitute American lives for the lives of local people, local victims who are opposing aggression. Yes, we oppose that aggression, but that does not mean we have to send our boys all over the world to give their lives or to put their lives on the line.

Our country faces a future where our troops may well be deployed, because the Cold War is over now, all over the world. The Campbell resolution says, let us take another look at that. If a President is going to do that, he has to come to Congress. There has to be a check in the system. That should be, and that is a logical check.

Yes, the War Powers Act requires us to do something within 60 days or bring the troops out. That makes sense to me. I am not opposed to the War Powers Act. During the Cold War, there was some question about it, but even then, 60 days, we have already had our troops in Bosnia for going on 2½ years. We were told that they were going to be out of there in 1 year. It has been going on 2½ years. We have spent \$8 billion. Where is that money coming from? It is coming out of the readiness of our troops, it is coming out of our ability to defend ourselves, out of our

ability to function throughout the rest of the world, putting our troops in danger at the same time, and for what?

I sit on the Committee on International Relations. We asked the leaders, the people who are overseeing this operation, "When can we pull our troops out?" What was the answer? The gentleman from New York (Mr. GILMAN) heard it as well as I did. "We don't know when we're going to be able to pull these troops out. We don't know." It could go on for 5 years. It could go on for 10 years. We could hear these same arguments 10 years from now after spending \$20 billion or \$30 billion. This is not in the interest of the people of the United States of America.

Yes, it is in our interest to support those who are struggling for peace and freedom and liberty in other parts of the world, but we do so by enabling them, empowering them to do it for themselves, not to send our troops everywhere in the world. There are other trouble spots. We have heard today, our troops have done a magnificent job in stopping the rape, the murder, the mayhem. That is happening all over Africa, in vast stretches of Asia. Does everywhere when these atrocities are being committed mean American troops must go there? Absolutely not. When we do, we send a message to the people of the world: "Count on Uncle Sammy. Count on the United States. Don't do it yourself." To Europe: "Don't spend your own money. The Americans are going to be willing to do it." I say we stand up for our national interests and not expend our Treasury. Vote for the Campbell resolution.

Mr. HAMILTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Speaker, I rise today to speak in opposition to this resolution.

I had an opportunity back on December 21 to visit Bosnia with the President. I, like the gentleman from Mississippi (Mr. TAYLOR), was very skeptical when I went. But after being there for a very short period of time and after we landed, to see thousands and thousands of Bosnians standing up with signs, having stood up all night in the cold, saying, thank you for giving us our lives for Christmas, thank you for saving our lives, thank you for giving us an opportunity to live, it made me look at this from a whole different perspective.

I do not question the intentions of the gentleman from California (Mr. CAMPBELL). I have a tremendous amount of respect for him. But I question whether the timing of the resolution, if this is the right timing. When I talked to those young people just as the gentleman from Mississippi (Mr. TAYLOR) did, over and over again I heard them say that we are so proud that we are here and we are doing

something to make a difference. Eight thousand people, saving a country from a holocaust, and that was very, very significant to me. When we met with the various leaders of Bosnia, they, too, expressed the same appreciation.

My question merely goes to the whole timing of this. I do not want to say to those young people at this point, send any kind of signal that we are not 100 percent behind them. But the thing that touched me probably more than anything else was when I asked a young man from Alabama, a young soldier, "Why is it so important that you are here?"

□ 1330

He pulled out a little piece of paper, and he scribbled Reverend Martin Niemöller's words, and it said, "When Hitler attacked the Jews, I was not a Jew; therefore, I was not concerned. And when Hitler attacked the Catholics, I was not a Catholic; and, therefore, I was not concerned. And when Hitler attacked the unions and industrialists, I was not a member of the unions; and I was not concerned. Then, Hitler attacked me and the Protestant Church; and there was nobody left to be concerned."

I urge all Members of the House to vote against this resolution.

Mr. CAMPBELL. Mr. Speaker, I yield 4 minutes to the gentleman from Florida (Mr. STEARNS).

Mr. STEARNS. Mr. Speaker, I thank my colleague for yielding me this time.

Mr. Speaker, we have come to a crossroads in American history. We have reached a point in our history where we have an opportunity this afternoon to carefully clarify the constitutional powers and the separate roles of the executive branch and the legislative branch as it regards the formation of our Nation's foreign policy, especially as it concerns the deployment of the United States military internationally.

I commend the efforts of my colleague from California (Mr. CAMPBELL) for bringing this resolution forward to begin the debate on the proper use of military force by the President of this Nation.

Like others in this body, I have grown steadily uncomfortable with the blatant disregard the executive branch has displayed for the Congress in creating foreign policy in general and with the use of military force specifically.

The case of the U.S. deployment of forces in Bosnia perfectly illustrates the disregard the administration has shown for Congress.

The powers of Congress were eroded by the executive branch with a decade-long struggle against the evils of communism. I also agree that, to achieve victory in the Cold War, it was necessary for these Presidents to have a more commanding role in foreign affairs.

However, Mr. Speaker, with the collapse of the Soviet Union and the collapse of the Eastern Bloc, we have the ability to redefine what the framers of our Constitution truly had in mind regarding the powers of Congress. The Founders believed that it was a proper role of Congress to prevent the President from entangling our Nation endlessly in foreign situations. The Founders gave us that ability by giving Congress the power to declare war. The role of Congress regarding troop deployment was further enhanced by the adoption of the War Powers Act.

The power of Congress has been harmed by this administration's current policy regarding the U.S. deployment in Bosnia. The President committed U.S. troops to Bosnia in December of 1995 as part of the NATO peacekeeping force to enforce the Dayton Peace Accord. At that moment, the President stated, "The mission will be precisely defined with clear, realistic goals that can be achieved in a definite period of time. This mission should take about 1 year."

Well, even before a year had expired, the President announced that he would be extending the U.S. commitment for another 18 months, again without the authorization or approval by Congress. The President conveniently notified the American public of this after the Presidential election in 1996.

Congress created last year a deadline of June 30, 1998, to end our deployment in Bosnia unless U.S. presence in the region was in our national security interests. Again, the President has extended our commitment without once again seeking congressional approval or authorization and without even defining at this point how Bosnia affects U.S. national security interests. The United States military is not the private army of the President.

Mr. Speaker, I urge my colleagues to vote in support of H. Con. Res. 227 to put congressional oversight on the use of military deployments in its proper and constitutional context.

Mr. HAMILTON. Mr. Speaker, I yield 1 minute to the distinguished gentleman from South Carolina (Mr. SPRATT).

Mr. SPRATT. Mr. Speaker, though called a resolution, this is a sign of irresolution. We have 7,000 to 8,000 troops stationed around Tuzla and Brcko. I visited them last month, and let me tell my colleagues, the work is not easy, and the living is not either. But in the best tradition of our GIs, they are doing their duty. Go there and my colleagues will see that progress has been made. It can be seen; it can be measured.

This is not the time to tell our troops that we doubt their mission, to tell our allies that we are rethinking our role, or to tell our adversaries to lay back and wait because we may be leaving sooner than they thought.

Even as the strategy for testing the constitutionality of the War Powers Resolution, this is the wrong move for us to make. If the court were to hold the War Powers Resolution unconstitutional, we would be left empty-handed, deprived of the one useful tool we have to require the President to include us when he gets ready to send our troops into a foreign zone. If we were to repeal it or let the courts nullify it, we would have nothing to put in its place.

If my colleagues want to do something about it, if we disagree with it, come up with a better bill. Let us pass the process and take it to the President with the War Powers Resolution still in force, and those circumstances will stand a far better chance of changing the law and keeping an institutional arrangement where we have a rightful role in deciding when and whether our troops are sent into harm's way.

Mr. CAMPBELL. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota (Mr. GUTKNECHT).

Mr. GUTKNECHT. Mr. Speaker, I thank the gentleman from California (Mr. CAMPBELL) and all of the people who are debating here today. This, in my opinion, is perhaps the most important debate we have had so far this year. I want to congratulate all of the participants on both sides of this issue.

This is a tough vote. This is an important vote. It is particularly tough for me because, just a few weeks ago, I was in Bosnia; and like our colleague from Mississippi, I went there with a bad attitude. I happened to believe that the mission in Bosnia was just a big waste and that we were spending all of this money and at the end of the mission we would be no better off than we were when we started.

But I must say that my attitude was changed, and when I saw what was happening over there, when I began to learn about the situation in Bosnia, I came to the conclusion that, frankly, we need to have our troops in Bosnia, that if it were not for the Americans, the truth of the matter is things would begin to collapse. It is only the Americans that can bring order out of the chaos over there.

Frankly, we have a situation where the Germans do not trust the French; the French do not trust the English. It is almost as if Europe were some form of dysfunctional family with 16 different nations speaking 12 different languages, and the only Nation that they all trust is the United States. So it is important that the United States have a presence and provide the leadership in Bosnia.

However, that is not the debate we are having here today. The debate here today is whether or not Congress should have something to say about long-term deployments of American troops, whether it be in Bosnia or in Africa, Mogadishu, you name the place.

Since we have adopted this policy of Congress sort of abdicating its constitutional responsibility, the experts tell us we have had something like 20 different deployments in just the last 6 years. I think we all know that that is wrong.

It is interesting. I find myself listening to the debates and some of the great arguments here today, but I think I agree perhaps more with the gentleman from Massachusetts (Mr. FRANK) than anybody else. If we have an up-or-down vote on whether or not we should maintain an American presence in Bosnia, I will vote for it. I now believe that it is important that we have a presence there.

These are the tectonic plates of Europe. This is where Asia, Europe and the Middle East come together; and it is where World War I began. Perhaps that is not going to happen again, but it seems to me it is worth a small investment of American resources and troops to make certain that we maintain that peace, but the Congress should have something to say about it.

So I congratulate my friend from California (Mr. CAMPBELL) for bringing this resolution forward. I am going to vote for it, even though I believe that we need to keep our troops there at least through September, and perhaps even longer.

But the President ought to have to come back to the Congress and he ought to have to go to the American people and explain why it is important that America provide that leadership in Europe and elsewhere around the world and get the approval of Congress before we make these long-term and expensive commitments.

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

Mr. Speaker, we have a choice here today; and the choice is whether we are going to denigrate the Congress to a debating society to deal with some theoretical issues about the power structure between the executive and the legislative or are we going to deal with the real lives of people on the ground who have suffered, I believe, long enough.

If the Congress is serious about exercising its war powers, then it ought to move to bring the troops out of there immediately, and the 20 other countries where American troops are today preventing death and destruction, preventing the kind of carnage we saw for all too long without any worldwide action in Bosnia.

My parents are survivors of the Holocaust, and one of the things that I think troubled me more than anything else were all of the great conferences that went on debating the niceties of international diplomacy.

In a sense, if this Congress wanted to take an action against Bosnia, against our presence there that has ended the death of children and women on a daily

basis, then we should have voted to pull the troops out.

In some ways, this resolution does more damage than simply getting out of there, because what happens now is, there are folks, obviously, in the former Yugoslavian Republic that do not want to see progress made. Well, this tells them, if we wait long enough, maybe we will get the Americans out. Maybe our own parliamentary niceties will prevent us from continuing to lead the world.

God, I wish that we could depend on the Europeans to do it on their own. I wish that Europe was responsible enough here in dealing with terrorism or any other major international issue. The sad fact of the matter is, if the United States does not step forward, none of those countries step forward.

As was stated several times on the floor, in this Balkan area, two world wars broke out. We would have thought that the British, the French, the English, the Germans and others would have stepped forward before the killing went wild. They did not until we acted. And if we pass this bill today, we will pay the price, and we will have the burden of the deaths to come.

Mr. CAMPBELL. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. COLLINS).

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

Mr. Speaker, a lot has been said by several Members of trips that they have made to Bosnia. I, too, have made several trips there. In fact, I made two just this last December, two trips within 8 days.

I was totally surprised by the attitude of our soldiers upon my first arrival in Bosnia, about how positive they were about what they were doing and why they are there. I was totally set back, I was not expecting this, and I thought to myself, why do they feel this way?

I thought back to 1995 when we were in there, in December of 1995, prior to any of the soldiers being deployed, and all of this destruction that was very visible. I knew by that destruction that there had to be some terrible war that had taken place there just in recent times, just recent months. But then, when I was there in December of 1997, there were people in the streets, guns were silent. I knew peace had arrived, and it was due to the United States soldiers and the other peacekeeping forces who were there.

During lunch I asked several of the soldiers, if they had an opportunity to tell the President of the United States one thing about Bosnia, what would they say? They listed three things. They told me of three things.

First, they recommended that the President look at the deployment, the length of the deployment, the time that the soldiers are being deployed

there, the frequency of deployment. Some 52 percent of active duty component soldiers in Bosnia at that time were there on their second mission, and this was just 2 years into the mission.

Then they said, define the mission, tell us what our goals are, what we are trying to accomplish. We cannot be policemen of the world forever.

Mr. Speaker, now to the resolution that is before us. I am going to vote to support this resolution, not that I would require or vote to withdraw soldiers from Bosnia. Because they themselves told me the story of why they are there and how proud they are of what they are doing. But to reinforce their requests: Define the mission.

I think it is well stated in the letter from the American Legion that this will encourage the administration to define the mission, establish goals of this mission, establish benchmarks for this mission, what we are attempting to accomplish, what time frame we should be there to help accomplish these benchmarks, and how are we going to help the Bosnian people establish a new republic, a true democracy that includes all three branches of government: the executive, the legislative and, most of all importance, the judicial that is lacking in Bosnia and other nations that we have peacekeeping forces in.

Mr. Speaker, I rise in support of this resolution.

□ 1345

Mr. HAMILTON. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Michigan (Mr. BONIOR).

Mr. BONIOR. Mr. Speaker, 3 years ago Bosnia was torn by civil war, and we all witnessed, tragically, death, rape, hunger, fear, despair, regularly reading it in our newspapers, seeing it on television screens. These were the tragic realities of daily life before we joined our allies to stop this carnage.

Three years later the people of Bosnia are rebuilding their lives, children are going to school again, communities are beginning to heal. Tears of sadness are giving way to hope. It has been a remarkable transformation, and much of the credit is due to the peacemakers, to the people who brought peace, and to the soldiers, many of them our soldiers, who made this possible.

Their courage and their sacrifice and their commitment to peace and democracy are making a critical difference in the daily lives of millions of people, and they know it, and we know it. Most importantly, the people of Bosnia know it. But their work, Mr. Speaker, is not over. The roots of peace are just beginning to take hold. That is why I urge my colleagues to oppose the Campbell resolution to withdraw our troops from Bosnia.

At its core, this resolution is a sneak attack on a peace policy that is working, a sneak attack on a peace policy

that this Congress supports. Instead of pushing for a straightforward debate about our role in Bosnia, the Campbell resolution would effectively send decisions of war and peace to the courts, where it does not belong.

This resolution also tells our troops in Bosnia that their courage and sacrifice really does not mean as much as we said it meant, and that their work has really not been as successful as we see it is. This resolution tells the rest of the world that the United States is not really committed to international leadership, even in the cause of peace. This resolution tells the warmakers who circle like hungry jackals that if they only wait a little longer, they can ravage the innocent one more time.

We see them at work in Kosovo. They have not changed. They are there. They are waiting. Now is not the time to abandon the path to peace. Now is not the time to call our troops home. I urge my colleagues to oppose this resolution.

Mr. HAMILTON. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Virginia (Mr. MORAN).

Mr. GILMAN. Mr. Speaker, I yield 1 minute to the gentleman from Virginia.

The SPEAKER pro tempore (Mr. FOLEY). The gentleman from Virginia (Mr. MORAN) is recognized for 2 minutes.

Mr. MORAN of Virginia. Mr. Speaker, I thank the gentleman from New York (Chairman GILMAN) for yielding time to me, and I thank as well the gentleman from Indiana (Mr. HAMILTON), the ranking member.

Mr. Speaker, the United States is performing a noble mission in Bosnia. We are using our military strength to build bridges for peace, for tolerance, for understanding, for respect among peoples. The Balkans has a long history of bloodshed, of ethnic division. We are changing that. We are changing the course of world history. We are doing it in a noble and heroic manner. We are giving every military personnel over there reason to be proud that they represent this country and its principles.

We do have a role there. We have a responsibility there, largely because we are looked to as not only the most powerful country economically, politically, militarily, but also the most principled country. We care about other people, about human rights. That's why the peace-loving people of the Balkans have turned to us to save them from unprincipled leaders and from what seemed to be an inevitable history of ethnic conflict. And that is why we must respond as we have.

I agree that this is a very important issue to debate. But if we were to look back on some of the arguments that have been raised, that this is not our affair, that we ought not to be involved, many of them sound eerily

similar to the arguments that were raised before we got into World War II. We got in because we were bombed at Pearl Harbor. We should have gotten in earlier. We could have and should have saved millions of people from the genocide that occurred there.

Now we are not involved in a war. What we are involved in is peacekeeping, but it is preventing genocide. It is trying to unite people against fascism and destructive nationalism. It is doing the right thing. We should be proud of this, not trying to undermine the President, not trying to undermine a foreign policy that makes sense and that saves lives. The courage that we show today will make us the leaders of tomorrow. As we move into the 21st century, our guiding principles of tolerance and mutual respect among all peoples that will guide the world to a brighter century of inclusiveness, of democracy, of free enterprise of human nobility.

That is what we stand for in Bosnia. That is why we need to maintain our policy in Bosnia. That is why we must vote to defeat this resolution.

Mr. HAMILTON. Mr. Speaker, I yield myself the balance of the time remaining.

Mr. GILMAN. Mr. Speaker, I yield 1 minute to the gentleman from Indiana (Mr. HAMILTON).

The SPEAKER pro tempore. The gentleman from Indiana (Mr. HAMILTON) is recognized for 6¼ minutes.

Mr. HAMILTON. Mr. Speaker, I rise in opposition to the resolution, House Resolution 227. I do so with great respect for my friend, the gentleman from California (Mr. CAMPBELL).

He is right about a good many things here. He is certainly right when he wants the Congress to act to authorize troops. He is certainly right when he wants the Congress to play an important role whenever we put troops into dangerous places. He is certainly right when he argues that there has been, over a period of time, an erosion of congressional power ceded to the President on the very difficult warmaking issues. So it is with some reluctance that I will vote against his resolution, but I do so, really, for two reasons. One is a reason of policy, and second, a reason of process.

Mr. Speaker, the resolution of the gentleman from California (Mr. CAMPBELL) directs the President to remove troops 60 days after a final judgment by a court. Regardless of the legal arguments, and I must say, I have been impressed with the manner in which my colleagues have argued the legal arguments this afternoon. I think on both sides they have done it very, very well, indeed.

But regardless of the legal consequences, this resolution, as a practical matter, is going to be seen as a vote with respect to policy, whether or not the troops should come home. Now

I know that the gentleman from California (Mr. CAMPBELL) objects to that, and he cites that "unless" clause in his resolution, but I really do not think that it is correct to think that the Congress will at one moment direct the removal of troops and then turn right around and authorize those troops.

I think this resolution directs the President of the United States to remove U.S. forces from Bosnia. I think that would be a huge mistake. But more important than what I think about it, I think it is worthwhile to hear the words of our military commanders.

General Wesley Clark, of course, is the NATO commander. He was asked on Capitol Hill, I think today, what happens if the Campbell resolution passes? Let me quote from him directly: "If we were to come out of the Bosnia mission now, for whatever reason, it would lead to a disastrous loss of U.S. influence and credibility across the board."

Let me quote him again: "We would undercut all our efforts in Bosnia." He is not arguing a legal point here, he is simply saying if the resolution passes.

Then he says this: "Right now our troop morale in Bosnia is high. The troops would be devastated by such a vote."

Now, we can talk all we want in this Chamber about supporting the troops, and I know those remarks are all very well-intentioned. But let us pay some attention to our top commander in the field. The impact of an aye vote for the Campbell resolution, according to the commander of our troops, is that it would devastate the troops. I do not think any Member wants to do that.

Likewise, General Shelton, Chairman of the Joint Chiefs, I quote him: "Pulling U.S. forces out of Bosnia would cripple the mission at a critical time when we are achieving success in that troubled country. A U.S. withdrawal would send the wrong signals to our NATO allies, and the wrong signals to those who wish our efforts ill. Beyond that, U.S. leadership within the alliance with suffer a severe blow."

So there is not any doubt, I think, from the top commanders how they feel about this resolution. That feeling is shared by the Secretary of State and the Secretary of Defense, who have written to us on behalf of the administration strongly opposing this resolution.

This resolution, as others have argued, would hurt the peace process. It risks the resumption of war. It sends exactly the wrong signal at exactly the wrong time, both to our allies and to the parties opposed to peace in Bosnia. It risks the impressive accomplishments which have been cited here: An end to the fighting, the demobilization of all sides, the elections that have occurred, the restructuring and retraining of police, and the progress in ar-

resting war criminals. We have had a lot of progress as a policy matter in Bosnia. To pull the troops out or to signal that the troops would be coming out at this time is exactly the wrong thing, I think, to do.

The second argument that I would make is a process argument. This resolution hands over United States foreign policy to the courts. This resolution gives a Federal judge the power to decide whether to withdraw U.S. troops in Bosnia.

Mr. Speaker, without any consultation with the Commander in Chief, without any consultation to the Congress, a Federal judge could simply order the removal of these troops. It creates tremendous uncertainty. It is impossible to know when a troop withdrawal would be required, because we do not know if, we do not know when, we do not know how the courts would rule on the resolution. A judgment could come in a matter of days, weeks, or it could be stretched out over a period of months or even years because of the appeal process, and all of the time a sword of Damocles would hang over the U.S. troop presence in Bosnia. That is not the way a great power conducts its foreign policy.

The Campbell resolution invites the court to make the great decisions on American foreign policy. It is not the way to conduct American foreign policy, and there is an alternative way of doing it, which my colleagues have described, through authorizations, through limitations on funding, through a direct attack on the War Powers Resolution.

Mr. Speaker, I urge a no vote on the resolution.

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

Mr. Speaker, how sad it is that we have let the power that the Framers of the Constitution gave to us slip through our hands. How sad it is that ever since the Second World War the Congress has allowed Presidents to go to war and just follow. This way we have political freedom to criticize if the war goes poorly, and take credit if the war goes well, but we have not fulfilled our constitutional obligation. How sad it is that today on the floor I have heard colleagues suggest that we should continue in that regrettable disregard of our constitutional obligation.

It is no surprise to me, Mr. Speaker, that the President and those who report to him do not like this resolution. With all due respect for my good friend and colleague, the gentleman from Indiana (Mr. HAMILTON), for whom I have the highest respect, it is those whom he was quoting.

How about those who have served, who now comprise the American Legion, who have served overseas, who have fought under this flag, who today ask us to support this resolution. And why? Because they believe it is the

constitutional right of every soldier, airman, airwoman, marine and sailor, to have the approval of Congress before their lives are put into jeopardy.

The American Legion says they believe the administration must now decide on the extent of the future mission in Bosnia-Herzegovina, and explain to the American people and Congress how many forces will be needed and what their security missions will be, and for how long they will be deployed.

What does the resolution say? The resolution says that the President has to give this issue to Congress. If the Congress approves, then our troops continue with no change at all. Of all the arguments made on the floor today, Mr. Speaker, the most specious is that this resolution suddenly pulls the plug on our troops. It does not.

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If the President is capable of convincing 50 percent of the House and 50 percent of the Senate, we should stay in Bosnia. And if he cannot, then he should not be able to send troops overseas—because it is our responsibility to give him that authority.

What about this argument that we are putting the matter in the hands of the court? This is also a specious argument. What the resolution does is require the President to withdraw troops unless he has obtained the approval of the Congress. If he does, then those troops stay. Rather than put in a specific date, (because I was advised by Members of the leadership on both sides of the aisle that a date was something with which there would be difficulty), I said, look, this will be litigated anyway, so the date should be set 60 days after a court has finally ruled on the constitutionality of what we do here.

This is not giving the policy judgment to the courts. No court will decide whether we should be in Bosnia or not. We decide whether we should put troops in force overseas. By the grace of God and by the words of our Constitution, we decide. It is not given to the courts. If this is an unconstitutional resolution, then I withdraw, of course. And because of that, this resolution will have no effect until a court has ruled that what we do today is constitutional. No court will rule whether it is advisable. That is an empty argument and a wrong argument.

Many have argued, today that this is a good policy that we are following. It may well be. But I refer them to the profound truth that it is a policy that we should decide before we put troops in, and that that has not changed by the President having ignored that obligation for better than 2 years.

Professor John Hart Ely is an expert in this field. He has written extensively. I quote from his book, *War and Responsibility, the Lessons and Aftermath of Vietnam*, where he teaches,

"The power to declare war was constitutionally vested in Congress. The debates and early practice established that this meant that all wars, big or small, declared in so many words or not, (most were not, even then), had to be legislatively authorized."

Here is the timing of this resolution. After this resolution is upheld as a constitutional matter, the President has the chance to bring this matter to Congress. If we approve, the troops stay. But if we do not approve, they should never have been there.

Mr. Speaker, I am really proud of the colleagues who have participated in this debate today. With only one exception, no one tried to defend the indefensible proposition that there are no hostilities in Bosnia. I am proud of my colleagues for not attempting to hang their opposition to this resolution on that sophistry. There are hostilities in Bosnia. Our troops are at risk.

I am also proud of those who support our policy in Bosnia and also support this resolution. I particularly make reference to our good friend and colleague, the gentleman from Georgia (Mr. COLLINS) and the gentleman from Minnesota (Mr. GUTKNECHT).

Mr. Speaker, I am proud as well of those who still serve in this Congress and who in 1990 brought a lawsuit in order to assert the constitutional obligation at issue today. When President Bush was building up troops in the Persian Gulf, these Members of Congress had the courage to go to court and say, not without our prior approval. I cite them with honor: the gentleman from Ohio (Mr. TRAFICANT), the gentleman from New York (Mr. TOWNS), the gentleman from Ohio (Mr. STOKES), the gentleman from California (Mr. STARK), the gentlemen from New York (Mr. SERRANO) and (Mr. RANGEL), the gentlewoman from California (Ms. PELOSI), the gentleman from New Jersey (Mr. PAYNE), the gentleman from New York (Mr. OWENS), the gentleman from Minnesota (Mr. OBERSTAR), the gentleman from California (Mr. MILLER), the gentleman from Washington (Mr. MCDERMOTT), the gentleman from Massachusetts (Mr. MARKEY), the gentlewoman from Ohio (Ms. KAPTUR), the gentleman from Massachusetts (Mr. FRANK), the gentleman from Illinois (Mr. EVANS), the gentleman from Missouri (Mr. CLAY) and the gentleman from Michigan (Mr. BONIOR).

There are those who say they hate to invoke the War Powers Resolution as a means of testing it. How else can I test it? There are those who say they hate to raise this issue at this time. When is there a better time? When is there a better time than when American troops are at risk?

I have done all I can, Mr. Speaker. I cannot let this power slip through our hands. To me this is the most sacred duty I have undertaken when I swore to uphold and defend the Constitution

of the United States on this floor when I became a Member of Congress in 1989 and when I again took that oath last year. I take the action I do today on behalf of Lieutenant Shawn Watts, the first American to be wounded in Bosnia. I take this action today on behalf of Private First Class Floyd Bright, the first American soldier to be killed in Bosnia. I take this action on behalf of my classmates who died in Vietnam, and on behalf of all of them and all of us who said we shall never allow this again, I ask for an aye vote.

Mr. GILMAN. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. REYES).

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

I come this afternoon before this House as a voice of experience and as a voice of experience on two fronts: First, as a former veteran that served in Vietnam, and to tell my colleagues that the resolution that we are considering this afternoon can have a devastating impact on our troops. There was nothing that was more devastating to our morale in Vietnam than to have the kind of turmoil and the kinds of arguments during that unfortunate era for our country than to engage in the kinds of dialog unfortunately that we are engaged in this afternoon all over again.

The other point of experience that I raise this afternoon for my colleagues is one of the experience of having been in Bosnia in January and seeing the results of the presence of American troops having a very positive impact on the ability of that region to celebrate peace. I urge my colleagues to vote against resolution 227.

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

I have a high regard and respect for what the gentleman from California (Mr. CAMPBELL) is trying to accomplish with regard to his resolution. I do agree with him that our forces should not be sent into any country like Bosnia without the approval of Congress. This extensive debate has been, I think, invaluable as we consider the merits of the congressional war powers issue.

But the reality we face today is that our forces have been in Bosnia now for 2½ years. Our Nation has invested \$7 billion to try to bring peace to that nation, and the situation there is looking much better right now than it has for many years. If we in the Congress were to force the President to withdraw forces from Bosnia in the near future, the likelihood is that the Civil War there would resume, and our \$7 billion investment would be squandered, and as a political matter the Congress would be blamed.

The resolution the gentleman from California (Mr. CAMPBELL) initially introduced and which we considered in our Committee on International Rela-

tions was very simple. It ordered the President to withdraw forces from Bosnia by June 30, 1998, unless Congress authorized a later date. But the resolution that we are about to vote on has been modified to provide a different trigger for withdrawing our forces, I quote, "Sixty days after the date on which a final judgment is entered by a court of competent jurisdiction determining the constitutional validity of this concurrent resolution."

I do not fault the gentleman from California (Mr. CAMPBELL) for trying to pick up support for his resolution by shifting responsibility for pulling the trigger from the Congress to the courts, but I would be shocked if the courts would have the courage to set a firm withdrawal date when the Congress has been demonstrating its own reluctance to do so.

We need to ask ourselves what happens if the courts fail to act. What happens if the Campbell resolution is thrown out of court for lack of standing, or if 3 years from now the Supreme Court rules that the gentleman from California (Mr. CAMPBELL'S) case is a nonjusticiable political question? And what happens if the trigger of the revised resolution offered by the gentleman from California (Mr. CAMPBELL) is never pulled by the courts? I think that what would happen in that case is that we will have essentially authorized a permanent U.S. military presence in Bosnia.

Let me restate my argument to those Members who may be tempted to vote for the Campbell resolution because they want to get our forces out of Bosnia. Please do not vote for a resolution containing a trigger that is unlikely ever to be pulled. If the Congress asserts itself with regard to Bosnia by demanding that the President withdraw forces 60 days after an event that will probably never happen, we are essentially telling the President he can stay there indefinitely. I think it is far better to remain silent than to try to set a withdrawal date that may not arrive for many years, and that may never arrive at all.

Mr. Speaker, we are about to conclude a thorough and I believe constructive debate on the resolution of the gentleman from California that will allow the courts to determine whether our troops should remain in Bosnia. Although the gentleman from California (Mr. CAMPBELL) has insisted that this is a matter that concerns the legalities and constitutionality of the War Powers Resolution, I respectfully disagree with my colleague.

Perhaps in law school classrooms that argument might have some merit, but in the real world, the vote we are about to exercise concerns our Nation's policy in Bosnia.

I urge my colleagues, let us not deceive ourselves about the consequences with our allies in Europe, with our

foes, and especially among our troops who have done and continue to do an outstanding job in Bosnia, that the adoption of this resolution will have.

As my colleague, the gentleman from Indiana (Mr. HAMILTON) pointed out, General Wesley Clark, our Supreme Allied Commander, has said this resolution would only confuse our troops by saying, after 2 years, we are now changing our minds.

We are at a critical juncture in deciding what role our Nation will play in global affairs. The Senate at present is debating whether new members from the former Warsaw Pact should be admitted into the North Atlantic Alliance.

The countries of Europe, particularly those of Central and Eastern Europe, look to our Nation for leadership. Forces that oppose that leadership are now watching closely for signs of weakness and any wavering on our part. Our Secretaries of Defense and State have informed the Speaker of their strong opposition to this measure.

Accordingly, Mr. Speaker, I urge the House to defeat this measure. Let us not undermine our Nation's credibility. Do not call into question the steadfastness of our purpose. I urge my colleagues not to undermine the morale of our young men and women who have served and who now serve in Bosnia. Let us not cede our authority on deployment of U.S. Armed Forces to the United States courts.

Senator Bob Dole said it best when he said, it is the fourth quarter, and we are ahead by two touchdowns. Let us not pull our team off the field.

Please vote no on H. Con. Res. 227.

Ms. HOOLEY of Oregon. Mr. Speaker, while I rise today in opposition to this resolution, I want to clearly state my desire to bring our soldiers home from the former Yugoslavia.

I am deeply concerned whenever our troops are sent into harms way, especially when the mission takes them to foreign shores. We must offer the highest respect for the sacrifices that those soldiers, our sons and daughters, are willing to make to protect our nation and maintain our role as the leader of the free world. Furthermore, we should commend them for the remarkable achievements that they have made in the former Yugoslavia.

This resolution, unfortunately, does just the opposite. By pulling our troops out of Bosnia, just as the Dayton Accords and the peacekeeping mission is beginning to take effect, would send a message that we do not think that our troops are playing a critical role in keeping the peace in that region. It would also indicate to nations across the globe that the United States is unwilling to help implement the foreign policy agreements that it is involved in crafting.

If the United States withdraws its troops, our allies are certain to follow. And without a strong international presence in the region, hostilities in Bosnia will inevitably resume. How can we stand by and watch this tenuous peace deteriorate, nullifying the extensive efforts of our soldiers and the diplomatic

achievements of the past several years? The fact of the matter is that the President has a plan to reduce the number of troops in Bosnia and, as much as I want to bring the remainder home immediately, I truly believe that this would be irresponsible.

Additionally, this resolution would relegate vital foreign policy decisions to the courts. While some Constitutional questions regarding the War Powers Act remain unclear in the view of many of my colleagues, Congress must not delegate its responsibility to decide on whether or not to continue a particular peacekeeping mission. This resolution shirks our duties as elected representatives.

I cannot support a resolution that is both irresponsible, weak on U.S. foreign policy, and inhumane to the people of Bosnia. Thus, I urge my colleagues to join me in voting against this resolution.

Mr. DAVIS of Florida. Mr. Speaker, I rise in opposition to House Concurrent Resolution 227. While I commend my colleague from California for his commitment to this issue, I believe that this resolution has highly negative consequences for U.S. policy in Bosnia and does not provide the legal clarity on the constitutionality of the War Powers Act that the sponsor seeks.

This resolution harms U.S. policy in several ways. It directs the President to withdraw U.S. forces from Bosnia. By doing so, we would be sending a strong political message to countries throughout the world and would undermine the President's ability to keep U.S. troops in Bosnia. In addition, this resolution hurts the peace process in Bosnia and risks the resumption of war by sending the wrong signal at the wrong time both to our allies and the parties in Bosnia opposed to peace, who are only waiting for us to leave.

Withdrawal of U.S. troops would put at risk the impressive accomplishments in Bosnia, including the end to the fighting, demobilization of armies on all sides, the election of local governments and the formation of multi-ethnic governments, among others.

By passing the resolution, Congress will send the confusing and unfortunate message that the United States does not have the resolve to stick by the peace process in Bosnia. Furthermore, passage of this resolution, just as we are beginning to see progress in Bosnia, would have a devastating impact and would risk the possibility of the resumption of war.

The War Powers Resolution, in my opinion, is designed for Congress to address this issue when we are in the early stages of engaging our troops in hostilities. I do not believe that this applies to Bosnia for two reasons. First, we are in the middle of a mission in Bosnia which has long been planned, designed and implemented, and secondly, this is a peacekeeping mission. This is not the time to address the constitutionality of the War Powers Resolution. We should do that at a time when the President is considering engaging our armed forces in a hostile situation.

We will have the opportunity in the near future to take a stand on our troops in Bosnia through consideration of a Supplemental Appropriations Bill. Now is not the appropriate time to take this policy stand.

I urge my colleagues to join me in voting against House Concurrent Resolution 227.

Mr. NETHERCUTT. Mr. Speaker, I support H. Con. Res. 227 even as I acknowledge the good work our soldiers have accomplished in Bosnia. I spent several days in that war-torn region a week ago meeting with the various parties and visiting with our troops. And while the morale of our soldiers remains high, I don't think it is fair to them or to the American people to extend our mission in Bosnia indefinitely without Congressional approval.

In December 1995, the President told Congress that the mission in Bosnia would last "about one year." By November 1996, he had decided that the mission would be extended until June 1998. And now, somewhat disingenuously, the President has told us in the supplemental request that while "I do not propose a fixed end-date for this presence, it is by no means open-ended." What does this statement mean?

To me, it means that Congress will be expected to continue appropriating billions of dollars for a deployment that we have never authorized. The arguments raised in opposition to this resolution today have focused on the negative strategic implications that passage of this resolution would entail. But our first obligation in this body must be to uphold our Constitutional responsibilities, and it is imperative that we play the foreign policy role clarified by the War Powers Resolution. Congress must have a voice in this seemingly endless deployment.

I look back to the warning that Secretary Perry offered in testimony in November 1995. He said then that: "we must not be drawn into a posture of indefinite garrison." I fear that we are approaching a position of indefinite garrison, without Congress ever authorizing this deployment.

I urge my colleagues to support this resolution—to support this resolution is not to condemn the mission in Bosnia, it is simply to reassert our Constitutional duty.

Mr. SMITH of New Jersey. Mr. Speaker, I rise in opposition to House Concurrent Resolution 227, directing the President to remove U.S. Armed Forces from the Republic of Bosnia and Herzegovina within 60 days unless Congress enacts a declaration of war or specifically authorizes the use of Armed Forces in Bosnia. At the outset, let me state that I agree fully that Congress should play a role in critical foreign policy decision-making, especially when the utilization of our Armed Forces is under consideration. As a matter of record, let me clearly note that I also had serious questions regarding those U.S. policies toward Bosnia-Herzegovina which led to the Dayton Agreement and the subsequent deployment of U.S. troops there. This was an issue I followed closely from my position as the Chairman of the Commission on Security and Cooperation in Europe, and as Chairman of the International Relations Subcommittee on International Operations and Human Rights.

Though skeptical of the original context and mandate of the post Dayton deployment, Mr. Speaker, the United States has committed to help secure and ensure an environment for the effective implementation of the Dayton Agreement. As a matter of policy, I believe the continued presence of the troops remains a prerequisite for that objective, and now is not the time to raise any doubt about the United

States support for the mission. With respect to the well-intentioned resolution before the House today—introduced and defended by my good friends Congressman CAMPBELL and Congressman HYDE—I must oppose the measure for the following reasons:

1. Whether we like it or not, Mr. Speaker, the troops are there. The possibility of their withdrawal by June of this year has hung like a thick fog over Bosnia-Herzegovina, compounding the international community's tenuous resolve and halting progress as a result. The question of a post-SFOR renewal of fighting and even a division of Bosnia-Herzegovina has loomed large. The President's March 3rd notification of the U.S. intention to stay—this time without setting a date certain for their withdrawal—has made a stable peace much more likely. U.S. policy has become much more assertive, as the creation of a more stable and lasting peace is a prerequisite for departure of the forces. Persons indicted for war crimes are being captured and are even surrendering themselves. More displaced men, women and families have sought to return to their original homes. The Bosnian Serbs are beginning to envision a brighter future with political moderates instead of nationalists. Unfortunately, the pace of progress remains slow—too slow—but if the troops were withdrawn during this critical period or if doubt of our commitment to the Mission were interjected, I am convinced progress would cease.

2. Mr. Speaker, I am convinced that passage of this resolution at this time would, without a doubt, send the wrong signal. Despite the other objectives of the proponents of the measure, threatening withdrawal before the situation is stable would be seen by those on the ground as a sign of weakness. As made clear in the Helsinki Commission's hearing on the repression and violence in Kosovo conducted earlier today, the deadly assaults in Kosovo in recent weeks are a stark reminder of Slobodan Milosevic's inclination to violence and the volatility of the region.

3. Ultimately, Mr. Speaker, the resolution under consideration this afternoon is more than a statement on the need for congressional authorization for troop deployments abroad. I believe that is why the International Relations Committee last week ordered the resolution reported unfavorably. Advocates of the measure have indicated that they are really seeking to withdraw the troops from Bosnia. Mr. Speaker, if so, we need to seriously consider the consequences of a premature withdrawal. Regardless of the extent to which we had reservations about Dayton or even opposed the Administration's decision to deploy in the first place, the reality is that the Congress would—as it should—hold responsibility for the consequences of a premature withdrawal.

The United States, in my view, has a national interest at stake in Bosnia's future and the success of the Dayton Agreement. In Bosnia, a few political leaders who desire more political power seek to convince the world that division of the country is inevitable. If we let them succeed, there will be consequences in the region and there will be a definite impact on the viability of a NATO which is now successfully reshaping itself for the post-Cold War era. Finally, premature withdrawal of the

forces in Bosnia whittles away even further the moral content of our foreign policy—the promotion of human rights and representative government.

In conclusion, the Clinton Administration—and the Bush Administration before—has made major blunders in responding to the aggression and genocide in Bosnia-Herzegovina. Unfortunately, I feel the passage of this resolution would only make the situation worse at a time when the possibility of a success is finally on the horizon.

Mr. THORNBERRY. Mr. Speaker, I believe that U.S. troops should come home from Bosnia as soon as possible, but I must vote against this resolution.

I have been a skeptic about our role in Bosnia from the beginning. Like many of my colleagues, I have been to Bosnia and witnessed firsthand the remarkable job which our troops are doing there. We should all be very proud of their success and of their morale and of their desire to leave Bosnia better equipped to work out their differences in a peaceful manner. The performance and attitude of our young men and women in a difficult situation should remind us all how fortunate this nation has been and is to have such people willing to fight and die for our country.

Yet, I do not believe that vital U.S. national interests are at stake in Bosnia. I believe this deployment has lasted too long, straining the ability of our short-changed military to cover other essential bases. Last year, I cosponsored H.R. 1172, preventing the use of funds to keep troops in Bosnia after a date certain. Furthermore, I voted for amendments that would have cut off funding on December 31, 1997, and June 30, 1998. I believe we should end our deployment in Bosnia and turn it over to those who do have a vital stake in the outcome, the Europeans.

But, despite my strong desire to end our deployment in Bosnia, I cannot vote for this resolution. I have long believed that the War Powers Act is unconstitutional, and I cannot invoke an unconstitutional act, even to accomplish a goal I support.

The history of the War Powers Act is well-known. Passed over a weakened President Nixon's veto in 1973, its supporters hoped to procedurally avoid another Vietnam.

Section 5(c) of the War Powers Act says Congress can force the President to remove U.S. forces by passing a concurrent resolution requiring their removal. The Supreme Court's 1983 *Chadha* decision struck down a legislative provision of another law which did not require the signature of the President. Most scholars and observers believe that section 5(c) is also unconstitutional because it would require the President to remove troops by a concurrent resolution, which does not have to be signed by the President.

I believe that the War Powers Act is unconstitutional on broader grounds as well. The Constitution gives the President the power of Commander-in-Chief of the armed forces, and Federalist Paper No. 23 makes it clear that "authorities essential to the care of the common defense . . . ought to exist without limitation: Because it is impossible to foresee or define the extent and variety of national exigencies, or the corresponding extent and variety of the means which may be necessary to sat-

isfy them." Federalist No. 74 says, "Of all the cares or concerns of government the direction of war most peculiarly demands those qualities which distinguish the exercise of power by a single hand."

That is not to say Congress is helpless. It can stop funding, which it should do in this case.

While it is tempting to correct a mistake by the President using the War Powers Act, we should not indulge that temptation when it disrupts the balance of powers essential to our Constitution.

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

The SPEAKER pro tempore. All time has expired.

Pursuant to the order of the House of Thursday, March 12, 1998, the previous question is ordered on the concurrent resolution, as modified.

The question is on the concurrent resolution, as modified.

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

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

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 193, nays 225, not voting 13, as follows:

[Roll No. 58]

YEAS—193

Aderholt	DeLay	Horn
Archer	Dickey	Hulshof
Armey	Dixon	Hutchinson
Bachus	Doggett	Hyde
Baker	Doolittle	Inglis
Ballenger	Dreier	Istook
Barr	Duncan	Jenkins
Barrett (NE)	Ehlers	Johnson (CT)
Bartlett	Ehrlich	Johnson, Sam
Barton	Emerson	Jones
Bass	English	Kasich
Bereuter	Ensign	Kelly
Billbray	Everett	Kim
Billrakis	Ewing	Kingston
Blunt	Filner	Klug
Bonilla	Foley	LaHood
Brady	Forbes	Latham
Bryant	Fossella	Lewis (KY)
Bunning	Fowler	Linder
Burr	Frank (MA)	Livingston
Burton	Franks (NJ)	LoBiondo
Calvert	Frelinghuysen	Lucas
Camp	Gallegly	Maloney (CT)
Campbell	Ganske	Manzullo
Canady	Gekas	Markey
Cannon	Gibbons	McCollum
Chabot	Goode	McCreery
Chenoweth	Goodlatte	McHugh
Christensen	Goodling	McInnis
Coble	Graham	McIntosh
Coburn	Granger	McKeon
Collins	Greenwood	Metcalf
Combest	Gutknecht	Mica
Condit	Hall (TX)	Miller (FL)
Cook	Hansen	Moran (KS)
Cooksey	Hastert	Myrick
Crane	Hayworth	Nethercutt
Crapo	Hefley	Neumann
Cubin	Herger	Ney
Cunningham	Hill	Norwood
Danner	Hilleary	Nussle
Deal	Hobson	Packard
DeFazio	Hoekstra	Pappas

Paul  
Paxon  
Pease  
Peterson (MN)  
Peterson (PA)  
Petri  
Pickering  
Pitts  
Pombo  
Porter  
Pryce (OH)  
Radanovich  
Ramstad  
Redmond  
Regula  
Riggs  
Riley  
Rogan  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Roukema

Royce  
Ryun  
Salmon  
Sanford  
Saxton  
Scarborough  
Schaefer, Dan  
Schaffer, Bob  
Sensenbrenner  
Sessions  
Shadegg  
Shaw  
Shays  
Shimkus  
Shuster  
Skeen  
Smith (MI)  
Smith (OR)  
Smith (TX)  
Smith, Linda  
Snowbarger  
Souder

Spence  
Stearns  
Stump  
Sununu  
Talent  
Tauzin  
Taylor (NC)  
Thomas  
Thune  
Traficant  
Upton  
Walsh  
Wamp  
Watkins  
Watts (OK)  
Weldon (FL)  
Weldon (PA)  
Weller  
White  
Whitfield

Visclosky  
Waters  
Watt (NC)  
Waxman  
Wexler

Weygand  
Wicker  
Wise  
Wolf  
Woolsey

Wynn  
Yates  
Young (AK)  
Young (FL)

## NOT VOTING—13

Davis (IL)  
Gephardt  
Gonzalez  
Gutierrez  
Hefner

Lipinski  
Martinez  
McDade  
Parker  
Poshard

Schiff  
Stupak  
Tierney

□ 1431

Mr. ORTIZ and Ms. SLAUGHTER changed their vote from "yea" to "nay."

Mrs. ROUKEMA changed her vote from "nay" to "yea."

So the resolution was not agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. KINGSTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Con. Res. 227.

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

There was no objection.

## COPYRIGHT TERM EXTENSION ACT

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

Mr. SOLOMON. Mr. Speaker, I rise to inform the House of the Committee on Rules' plans in regard to H.R. 2589, the Copyright Term Extension Act. The bill was ordered reported by the Committee on the Judiciary on March 4, and the report was filed in the House today.

The Committee on Rules will meet next week to grant a rule which may require that amendments to H.R. 2589 be preprinted in the CONGRESSIONAL RECORD. In this case, amendments to be reprinted would need to be signed by the Member and submitted at the Speaker's table, not to the Committee on Rules, at the Speaker's table. Members should use the advice of Legislative Counsel to ensure that their amendments are properly addressed.

## SPECIAL ORDERS

The SPEAKER pro tempore (Mr. FOLEY). 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.

## CHILD CARE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mrs. TAUSCHER) is recognized for 5 minutes.

Mrs. TAUSCHER. Mr. Speaker, in honor of Women's History Month, I would like to take a moment to draw our attention to the issue of child care. There is general agreement in America that two of our most precious values are family and work.

During the course of the last century, we have seen many changes in the way that we work and raise our families. One hundred years ago the vast majority of Americans were doing some kind of home-based work, such as working on a family farm. In those earlier years, extended family members could be counted on to help parents provide care for their children. But as we have become an increasingly mobile and quickly growing society, many of those traditional methods of child care are no longer an option.

While most people would agree that it is preferable for a parent to stay home with his or her child, we all have to realize that most families simply do not have that option any longer. Today in America working families face a constant challenge of how to balance family and work. There is no one-size-fits-all solution to child care. But there are things as a Nation we can do at a Federal, state, and a community level to improve and enhance the quality of the care our children receive. We must empower parents with a variety of options, opportunities, and information and allow them to make their choices about which solution best suits their own family's needs.

In the parts of Alameda and Contra Costa Counties in California that I represent, roughly 60 percent of the women work outside of home, which requires most parents to search for quality child care. Nationwide only 7 percent of American families fit the old traditional model of a working dad and a stay-at-home mom, and 62 percent of the women in the entire American work force are working mothers.

Finding the right information about child care can be difficult for many of these working families. In my district, we have wonderful groups, such as the Contra Costa Child Care Council, which helps parents find quality child care that is right for them. But, in general, getting information about the differences between nannies, au pairs, in-house care, day-care centers, work site centers, and babysitters can be daunting, if not impossible, and it is a task that overburdens many parents.

There are a number of legislative options being offered to help families who have difficulty in finding and affording good child care. What we must remember is that no one single approach is better than another. Our goal must be to help parents find and afford the type of care that best suits their lifestyle and needs. For example, one family may benefit from a tax credit, while another family may want to use after-school care. We must work together to

## NAYS—225

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offer multiple solutions so that parents can choose for themselves.

I strongly believe that the final child care package must be one that empowers parents and encourages public-private partnerships without creating another large bureaucracy. While we draw attention to child care during Women's History Month, we must also realize that child care is not just a women's issue; it is a family issue and in a sense a community issue.

Children are our most precious asset; and from the very beginning, we must take the right steps to ensure that they are properly nurtured and cared for during the times we are with them and during the times we are unable to be with them. Our job now is to develop a child-care initiative that provides working families with the tools necessary to ensure quality and affordable care for every child in America that needs it.

#### THREATS TO U.S. NATIONAL SECURITY FROM CUBAN DICTATORSHIP

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. DIAZ-BALART) is recognized for 5 minutes.

Mr. DIAZ-BALART. Mr. Speaker, I have received extremely disturbing reports that the Department of Defense plans to officially minimize the threat assessment of Castro's Cuba and that this may be utilized to subsequently remove Castro from the State Department's terrorist list.

Despite Cuba's destroyed economic situation, Castro remains a dangerous and unstable dictator with the intention and capability to hurt U.S. interests. Thirty-five years ago, during the Cuban missile crisis, Castro urged a nuclear first strike by the Soviet Union against the United States. Ten years ago, Cuban General Rafael del Pino disclosed that Cuban combat pilots train for air strikes against military targets in South Florida.

Five years ago, a Cuban airforce defector in a MiG-29 fighter aircraft, flying undetected until outside Key West, Florida, confirmed that he had trained to attack the Turkey Point nuclear power facility in South Florida. Two years ago, Castro ordered Cuban MiG-29 fighter aircraft to attack and kill unarmed American civilians flying in international air space just miles from the United States.

□ 1445

There is a pathologically unstable tyrant in the final years of his dictatorship just 90 miles from our shores. His 4-decade record of brutality, rabid hostility toward the Cuban exile community, anti-Americanism, support for international terrorism, and proximity to the United States, is an ominous combination.

When considering the potential threat from Castro, the following must be noted.

Despite the end of the Cold War, Castro continues to espouse a hard line, using apocalyptic rhetoric, proclaiming socialism or death, ranting about a final reckoning with the United States, and punishing any Cuban who advocates genuine political or economic reform.

Castro maintains one of Latin America's largest militaries with capabilities completely inconsistent with Cuba's economic reality and security needs.

Despite Cuba's economic failure, Castro has the capability to finance special projects through his network of criminal enterprises and billions of dollars of hard currency reserves that he maintains in hidden foreign accounts. Castro has a proven capability to penetrate U.S. airspace with military aircraft and to conduct aggressive shoot-down operations in international airspace just outside the U.S.

Castro is training elite special forces in Vietnam who are prepared to attack U.S. military targets during a final confrontation, according to *Janes Defense Weekly*.

Castro actively maintains political and scientific exchanges with each of the countries on the Department of State's list of terrorist states. Castro continues to provide logistical support for international terrorism and pro-Castro guerrilla groups, and Cuban-trained international terrorists are still active around the world, most ominously at this time in Colombia.

Castro continues to coordinate and facilitate the flow of illegal drugs through Cuba into the United States. He continues to offer Cuba as a haven for drug smugglers, criminals and international terrorists, including more than 90 felony fugitives wanted by the U.S. Department of Justice.

The Lourdes electronic espionage facility is used to spy against U.S. military and economic targets, including the intercept, and this has been confirmed, of highly classified 1990 Persian Gulf battle plans. Castro is working with Russia, which recently extended a \$350 million line of credit to him for priority installations in Cuba, and anyone else willing to offer assistance to complete the nuclear reactor in Cuba.

Castro has access to all the chemical and biological agents necessary to develop germ and chemical weapons. Despite his failed economy, he has constructed a secretive network of sophisticated biotechnology labs, fully capable of developing chemical and biological weapons. These labs are operated by the military and Interior Ministry, are highly secure and off-limits to foreigners and visiting scientists. Under the guise of genetic, biological and pharmaceutical research, Castro is developing a serious germ and chemical

warfare capability. He has the ability to deliver biological and chemical weapons with military aircraft, various unconventional techniques and perhaps even missile systems increasingly available in the international black market.

Tyrants are most dangerous when they are wounded. Given Cuba's proximity to the U.S. and Castro's proven instability, it would be an unacceptable and potentially tragic mistake to underestimate his capabilities. It is critical that Castro be kept on the State Department's list of terrorist states and that a realistic threat assessment be made, which includes an examination of Cuba's biotechnical capabilities as the Castro dictatorship moves towards its final stages.

It is important, Mr. Speaker, that we explain at this time what our embargo against Castro is and what it is not. We must counter the massive disinformation campaign by those who wish to lift the embargo against Castro. The way to do that is with the facts. Our embargo is an embargo against U.S. credits, financing and mass tourism to Castro. It is not an embargo on medicine or humanitarian assistance.

These facts are necessary to be expressed and clarified. We will continue speaking on them in the coming days.

Mr. SOLOMON. Mr. Speaker, the Cold War was about one thing: freedom.

As the communist tyrants of the Soviet Union tried to expand their evil form of repression around the world after World War II, the United States stepped up to the plate and said "no".

Why? Because it was the right thing to do. Yes, it was the right thing strategically. It was in our interest to contain Soviet military power. But more importantly, it was the right thing morally.

As the heroic dissidents and defectors from communist repression, Alexander Solzhenitsyn, Andrei Sakharov, Vaclav Havel and many others told us, and as level-headed academics like Robert Conquest chronicled, and as the opening of the Soviet archives have proven definitively, communism has been the most destructive force in this century, responsible for more harm to more people in more places than any other.

That's why we waged the Cold War, Mr. Speaker. It was simply the right thing to do.

But now, with the Cold War long gone, some people, and certainly the people making foreign policy in the Clinton administration and in Europe, have forgotten all about morality in foreign policy. They have forgotten about doing the right thing.

We see it in the Clinton administration's shameless appeasement of Communist China, all because of the almighty dollar.

We see it in the administration's normalizing of relations with the Communist regimes of Vietnam and Laos, despite the fact that those very regimes killed, captured and have failed to account for thousands of young Americans.

We see it in the French drive to let Saddam Hussein off the hook, just so they can earn a

few bucks. And we see it in the worldwide business as usual relationship with this awful tyrant in Havana named Fidel Castro.

Despite Castro's vicious dictatorship, despite his political prisons, despite his documented human rights abuses, despite his support for Marxist revolutionary movements around the world during the Cold War, the pernicious effects of which are still being felt in places like El Salvador and Nicaragua, our Canadian neighbors, our European friends and many other countries throughout the world serve to prop up Castro's repressive machine through trade.

It has devolved to America to continue to do the right thing by maintaining our trade embargo, Mr. Speaker.

And now there are some Americans, and perhaps even the Clinton administration, who want to copycat the immoral policies of Canada, Europe and countless dictatorships around the world by lifting the embargo.

What a tragic mistake that would be Mr. Speaker. What a terrible message that would send to those who languish in Castro's prisons, to those Cubans who long to cast a vote for their government for the first time in their lives.

It would tell them that their last hope, America, has abandoned them.

And what a terrible message that would send to Castro.

It would tell him that his arch-enemy, and Mr. Speaker, I consider it a badge of honor that the likes of Fidel Castro considers us his enemy, has capitulated.

And it would tell the rest of the world that we have abdicated our leadership role in the world.

Some in America say, "everybody else is doing it, so why not us?" "An embargo can't be effective if others won't join in."

Well, Mr. Speaker, copycatting the amoral, rudderless foreign policies of other nations is not leadership now, is it?

We should be exhorting, and using financial leverage, to induce other countries to join in.

That's what Helms-Burton was all about, and it is a scandal that this President won't enforce the law!

And some say, "The embargo is propping Castro up by giving him an enemy."

What a ridiculous, a historical view that is. If the embargo helps Castro, then why does he want it lifted?

And how many times do we have to repeat the fact that when Castro first seized power, the United States offered him assistance? And yet he still turned on us, because he is and always has been a Communist. Communists consider America the enemy, embargo or no embargo.

And Mr. Speaker, I am tired of those who say this embargo is not working.

What is not working is engagement, the business as usual engagement that the rest of the world is conducting with Castro as we speak.

It is their trade and aid dollars that are propping up Castro.

Just as our trade and aid dollars are propping up the Communist thugs in Beijing, and Hanoi, and now North Korea.

Everywhere we look Mr. Speaker, engagement has failed to mellow Communist dictators.

It has failed to improve human rights, it has failed to create widespread business opportunities and it has failed to rein in their foreign policies.

This is in stark contrast to Ronald Reagan's hard-line, rollback policies that helped bring down the Iron Curtain in Europe.

This is the policy we need now toward Fidel Castro.

Only his removal from power can lead to true improvement in Cuba. Anything less is a charade, and we have lived through these charades before.

It is time for this administration to get serious about removing Fidel Castro from power. It is time to apply the Helms-Burton law with full vigor.

If some of our so-called friends want to prop up this dictator longer, it is time for us to tell them they can kiss the most lucrative consumer market in the world goodbye.

That will surely bring them around, as their foreign policies are so dollar-dependent.

And if not, then so be it.

Let history record America as the country that did the right thing vis-à-vis an awful dictator in the Caribbean to the bitter end.

#### MEXICO MAJOR SOURCE OF ILLICIT DRUGS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. MICA) is recognized for 5 minutes.

Mr. MICA. Mr. Speaker, I come to the House floor this afternoon to announce that chemical warfare has been declared upon the United States of America. Some of my colleagues may be wondering what I mean by this statement that chemical warfare has in fact been inflicted upon the United States, but let me tell them the rest of the story.

In the entire Gulf War with the United States, Iraq took 148 American lives in battle. Let me give Members some statistics from 1992 to 1994 in the loss of life in the chemical war that has been declared upon the United States of America. There have been drug deaths during that period of time of 38,882. If we had the most up-to-date statistics through last year, we are probably looking at 60,000 Americans who have lost their lives because of drugs entering this country.

I ask my colleagues where most of the drugs are coming into this country. What is the source of the chemical warfare that has been declared upon our Nation? I tell them today that it is Mexico. The DEA confirms it. Everyone who has testified before my National Security subcommittee that oversees our policy on the narcotics issue has confirmed it, that Mexico is the source of illegal chemicals, drugs, coming into this country.

Many of those thousands of lives that have been lost in this chemical war are young people. Listen to the quantities of narcotics that are coming in from Mexico, and this administration and

this President recently certified Mexico as compliant with attempts to eradicate drugs. Do Members know the source of 50 to 70 percent of the cocaine transiting into the United States, into their community? It is Mexico. Do they know where 30 percent of the heroin entering the United States into their community is coming from? It is coming from Mexico. Do they know where 70 percent of the foreign-grown marijuana which is produced and transited to the United States is coming from? It is Mexico.

The certification law that we have on the books is a simple law. It says our State Department and our President must confirm that a country is cooperating to eliminate drug trafficking and drug production. In fact, Mexico is not doing that. They are being certified to get benefits from the United States. They get benefits for foreign aid, for financial assistance, for military assistance and trade benefits. This is a simple certification process which Mexico has not complied with.

What has been their response? Their response has been to launch a chemical war on the children and the people of the United States. The loss of life, the loss of our children's futures, the loss of civility and civil conduct in our community has been disrupted.

We have 2 million Americans behind bars. Our people are sleeping at night behind bars. Our elderly are confined to their homes behind bars, because 70 percent of those who are committing crimes are there because of a drug-related offense or drug abuse.

I submit that 50 percent of the hard drugs, and these are not my statistics, this is the DEA, the FBI and other Federal agencies confirm that 50 percent of the hard drugs, these chemical weapons, are coming into the United States from Mexico.

I urge my colleagues, all of my colleagues, to join me with the gentleman from Florida (Mr. SHAW) in cosponsoring House Joint Resolution 114. Let us end this chemical warfare that has been declared upon our Nation and upon our children. I ask my colleagues to join us and cosponsor House Joint Resolution 114 and let us make a difference in the lives of our children and in the lives of our community and stop the drug warfare on this country.

#### CHILD CARE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Ms. EDDIE BERNICE JOHNSON) is recognized for 5 minutes.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in celebration of Women's History Month and would like to call special attention to the current status of child care in our country.

Today more parents work outside the home than ever before. More than 75

percent of mothers with children ages 6 through 17 are in the work force. More than 60 percent of mothers with children under the age of 6 are employed in addition. Changes in the welfare system set such strict work requirements, which means that parents must find jobs or leave public assistance.

Child care costs can be prohibitive. Consequently it was a reason why many mothers did not work. Currently full-day child care can cost between \$4,000 and \$10,000 per year. The expense of child care becomes even a greater issue of concern once we consider the fact that nearly half of the parents with young children earn \$35,000 a year or less. Even families with two working parents working full-time at minimum wage, the parents earn only about \$21,000 annually, and that is gross income.

The importance of quality child care cannot be ignored. Research shows that good child care programs can affect children's long-term success in school and their learning potential as adults. In addition, brain development research shows that an adverse environment in the first 3 years of life can compromise a child's brain function and overall development. With all of this information, it is troubling that according to recent studies, the quality of child care is rated mediocre to poor.

In many cases, parents are able to use relatives. But such care is not always available or preferable. Often there are no relatives living close by, or nearby relatives are working or are unable to meet the demands of a caregiver for a young child.

In recent times, businesses have made efforts to help their employees find and pay for child care, but such help is still scarce. Businesses account for only 1 percent of the total child care expenditures.

In January, President Clinton announced a historic initiative to improve child care for America's working families. The initiative proposes \$21.7 billion over 5 years for child care to help working families pay for child care, build a good supply of after-school programs, improve safety and quality of care and promote early learning. This initiative is an important start to our providing new resources and building on existing State efforts to address child care trends.

Now it is up to my colleagues here in Congress to strengthen this proposal and enact a child care package that ensures quality, affordable child care for every family who needs it. Last month the First Lady, Hillary Rodham Clinton, visited a child care center in my district. During her tour of the center, Mrs. Clinton was able to learn more about the relationship-centered child care model. This nationally acclaimed model of care employs the unique concept of small, family groups of children who are with the same teacher over

time so that they grow with better reading, math, language and interpersonal skills.

I believe that relationship-centered child care has the potential to be the benchmark for child care in America. It is my hope that the model program will expand to include more of America's children and families.

□ 1500

#### STOP PLAYING POLITICS WITH SENIORS' HEALTH CARE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. KINGSTON) is recognized for 5 minutes.

Mr. KINGSTON. Mr. Speaker, Mrs. Lucille Harris lives in the First District of Georgia. She is 69 years old. For the past 3 years she has been somewhat worried about her health care, affectionately known as Medicare, because she knows that in April of 1995 the Medicare trustees said Medicare is going bankrupt and that Congress needed to act to preserve and protect it. We tried for many years to protect it and preserve it; but, unfortunately, politics got in the way.

Then, last year, we finally came up with a bipartisan solution which the House passed, the Senate passed and the President signed into law. We did do some good Medicare reform. We gave our seniors a choice of plans. We cut fraud and abuse. We increased spending from \$5,000 to \$7,000 per person.

In addition to that, we said that States are required to cover people who have fallen through the cracks; to come up with something for people who were not Medicare-eligible, like the 51-year-old man from Vermont that I talked to last night; people who cannot get coverage through the standard health care market. The bill required that States come up with plans, each State, to protect these people.

The second thing that it did along that line is it said that we would set up a bipartisan Medicare committee; and the bipartisan committee, which is chaired by a Clinton-appointed Democrat Senator, would address the long-term solvency needs of Medicare as more and more baby boomers retire and use this coverage. We decided it was more important to protect Medicare for the next generation, not just the next election.

So, Mr. Speaker, having made this great and difficult bipartisan progress, why is it that the President has now ignored that legislation and his own commission? Why is he willing to risk Medicare because of election year politics? Why is it that if it is profitable to lower Medicare eligibility and it does not cost the system, why is it the private sector is not already providing that coverage?

Mr. Speaker, I am afraid the President is again playing politics with our seniors' very important health care plan. We need to protect and to preserve it. We do not need to play politics with it. Medicare deserves bipartisan support. People like Mrs. Harris and millions and millions of Americans, perhaps one's mother or father or grandparents, they deserve better.

Mr. President, do not monkey around with our seniors' health care. Let us continue to work on a bipartisan basis to protect Medicare. Let us see what the bipartisan commission with the President's chairman has to say before we go changing the plan and incurring unnecessary risks to our seniors' health care plan.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FOLEY). Members are reminded to address their remarks to the Speaker and not to the President.

#### THE AMERICA AFTER SCHOOL ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Ms. SLAUGHTER) is recognized for 5 minutes.

Ms. SLAUGHTER. Mr. Speaker, experts estimate that nearly 5 million school-age children in the United States spend time without adult supervision during a typical week. Too many of these unsupervised children hang out on the street, exposed to drugs and crime, or sit at home with only the television set for company. I recently introduced the America After School Act, H.R. 3400, to expand high quality after-school programs for 5- to 15-year-old students to give these kids a safe place to go when the school day ends.

In 64% of families with children under 18, both parents work. A recent study showed that when children were unsupervised for long periods of time early in life, they were more likely to display poor behavior adjustment and academic performance as early as the sixth grade. Clearly, we no longer live in the time of Ward and June Cleaver. Young people today need productive, supervised activities for the periods when they are not in school.

In my district of Rochester, NY, Henry Lomb School #20 has an after school program that serves about 25 students. They could easily triple this number, based on their waiting list and space availability, if only they had enough funding to increase their staff to meet the one-to-ten staff-student requirement.

Meanwhile, Adlai Stevenson School #29 has an after school program that has enough funding to serve sixteen of its students. This is a great start. However, the school has four hundred students. This is another example of the great need to expand after school child care in this country.

Other schools in my district report the need for increased funding for transportation, staff, and supplies to provide supervision and constructive activities for school-age children when the school day ends. Because of the

lack of funding, schools do not have the resources to provide after-school care for all students every day. They ration the care—two or three days per week for each student. However, a study in my district showed that school attendance was higher on days when students knew they had their after-school program at the end of the day. Clearly, students desire a safe haven after school, as much as their parents desire it for them.

In addition, the peak hours for juvenile crime are from 3 p.m. to 8 p.m. We need to get kids off the streets and into safe, productive programs at their schools where they can receive help with their homework, participate in the arts, and expend positive energy on athletic competition.

We have learned so much about the development of young minds and the importance of nurturing children at a young age. Expanding after school programs will help more children benefit from supervision and constructive attention from adults. We can stimulate these young minds through tutoring opportunities, arts and computer projects, and drug prevention activities.

My bill increases the availability and affordability of quality care for 5- to 15-year-olds before and after school, as well during summers and weekends through the Child Care Development Block Grant program. It also expands the 21st Century Community Learning Centers Program, which gives students a safe environment in which to do homework, receive tutoring in basic skills, benefit from college preparatory training and get experience with technology. Students also receive counseling on drug and violence prevention, learn to appreciate the arts and compete in athletics.

Finally, H.R. 3400 invests funds into after school prevention programs for areas with high at-risk youth populations. By giving these young people positive alternatives, we can dissuade them from high risk behavior and encourage productivity and positive interactions with both peers and adults.

I am proud to be the House sponsor of the America After School Act and look forward to continuing to work with my colleagues to improve the care of school age children.

#### ENOUGH SUFFERING IN CYPRUS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. KLINK) is recognized for 5 minutes.

Mr. KLINK. Mr. Speaker, I rise today to talk about a subject that has to be very difficult for anyone to listen to, particularly if one happens to be a parent.

On March 5, after nearly 24 very long years, the family of Andreas Kasapis of Detroit, Michigan, finally were assured that the remains that were found in a field on the island nation of Cyprus were that of their son, 17-year-old Andreas Kasapis. Andrew was an American citizen who, along with four other American citizens, was visiting Cyprus back in 1974 when the Turks invaded that island nation. As a result of that invasion, nearly 37 percent of the landmass of that island nation is under

Turkish control nearly a quarter of a century later; and the families of 1,619 Cypriots and Cypriot Americans have been unaccounted for.

We found out only a year or so ago in a very cursory comment from the Turkish leaders that, well, these people were all killed. Their families did not know that. For decades, their families did not know what happened, did not know if they are languishing in a prison camp, did not know if they had been killed, did not know if they were working in slavery, did not know what had happened to their families.

Here was a 17-year-old boy that, if he were alive today, would be a 41-year-old man; and only now, after spending millions of dollars in American taxpayer money to do highly sophisticated DNA tests on the bones that were found in a field, not in a grave in Cyprus, but lying in a field scattered about by plowing; and, in fact, it was very difficult, according to news reports, to find a bone that was suitable to perform the DNA test to find out that this was, indeed, the body of this 17-year-old American citizen.

Americans in this country have worried for many years and, rightfully so, about what has occurred to missing Americans who served on the battlefields of Southeast Asia and other parts of this world. We should be very concerned about this. This was not a battlefield. This was a vacation spot. This was visiting the homeland of one's parents. Americans were just in a sovereign country enjoying themselves and went through this invasion of 1974, and they were caught up, and they were killed, brutally killed.

We can only imagine how brutal the slaying had to be for these bones of the people who were killed in this one field just to be scattered and not to be dug up but to be found as farmers plow these fields and the bones come up to the surface. What a horrible, horrible picture for the family of Mr. Kasapis to have to deal with. But at least they have the peace of knowing what happened to their son. The other 1,618 families do not know what has happened.

Mr. Speaker, I would say that at this time we hope that the discovery and the identification of this one set of bones in this field nearly half a world away might lend those of us in government, those in the American community, those in the Turkish and the Greek communities, those in Cyprus, to work much harder to redouble their efforts to give answers to these families so that they can lay to rest, if not in a grave site at least in their minds and in their hearts, what happened to their loved ones nearly a quarter of a century ago.

I would hope that the world community, as we focus on Saddam Hussein and weapons of mass destruction, can take a look at what Turkey has done, take a look at the green line that di-

vides Nicosia, take a look at the line across Cyprus that divides more than one-third of this island which prevents Greek Cypriots from going into their homes, from worshipping in their churches, that again this sovereign nation can become one, not associated with the Greek government, not associated with the Turkish government, but as a sovereign nation where, left alone, Greek Cypriots and Turkish Cypriots would be able to live together, would be able to have free exchanges, free elections, would be able to establish their own kind of government.

That is what the world has been waiting for. This island nation should not be divided, and the families of over 1,600 Cypriots and Cypriot Americans should not have to wait any longer.

Mr. Speaker, I say that in this nation people like Phil Christopher, who is the President of the International Coordinating Committee of Justice for Cyprus and the Pancyprian Association; people like Andrew Manatos, the President of the National Coordinated Effort of Hellenes; and folks like Andy Athens, the President of the World Council of Hellenes Abroad; have kept this issue in the minds of the world and of Greeks and Greek Americans and, hopefully, also Turkish Americans and Turkish Cypriots. We hope that this is the beginning of putting this very painful part of history behind us, of healing the wounds and giving some peace to these families who have lost loved ones.

#### THE FOREIGN AFFAIRS REFORM AND RESTRUCTURING ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, very soon, perhaps tomorrow or next week, we will be considering H.R. 1757, the Foreign Affairs Reform and Restructuring Act. This conference report not only takes an important step toward reforming the outdated structure of our foreign affairs agencies, but also it includes important provisions that I was proud to have introduced to further tighten the noose on the Castro dictatorship, while still protecting U.S. interests.

One of the provisions that I have, for example, imposes severe limitations on the amount of assistance that the United States gives to foreign countries if those foreign countries are extending lines of credit or any kind of nuclear assistance such as petroleum, et cetera, for Cuba in the termination of and in the completion of their nuclear power plant in Juragua, which is close to Cienfuegos, Cuba.

This nuclear power plant has been found to have severe structural defects in the construction and in the type of materials that are used; and we know

that because of the individuals who have previously worked in the plant, who have defected and are now in the United States. They have actually come to the United States Congress, testified in front of our committees, testifying that this plant suffers from numerous structural defects; it contains inferior quality equipment.

Our concerns specifically deal with Russia, because their involvement in this perilous project was highlighted by comments made by Russian officials visiting Havana earlier this year, just a few months ago, indicating Russia's intent in providing many lines of credit for the completion of the nuclear power plant.

Russia has already extended millions of dollars in credit for the maintenance of the plant, and they will continue to do so. So it is not fair that U.S. taxpayers' dollars should go to Russia, and then Russia turns around and builds a nuclear power plant in our backyard that could have very serious security and health concerns not only for the United States citizens but for Cuban citizens and Caribbean citizens as well.

It requires also that the President gives us an annual study of those countries that are aiding Fidel Castro in the termination of this very dangerous nuclear power plant.

Other elements of this law that will be before us tomorrow or the coming week are ones that require information that has not been forthcoming from the Clinton administration, specifically the State Department, in the enforcement of title IV of Helms-Burton.

Title IV is a part of our bill that requires the State Department to deny entry into the United States of those people, those companies or individuals who are violating laws because they have illegally confiscated U.S. property from U.S. citizens; and so we wrote that law to make sure that U.S. private property rights would be protected.

Unfortunately, the administration has not been forthcoming in giving us information about who are possible violators or who they believe have not been cooperating with our laws. The Clinton administration's enforcement of this section of Helms-Burton has been, to say the least, inadequate, as only a few companies have been sanctioned, despite overwhelming evidence that dozens of companies are, in fact, in violation of this U.S. law. These reports to the U.S. Congress in a periodic fashion will make it far easier for us to make sure that this enforcement process will be actually implemented, this important part of our Helms-Burton law.

Also, we have in this bill a provision that the gentleman from New Jersey (Mr. SMITH) has proposed, and we were proud to help him with it, and that has to do with detailed reports that Congress should get from the Clinton ad-

ministration about Cuban refugees who have been returned to Cuba. We want to make sure that U.S. officials on the island helping those refugees are suffering no reprisals from the tyrannical Castro dictatorship.

A few years ago, the administration reached this immigration accord; and it promised to monitor the Cuban refugees who are returned to Cuba to make sure that they are not mistreated by the Castro thugs. Unfortunately, little has really been heard about these monitoring activities; and our legislation is a way to assure that this important responsibility is performed by our officials in Cuba.

Finally, Mr. Speaker, one last measure that I was proud to associate myself with and with our colleague, the gentleman from New Jersey (Mr. ROTHMAN), and that is to push for Israeli membership into the United Nations committee process, and that is also part of the H.R. 1757, which will be included tomorrow or next week.

□ 1515

#### PERSONAL EXPLANATION

Mr. McNULTY. Mr. Speaker, yesterday, March 17, I was absent for rollcall votes number 53, 54, and 55. Had I been present, I would have voted in the affirmative on all three.

#### ISSUES FACING CONGRESS AND THE AMERICAN PEOPLE

The SPEAKER pro tempore (Mr. FOLEY). Under the Speaker's announced policy of January 7, 1997, the gentleman from Wisconsin (Mr. NEUMANN) is recognized for 60 minutes as the designee of the majority leader.

Mr. NEUMANN. Mr. Speaker, I rise for a variety of issues today I would like to talk about.

First, I would like to talk about a major change that has occurred that probably will not make sense to a lot of viewers in America, but has a lot of meaning out here in Washington, D.C., because the Republican Party in the change that has taken place since 1995, was being severely tested during this past week.

We heard we were going to propose a supplemental spending bill. A supplemental spending bill means we are going to spend money that was not otherwise planned during our budgetary process, spend money on things like Bosnia that had not been budgeted for; the Iraqi problem that had not been budgeted for; things like the ice storm in the Northeast, and some of the other catastrophic happenings around, emergency spending type situations around the country.

They had decided they were going to spend money on these areas that had not been included in the budget. Since 1995, every time this kind of a proposal

had been made, the Republicans have gone elsewhere in the budget process, found lesser important items, and offset the new spending by eliminating items that were of lesser import. But during this past week, for the first time since 1995, for the first time they started talking about just spending this new money, without going and eliminating spending elsewhere of lesser important items.

I am happy to be here today to say congratulations to the Republican leadership and to my colleagues that encouraged them to make the decisions to find offsets for the spending in the supplemental spending bill. We are not just going to go out and spend and spend more of our children's money. When we spend this new money, we are going to go and find other programs that are less important to eliminate. We will not spend on these lesser important programs, so we will have the money available for the expenditures that, in all fairness, whether we agree or disagree with them, have already been made; things like the Bosnian situation, Iraq, and the catastrophic happenings around the country. Those items are going to be paid for.

The money in Bosnia, whether we agree or disagree, and I disagree with our troops being there, but the fact is our troops are there, for the money to pay for those troops we are going to find offsets, find lesser important items. We are going to eliminate those lesser important items so we can afford to spend in the new areas.

This is a monumental change from where we were a week ago. A week ago the money was just going to be spent. As of today, we are hearing our leadership promise us that we are going to find offsets, find lesser important things. That is a tremendous move forward. It should not go unknown or unnoticed by the people in this great Nation we live in when those sorts of changes are made.

The other very significant issue that is being discussed out here right now is called ISTEPA. What that is is reauthorization of money to build roads and infrastructure all across America. We are hearing this proposal for ISTEPA is spending more money on infrastructure than what people had anticipated in the past. It is more money than some budget hawks, myself included, might originally like to see.

I think we have to look at the whole package and understand that this money, too, that is being spent over and above what was originally laid out and projected, it is being offset from areas that are of lesser significance and of lesser importance than solid roads and infrastructure for this Nation.

I think to fully understand how this came about and what is happening here, we need to understand what has happened since 1995. When we got here in 1995, the budget deficit was \$200 billion, as far as the eye could see. Even

after the tax increases of 1993 the projected budget deficits were significant, as far as the eye could see.

When we got here, we controlled Washington spending. We actually got the spending growth rate in Washington to be lower than the rate of inflation for the first time in eons. By controlling the growth of Washington spending, that meant that Washington did not go into the private sector and borrow that \$200 billion out of the private sector.

It is pretty simple from here. When Washington did not take that \$200 billion out of the private sector, that meant there was \$200 billion extra floating around in the private sector. When there is more money available in the private sector, that typically means interest rates come down. That is exactly what happened.

Typically, when interest rates come down, the business cycle grows dramatically. That is exactly what we have seen happen. That means there are lots more job opportunities, people buy more houses, they can afford to buy cars, and so when they buy houses and cars, of course, people have to build those houses and cars. That is job opportunities.

Typically what happens in the business cycle is when we get near the end of the business cycle, the interest rates come down. As the government borrowed less money, the interest rates came down. When the interest rates came down, people bought the houses and cars and there were job opportunities.

Typically, when those job opportunities develop there is a huge demand on our labor force, and the labor availability gets very tight. That means dramatic increases above and beyond the rate of inflation and wages. When that happens, that is called inflation. Typically this inflation heats up. When inflation heats up, the interest rates go back up and that ends the business cycle.

This business cycle is very different. It is different because of what has been done out here in Washington over the last couple of years. When we got to this point where there were more and more job opportunities available, because of the fact Washington is not taking that money out of the private sector, there is more money available, lower interest rates, businesses expanding, creating job opportunities, right at the point where there were more job opportunities available, welfare reform was passed.

What welfare reform did is it required that able-bodied recipients get a job. Right at the time when the business cycle was booming and demanding more and more man-hours to produce the products, because business was booming, right at that time welfare was reformed, requiring able-bodied recipients to go back into the work force.

I brought with me just some statistics from the great State we live in. Governor Tommy Thompson of Wisconsin has been out ahead of the Nation on this particular issue. He started way back in 1986, realizing that when people were on welfare for generations, that they were trapped by the government into understanding that the only way they could get an increase in their take-home pay, their welfare check, the only way they could get an increase in that was if government gave it to them.

He realized and recognized that that was not good for the people that were on welfare, so way back in 1986, since 1986 the overall welfare caseload in Wisconsin has dropped by 80 percent. There has been an 80 percent reduction in welfare in the State of Wisconsin.

This month there are only 1,100 Wisconsin families remaining on AFDC. The State public assistance caseload, AFDC plus those receiving assistance under W-2, currently stands at 14,391, down from over 100,000. That is an 85 percent decrease from where we were. So we have taken over 100,000 families and dropped it to under 15,000 in just a few short years, under Governor Tommy Thompson's leadership.

The W-2 program, it is called Wisconsin Works, it requires that every able-bodied welfare recipient goes to work. They can work at one of three different levels.

Of course, the first level here is a private sector job, with the opportunity to receive a promotion, earn more money, and have a better life for their family. That is certainly the top priority.

But the Governor and the State of Wisconsin recognized that everybody would not be able to get private sector jobs. Even as our business cycle was booming, it would take a transition period of time. So our Governor also provided the opportunity for some public-private sector jobs, so those that could not get a private sector job could get into this public-private relationship, where they could, at least on a temporary basis, work in a job where there is both public and private together. So we had a lot of folks leave with that particular option.

The last resort, as a last resort, if you cannot get a public-private job or a private sector job, then there is a public sector job available, so everyone was guaranteed the opportunity to work under the Wisconsin Works program. Under W-2, families not only earn a paycheck but they receive high quality child care, they receive health care and transportation assistance and other assistance needed, again with the idea that as people leave the welfare rolls and take their first job and start earning a paycheck, we understand these other needs are out there. We understand health care and child care and so on are out there. We are helping

them transition out of public sector and public support and into a position where, in the private sector, they can take care of themselves.

We are very optimistic, and we have seen case after case in Wisconsin where these people that have taken their first job, maybe at a \$5 an hour and still needing some public assistance, have been promoted and are now in their second, third, or fourth job, and earning significantly more money than they would have earned under welfare, and now have the opportunity to live a better life for themselves and their families. They feel, frankly, much better about themselves.

Under Governor Tommy Thompson, he has helped more than 83,000 families leave welfare, and approximately 172,000 children in the State of Wisconsin are no longer under the welfare trap.

I bring up this welfare discussion as it relates to ISTEA because we need to understand this whole picture as to what is happening as it relates to infrastructure. As these 83,000 Wisconsin families left the welfare rolls under Governor Tommy Thompson's direction, as they left the welfare rolls they went into jobs. As they produced things in these jobs, the goods and services that they produced, those goods and services have to get to the marketplace. The only way they can get to the marketplace is with appropriate infrastructure.

Let us talk about what is really happening here. We are taking a look at money that used to be spent on welfare, and we are saying we are going to redirect that social welfare spending into things like infrastructure, so as the people leave the welfare rolls, get a job, start producing a good or a service, that the infrastructure will be available to deliver that good or service to the marketplace so this whole cycle can continue. Once the goods and services are sold in the marketplace, that creates more job opportunities, and more people can then leave the welfare rolls.

In fact, that is exactly what ISTEA is about. The ISTEA bill that is being proposed right now is going to be offset out of an area called mandatory spending. Mandatory spending includes things like the welfare rolls. So as we see this dramatic reduction in the number of people on welfare, some of the money that the government was going to spend on welfare checks is now being redirected into this ISTEA bill to do things like provide the infrastructure necessary to get those goods and services to market, and that is a very, very significant happening under the ISTEA bill.

The other thing that is happening, as we reauthorize this, and this is also very significant, but it should also be a heads-up to our senior citizens, we are also about to wipe out someplace between \$15 billion and \$20 billion of the

Federal debt. This may be the first time that ever we can find this actually happening here in Washington, D.C.

Highway transportation has a trust fund much like the Social Security trust fund. As part of this agreement in ISTEA, in the future, every time that is collected as taxes on gasoline, so when you fill up your car with gas at the local gas station every nickel that is collected for purposes of road building will now be spent on road building.

But as part of this overall agreement, they are wiping out some of this old debt that used to be there on the books that related to the Highway Trust Fund. So it is basically like starting with a clean slate. From this day forward, every dollar coming in that is being collected for taxes for road building goes to road building.

Some people would have rather seen, and I might add that under the bill we introduced here ourselves last year called the National Debt Repayment Act, that entire Highway Trust Fund would have been repaid and used for road and infrastructure construction. But under this arrangement, what is going to happen is that debt is going to be effectively wiped off the books.

Assuming all the things that we have been told out here about the bill so far come true, that the new spending is offset, that the new spending is offset from social welfare savings because recipients are going to work, and other savings in the mandatory spending area, assuming those are the things that happen in this bill, and assuming that the \$15 billion to \$20 billion is wiped off the debt, this looks like a great provision for the future of this country. It looks like we will have solid, strong infrastructure for years to come in this country, and it looks like they have done a pretty good job of getting us to a point where that will be true in the future.

Again, if I had my druthers, I might do things a little different. I might just, for example, take the 4.3 cents a gallon tax increase from 1993 and just wipe it out, or I might give it back to the States. But under this agreement, at least the vast majority of the money being collected from any State is now going back to them.

I understand under the House proposal that the great State of Wisconsin, for the first time, perhaps, will no longer be a donor State and will get a dollar back for every dollar they send to Washington in road-building money. I think that is pretty important.

So we had a couple things here that are very good news and very much in line with what I believe we ought to be doing for the future of this country. In supplemental spending, that new spending bill is going to be offset from spending reductions from elsewhere in the budget. The ISTEA bill that is going to spend more money than was

originally planned again is going to be offset with savings from other areas. We have seen a dramatic reduction in the welfare rolls, and some of that savings from welfare can be redirected into highway and transportation money.

I think the other thing that should be recognized as the savings continue to mount from the reduction in the welfare rolls is that we should start looking for tax reductions as well.

I mentioned before that I had a series of issues that I wanted to talk about. I want to get to Social Security, and I want to tell why there is a heads-up that should be paid attention to in the ISTEA bill as it relates to Social Security.

But before I get to that issue, there is one other issue that I think is very important. I have heard it in our town hall meetings. I heard it as recently as Monday of this week when I was in Kenosha, Wisconsin. Somebody told me about their 6-year-old child that had just come home and started talking about a series of things that I am not sure when I was 6 I even knew what they were. There are issues that relate to the president.

Right now there are a series of people that have made accusations against the President of the United States. Somebody is lying. Either the people making the accusations are lying, or the President of the United States is lying, but somebody is clearly lying.

I would like to just take today, this moment, to encourage our parents to take time out of their busy schedule and sit down with their kids and talk to them about what is being discussed out here in Washington. Tell them that lying is not acceptable, and it is not something that is good and right, no matter who does it. If it is the President that is doing it, then the President is wrong and he should be reprimanded for it. He should resign. If it is the other people that are doing it, then they are wrong.

□ 1530

Our kids need to hear from our parents directly that lying is not an acceptable practice in the United States of America. I would strongly encourage my colleagues—

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
The SPEAKER pro tempore (Mr. FOLEY). The Chair urges the gentleman to address the Chair and not reflect a personality against the President.

Mr. NEUMANN. Mr. Speaker, I am trying to think of the exact words to express the feelings of so many of the people in our district that are so real, from these kids under the age of 6, because these feelings are very real.

I have been in two high schools. I have been in two colleges. Mr. Speaker, I have to tell you, this is one of the toughest issues that this Nation has faced in a long time. These kids are

hearing these issues. These kids are hearing about what is going on in Washington. These kids are understanding that somebody has lied in this situation, and the kids understand that there has been an extramarital affair here, or at least that is what is being discussed in this city. It is very, very difficult for our kids to understand how our Nation's leadership can do these things, and somehow it is translating back to them that it is acceptable.

What I am doing here is encouraging my colleagues as parents to sit down carefully with their kids and explain to them that lying is wrong, explain to them that an extramarital affair is wrong, and anybody who knows anybody who has been involved in an extramarital affair or watched a marriage that has been affected by an extramarital affair, they know it is wrong. They know there is a great deal of pain. For this now to somehow be conveyed to our teenagers, and believe me, they are watching, and to the extent that we in Washington as the Nation's leaders remain silent on this issue, we are making a huge statement to our teenagers.

I am encouraging my colleagues to take the time and the effort to sit down with their kids and the kids in their district and explain to them that this is not acceptable in our eyes, what is going on. No matter who it is that is telling the falsehoods here or the lies here, it is not acceptable practice in our Nation. I think it is time that we as the Nation's leaders with the vested responsibility to represent our constituents do start speaking out on this so that our kids have at least heard someone stand up and say, this is not acceptable. They need to hear that because they right now are struggling.

I found that the people in our age group, my colleagues here and our constituents in my age group, this is not an issue for them. This is an issue for the kids. It is an issue to help the kids. It is an issue that the kids are trying to decide the difference between right and wrong. That is why I am encouraging my colleagues to take the time to talk to their kids about the issues that are out here.

I will move on so that the Chair does not have to reprimand me again for speaking of someone by name or referring to that particular individual. But the facts are this is very important for the leaders of this Nation to address the kids and to let them know what they think and what they believe.

I will move on to the Social Security issue. Social Security for our senior citizens, Social Security for our folks in the work force, it is a very, very important issue.

I would like to talk about what is going on in the Social Security system today, and I would like to talk a little bit about how it relates to the ISTEA bill. My colleagues might be interested

in watching this very closely because the debt that is about to be written off in the ISTEA bill, as it relates to highways, is exactly the same as the debt that is held in the Social Security Trust Fund. My point is here we need to come to understand that many people in this community do not view the Social Security trust fund as real money.

The Social Security issue, I would like to begin by explaining exactly what is happening with Social Security. To understand this whole Social Security discussion, it is important to understand that this year the United States Government, out of the paychecks of my colleagues, our constituents' paychecks, they are going to collect \$480 billion in Social Security this year. They are going to pay back out to our senior citizens in benefits \$382 billion. That leaves a surplus being collected this year of \$98 billion. This should not be confused with the budget surplus. This is Social Security alone.

To put this in perspective, I always talk to my constituents this way, if you think about having a checkbook, forget the billions for a minute because that is hard to understand, but if you think of a checkbook with \$480 in it, you write out a \$382 check, you have got \$98 left in your checkbook. That is exactly what is going on in Social Security right now this year.

The idea, in collecting more money than what they are paying back out to our seniors in benefits, the idea is that extra money should be set aside so that in the future, as the baby boom generation gets toward retirement, and this number, the dollars being paid out to seniors, is bigger than the amount of money coming in, the idea is that much like in your own home, if you wrote out more checks than you had in your checkbook, you would go to your savings account and get the money out to cover it. So the idea with this \$98 billion is it is supposed to be set aside so that when there is not enough money coming in and too much money going out to our seniors, that this money that has been set aside then becomes the savings account that we can go to get the money and make good on the Social Security checks for our seniors.

I would like to also clarify something that is generally not discussed appropriately from Washington. These two numbers turn around in the year 2012, and perhaps sooner. There is a lot of discussion about Social Security is fine until the year 2029. Well, that is true if this \$98 billion is actually sitting in a savings account and waiting to be used.

When I am out with my constituents, I always ask them, anybody want to take a shot in the dark what Congress is doing and the President is doing with that \$98 billion? Most of them get it right right away. When I ask the question, with this extra \$98 billion

that is coming in, what is going on with it in Washington, they always get it right. That \$98 billion is going directly into the big government checkbook, and if you think of this circle as the big government checkbook, the government then spends all the money out of the big government checkbook. When they are done spending money at the end of the year up until this year, they have always had a deficit; that is, they have spent more money than what they had in their checkbook. As a result, since that \$98 billion is in the checkbook and they have spent it, there is no money to put down here in the Social Security Trust Fund. So in the past what they have always done is simply written an IOU to the Social Security Trust Fund. This IOU is called a nonnegotiable Treasury bond. It is a nonmarketable, nonnegotiable Treasury bond. It has been referred to as an IOU by virtually every organization that takes a close look at it. What it really is is a promise that when this money is needed, the United States Government will pay itself the money.

If that sounded confusing, it is, because you ought to be asking the question, and we here in Washington and Congress ought to be asking the question, when these IOUs are needed, where will the United States Government get the money to make good on the IOUs? Again I go back to this other picture. Today we have got more money coming in than what we are paying out to our seniors in benefits. When these two numbers turn around, by the year 2012 and perhaps sooner, when these two numbers turn around, how do we make those IOUs into liquid cash so that we can keep Social Security solvent?

In this city you should understand what is happening going on out here in Washington, they all pound themselves in the chest and say, look, those IOUs are backed by the full faith and credit of the United States Government. Generally they pound their fists on the table when they say that. But the question has to be asked, when those IOUs come due, where is the United States Government going to get the money to make good on the IOUs so Social Security can remain solvent?

The answer to that question is only one of three possibilities. They can either raise taxes on working Americans, think about that for a second. That means that the folks that are on Social Security are going to accept that their children and their grandchildren should start paying more taxes. I do not think that is a very good idea. The second possibility is they reduce the benefits to seniors so the IOUs do not come due as soon. I do not think that is a very good idea. The third possibility is they go out and borrow the money. That means effectively that we are going to pass more debt, more of a debt legacy, on to our children and grandchildren.

So if you do not raise taxes, you do not put off on the IOUs come due, and you do not want to put more of a debt burden on our children, what do you do? That is what I am glad to show the solution here. We have introduced this legislation from our office. It is called the Social Security Preservation Act. It does not really take Einstein to understand the Social Security Preservation Act because virtually every company in America with a pension fund is already doing exactly what I am proposing in the Social Security Preservation Act. It simply says that the \$98 billion that is being collected over and above what is being spent on Social Security be put directly into the Social Security Trust Fund.

Again, let me be very specific. I have got several of my colleagues that have been in discussions with me over the last few days. Let me be very specific how we would put this money down here in the Trust Fund. Instead of buying nonnegotiable, nonmarketable IOUs that cannot be sold, and when the money comes due you have to raise taxes, instead of doing that, we would buy a Treasury bond, the same type of Treasury bond that any senior citizen in America can go down the street and buy and put on deposit in their portfolio of investments. So we would simply buy a negotiable Treasury bond.

Okay. So we get to the year 2012. We have passed the Social Security Preservation Act, and we have actually put negotiable Treasury bonds in here. So we get to the year 2012 or whenever this shortfall occurs. There are negotiable Treasury bonds, Treasury bonds like you buy and sell at your local bank, if that is what is in the Social Security Trust Fund at that point where we need the money where we need to make good on this in order to keep Social Security solvent. We simply go sell one of those Treasury bonds, much as any senior citizen in America would sell a Treasury bond if they ran short in their retirement or wanted money for a vacation or whatever else it is that they might want to do in their retirement.

So this bill, the Social Security Preservation Act, it would effectively require that the surplus dollars being collected today for Social Security simply be put into the Social Security Trust Fund. That bill number again is H.R. 857.

We have had several of my colleagues discussing, because of the number of phone calls they have been getting into their office, discussing signing on as a cosponsor. I would strongly encourage that my colleagues in response to the large number of phone calls that are coming in from across America take a serious look at this bill, and I would make myself available for discussions on it.

Having said that, I would like to talk about some of the rest of the problems.

No, Mr. Speaker, I know I cannot talk to the public, so I was not going to do that. So I kept the conversation directed at our colleagues, who I would hope join us in cosponsoring the legislation H.R. 857. It is fair to say that many of our colleagues have signed on to this because they have received a large number of calls from all across our country.

Having said that, I would like to talk about some of the other problems facing America. I brought a chart that I have been showing to people for a long time. It talks about how fast the debt is growing and helps folks understand why a person like myself would leave the private sector and come out here to serve in Washington.

Before 1995, I had never been elected to any elected office. As a matter of fact, I ran a pretty successful building company that we had started in the basement of my home. I am happily married. We have got three wonderful kids. We were literally living the American dream at that point.

This picture helps explain why I left the private sector to go into public service. From 1960 to 1980, to this point in this chart, the debt facing America was not very big. This chart shows how it started growing from 1980 forward.

A lot of people say 1980, blame Ronald Reagan. If you are a Republican, you do not like that very well. All the Democrats say, blame Ronald Reagan. If you are a Republican, you say no, no, no, it was not Ronald Reagan. In fact, Reagan was the one who reduced taxes, which generated higher revenues. The problem is Washington just plain spent too much money. So all the Republicans blame the Democrats. The Democrats all blame the Republicans.

I would like to point out that today we are up here on this chart. It is an American problem. We need to solve this problem as Americans, put aside partisan politics, and get down to the business of solving this problem. In fact, that is what has been going on for the last few years.

This debt today stands at, and for those who have never seen this number, it is a pretty staggering number, the debt today stands at \$5.5 trillion. That is how much money the United States Government has borrowed on behalf of the American people. That is 5, comma, 500, and then 9 more zeros after that. It is a pretty staggering number to really look at.

I used to be a math teacher. And someone looked at my chart earlier and said there is way too many numbers on that chart. You will have to forgive me for being a math teacher in the past, but what we used to do in our math classes is divide that debt by the number of people in the United States of America. That is, if each man woman and child in the United States were to pay off just their fair share of the Federal debt, each one would have

to pay \$20,400. The United States Government has spent \$20,400 for every man, woman, and child in America more than they have collected. This is the legacy that we are about to pass on to the next generation if we do not solve the problem. For a family of five like mine, for our family, they borrowed \$102,000.

A lot of people say, well, so what? But the real problem with this picture is down here. That is the amount of tax dollars that Washington has to collect to do absolutely nothing but pay the interest on this debt.

For a family of five like mine in Wisconsin or anywhere in America, the United States Government today is collecting \$580 a month every month to do absolutely nothing but pay interest on the Federal debt. That number again, \$580 a month.

A lot of people say, well, I do not pay that much in taxes. It must be them rich people paying all the taxes. It really does not work that way. You see, when a family does something as simple as go into a store and buy a pair of shoes, the store owner makes a profit on that pair of shoes, and part of that profit comes out here to Washington, D.C., in the form of taxes.

One dollar out of every six that the United States Government spends today, \$1 out of every 6 does absolutely nothing but pay interest on the Federal debt.

I think it is significant to look at how it is that we got into this mess. I think it is important to look at how different things are today versus where they were just a couple short years ago.

What I have got on the top of this chart is one of the Gramm-Rudman-Hollings bills. This blue line shows the promise under the Gramm-Rudman-Hollings bill of 1987. The red line shows what actually happened to the deficit after this promise had been made to get us to a balanced budget by 1993.

I only have one of the pictures shown here, but the reality is we could have Gramm-Rudman-Hollings of 1985 here. We could have the budget deal of 1990 or 1993. Any one of those would show effectively the same thing as what this picture shows.

□ 1545

A promise made to the American people to balance the budget and a deficit that ballooned out of control.

Now, this happened time and time and time again until we got to 1993. In 1993, the people up in Washington made the decision that this problem had to be solved. We were on the brink of bankruptcy in this Nation if this problem was not solved. The solution of 1993 was to reach into the pockets of the American people and collect more taxes.

It is not hard for most Americans to remember 1993. It was the biggest tax

increase in American history. The gasoline tax went up by 4.3 cents a gallon, and they did not even use that gasoline tax for building roads. They taxed Social Security benefits to our senior citizens, and they did not even use it for the Social Security Trust Fund. They just plain raised taxes. And they thought if they raised taxes enough, that somehow they could close this gap from here to here.

What happened next is not particularly surprising. The American people looked at this '93 solution and said, we have had it with the broken promises. There were at least four direct, significant broken promises: Gramm-Rudman-Hollings of '85, '87, the '90 deal and the '93. And the people looked at this and said, we have had it with them; and they elected a new group to represent them in Washington, D.C.

In 1995, when I was first elected, along with 72 other Members in the House of Representatives, changing control of the parties for the first time in 40 years, we laid out a blue line to get to a balanced budget, too. We laid out a plan to get to a balanced budget.

People should be asking, is there anything different? Is there anything different between this group that got here in '95 and the group that was here before or are they out there doing the same thing as those broken promises in the past?

It is a good question. This blue line shows our promise to the American people. The red line shows what has actually happened. We are not only on track to balancing the budget for the first time since 1969, we are significantly ahead of the promises that were made to the American people.

Let me say this next part very slowly, because it is the first time since 1969 that this could honestly be said to the American people.

For the last 12 months running, the United States Government spent less money than it collected in taxes. For the first time since 1969, the United States Government spent less money than it collected in taxes. It is a statistical fact that, at this point in time, the United States budget is technically balanced, under a Washington definition.

Now, I qualify it in that way because this is all good news, and we absolutely should not take anything away from what has been accomplished. When I show this out in my district and I start talking to my constituents, immediately what happens is they say, well, the economy is so good how could politicians in Washington possibly have messed it up? Well, the fact is the economy has been good, but there is more to the story than that.

Between 1969 and 1998, the economy has been good before; but, in the past, every time the economy was good and more money was sent to Washington, Washington simply spent the extra

money. So I think it is important to note in this picture that not only has it been a strong economy that has brought us to this balanced budget, but it is also a very different response from Washington.

This red column shows how fast spending was going up in the 7 years before we got here. It went up an average of 5.2 percent a year. This blue column shows how fast spending was going up in our first 3 years in office. The difference between how fast it was growing before and how fast it is growing now is, in fact, what has put us into a position where we can both balance the budget and lower taxes.

Make no mistake about it, if this blue column were the same size as the red column, we would not have a balanced budget and we would not have been able to reduce taxes for the working families all across America. So I think when we talk about this balanced budget, we talk about how much things have changed, we talk about completing the promise to actually balance the budget after four or five very significant broken promises of the past, that it is also important to note that the reason this has been brought about is because, in fact, Washington spending has been brought under control.

There is a little known statistic out there that I would like to bring to the attention of the American people and my colleagues. Last year, for the first time in a very long time, the United States Government spending grew at a slower rate than the rate of inflation. Now, this is very significant because what that means is, in real dollars, Washington's spending actually shrunk last year. That is a monumental change from where we were going before, and that is how we are going to get this thing under control to a point where taxation can be reduced.

As we think forward to the future in this country, it would be nice if we could continue to control the growth of Washington spending, allowing us to continue tax reductions for the American people, allowing us to make a payment on the Federal debt and allowing us to put the money back into the Social Security Trust Fund that has been taken out over the last 15 years.

When we think about where we are at, then, I strongly encourage folks to think about these remaining problems financially facing our country.

First, I believe genuinely that taxes are still too high. Today, the average American pays 37 cents out of every dollar they earn in taxes in one form or another. Between State, Federal, local, property, sales tax, literally 37 cents out of every dollar that is earned in America is paid in taxes in one form or another.

Let me give my colleagues a vision for the future of America as it relates to taxes. I have a vision that a genera-

tion from now that tax rate has been reduced from 37 cents out of a dollar down to not more than 25 cents out of the dollar. It would be a nice thought if we could look at tax rates, Federal, State, local and property, and literally reduce them from 37 cents out of the dollar down to not more than 25.

I was in a meeting someplace and one of the constituents stood up and said, 25 cents is the goal? She said, we tithe the church and God only gets 10 percent. Why is it 25 for the government?

I had to chuckle at that response from one of my constituents, that even 25 is a high number. But we need to remember we are up at 37 cents out of every dollar being paid in taxes today.

So vision for the future, as we talk about taxes being too high, let us get the tax rate down by at least a third from where it is and let us look at all levels when we talk about this tax rate.

Second significant financial problem facing America today: Social Security. This system will be bankrupt before the year 2012 if something is not done.

We discussed earlier in this hour the Social Security Preservation Act. It is bill number H.R. 857. To solve the Social Security problem, let us start putting real money or real dollars into the Social Security Trust Fund as soon as possible. We can do it this year.

The third problem is, even after we get this under control, even after we get to a balanced budget, we start putting Social Security money away and we start lowering taxes, we still have this \$5.5 trillion national debt staring us in the face. So I want to talk about a second piece of legislation that we have introduced. It is called the National Debt Repayment Act. It is bill number H.R. 2191. The purpose of this legislation is to literally pay off the entire Federal debt over a 30-year period of time, much as we would pay off a home mortgage.

I come from the home building business. After I left the math teaching profession, we started building houses. We started a business in the basement of our house. Eventually, it got pretty successful; and we were selling about 120 homes a year. This is really the American dream, commitment to faith and family and building a business from the ground up in our own home.

Anyway, when we sold those 120 homes a year, virtually every one of our clients signed into a mortgage. So when we had closing on that house, they would go to a bank and sign a mortgage with a banker; and they would pay off their home loan over a 30-year period of time.

The National Debt Repayment Act pays off our national debt much the same as a homeowner anywhere in America would pay off their home mortgage. Here is what it does. It looks at the surpluses. It takes two-thirds of the surpluses and dedicates them to-

ward debt repayment. It takes the remaining one-third and dedicates it toward lower taxes. So what it does for the future of America is it gives us this vision where we can both pay off the Federal debt so our children's legacy is not a \$5.5 trillion debt but our children's legacy is a debt-free America.

In paying off the debt, there is one other side benefit that should be brought up. This money that has been taken out of Social Security over the last 15 years, that is all part of the Federal debt. So when we look at this Federal debt of \$5.5 trillion, about \$700 billion out of the \$5.5 trillion is money that has been taken out of the Social Security Trust Fund. So as we are repaying the Federal debt, under the National Debt Repayment Act, we are also putting the money back into the Social Security Trust Fund that has been taken out basically over the last 15 years. The third component of this, of course, the remaining third gets used to reduce taxes.

So when we think about this plan, this vision for the future of America, we do three things: First, we pay off the Federal debt so our kids inherit a debt-free Nation; second, we put the money back into the Social Security Trust Fund that has been taken out over the last 15 years; and, third, we start down that path of reducing the overall tax burden on Americans from 37 cents out of the dollar down to 25 cents out of the dollar.

This bill, if passed, really gives us a vision that we can look for and work for in this country with lower taxes, stable Social Security for our senior citizens, and a Nation that our kids do not have to look forward to paying \$580 a month to do absolutely nothing but pay interest on the Federal debt.

I want to just finish with one other item that we seem to still not have a full understanding about across America, Mr. Speaker. And I talk to my colleagues about this and I talk to my constituents about this on a very regular basis, and that is the tax-cut package that was passed during the last cycle.

The amazing thing to me is, when I am out in public in our district and all over the great State of Wisconsin, how many people it is I talk to that are still not aware of the fact that taxes have, in fact, come down. I will go through a few of these.

Families with children under the age of 17, next year when they figure out their taxes and get down to the bottom line and they figure out how much they would have sent to Washington or had withheld from their paycheck for Washington, they will literally subtract \$400 for each child under the age of 17 off the bottom line of their taxes.

For parents of college kids, and, believe me, I have seen the college bills. I know a family in Janesville with one in college and two at home, and it is

tough to pay the college bills when kids head off to school. The college tuition credit is \$1,500. And, again, a parent with a freshman or sophomore in college, they figure out how much they would have sent to Washington, D.C., and they literally subtract \$1,500 off the bottom line.

This is not an idea where Washington grabs money in taxes out of taxpayers from all across America and then Washington decides who to give it back to. This is a situation where if a parent, a middle-income parent, has got a student in college, a freshman or sophomore, they literally keep \$1,500 to help pay that college tuition bill.

If they have a junior, senior, grad student or adults currently involved or enrolled in either a tech school or college, it is 20 percent of the first \$5,000 of room, board, tuition, books, et cetera.

I have talked to a lot of adults that are going back to college. They are bettering their education so they qualify for a better job for themselves and their family. Those folks get to claim 20 percent of the cost of that college tuition as a tax credit next year.

Some people say, well, I earn too much money; and I do not qualify for those things. And I say, first off, great. This is America. We are happy people are earning money. It is a great country when people are in a position to earn enough money to provide a very fine life for themselves and their family.

And, by the way, I want people to get that job promotion. I hope they earn more money in the future. Because this is a great Nation, and we like to see people succeed in this country. That is not bad, evil or rotten; that is good and right in America.

For those folks that are in that position, most of them are heavily invested into stocks, bonds and mutual funds. Now, I have asked around rooms, again, I have been in rooms full of people, 200 people in a room, and I will ask how many people own a stock, a bond or a mutual fund or are involved in a pension plan, and virtually every hand in the room goes up. In the past, when people made a profit on a stock a bond or a mutual fund, 28 cents out of every dollar got sent to Washington as part of that profit.

And, by the way, if I forgot to say it, I sincerely hope that when people invest, they do make a profit. Again, that is what this is all about in this country. We like to see people be successful in America. This is a great country where these sorts of things can happen.

But, in the past, 28 cents out of every dollar was sent to Washington. That capital gains tax rate has been reduced from 28 down to 20.

If someone is in a lower income bracket and still has what it takes to make these investments to take care of

themselves and their own retirement and take care of their own future, if they are in a lower tax bracket and they make a profit, the tax rate has been dropped from 15 cents on the dollar down to 10.

The next question I usually ask in a room is how many own their own home; and, again, virtually every hand in the room goes up. I ask if they know that when they sell their house there is no longer any Federal taxes due when they sell their house. And it is amazing how few people realize that, because of the tax laws passed last year, that there is no longer any Federal taxes due on the vast majority of the sale of virtually every home in America.

The last tax cut, or another tax cut, is the Roth IRA. Again, this is an opportunity for people to save and take care of themselves in their retirement. The Roth IRA is kind of the reverse of the old-fashioned IRA.

In the old-fashioned IRA, an individual could put up to \$2,000 per person in and could get a tax deduction this year. Under the Roth IRA, it is kind of the opposite of that. If they put \$2,000 in this year, they do not get a tax break this year, but all of the interest, all of the earnings that accumulate on that between now and when the person retires, those earnings in retirement are absolutely tax free.

□ 1600

When we think of people in their thirties and forties and fifties looking forward to retirement and trying to save up for their own retirement, this is a phenomenally beneficial change in the tax code for those people trying to save up for retirement. It is much better to get the deduction in retirement than it is in the initial year in terms of building equity over a long period of time.

So for those folks that are saving for retirement, I have a lot of empty-nesters, and they say to me, I am already in a 401(k); do I still get to get in a Roth IRA to save this money up that will not be taxed when I am in retirement, the answer to that question is yes. Even if they are in a 401(k) or some other retirement plan, they are still eligible for a Roth IRA.

I want to finish on one more tax cut because I think it also reflects some of the other changes that are going on in attitudes in the United States of America. We found that if a middle-income family in America, for whatever reason, found they could not have children of their own and they would like to adopt a child in the United States of America, adoptions were costing \$10,000 per child because of the legal fees and all the red tape that is involved and that \$10,000 was too much for many of our middle-income families to afford. So what we did was we changed the Tax Code so that if a middle-income family would like to adopt a child and

could not afford it, there is now a \$5,000 tax credit to help that middle-income family afford the adoption if that is what they so desire.

An amazing thing happens when we are out in public, and I talk through all of these tax cuts and how beneficial they are. I talked about some friends of ours, where they have got three kids in the family, one off at college and two still at home, and how this family earning between \$40,000 and \$50,000 a year next year is going to keep \$2,300, \$400 for each one of the two kids at home and \$1,500 for that freshman college tuition, how this family that is earning between \$40,000 and \$50,000 a year is going to keep \$2,300 more in their own home and that family smiles and they are all but cheering, and inevitably somebody gets up and says, "Mark, you just made the Tax Code harder. You made the Tax Code more complicated."

And to those folks I simply remind them back to 1993, where they made the Tax Code harder and more complicated but they did it by raising taxes on the American people. Any change you make in this complicated, complicated Tax Code that we have today is going to make it even worse in terms of complication. But if we change the Tax Code and we have our choice between 1993 and raising taxes and 1997 and lowering taxes, virtually every American will take the lower taxes versus the higher taxes and that kind of puts things back in perspective.

We have introduced legislation to sunset our Tax Code as we know it today and replace it with something that is simpler, fairer, and easier for people to understand. I am optimistic that this year we will see that legislation pass.

Mr. Speaker, I am happy to yield to my good friend the gentleman from Mississippi (Mr. WICKER).

Mr. WICKER. Mr. Speaker, the gentleman asked me a moment ago if I wanted some time on his special order and I declined. But having remained in the Chamber and listened, I do want to add a couple things.

First of all, I want to commend the gentleman from Wisconsin (Mr. NEUMANN), Mr. Speaker, for his dogged determination to get us to the point where we are in the budget today. As a member of the Committee on the Budget, and I remember being in on the discussion back in 1995 which led to the gentleman being added to the Committee on the Budget, also he is a very fine member of the Committee on Appropriations, and it is people like the gentleman from Wisconsin and others like him who have gotten us to the point where we are.

We certainly are not everywhere we need to be in terms of tax relief, in terms of shrinking the size of the Federal Government. But I did want to take this opportunity to commend the

gentleman from Wisconsin and to say that I believe, Mr. Speaker, he has quite a few more years of effective service for the taxpayers of the United States of America, not just of his own State of Wisconsin.

The gentleman mentioned tax relief and the \$400-per-child tax credit. A lot of Americans do not realize that they do not have to wait until the filing time of 1999. As a matter of fact, if a family wants to, they can go down and file with their personnel office at the place of their employment and begin having their withholding changed right now and enjoy the benefits of this \$400-per-child tax credit even now.

The other point that I was going to make, the gentleman mentioned the Roth IRA, and accountants back home in my district and in my State tell me that this has become one of the most effective tools already for encouraging savings and formation of capital.

So I just commend the gentleman for his efforts in this regard and for the special order that he has entered into today.

Mr. NEUMANN. Mr. Speaker, reclaiming my time, I encourage my colleague to fill the viewers and our colleagues in on exactly how they would go about getting that \$400 now instead of next year, \$400 divided over the 12 months of 1998.

Mr. WICKER. Mr. Speaker, if the gentleman would yield further, if I could give the gentleman an example.

A middle-income family, for example the Wilsons in the First District of Mississippi, might have 3 children under the ages of 17. That entitles the Wilsons in 1998 to claim a tax credit of \$400 times 3, or \$1,200, or a tax credit of \$100 per month. Now that is not a tax deduction. It is better than a tax deduction. It is actually an additional \$100 per month added to their take-home pay.

So a wage earner in that family would simply need to go to the personnel office wherever he or she works and fill out a form saying do not wait until 1999, adjust my withholding right now, and that family can begin to see here in 1998 the benefits of our tax cut from the Balanced Budget Act of 1997.

Mr. NEUMANN. Reclaiming my time, that would also apply to things like the college tuition tax cut. I had some experience with this. I addressed a college with about 800 students and I told them all about this, and some of their parents wanted to try and adjust their withholding; and what happened when they went and tried to adjust their withholding is that the people at this tax office and place of employment said, we never heard of this.

I would like to reassure my colleague that this bill has passed, this tax credit is real, and even if his employer or his place of employment or the person that handles withholding has never heard about it, it does not matter, it is still real, it is passed and the ink is dry.

There is a new withholding form, a new W-4 form, that is available that does address the \$400-per-child portion of it. But even that form does not address the \$1500 college tuition tax credit, my colleague mentioned a family from Mississippi miss. If I go back to my family from Wisconsin with two kids at home and one in college that gets to keep \$2,300 next year, that is almost \$200 a month they get to keep. What they would have to do is go in and literally increase the number of dependents that they are claiming on their tax form until they get to a point where literally their take-home pay returns by 200.

I would encourage folks to understand that that many of the employers and people that handle payroll around the country, at this point in time they are not even aware that this tax cut passed. It passed late last year. It is very real. If they have got a college student, their tax is going down by roughly \$1,500 for a freshman or sophomore. For most juniors or seniors they are going down by \$1,000. If they have kids under the age of 17 at home, they are a middle-income family, their taxes are going down by \$400 for each one of those kids. This is very real, and it is a lot of money to a lot of families in the great State of Wisconsin.

We know in Wisconsin we did a study, 550,000 families in Wisconsin have kids under the age of 17 that will benefit by the \$400 per child. Two hundred fifty thousand college students in Wisconsin alone benefit from the college tuition tax credit. So this is a lot of money for a lot of families.

Now one problem that we have is most of the families are not doing, as my colleague and friend from Mississippi suggested; most of them are saying, well, I wait until the end of the year. I am not sure I trust Washington and everything they are saying anyhow. So I am going to wait until the end of the year. So if I get it back, great, that is a bonus; and if I do not get it back, I did not believe them anyhow.

The problem with that and the problem of not taking advantage of it right now is that means that those families are sending a heap of their money out here to Washington. That family from Wisconsin I was talking about with a college student and two kids at home, they are sending 200 bucks a month roughly out here to Washington. That is their money, and not only could they be earning interest on it but the problem is we get that 200 bucks out here, and I am sure my colleague from Mississippi knows what happens next, when we see the money sitting out here, what happens is the people in this community want to spend it. So it is a huge, huge fight for us out here to keep them from spending that money that should actually be out there in those Wisconsin and Mississippi homes in the first place.

With that, I am going to wrap up my special order today by reminding us of the different bills that we have talked about and where we have been and where we are going to. The supplemental we now understand is going to be paid for. This is a monumental change. It is new spending in Washington is what a supplemental is. We understand they are now going to find offsets, or lesser important programs, to pay for the new spending as opposed to going out and spending the money. This is a monumental change for Washington to actually offsetting new spending by finding other spending that is less important and offsetting it, as opposed to just spending the new money.

The ISTEA proposal also is going to be offset. We are happy to say that we are seeing the results of welfare spending because the welfare rolls are shrinking as people are getting jobs in this very strong economy we have. Because the welfare roles are going down, some of the spending in social welfare programs is going down and some of that money is being redirected to infrastructure.

The idea of welfare recipients going to work, producing goods and services, and those goods and services needing to be able to get to market through a strong infrastructure system, that makes perfect sense to me. And I am glad to say we are not going to go out and spend new money for the infrastructure system, but again we are reducing one program and reprioritizing or respending that money in a different program as opposed to simply going out and spending more money.

Again, if I had my druthers, we might just reduce the spending, period. But certainly it is much better to offset the spending by finding lesser important programs than to just go and spend the money.

Social Security, we have a long way to go. The Social Security Preservation Act, H.R. 857, would force Washington to stop spending the Social Security money right now this year and start putting real assets aside so our seniors can again be safe and secure.

H.R. 2191, the National Debt Repayment Act, is where I close today. H.R. 2191, the National Debt Repayment Act, literally restores the Social Security Trust Fund, puts all the money back into the Social Security Trust Fund that has been taken out; pays off the Federal debt so our children could inherit a debt-free nation; and reduces taxes on working families all across America.

I cannot think of a better thing that we in this Congress could possibly do than restore the Social Security Trust Fund, reduce taxes, and give our kids the legacy of a debt-free Nation.

## REPORT ON RECENT TRIP TO BOSNIA

The SPEAKER pro tempore (Mr. DICKEY). Under the Speaker's announced policy of January 7, 1997, the gentleman from Mississippi (Mr. WICKER) is recognized for 60 minutes.

Mr. WICKER. Mr. Speaker, four weeks ago today I had the opportunity to lead a bipartisan group of Members of Congress on a five-day trip to Bosnia and Herzegovina. This trip was taken at the suggestion of the Secretary of Defense and the Speaker of the House. And I was joined on this congressional delegation trip by the gentleman from Georgia (Mr. CHAMBLISS), the gentleman from South Carolina (Mr. GRAHAM), the gentleman from Minnesota (Mr. GUTKNECHT), the gentleman from Wisconsin (Mr. KIND), and the gentleman from Ohio (Mr. KUCINICH).

During our trip, this delegation of first- and second-term Members of Congress had the opportunity to meet with senior officers of the U.S. Command, as well as enlisted personnel, both in the European theater and on the ground in Bosnia and Herzegovina. We met with U.S. diplomatic staff and also the people most affected by the ravages of war, the ordinary people of the Bosnian region, the Croats, the Serbs and the Muslim Bosniaas, who are all living together in this war-torn region.

We went to Bosnia, Mr. Speaker, to begin a better understanding of the current political and military situation in the region, to understand the stresses that a continued U.S. military deployment will place on our armed forces, the impact on training and readiness of the United States Army both in theater and elsewhere in the world, the conditions necessary to allow for a withdrawal of U.S. forces and when those conditions might be obtained.

Mr. Speaker, I will say at the outset that our 6-Member delegation has had a bit of a tough time scheduling this particular special order.

□ 1615

We had thought that we might be able to bring these remarks during the evening hour yesterday. Because of the lateness of legislative and House business, we were unable to do so. The other members of the delegation may join me in a few moments, but I am told they are in various hearings and important meetings, and so I may or may not be joined by the other members of the delegation.

However, I do want to let my colleagues know, Mr. Speaker, the unanimous, and I emphasize unanimous, observations and conclusions which were reached by the entire delegation. These are people from both sides of the aisle. These are Members who came to the congressional delegation trip from different perspectives. Some Members had

supported the Bosnian operation from the outset. Others had been very much opposed to the concept of our troops being in country there in Bosnia. Based on our observations, based on the conversations with generals, enlisted personnel, with the very fine United States diplomatic men and women that we have in Bosnia and in the region, as well as NATO and United Nations forces, we did come to these unanimous conclusions, seven items in total which I will share with Members today, Mr. Speaker, and which I will also be sending by way of a Dear Colleague letter.

The number one observation and conclusion, the delegation wishes to acknowledge the impressive professionalism and dedication of U.S. service personnel serving on the ground in Bosnia and supporting Operation Joint Guard from deployment sites in Hungary and Italy. Indeed we met with not only our troops there on the ground in Bosnia, but also from the various staging areas in Hungary and in Vincenza, Italy. We also met with a number of important military leaders in Stuttgart, Germany before going into Bosnia.

I continue to read from the report. It was clear that U.S. military forces are performing their mission in an exemplary fashion. They are being asked to do more with less and are responding admirably. The American people can be proud of the way their Armed Forces, Active Duty, Reserve and National Guard components, have risen to the challenge of ensuring a peaceful, secure and stable environment in Bosnia. All Americans owe these soldiers, sailors, airmen and marines a debt of gratitude.

Indeed, Mr. Speaker, our delegation was quite impressed with the military and diplomatic leadership that we have over there. We received an in-depth briefing from General Wesley Clark, the Commander in Chief, U.S. European Command and Supreme Allied Commander, Europe. I would just mention that General Clark is not only a 4-star general with a distinguished record of service to our country, he is a West Point graduate, holds master's degrees from Oxford University and is a Rhodes scholar.

We also met with other very fine military leaders, such as Air Force General James Jamerson, also a 4-star general, and Army Lieutenant General David Benton, a 3-star general, Chief of Staff for the U.S. European Command. I also had an opportunity to visit with enlisted and officer personnel from my own State of Mississippi.

Again, I would say, Mr. Speaker, that we can be proud of the effort that these men and women are making. I concluded that they believe in the mission, and they are proud of what they have been doing.

Our conclusion number two is that we have been informed that the U.S.

force levels in Bosnia are likely to be reduced from the current 8,500 to 6,900. We are concerned that a lower troop level may lead to increased risk, given the potential for violence directed against or involving U.S. troops as they execute their missions.

We believe that an appropriate level of forces in Bosnia must be based on sound military assessment of the risks and not on any political considerations. Force protection must be a top priority. Increasing the risk to U.S. forces is not an acceptable option. At a minimum, we recommend unanimously, Mr. Speaker, that U.S. force levels not be reduced until after the September 1998 elections are held and a review of the security situation is conducted. We feel that progress in Bosnia should be judged by the achievement of specific milestones and that any troop reduction should be tied to the achievement of these milestones.

Mr. Speaker, I am joined at this point by the gentleman from Minnesota (Mr. GUTKNECHT). Of course, he has never been one to be a shrinking violet. He should feel free, Mr. Speaker, to jump in and ask me to yield at any point, or I will proceed with the discussion of the upcoming election in Bosnia, particularly as it relates to the Republic of Srpska.

Mr. GUTKNECHT. If the gentleman will yield, I will just say that he is doing a wonderful job. I apologize for being late. I had thought we were going to start a little later than this. I think the gentleman should proceed through that. Then we can talk about our trip, what we learned and saw, and what an effect it had on the people who took part in that particular CODEL.

Mr. WICKER. I think my colleague will agree that many Americans, and many Members of the Congress, both the House and the Senate, perhaps are not aware of the complexity of the Dayton agreement. But under the Dayton agreement, Bosnia and Herzegovina was divided basically into two federations, one the Croat Muslim Federation, and then the predominantly Serb area, which is referred to commonly as the Republic of Srpska.

Our third conclusion is that prior to the elections in December of 1997, which brought to power more moderate leadership within the Republic of Srpska, hard-line Bosnian Serbs in power demonstrated an unwillingness to comply with the terms of the Dayton agreement. As a result, the overwhelming bulk of Western economic aid has flowed to the Muslim Croat-dominated federation of Bosnia and Herzegovina.

The recently elected moderate government within the Republic of Srpska lacks the financial resources to function effectively, raising concerns about the government's political viability. We were advised by our military and diplomatic leadership that \$5 million

in U.S. assistance to the new Republic of Srpska Government is essential as part of a \$20 million to \$30 million international assistance package to demonstrate our commitment to the long-term viability of the new government until it begins generating sufficient revenues on its own. We strongly support appropriation of this \$5 million in assistance. Compared to the \$2 billion to \$3 billion invested annually in support of the military operation, \$2 billion to \$3 billion invested annually, \$5 million on a one-time basis is a relatively small price to pay to ensure the stability of the new reform-minded Republic of Srpska government. However, we do not believe that any U.S. assistance of this nature should be taken from the Department of Defense accounts.

Number 4. Among the more pressing needs within Bosnia is the establishment of an economic infrastructure that will give the Bosnian people a sense of hope and the prospect of a brighter economic future. Without a productive economy, we believe there is little chance for a lasting peace.

Number 5. The need for continued American troop presence on the ground in Bosnia was stressed by U.S. military commanders, political officials, diplomats and the Bosnian people with whom we met. There is a widespread conviction that U.S. troops are essential to preventing the resumption of a war. Having seen the situation in Bosnia firsthand, it is clear to us that the presence of American forces are necessary.

I might interject here before I read the final two points that the devastation of this war in Bosnia and Herzegovina, the magnitude of it is really not well known in the United States; 200,000 people dead, over half of them civilians. Of the over 2.5 million people in the country of Bosnia, roughly half of them have now been displaced and are no longer at their home. So the devastation there over this 3-year period has been enormous.

The entire delegation that was over there and saw this concluded that we simply cannot afford to withdraw our troops at this point and see the resumption of hostilities on this scale. At this point, I yield to my colleague for a comment about that conclusion. I think it is central to the observations that we came away with.

Mr. GUTKNECHT. I thank the gentleman for yielding. I especially thank him for reserving this time today so we could have an opportunity to share some of our observations with our colleagues and others.

I think most of us, and I certainly speak for myself, went to Bosnia with a bad attitude about the entire mission. Those of us who had a little bit of a history lesson in that particular region of the world were aware that they have been fighting over there literally

since, I believe it is 1279. I think the feeling that I took with me was these people have been fighting in the Balkans for all of these generations, they have very long memories, it is a trouble spot that will probably never completely heal. My attitude going over there was that this was an act of ultimate American arrogance. To believe that somehow the Nazi panzers and previous occupation armies could not ultimately bring lasting peace to the Balkans, how is it that we now seem to believe that the American forces will magically make these people begin to love each other?

I must say, and I expect that my colleague from Mississippi will agree, that when we first arrived, and particularly when we had our first briefings from the NATO High Command, we were awfully rough on them in terms of questions. In fact, I think one of our colleagues said, do you really expect to turn these people who have been fighting for all of these generations into Republicans and Democrats, and you are going to create a new American democracy here in an area where they have never known democracy, they have never known the economic freedoms and so forth that we take for granted in the United States?

Those were troubling questions. Frankly, we did not get completely satisfactory answers on that first day or two that we were in Europe. But as we began to listen to some of the experts, the picture became clearer as one of the experts over there described Europe. First of all, to understand, I think, the region we call Bosnia, the entire Balkan area, to really understand that, I think we must first understand Europe. I think Americans do have a somewhat hazy and fuzzy understanding of how Europe works and how it fits together. I think the best description that I heard and that began to change my whole way of thinking was that one of the people described Europe in some respects like a dysfunctional family. It is roughly 16 different countries, they speak about a dozen different languages, and they all have memories as well. There have been world wars and there have been various wars down through the centuries so that we have a situation where none of the countries completely trust the others.

The one thing that the United States can bring to the mix, as one of them indicated, the French do not particularly trust the Germans, the Germans do not trust the Italians, the Italians do not trust the British. There is a certain dysfunctionality to this European family. In some respects the United States is like the big brother of this dysfunctional family. When the United States enters the discussion, we are the one entity that can come in and say, "Okay, knock it off, this is what has to be done."

□ 1630

We saw that as an example when the European allies first went into Bosnia and tried to bring peace to the region. It was, to use Jimmy Carter's term, an incomplete success. It really was not until the United States came in, and what was very, very apparent to me when we saw the successor to Rommel, who was the German general who was in charge of the panzer division that Rommel had commanded in World War II, when we met with him, I think on the second day, and had lunch in Sarajevo, it was clear to me that he had no problem whatsoever taking orders from an American general.

I do not think that that would have been the case if he had to take orders from a French general or some other general, and I think vice versa. I think the Italians would have had a hard time taking orders from one of the other commanders in Europe, but they had no problem whatsoever responding to the orders and the commands of an American general.

So the first thing I began to conclude that, without an American presence there, this whole thing would begin to unravel.

Mr. WICKER. If I could interject, Mr. Speaker, we are there at the request of Europe. We were certainly a reluctant participant, and I know that there are Members in this body, the gentleman from Minnesota and me included, who were very, very reluctant to participate. So we are not over there insinuating ourselves into a situation where we are not welcome. We are told by our international friends that we are the glue holding the peace together at this particular time, and it would not work there without our presence.

Mr. GUTKNECHT. Mr. Speaker, if the gentleman will yield, I think that is clearly true; and now I think, at least from my own perspective, I do understand that relationship; and I think it is important. Part of the reason we are respected by all of the parties in Europe is because we are a reluctant leader. We are not there because we want to gain any particular territory or any particular political influence in the Balkans. It is only because we believe it is the right thing to do, and I think that does give us some moral authority that goes a long way.

The other thing that we saw and we witnessed, and I know that we should not make some of these decisions purely based on emotional issues, but as we went out and toured some of the villages and actually met with some of the people themselves, the pictures, the stories, there are certain images that I think I speak for myself, but I know that I speak for everyone that was on that delegation, there are images that are just burned into our minds.

I remember, as I am sure the gentleman does, the meeting we had with

some of the mayors in that small little portable building that they had constructed and the emotion in their eyes. One of the mayors said, when we talked about people had been displaced from their homes, he said, I have moved nine times in the last 2 years. Please tell me which house is mine.

I mean, that is something that Americans have a very, very difficult time even relating to. And the fact that the whole notion of a rule of law and having real estate laws so that one has clear title to the home that one lives in, that is somewhat foreign to the people of that region.

There is so much that it is very difficult for us to understand, but it was easy for us to see in the people's faces the appreciation that they have for the American soldiers. In fact, I think the gentleman remembers the story, it may have been told to the gentleman, the old gentleman who told us that he sleeps soundly now because he hears the sounds of the American humvees. I remember the tears on the cheeks of some of the women when they realized that we were Americans and they said, thank you, America.

So I think that we began to see in the faces of the Bosnian people the appreciation for what they know the United States has done and is doing to at least make it safe.

I think we really cannot talk about Bosnia without talking about the Bosnian children. When we got off the planes we were told not to get off the concrete because there were over 1 million land mines buried in that country. They are gradually, with the help of American technology, getting those mines removed, but there are still a huge number of those land mines.

I remember one of the mothers telling me that, yes, they tell the children to play on the traveled areas. They tell them to play in the streets, because the streets are safe. Somehow, for American parents, for a parent of three children myself, to tell one's kids to go out and play in the street is something we would not imagine, but it is safer for them to play in the traveled areas.

There was so much about Bosnia. The more you saw the more you realized that these are people who ultimately do want peace. They ultimately do want to live together in harmony. They do not want to go back to the situation that they saw a few years ago, and that the one entity that stands between them and returning to the chaos of the past are the American GIs.

I think I should say this, and I think the gentleman has already mentioned, that the other thing this is indelibly imprinted in my mind is the enormous professionalism of the American servicemen and women who are serving in Bosnia, from the top generals right down to the lowly infantry men who go to lunch every day with their rifles with them.

They take it very seriously. It is a dangerous place. It is much less dangerous because they are there, but I think I would have to conclude by saying, the best salesmen of all for the Bosnian mission are those kids that are wearing camos and sleeping in tents and the ones who take their rifles with them to lunch and to supper everyday.

They are the ones who literally, in having lunch with them, they told me to a person that they believed that what we were doing, what the United States was doing in Bosnia was important and that we should stay until the mission is done. And they said that in spite of the fact that all of them were homesick, all of them wanted to come home.

I might just share, as long as some of my colleagues may be watching, one other point that they made. I asked them what I could take home and tell people, and one of them says, mail, sir. Mail is golden. They do love to hear from home. And those who may be watching this, we would certainly encourage them, if they have not written to a friend or a loved one who is over there or if they would like to write to somebody they may not even know, getting mail from home when you are 6,000 miles away and sleeping in a tent is something that is very valuable to our servicemen and women. So I encourage my constituents and my colleagues to write when they can.

Mr. WICKER. Mr. Speaker, that is right. They are over there in the name of the United States of America, and the least we can do as Members and as fellow citizens is to make sure that they and their families realize how much we appreciate them.

The gentleman from Minnesota mentioned the doubts that a number of us had at the beginning of our involvement in 1995 and earlier in Bosnia and Herzegovina, the fact that there had been fighting there and ethnic animosity for centuries. That is certainly true, and I hope to get to the point about the importance of Central Europe in just a moment. But it is also true that Serbs, Croats, Muslims and also Jews and other small ethnic groups had lived side-by-side in that country as neighbors and as good neighbors for generations.

I can remember, as I am sure the gentleman from Minnesota can remember, going that day into Tuzla, which is up near the north part of the Bosnian federation, it is actually on the border between the Serb federation and the Bosnian federation, to Camp McGovern, and then taking those helicopters on in to Brcko, which is a very, very critical area and a flash point if this conflict breaks out again, and flying over neighborhoods where there would be one burned-out house and one left standing and one burned-out house and one left standing, based on the fact

that one house might have been a Bosnian Croat house. Another might have been a Bosnian/Serb house. And the armies came through and chose to burn down a house based on what ethnic group that family was in, even though the families themselves had been living together in harmony and had nothing whatever against each other.

Major General Larry Ellis, who is a very fine representative of the United States in theater there, was pointing that fact out to us. It certainly occurs to me and I think to other Members of the delegation that the people of Bosnia of the various ethnic groups were not well-served by their leadership during the breakup of the former Yugoslavia by the ultranationalist leadership of Croatia, of Serbia, and of Bosnia and Herzegovina itself and that, actually, these good neighbors were drawn into a conflict that was not of their design and not of their choosing, because of some forces of ultranationalism there that we hope are on the wane.

So I think there is hope that these people who lived once side-by-side can return to that if we can hold our resolve and continue to be a force for stability in that area.

Mr. GUTKNECHT. Mr. Speaker, if the gentleman would yield, I do apologize, but I have another meeting that started at 4:30. So I have to run, but I appreciate this time and this opportunity.

In terms of what really happened in Yugoslavia when communism collapsed, when the whole country sort of was torn apart, we need to understand that the real precursor, in my opinion, having seen this now, to the ethnic unrest that then started was really an economic motivation.

When unemployment hit 40 percent, all of a sudden that created tensions between the groups that had not been there when the economy was relatively strong. It may have been a false economy, it was a Communist economy, but I think that is something that is important.

I think where the administration has, in some respects, done a poor job of communicating the situation over there, I think long-term what we need to think about, and I think that this was generally the consensus of the delegation, that rather than focusing on this myopic view of an exit strategy and when are the troops going to be out, I think our conclusion was that we need to focus on what are the expectations of the Bosnian people.

In the book of Proverbs it says, "Where there is no vision, the people perish." And the question we asked several times is, what is the vision of the Bosnian people? Can they return to a peaceful coexistence?

I think, generally speaking, the answer to that question is yes. But I think we have to be there to provide

that police force while we move to a transition of a stronger economy. By that, I mean, I think ultimately we are going to be able to reduce our military force. I don't think we do that precipitously. I do not think we should do it before the September elections. But I think, ultimately, we can draw down those forces; and the need for a military presence will be less.

But I think, coupled with that, I think the gentleman already mentioned, we have to do more in the way of helping to rebuild their economy. If there are jobs and prosperity and freedom and opportunity, then I think the likelihood for resumed hostilities between the ethnic bands is dramatically reduced long term.

So I say our strategy should not be about how soon can we get the troops out. Our strategy should be much more about what are the expectations of the Bosnian people. Are they interested in electing people in September who are committed to a long-term, peaceful relationship in Bosnia? Or are they the hardliner militants who would just as soon return to solving their problems with guns and with violence?

If that is the answer, then, obviously, then the United States can probably do no real good over there, and perhaps we should bring the troops home, strike the tents and bring the kids home.

But that should be our message. That should be the message of the administration. And I think that has somehow been lost in all of this discussion about when the troops are going to come home. I think that is a mistake, because I think the American people and the American Congress, to a large degree, has been denied the real reasons we are there; and the real issues at stake in the Balkans have been ignored and, as a result, I think we have rather clouded thinking about how important that area is and, frankly, in the end, how important Europe is to the United States.

We do have a vital national interest in a strong and stable Europe. That is important to the United States. It seems to me a relatively modest investment, I think perhaps \$2 billion is too much, but certainly there is a level of investment that the United States can make to ensure a strong and stable Eastern and Central Europe; and that is I think, in the end, something that needs to be talked about as well.

So I appreciate the gentleman getting this time today. I regret that I have to go to a budget meeting that started about 15 minutes ago, but this was a very, very important, and in my life I think almost an epiphany type of an event, because it did change my whole view of that region and our role that we can and probably should play.

I would also suggest, as I did earlier on the House floor, I think the President, the administration, needs to work in consultation more carefully

with the Congress. Because I think if we are going to have strong and solid and defensible national policy, in particular as it relates to diplomatic and military policies, I think we cannot do that unilaterally. It cannot be done simply at one end of 1600 Pennsylvania Avenue. I think the United States Congress has to be full partners in those debates, those discussions and, ultimately, in those decisions.

So we can have our differences about it, but I think we need that healthy debate and dialogue, and I think the Congress needs to be much more actively participating in those discussions. So I think this Special Order today, I say to the gentleman, the gentleman's participation, the leadership in the delegation, the mission that we took to Bosnia was very important.

I thank the gentleman for my own behalf because it really did open my eyes; and, frankly, this is something that is seldom said by people here in Washington. It made me change my mind. Too often, those of us here in Washington are unwilling or unable to say, I was wrong; and, frankly, in the area of the Bosnian policy, I think having seen for myself what is going on over there and what can happen and what our role in the world should and can be, it did change my mind.

□ 1645

So I thank the gentleman for inviting me to go along on the delegation. I appreciate the opportunity to be here today, and I regret that I have to leave now.

Mr. WICKER. I thank the gentleman for his contribution to this special order. I know that the other four members of the delegation had intended to participate in this, and perhaps in the few moments remaining, we will still get their participation.

Mr. Speaker, the gentleman from Minnesota mentioned that he had actually changed his mind fundamentally on the issue of whether our troops should be there. I think when Americans remember that instability in this area, instability in Europe and particularly in Central Europe, has drawn our Nation into two world wars in this century, then we need to be very, very cautious about any action that we might take at this point to cause hostilities to resume there.

We know that in another area of the former Yugoslavia, the Kosovo region, there is a very dangerous situation going on there. Anything that we might do now in a precipitate way I think might bring our allies into a widened conflict, and then the question would be, what does the United States do now that NATO allies are fighting?

The gentleman from Minnesota mentioned a couple of things that I want to follow up on before I get to our final two observations and conclusions. First of all, he mentioned mistakes

that the administration had made, and certainly no one is perfect. But I would certainly concur that the administration has not adequately made the case to the American people about why we are doing what we are doing in the Balkans.

I think it was a mistake, Mr. Speaker, for the administration to set artificial timetables. The President may have felt that he had to do this in order to prevent public opinion from stopping the deployment of these troops in late 1995, but I think the establishment of artificial timetables, a year and then we will be out, that sort of talk only gave encouragement to the forces over there who wanted to resume the conflict, who want to resume the ultranationalism that led to this horrible war. So I think that was a mistake.

I am glad that the administration is being more realistic about that now and saying, we want our troops to come home, certainly we want the Bosnian people and people in the Balkans to handle this situation, but we do not believe a timetable is the right way to go. We think specific goals and benchmarks of achievement are better.

It is also regrettable, Mr. Speaker, that the administration has refused to budget honestly for the Bosnian deployment. We have had our troops there since 1995. It has been very expensive, as we mentioned, \$2 billion to \$3 billion.

The administration fully intends to keep troops there, and I support keeping the troops there, during the entirety of the remainder of this fiscal year and through fiscal year 1999. But the administration has refused to budget for this Bosnian operation.

I do not believe that is honesty in budgeting. I think the administration should admit what they expect we will spend, because certainly it will be expensive, and the administration should submit a budget in the regular budget process so we can adequately plan our budget.

Certainly I want to reiterate the feeling that we should not be taking this peacekeeping money from the other very important national defense needs that we have, separate and apart from our being in there with the stabilization force.

Mr. Speaker, in the few moments that I have remaining, let me simply mention the last two items of our observations and conclusions. That would be items 6 and 7.

Item 6, and the gentleman from Minnesota (Mr. GUTKNECHT) spoke about this, the importance of the September, 1998, elections.

"The September, 1998, Bosnian elections will be a watershed in determining whether Bosnia moves forward or backward. Until then, we believe the United States should actively continue

to support the process of Dayton implementation. Given the effort already expended, it would be foolish to change our political, diplomatic, or military policy in Bosnia before the September elections have taken place.

"However, we do not believe that the United States' commitment can be open-ended. We do not believe it can be open-ended. Stabilization forces will provide important support to the Office of the High Representative in its efforts to create a climate for a fair election. Notwithstanding our observations of the role in peace being played by U.S. troops, we are concerned about the annual exercise of funding our peacekeeping operations in Bosnia by means of supplemental appropriations."

This is what I was alluding to earlier, Mr. Speaker.

"We encourage the administration to pursue means by which such contingencies can, at least to some degree, be funded, other than at the cost of other important national priorities."

Finally, conclusion and observation number 7, "We are convinced that the United States has a vital interest in the stability of Central Europe."

I might interject here, Mr. Speaker, that Sarajevo in Bosnia was the flashpoint for the start of World War I with the assassination of Austrian Archduke Franz Ferdinand in Sarajevo in 1914. As a matter of fact, when we were meeting in Sarajevo with Lieutenant General David Benton, he pointed out that we were meeting in the very room, Mr. Speaker, where the Archduke slept his last night.

Also, in World War II, it was in Bosnia where we saw the first instance of the most heinous forms of ethnic cleansing. The subsequent disintegration and division among ethnic groups was in part a source of the Communist influence which later came into that region.

I continue with conclusion number 7, Mr. Speaker. I quote:

The United States is the undisputed leader of the free world. This role carries with it responsibilities, and among these is participating in efforts to ensure Europe's stability. However, it is our desire that the future of Bosnia ultimately be determined by the Bosnian people themselves.

This statement is signed by the gentleman from Mississippi (ROGER WICKER), the gentleman from Georgia (SAXBY CHAMBLISS), the gentleman from South Carolina (LINDSEY GRAHAM), the gentleman from Minnesota (GIL GUTKNECHT), the gentleman from Wisconsin (RON KIND), and the gentleman from Ohio (DENNIS KUCINICH), persons that I am delighted to have gone to Bosnia with on this congressional delegation trip, and to have been associated with. I think all five of these gentlemen that I went to Bosnia with represented the Congress in an able fashion and represented the

United States, and came back with some valuable, valuable information.

In conclusion, let me just say, Mr. Speaker, that our visit to the Balkans, to Bosnia, to the troops there, and to the American personnel on the ground, made me proud to be an American, proud of the role that the United States of America is playing in preventing another world war, perhaps, or at the very least, another deadly conflict.

I am proud of our military. I am proud of the fact that our friends in Europe, in spite of the many differences we may have on certain issues, turned to the United States for help in stabilizing this region, and preventing a resumption of hostility.

I would say that the six of us all concluded that no matter what we initially thought about the United States' deployment in this area, we feel that we cannot in good conscience turn our back on the effort that we have already expended, and I commend the report to the reading of our fellow Members of Congress, Mr. Speaker. They will be receiving it in the form of a Dear Colleague letter in the next day or two.

#### MEDICARE EXPANSION FOR AMERICANS AGE 55 TO 65

The SPEAKER pro tempore (Mr. DICKEY). Under the Speaker's announced policy of January 7, 1997, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, I just wanted to mention today how important it is for this Congress and this House to address the issue of Medicare expansion with regard to Americans age 55 to 65.

The President in his State of the Union Address, and just this past Tuesday, just yesterday, had a press conference where he discussed the need to move quickly on the issue of Medicare expansion for what we call the near elderly, those between 55 and 65. I believe it is crucial for us to address this issue. The Democrats are making it one of their priorities for this Congress. So far the Republican leadership has refused to acknowledge the need for such legislation, or to even suggest that it be moved in committee and moved out to the floor of the House of Representatives.

Today, for a variety of reasons, more and more Americans are losing their employment-based health insurance before they become eligible for Medicare at age 65.

Some of these Americans lose their health coverage because their older spouse becomes eligible for Medicare and retires, ending their work-based coverage. Others lose their coverage because of downsizing or layoffs. Still others lose their insurance when their employers unexpectedly drop their retirement health care plans.

These people worked hard, usually in most cases for a lifetime, supporting their families and contributing to society. Now, just when they need it most, they lose their coverage and are unattractive to health insurers, who demand high premiums or simply deny coverage outright.

I am getting more and more of my constituents who come into my office in New Jersey and complain about the fact that they cannot get access to affordable health care when they are in this age bracket, from 55 to 65. They find it very difficult in this age group to get coverage outside of the workplace. Many are often left with no alternative but to buy into the individual insurance market, where premiums can exceed \$1,000 per month for a person with a preexisting condition. For those with serious health problems, they may not be able to find insurance at all, at any price.

What the President has proposed, and what the Democrats in the Congress are suggesting be done and be moved, is a bill that presents three options to this age group to obtain health insurance.

One, individuals 62 to 65 years old with no access to health insurance may buy into Medicare by paying a base premium now and a deferred premium during their post-65 Medicare enrollment.

Individuals in the second category, from 55 to 62, who have been laid off and have no access to health insurance, as well as their spouse, may buy into Medicare by paying a monthly premium of about \$400.

Retirees, and this is the third category, aged 65 or older whose employer-sponsored coverage is terminated may buy into their employer's health insurance for active workers at 125 percent of the group rate.

So we are talking about three categories of people in this age bracket who face different problems. But the main thing, Mr. Speaker, is the Democrats understand that Americans in this age group have difficulty getting health insurance at one of the most vulnerable times in their lives.

We want to help these people out. They have greater risks of health problems, with twice the risk of heart disease, strokes, and cancer as people whose ages are in the 10 years from 45 to 54 or below, but they are having a very hard time obtaining affordable health insurance for themselves and their spouse. This is a problem that is growing. It is getting to crisis proportions. It will only grow as retiree health coverage is reduced and as the baby boom generation ages.

What we are trying to do here is address a health concern without putting any additional financial burden on the Medicare program. I think this is a very good piece of legislation. The Republican leadership has not addressed it, but they should address it.

One issue that also comes up, and I have actually suggested it, is that we find some way to provide some financial assistance to the near elderly who will have a problem buying into the Medicare system because of the cost of the monthly premium.

I have been working on legislation that would provide economic assistance for those age 62 to 64 who choose to buy into the Medicare program, and for those age 55 to 64 who have been laid off or displaced.

□ 1700

There may be some way to provide some sort of subsidy so that those who cannot afford the full cost of the Medicare premium on a sliding scale, based on their affordability, would be able to get some sort of subsidy so that they could successfully buy into this program. With or without that type of subsidy, though, this is a good program. It is something that needs to be addressed.

Like the issue of managed care reform or like the issue of kids' health care that was addressed in the last Congress, I hope that, as the Democrats keep pushing for this, the Republican leadership will eventually wake up and allow this type of legislation to be taken up so that those in that 55 to 65 category can buy into Medicare, and we can see Medicare expanded in a way that is both fiscally responsible, but also addresses a growing health care concern.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. CHRISTIAN-GREEN (at the request of Mr. GEPHARDT) for today and Thursday, on account of attending a funeral.

#### 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. KUCINICH) to revise and extend their remarks and include extraneous material:)

Mr. FILNER, for 5 minutes, today.  
Ms. NORTON, for 5 minutes, today.  
Mrs. TAUSCHER, for 5 minutes, today.  
Ms. WOOLSEY, for 5 minutes, today.  
Ms. MILLENDER-MCDONALD, for 5 minutes, today.

Ms. EDDIE BERNICE JOHNSON of Texas, for 5 minutes, today.

Mr. SHERMAN, for 5 minutes, today.  
Mr. UNDERWOOD, for 5 minutes, today.  
Ms. DELAURO, for 5 minutes, today.  
Mrs. MALONEY of New York, for 5 minutes, today.

Ms. SLAUGHTER, for 5 minutes, today.  
Mr. KLINK, for 5 minutes, today.

The following Members (at the request of Mr. KINGSTON) to revise and

extend their remarks and include extraneous material:

Mr. DIAZ-BALART, for 5 minutes, today.

Mr. MICA, for 5 minutes, today.

Mr. BARTLETT of Maryland, 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. KUCINICH) and to include extraneous matter:)

Mr. KIND.

Mr. KANJORSKI.

Mr. BONIOR.

Mr. MCGOVERN.

Mr. TOWNS.

Mr. CLAY.

Mr. PASCRELL.

Ms. EDDIE BERNICE JOHNSON of Texas.

Mr. HAMILTON.

(The following Members (at the request of Mr. KINGSTON) and to include extraneous matter:)

Mr. RADANOVICH.

Mr. ROGERS.

Mr. BEREUTER.

Mr. TALENT.

Mr. WALSH.

Mr. LUCAS.

(The following Members (at the request of Mr. CAMPBELL) and to include extraneous matter:)

Mr. SHAW.

Mr. STUMP.

Mr. GORDON.

Mr. PACKARD.

Mr. BLUNT.

Mr. MILLER of California.

Mr. LUTHER.

Mrs. MEEK of Florida.

Mr. GALLEGLY.

Mr. YOUNG of Florida.

Mr. LAZIO of New York.

Mr. CRANE.

#### ADJOURNMENT

Mr. CAMPBELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 01 minutes p.m.), the House adjourned until tomorrow, Thursday, March 19, 1998, at 10 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

8067. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Acephate; Technical Amendment [OPP-300613; FRL-5769-8] (RIN: 2070-AB78) received March 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8068. A letter from the Secretary of the Board, National Credit Union Administration, transmitting the Administration's final rule—Organization and Operations of Federal Credit Unions; Corporate Credit Unions; Credit Union Service Organizations; Advertising [12 CFR Parts 701, 704, 712 and 740] received March 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

8069. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania Conditional Limited Approval of the Pennsylvania VOC and NOx RACT Regulation [PA 041-4069; FRL-5977-4] received March 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8070. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Commonwealth of Virginia-Prevention of Significant Deterioration Program [VA025-5033; FRL-5977-9] received March 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8071. A letter from the Secretary, Federal Trade Commission, transmitting the Report to Congress for 1996 pursuant to the Federal Cigarette Labeling and Advertising Act, pursuant to 15 U.S.C. 1337(b); to the Committee on Commerce.

8072. A letter from the Director, Defense Security Assistance Agency, transmitting the Department of the Navy's proposed lease of defense articles to Taipei (Transmittal No. 06-98), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

8073. A letter from the Acting Administrator and Chief Executive Officer, Bonneville Power Administration, transmitting the 1997 Annual Report of the Bonneville Power Administration, pursuant to 31 U.S.C. 9106; to the Committee on Government Reform and Oversight.

8074. A letter from the Chairman, Federal Election Commission, transmitting a report of activities under the Freedom of Information Act for the calendar year 1997, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

8075. A letter from the Board Members, Railroad Retirement Board, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the Calendar year 1997, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform and Oversight.

8076. A letter from the Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for Five Freshwater Mussels and Threatened Status for Two Freshwater Mussels from the Eastern Gulf Slope Drainages of Alabama, Florida, and Georgia (RIN: 1018-AC63) received March 13, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8077. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; de Havilland Model DHC-8-102 and -103 Series Airplanes [Docket No. 98-NM-68-AD; Amendment 39-10389; AD 98-05-03] (RIN: 2120-AA64) received March 16, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8078. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Friendship (Adams), WI Correction [Airspace Docket No. 97-AGL-51] received March 16, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8079. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment of Class E Airspace; New Bern, NC [Airspace Docket No. 97-ASO-26] received March 16, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8080. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revocation of Class D Airspace; Lubbock Reese AFB, TX, and Revision of Class E Airspace; Lubbock, TX [Airspace Docket No. 98-ASW-18] received March 16, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8081. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 29158; Amendment No. 1855] (RIN: 2120-AA65) received March 16, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8082. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 29159; Amendment No. 1856] (RIN: 2120-AA65) received March 16, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8083. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 29160; Amendment 1857] (RIN: 2120-AA65) received March 16, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8084. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Alliance, NE [Airspace Docket No. 97-ACE-29] received March 16, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8085. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fokker Model F28 Mark 0100 Series Airplanes [Docket No. 98-NM-39-AD; Amendment 39-10384; AD 98-06-07] (RIN: 2120-AA64) received March 16, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8086. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300, A310, and A300-600 Series Airplanes [Docket No. 95-NM-278-AD; Amendment 39-10385; AD 98-06-08] (RIN: 2120-AA64) received March 16, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8087. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Cooperstown, ND [Airspace Docket No. 97-AGL-50] received March

16, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8088. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Friendship (Adams), WI Correction [Airspace Docket No. 97-AGL-51] received March 16, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8089. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter France Model AS-350B, BA, B1, B2, and D Helicopters, and Model AS 355E, F, F1, F2, and N Helicopters [Docket No. 97-SW-33-AD; Amendment 39-10390; AD 98-06-12] (RIN: 2120-AA64) received March 16, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8090. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace Model HS 748 Series Airplanes [Docket No. 97-NM-223-AD; Amendment 39-10386; AD 98-06-09] (RIN: 2120-AA64) received March 16, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8091. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; de Havilland Model DHC-8-100 Series Airplanes [Docket No. 97-NM-269-AD; Amendment 39-10388; AD 98-06-11] (RIN: 2120-AA64) received March 16, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8092. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Israel Aircraft Industries, Ltd., Model 1121, 1121A, 1121B, 1123, 1124, 1124A, 1125 Westwind Astra, and Astra SPX Series Airplanes [Docket No. 97-NM-169-AD; Amendment 39-10387; AD 98-06-10] (RIN: 2120-AA64) received March 16, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8093. A letter from the Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—Miscellaneous Revisions to the NASA Grant and Cooperative Agreement Handbook, Section D [14 CFR Part 1274] received March 16, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

8094. A letter from the Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—Revisions to the NASA FAR Supplement on Performance-Based Contracting and Other Miscellaneous Revisions [CFR 48 Parts 1806, 1807, 1816, 1819, and 1837] received March 16, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

8095. A letter from the Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—Amending the NASA FAR Supplement (NFS) parts [48 CFR Parts 1801, 1802, 1803, 1804, 1805, 1814, 1815, 1816, 1817, 1832, 1834, 1835, 1842, 1844, 1852, 1853, 1871, and 1872] received February 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

8096. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Examination of returns and claims for refund, credit, or abate-

ment; determination of correct tax liability [Rev. Proc. 98-24] received March 16, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8097. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Capital Gains and Charitable Remainder Trusts [Notice 98-20] received March 16, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8098. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Consolidated returns—Limitations on the use of certain credits; overall foreign loss accounts (RIN: 1545-AV98) received March 16, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MCCOLLUM: Committee on the Judiciary. House Resolution 372. Resolution expressing the sense of the House of Representatives that marijuana is a dangerous and addictive drug and should not be legalized for medicinal use (Rept. 105-451, Pt. 1).

Mr. COBLE: Committee on the Judiciary. H.R. 2589. A bill to amend the provisions of title 17, United States Code, with respect to the duration of copyright, and for other purposes; with an amendment (Rept. 105-452). Referred to the Committee of the Whole House on the State of the Union.

Mr. GOODLING: Committee on Education and the Workforce. H.R. 3246. A bill to assist small businesses and labor organizations in defending themselves against government bureaucracy; to ensure that employees entitled to reinstatement get their jobs back quickly; to protect the right of employers to have a hearing to present their case in certain representation cases; and, to prevent the use of the National Labor Relations Act for the purpose of disrupting or inflicting economic harm on employers (Rept. 105-453). Referred to the Committee of the Whole House on the State of the Union.

Mr. LEACH: Committee on Banking and Financial Services. H.R. 3114. A bill to authorize United States participation in a quota increase and the New Arrangements to Borrow of the International Monetary Fund, and for other purposes; with an amendment (Rept. 105-454). Referred to the Committee of the Whole House on the State of the Union.

#### DISCHARGE OF COMMITTEE

Pursuant to clause 5 of rule X, the Committee on Commerce discharged from further consideration. House Resolution 372 referred to the House calendar and ordered to be printed.

#### REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

H.R. 1704. A bill to establish a Congressional Office of Regulatory Analysis, with an amendment; referred to the Committee on House Oversight for a period ending not later than May 1, 1998, for consideration of such provisions of the bill and amendment reported by the Committee on the Judiciary as

fall within its jurisdiction pursuant to clause 1(h), rule X.

#### BILL PLACED ON THE CORRECTIONS CALENDAR

Under clause 4 of rule XIII, the Speaker filed with the Clerk a notice requesting that the following bill be placed upon the Corrections Calendar:

H.R. 3096. A bill to correct a provision relating to termination of benefits for convicted persons.

#### TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

House Resolution 372. Referral to the Committee on Commerce extended for a period ending not later than March 18, 1998.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. DOGGETT:

H.R. 3484. A bill to provide for the adjudication of certain claims against the Government of Iraq and to ensure priority for United States veterans filing such claims; to the Committee on International Relations.

By Mr. THOMAS:

H.R. 3485. A bill to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for election for Federal office, and for other purposes; to the Committee on House Oversight.

By Mr. TALENT:

H.R. 3486. A bill to suspend temporarily the duty on a certain chemical used in the textile industry and in water treatment; to the Committee on Ways and Means.

By Mr. TALENT:

H.R. 3487. A bill to suspend temporarily the duty on a certain chemical used in the paper industry; to the Committee on Ways and Means.

By Mr. TALENT:

H.R. 3488. A bill to suspend temporarily the duty on a certain chemical used in water treatment; to the Committee on Ways and Means.

By Mr. TALENT:

H.R. 3489. A bill to suspend temporarily the duty on a certain chemical used in water treatment and beauty care products; to the Committee on Ways and Means.

By Mr. TALENT:

H.R. 3490. A bill to suspend temporarily the duty on a certain chemical used in photography products; to the Committee on Ways and Means.

By Mr. TALENT:

H.R. 3491. A bill to suspend temporarily the duty on a certain chemical used in peroxide stabilizer and compounding; to the Committee on Ways and Means.

By Mr. TALENT:

H.R. 3492. A bill to suspend temporarily the duty on a certain chemical used in the textile industry; to the Committee on Ways and Means.

By Mr. COYNE (for himself, Mrs. JOHNSON of Connecticut, Mr. RANGEL, Mr. HERGER, Mr. STARK, Mr. CAMP, Mr.

MATSUI, Mr. RAMSTAD, Mrs. KENNEDY of Connecticut, Ms. DUNN of Washington, Mr. LEVIN, Mr. PORTMAN, Mr. CARDIN, Mr. ENGLISH of Pennsylvania, Mr. McDERMOTT, Mr. CHRISTENSEN, Mr. KLECZKA, Mr. WATKINS, Mr. LEWIS of Georgia, Mr. HAYWORTH, Mr. NEAL of Massachusetts, Mr. WELLER, Mr. McNULTY, Mr. JEFFERSON, Mr. TANNER, Mr. BECERRA, and Mrs. THURMAN):

H.R. 3493. A bill to amend the Internal Revenue Code of 1986 to provide additional taxpayer rights; to the Committee on Ways and Means.

By Mr. MCCOLLUM (for himself, Ms. DUNN of Washington, Ms. PRYCE of Ohio, Ms. GRANGER, Mrs. NORTHUP, Mrs. FOWLER, Mr. FRANKS of New Jersey, Mr. FOLEY, Mr. CUNNINGHAM, Mr. DEAL of Georgia, Mr. RAMSTAD, Mr. BARR of Georgia, Mr. CHABOT, Mr. DIAZ-BALART, Mr. GUTKNECHT, and Mr. LAMPSON):

H.R. 3494. A bill to amend title 18, United States Code, with respect to violent sex crimes against children, and for other purposes; to the Committee on the Judiciary.

By Mr. HINCHEY:

H.R. 3495. A bill to amend the Electronic Fund Transfer Act to limit fees charged by financial institutions for the use of automatic teller machines, and for other purposes; to the Committee on Banking and Financial Services.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 3496. A bill to develop a demonstration project through the National Science Foundation to encourage interest in the fields of mathematics, science, and information technology; to the Committee on Science, and in addition to the Committee on Education and the Workforce, 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. MCCRERY (for himself, Mr. ENGLISH of Pennsylvania, Mr. BAKER, Mr. SOLOMON, Mr. HERGER, Mr. JOHN, Mr. SENSENBRENNER, Mr. TAUZIN, Mr. HOUGHTON, and Mr. ARMEY):

H.R. 3497. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for contributions to individual investment accounts, and for other purposes; to the Committee on Ways and Means.

By Mr. MILLER of California (for himself, Mr. BLUMENAUER, Mr. DeFAZIO, Ms. FURSE, Ms. HOOLEY of Oregon, Mr. RIGGS, Mrs. LINDA SMITH of Washington, and Mr. YOUNG of Alaska):

H.R. 3498. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to authorize the States of Washington, Oregon, and California to regulate the Dungeness crab fishery in the exclusive economic zone; to the Committee on Resources.

By Ms. NORTON:

H.R. 3499. A bill to authorize the Washington Interdependence Council to establish a memorial to Mr. Benjamin Banneker in the District of Columbia; to the Committee on Resources.

By Mr. SHAW:

H.R. 3500. A bill to amend the Internal Revenue Code of 1986 to provide a shorter recovery period for the depreciation of certain leasehold improvements; to the Committee on Ways and Means.

By Mr. THOMAS (for himself, Mr. WISE, and Mr. STRICKLAND):

H.R. 3501. A bill to amend the Harmonized Tariff Schedule of the United States to change the special rate of duty on purified terephthalic acid imported from Mexico; to the Committee on Ways and Means.

By Mr. WHITE (for himself, Mrs. MALONEY of New York, Mr. FRANKS of New Jersey, Mr. DINGELL, Mr. HORN, Mr. ACKERMAN, Mr. BARCIA of Michigan, Mr. BARRETT of Wisconsin, Mr. BLAGOJEVICH, Mr. BLUMENAUER, Mr. BROWN of California, Mr. BROWN of Ohio, Ms. CARSON, Mr. CASTLE, Ms. CHRISTIAN-GREEN, Mr. CLEMENT, Mr. CONYERS, Mr. DeFAZIO, Ms. DeGETTE, Mr. DOOLEY of California, Mr. ENGEL, Mr. ENGLISH of Pennsylvania, Ms. ESHOO, Mr. ETHERIDGE, Mr. FOLEY, Mr. FOX of Pennsylvania, Mr. FRELINGHUYSEN, Mr. GIBBONS, Mr. GILCHREST, Mr. GREENWOOD, Mr. HAMILTON, Mr. HINCHEY, Mr. HOUGHTON, Ms. KAPTUR, Mr. KLUG, Mr. LOBIONDO, Ms. LOFGREN, Mr. LUTHER, Mr. MALONEY of Connecticut, Mr. MANTON, Ms. MCCARTHY of Missouri, Mr. MCHALE, Mr. METCALF, Ms. MILLENDER-McDONALD, Mr. MILLER of California, Mr. MINGE, Mr. MORAN of Virginia, Mrs. MORELLA, Mr. NADLER, Ms. PELOSI, Mr. PETERSON of Minnesota, Mr. PETRI, Mr. POSHARD, Mr. RAMSTAD, Mr. RIGGS, Ms. RIVERS, Mr. ROTHMAN, Mr. RUSH, Mr. SAWYER, Mr. SCHUMER, Mr. SERRANO, Mr. SKAGGS, Mr. SMITH of Michigan, Mr. SNYDER, Ms. STABENOW, Mr. STRICKLAND, Mr. TAUZIN, Mr. TAYLOR of Mississippi, and Ms. WOOLSEY):

H.R. 3502. A bill to establish the Independent Commission on Campaign Finance Reform to recommend reforms in the laws relating to the financing of political activity; to the Committee on House Oversight, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PETERSON of Minnesota:

H.J. Res. 115. A joint resolution proposing an amendment to the Constitution of the United States to permit the Congress to relinquish claims of the United States to the portion of the State of Minnesota that lies north of the 49th parallel; to the Committee on the Judiciary.

By Mr. SCHIFF (for himself, Mr. REDMOND, and Mr. SKEEN):

H. Res. 389. A resolution celebrating the "New Mexico Cuatrocenenario", the 400th anniversary commemoration of the first permanent Spanish settlement in New Mexico; to the Committee on Government Reform and Oversight.

#### ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 277: Mr. ACKERMAN, Mr. BARRETT of Wisconsin, and Mr. PASCRELL.

H.R. 431: Mrs. TAUSCHER.

H.R. 616: Mr. ROTHMAN, Mr. NETHERCUTT, and Mr. KUCINICH.

H.R. 716: Mr. DAN SCHAEFER of Colorado and Mrs. NORTHUP.

H.R. 815: Mr. SMITH of New Jersey.

H.R. 859: Mr. BERRY and Mr. SMITH of Michigan.

H.R. 979: Mr. ROGERS, Mr. FRANKS of New Jersey, Mr. SANDLIN, Mr. WHITFIELD, Mr.

CANNON, Mr. PASTOR, Mr. RANGEL, Mr. SMITH of New Jersey, Mr. CUMMINGS, and Mr. HOYER.

- H.R. 1047: Mr. PASCARELL.
- H.R. 1059: Mr. ADERHOLT and Mr. CANNON.
- H.R. 1126: Mr. RAHALL.
- H.R. 1159: Mr. BARRETT of Wisconsin.
- H.R. 1261: Mr. PICKETT, Mr. PETERSON of Pennsylvania, and Mr. GOODE.
- H.R. 1283: Mr. CAMPBELL, Mr. MCCREERY, Mr. KLUG, Mr. TRAFICANT, Mr. WHITE, Mr. LIVINGSTON, Mr. CALLAHAN, and Mr. DICKS.
- H.R. 1299: Mr. COOK.
- H.R. 1334: Mr. JACKSON.
- H.R. 1362: Mrs. FOWLER, Ms. WOOLSEY, and Mr. FRANK of Massachusetts.
- H.R. 1375: Mr. SCHIFF, Mr. JEFFERSON, Mrs. KENNELLY of Connecticut, Mr. CRAPO, Mr. DICKS, Mr. WAMP, Mr. HILLIARD, Mr. NUSSLE, Mr. SPRATT, and Ms. EDDIE BERNICE JOHNSON of Texas.
- H.R. 1376: Mr. McDERMOTT, Mr. McNULTY, and Mr. BLAGOJEVICH.
- H.R. 1766: Mr. FARR of California, Mr. HALL of Texas, Mr. HINOJOSA, Ms. HOOLEY of Oregon, Mr. MARKEY, Mr. SNYDER, Mr. THOMPSON, Mr. WAMP, and Mr. KIM.
- H.R. 2050: Mr. ABERCROMBIE.
- H.R. 2052: Mr. MCGOVERN.
- H.R. 2094: Mr. MCGOVERN.
- H.R. 2257: Mrs. MINK of Hawaii, and Mr. GREEN.
- H.R. 2305: Mr. COBLE and Mrs. MYRICK.
- H.R. 2351: Mr. CLYBURN.
- H.R. 2409: Mr. MINGE.
- H.R. 2537: Mr. RAHALL and Mr. HANSEN.
- H.R. 2538: Mr. GONZALEZ.
- H.R. 2681: Ms. KILPATRICK and Mr. CLEMENT.
- H.R. 2715: Mr. STUMP.
- H.R. 2912: Mr. MCINTOSH.
- H.R. 2923: Mr. HORN, Mr. FOX of Pennsylvania, Mr. TAUZIN, Mrs. KELLY, Mrs. ROUKEMA, Ms. DELAURO, Mr. KLECZKA, and Mr. HINCHEY.
- H.R. 2925: Mr. MCCOLLUM.
- H.R. 2936: Mr. CHRISTENSEN.
- H.R. 2941: Mrs. MYRICK.
- H.R. 2945: Mr. EWING.
- H.R. 2990: Mr. THUNE, Mr. CUMMINGS, Mr. HOYER, Mr. JENKINS, and Mr. WATT of North Carolina.
- H.R. 3014: Ms. WOOLSEY.
- H.R. 3027: Ms. WOOLSEY.
- H.R. 3028: Ms. WOOLSEY.
- H.R. 3050: Mr. WAXMAN, Mr. DEUTSCH, Mr. WYNN, and Mr. WOLF.

- H.R. 3070: Mr. SANDERS.
- H.R. 3126: Mr. HINCHEY.
- H.R. 3211: Ms. RIVERS, Mr. MCGOVERN, Mr. LANTOS, Mr. SANDLIN, Mrs. FOWLER, Mr. HANSEN, Mr. MANTON, Mr. BILBRAY, Mr. BATEMAN, Mr. BARR of Georgia, Mrs. ROUKEMA, Mr. CANADY of Florida, Mr. HILLEARY, Mr. HINCHEY, Mr. GOODE, Ms. KAPTUR, Mr. TALENT, Mr. CAMP, Mrs. EMERSON, Mr. FOLEY, and Ms. FURSE.
- H.R. 3215: Mr. TALENT, Mr. ARMEY, and Mr. GALLEGLY.
- H.R. 3242: Mr. BALLENGER, Mr. BARRETT of Nebraska, Mr. HOEKSTRA, Mr. MCKEON, Mr. SAM JOHNSON, Mr. RIGGS, Mr. GRAHAM, Mr. SOUDER, Mr. NORWOOD, Mr. BOB SCHAFFER, Mr. PETERSON of Pennsylvania, Mr. UPTON, Mr. HILLEARY, Mr. SCARBOROUGH, Mr. ENSIGN, Mr. HALL of Texas, Mr. WATKINS, Mr. DEAL of Georgia, and Mr. STENHOLM.
- H.R. 3259: Mr. GREEN.
- H.R. 3292: Mr. MATSUI, Mr. HASTINGS of Florida, Mr. FRANK of Massachusetts, Mr. BOUCHER, Mr. MEEHAN, Mr. McNULTY, Mr. FALEOMAVAEGA, Mr. FROST, Mr. NEAL of Massachusetts, Mr. BONIOR, and Mr. TOWNS.
- H.R. 3295: Mr. KENNEDY of Rhode Island, Mr. OBERSTAR, Mr. EDWARDS, and Mr. BOEHLERT.
- H.R. 3310: Mr. SANDLIN, Ms. LOFGREN, Mr. KING of New York, Mr. HALL of Texas, Mr. COMBEST, Mr. CUNNINGHAM, Mrs. EMERSON, Mr. TALENT, Mr. GEJDENSON, Mr. SHADEGG, Mr. MICA, Mr. BURTON of Indiana, Mr. COX of California, Mr. CONDIT, Mr. SANFORD, Mr. PAPPAS, Mr. NORWOOD, Mr. POMBO, Mrs. KELLY, Mr. PICKERING, Mr. HORN, and Mr. EHRLICH.
- H.R. 3336: Mrs. MEEK of Florida, Mr. CANDY of Florida, and Mr. MCCOLLUM.
- H.R. 3338: Mr. CLYBURN and Mr. LEWIS of Georgia.
- H.R. 3376: Mr. KILDEE and Mr. CAMP.
- H.R. 3438: Mr. BATEMAN.
- H.R. 3459: Ms. WOOLSEY.
- H.R. 3470: Mrs. THURMAN, Mrs. MALONEY of New York, and Ms. FURSE.
- H. Con. Res. 188: Mr. MENENDEZ.
- H. Con. Res. 203: Mr. KLECZKA.
- H. Res. 340: Mr. HINCHEY.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2870

OFFERED BY: MR. GILMAN

AMENDMENT NO. 1: Page 10, after line 15, insert the following:

(c) NOTIFICATION REQUIREMENT.—The President shall notify the congressional committees specified in section 634A of this Act at least 15 days in advance of each reduction of debt pursuant to this section in accordance with the procedures applicable to reprogramming notifications under such section 634A.

Page 10, line 16, strike "(c)" and insert "(d)".

Page 12, after line 25, insert the following:

(c) NOTIFICATION REQUIREMENT.—The President shall notify the congressional committees specified in section 634A of this Act at least 15 days in advance of each reduction of debt pursuant to this section in accordance with the procedures applicable to reprogramming notifications under such section 634A.

Page 13, line 1, strike "(c)" and insert "(d)".

Page 16, after line 21, insert the following:

(b) NOTIFICATION REQUIREMENT.—The President shall notify the congressional committees specified in section 634A of this Act at least 15 days in advance of each sale, reduction, or cancellation of loans or credits pursuant to this section in accordance with the procedures applicable to reprogramming notifications under such section 634A.

Page 16, line 22, strike "(b)" and insert "(c)".

H.R. 2870

OFFERED BY: MR. VENTO

AMENDMENT NO. 2: Page 19, after line 20, insert the following:

"(5) Research and identification of medicinal uses of tropical forest plant life to treat human diseases and illnesses and other health-related concerns.

Page 19, line 21, strike "(5)" and insert "(6)".

Page 19, line 23, strike "(6)" and insert "(7)".

H.R. 2870

OFFERED BY: MR. VENTO

AMENDMENT NO. 3: Page 23, line 12, after "scientific," insert "indigenous,".

Page 23, line 14, after "scientific," insert "indigenous,".