HOUSE OF REPRESENTATIVES—*Thursday, March 5, 1987*

The House met at 11 a.m.

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

Let us pray in the words of Henry van Dyke:

"Joyful, joyful we adore Thee,
God of glory, Lord of love!
Hearts unfold like flowers before Thee,
Praising Thee their Sun above.
Melt the clouds of sin and sadness,
Drive the gloom of doubt away,
Giver of immortal gladness,
Fill us with the light of day.

Amen.

THE JOURNAL

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

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

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

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

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

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

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 320, nays 73, answered "present" 1, not voting 39, as follows:

[Roll No. 16]

YEAS—320

Ackerman
Akaka
Alexander
Anderson
Andrews
Anthony
Applegate
Archer
Aspin
Atkins
AuCoin
Ballenger
Barnard
Bateman
Bates
Bellenson
Bennett
Bereuter
Bevill
Biaggi
Bilbray
Boggs
Boland
Bonior (MI)
Bonker
Borski
Bosco
Boucher
Boxer
Brennan
Brooks
Broomfield
Brown (CA)
Brown (CO)
Bruce
Bryant
Buechner
Bunning
Bustamante
Byron
Campbell
Carper
Carr
Chandler
Chappell
Clarke
Clinger
Coelho
Coleman (MO)
Coleman (TX)
Collins
Combest
Conyers
Cooper
Coyne
Crockett
Daniel
Darden
Davis (MI)
de la Garza
DeFazio
Dellums
Derrick
DeWine
Dicks
Dixon
Donnelly
Dorgan (ND)
Dornan (CA)
Downey
Duncan
Durbin
Dwyer
Dymally
Dyson
Eckart
Edwards (CA)
Edwards (OK)
English
Erdreich
Espy
Evans
Fascell
Fawell
Fazio
Fish
Flake
Flippo
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Frank
Frost
Gallegly
Gallo
Garcia
Gaydos
Gejdenson
Gibbons
Gilman
Gingrich
Glickman
Gonzalez
Gordon
Gradison
Grandy
Grant
Gray (IL)
Gray (PA)
Green
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Harris
Hastert
Hatcher
Hawkins
Hayes (IL)
Hefley
Hefner
Herger
Hertel
Hiler
Hochbrueckner
Holloway
Hopkins
Houghton
Howard
Hoyer
Huckaby
Hughes
Hutto
Hyde
Ireland
Jeffords
Jenkins
Johnson (CT)
Johnson (SD)
Jones (NC)
Jones (TN)
Jontz
Kanjorski
Kaptur
Kasich
Kastenmeier
Kemp
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kostmayer
LaFalce
Lagomarsino
Lancaster
Lantos
Latta
Leath (TX)
Lehman (FL)
Leland
Lent
Levin (MI)
Levine (CA)
Lewis (GA)
Lightfoot
Lipinski
Lowry (WA)
Lujan
Luken, Thomas
Lungren
Manton
Markey
Martin (NY)
Martinez
Matsui
Mazzoli
McCloskey
McCollum
McCurdy
McDade
McEwen
McHugh
McKinney
McMillan (NC)
McMillen (MD)
Meyers
Mfume
Mica
Michel
Miller (CA)
Miller (WA)
Mineta
Mollohan
Montgomery
Moody
Morella
Morrison (CT)
Morrison (WA)
Mrazek
Murphy
Murtha
Myers
Nagle
Natcher
Neal
Nelson
Nichols
Nowak
Oakar
Oberstar
Olin
Ortiz
Owens (NY)
Owens (UT)
Oxley
Packard
Panetta
Pashayan
Patterson
Pease
Pepper
Perkins
Petri
Pickett
Porter
Price (IL)
Price (NC)
Pursell
Quillen
Rahall
Rangel
Ravenel
Ray
Regula
Richardson
Rinaldo
Ritter
Robinson
Roe
Rogers
Rose
Rostenkowski
Rowland (GA)
Roybal
Russo
Sabo
Saiki
Savage
Sawyer
Saxton
Scheuer
Schneider
Schroeder
Schuette
Schulze
Schumer
Sharp
Shaw
Shumway
Shuster
Sisisky
Skaggs
Skelton
Slattery
Slaughter (VA)
Smith (FL)
Smith (IA)
Smith (NE)
Smith (NJ)
Solarz
Spence
Spratt
St Germain
Staggers
Stallings
Stark
Stenholm
Stokes
Stratton
Studds
Sweeney
Swift
Synar
Tallon
Tauke
Taylor
Thomas (GA)
Torres
Torricelli
Towns
Traficant
Udall
Upton
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Walgren
Watkins
Waxman
Weiss
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolpe
Wortley
Wyden
Wylie
Yates
Yatron
Young (FL)

NAYS—73

Armey
Badham
Barton
Bentley
Bilirakis
Bliley
Boehlert
Boulter
Burton
Cheney
Clay
Coats
Coble
Coughlin
Courter
Craig
Crane
Dannemeyer
Daub
Davis (IL)
DeLay
Dickinson
DioGuardi
Dreier
Emerson
Fields
Gekas
Goodling
Gregg
Hansen
Henry
Hunter
Inhofe
Jacobs
Kolbe
Konnyu
Kyl
Lewis (CA)
Lowery (CA)
Lukens, Donald
Mack
Madigan
Marlenee
Martin (IL)
McCandless
Miller (OH)
Molinari
Moorhead
Nielson
Parris
Penny
Ridge
Roberts
Roth
Roukema
Rowland (CT)
Schaefer
Sensenbrenner
Sikorski
Skeen
Smith (TX)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Solomon
Stangeland
Stump
Sundquist
Thomas (CA)
Vucanovich
Walker
Wolf

ANSWERED "PRESENT"—1

Lehman (CA)

NOT VOTING—39

Annunzio
Baker
Bartlett
Berman
Boner (TN)
Callahan
Cardin
Chapman
Conte
Dingell
Dowdy
Early
Feighan
Frenzel
Gephardt
Hayes (LA)
Horton
Hubbard
Leach (IA)
Lewis (FL)
Livingston
Lloyd
Lott
MacKay
Mavroules
McGrath
Moakley
Obey
Pickle
Rhodes
Rodino
Roemer
Slaughter (NY)
Swindall
Tauzin
Traxler
Weber
Whittaker
Young (AK)

□ 1120

So the Journal was approved.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair is going to recognize the distinguished minority leader and one Member on the Democratic side and then ask that further requests to address the House for 1 minute be postponed until we have taken up the rule.

THE PRESIDENT'S SPEECH

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

Mr. MICHEL. Mr. Speaker, the President's speech last night, coming from an American public official, seemed unprecedented in the degree of its honesty, frankness, and acknowledgment of error.

This President has invited upon himself tougher scrutiny than any in-

□ 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.

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dividual or institution in this country has in a long time, especially the Congress and the press.

This President has gone farther in admitting fault and accepting blame than any Member of Congress or the press in my memory. And it is not because this President has erred so much more than the rest of us.

We as a nation have again addressed a weakness in our system of government and we have to the President's credit, begun taking the steps to correct the flaw.

It is time to move on. It is time to come together. It is time to address other problems—jobs, trade, health care and the deficit. It is time to put the screaming headlines behind us.

There is more to learn, but I'm confident it will all come out.

I applaud the President. He has done, that which was expected of a President and I'm convinced he will continue to do so.

PROTECTING OUR DOMESTIC ENERGY RESOURCES

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

Mr. WOLPE. Mr. Speaker, at a time when both the Congress and the President are focusing attention on strengthening our Nation's competitive position in the international marketplace, it would be a serious mistake to overlook a situation that threatens to increase our dependence on foreign oil.

There is probably no greater threat to the economic security of this Nation than the return of another energy crisis and the upheaval it would bring. Protecting our domestic energy resources is an essential part of our Nation's energy future. That is why we renewed restrictions on the export of Alaskan crude oil last year. And that is why we must now slam the door shut on a new scheme to use a loophole in those restrictions to circumvent the will of Congress, and build an Alaskan refinery to export refined or partially refined oil in place of Alaskan crude.

My good friend, Mr. McKINNEY, and I are introducing legislation today to close this loophole and guarantee that the production of Alaskan oil will be in America's interest.

I hope our colleagues in the House will share our concern and join us in cosponsoring this important measure.

URGENT RELIEF FOR THE HOMELESS ACT

Mr. WHEAT. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 109 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 109

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 558) to provide urgently needed assistance to protect and improve the lives and safety of the homeless, with special emphasis on families and children, and the first reading of the bill shall be dispensed with. All points of order against consideration of the bill for failure to comply with the provisions of section 401(b)(1) of the Congressional Budget Act of 1974, as amended (Public Law 93-344, as amended by Public Law 99-177) and with the provisions of clause 1(l)(6) of rule XI are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, with forty-five minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking, Finance and Urban Affairs, with forty-five minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce, and with thirty minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be considered for amendment under the five-minute rule. In lieu of the amendments now printed in the bill, it shall be in order to consider the amendment in the nature of a substitute printed in the Congressional Record of March 3, 1987, by Representative Pepper of Florida, as modified by the amendment set forth in section 2 of this resolution, as an original bill for the purpose of amendment under the five-minute rule, said substitute as so modified shall be considered as having been read, and all points of order against said substitute for failure to comply with the provisions of clause 7 of rule XVI and clause 5(a) of rule XXI are hereby waived. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text by this resolution. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

PERFECTING AMENDMENT RELATING TO OUTLAYS IN FISCAL YEAR 1988

SEC. 2. AMENDMENT TO THE PEPPER AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 558.—In section 202A(a)(1) of the Temporary Emergency Food Assistance Act of 1983, as added by section 506 of the amendment in the nature of a substitute, after "Notwithstanding any other provision of law," insert the following: "and subject to such amounts as are provided in advance in appropriation Acts,".

□ 1130

The SPEAKER. The gentleman from Missouri [Mr. WHEAT] is recognized for 1 hour.

Mr. WHEAT. Mr. Speaker, for the purpose of debate only, I yield 30 minutes to the gentleman from Tennessee [Mr. QUILLEN], pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 109 is an open rule providing for the consideration of H.R. 558, the Urgent Relief for the Homeless Act. The rule provides for 2 hours of general debate. The Committees on Banking, Finance and Urban Affairs and Energy and Commerce shall each control 45 minutes of debate time. The remaining 30 minutes of debate time is allotted to the Committee on Agriculture.

The rule makes in order an amendment in the nature of a substitute printed in the CONGRESSIONAL RECORD of March 3, 1987, by Representative PEPPER of Florida, as modified by a perfecting amendment set forth in section 2 of this resolution, as an original bill for the purpose of amendment. The substitute shall be considered for amendment under the 5-minute rule and the substitute, as modified, shall be considered as having been read.

All points of order against the bill for failure to comply with section 401(b)(1) of the Congressional Budget Act, as amended, are waived. Section 401(b)(1) prohibits the consideration of any bill providing new entitlement authority which becomes effective prior to October 1 of the year in which it is reported. Since H.R. 558 as introduced, was reported in calendar year 1987, and the spending authority in section 3 for Medicaid services for the homeless is effective prior to fiscal year 1988, the bill violates section 401(b)(1) of the Budget Act and a waiver is necessary.

The rule also waives all points of order against the measure for failure to comply with clause 2(L)(6) of rule XI. Clause 2(L)(6) of rule XI requires that committee reports be available to Members for 3 days prior to a bill's consideration on the floor. H.R. 558 was reported out of the Energy and Commerce Committee on March 3. Since the committee report has not been available for 3 days, a waiver of clause 2(L)(6) of rule XI is necessary.

Points of order against the amendment in the nature of a substitute for failure to comply with clause 7 of rule XVI, the rule which prohibits the consideration of nongermane amendments, are also waived. The amendment in the nature of a substitute expands the original scope of the bill to include the text of H.R. 177, the Food Assistance for the Homeless Act of 1987. Since H.R. 177 is not germane to H.R. 558, a waiver of clause 7 of rule XVI is necessary. Clause 5(a) of rule XXI, the rule which prohibits appropriations in a legislative bill, is also waived against the substitute. Because section 303(d) of the amendment in the nature of a substitute limits the

extent to which appropriated funds may be used for administrative expenses, it technically constitutes an appropriation. Therefore, a waiver of clause 5(a) of rule XXI is necessary.

Finally, Mr. Speaker, the rule provides for one motion to recommit, with or without instructions.

Mr. QUILLEN. Mr. Speaker, I yield myself as much time as I may use.

Mr. Speaker, I ask for adoption of the rule. The bill has bipartisan support but is controversial. There is also opposition to the rule, primarily I believe, because of the waivers it contains relating both to the Congressional Budget Act and to the rules of the House. I understand an effort will be made to defeat the previous question so that a new rule could be substituted for this one. I do not support this effort, however. This is an open rule permitting any germane amendment to be offered, debated fully and voted on. Thus, the rule offers the opportunity for all Members to influence the content of the bill's provisions.

The bill this rule brings before the House provides an additional $500 million for Federal aid to help our large and growing homeless population. Most of the money in the bill is to fund a number of temporary shelter programs and other emergency services. The bill also authorizes grants to public and private organizations to fund their assistance programs and provide additional services to the homeless.

The bill makes a variety of changes in the Food Stamp Program and permits an increase in the amount of surplus Federal cheese which can be distributed to the needy.

Mr. Speaker, the bill was written with considerable bipartisan support though it is admittedly controversial. Members have expressed concerns about the ways in which the money will be spent and about sound management practices to avoid waste. These are legitimate concerns. Furthermore, because of the huge budget deficit, Members are naturally reluctant to start up new and expensive programs.

Mr. Speaker, I have another concern. In the expenditure of the $500 million and providing shelter for the homeless, and food and other benefits, I do not want this Congress to create more homeless on our streets. I am afraid, upon its enactment, that we will have people coming from all sections of our country to where benefits can be received. Instead of solving the problem, we could make it more complicated.

All of this concern, however, should be tempered somewhat by compassion for those in our society who are homeless, who are out on the streets, and who need our help.

Mr. Speaker, we do not want to see more people out on the streets. We do not want to see more hungry people. We want to see an opportunity for people to get ahead in life and to get ahead on their own.

Mr. Speaker, I ask a "yea" vote on the rule because it is an open rule, and at this point if I may, Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Speaker, let me begin by congratulating the Rules Committee for bringing to the floor our first open rule of the Congress. It is nice that we are going to be able to offer amendments to this particular bill, because there are a number of items of controversy.

I must admit, Mr. Speaker, that I was disturbed when I started reading through this rule and found on page 2, line 3, a waiver of the Budget Act. The gentlemen, in describing the bill, have told us that that waiver is in fact in this bill.

Now what I understand is that we have waived the Budget Act because we are having brought before us a flawed bill; that the original bill is introduced and creates a new entitlement program that would not be permissible under Gramm-Rudman.

Now what you are going to hear is that they have corrected that in the substitute that will be offered; and so therefore this budget waiver really is not needed.

Well, let me tell you, I do not think that we ought to have to vote for it if it is not needed. I think that we ought to have a rule out here that says everything this rule says, but does not have the budget waiver in it.

So, therefore, what I am going to ask us to do is to defeat the previous question so that I can offer a substitute rule that will be exactly the same rule as reported from the Committee on Rules but will have the budget waiver taken out of it.

Let me tell you, that is a very specific vote. No one can hide behind the fact that, "I voted for the rule because it was the only thing that I could vote for." This is a very specific vote: You are either for the waiver or you are against the waiver of the Budget Act.

Now I realize that is not exactly an easy question. Some regard the legislation we have before us today as preeminent, and of preeminent importance, and it is more important than any other law or any other commitment that they may have made.

Others of us feel that this is an issue that while important must be viewed in light of some other commitments that we may have made.

□ 1140

Now let me tell you what I think this vote is all about on the previous question. I think it is about "Do we believe that we are above the law?"

We have committed ourselves under the Congressional Budget Act to do certain things. When we vote for these budget waivers what we are saying is we in the Congress think we are above the law, that we can simply flout the law out here. Well, I do not think we ought to be flouting the law. I do not think we are above the law. I think we ought to comply with the law. We ought not have budget waivers.

I also think that this question is, "Do we live up to our commitments?"

You know, there was a recent poll that was widely reported about how low the President had sunk in public esteem. What was not widely reported was how low Congress was in that poll. We were about twice as low as the President. The public regards us as a bunch of thieves, scoundrels, cheats, and whatever.

Now I know most of us would not agree with that characterization around here, but let me tell you we deserve some of our reputation when what we do is consistently fail to live up to our commitments, when we make commitments for political purposes and then fail to live up to them. I think this vote is also about whether or not we keep our promises, because in last year's campaigning most people all over this country who were campaigning for Congress said they were for doing something about the deficit. Well, let me tell you something: In this instance what you are saying is the deficit is not important, waive the Budget Act, go ahead and spend the money. You have to vote "no" on the previous question if you do not want that budget waiver. If you believe that Congress and Congressmen are above the law and can flout it at our convenience, I would suggest that you vote "yes" on the previous question. If you think this is a government of laws and we should either obey the law or change it, then you ought to vote "no." If you think commitments are not important and can be broken whenever it is politically convenient to do so, go ahead, you are the person that ought to vote "yes" on the bill.

If you think commitments are exactly that and ought to be lived up to, then your vote is "no." If you think we can abandon promises to the folks back home when our party leaders in Washington tell us how to vote, well then you ought to vote "yes" on the previous question. But if you think that your promises are a bond between you and the folks that you serve, then you had better vote "no."

Many will vote for the previous question saying this is just another procedural vote or it is a party vote or it is an unimportant vote. You can say that and some of you can even believe it, but you would be wrong.

This is an important vote, one that says a lot about this Congress and its membership. The vote to obey the law, to live up to our commitments and to

live up to our promises is a "no" vote on the previous question.

Mr. QUILLEN. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. WYLIE].

Mr. WYLIE. Mr. Speaker, as one of the original cosponsors of aid to the homeless legislation, I rise in support of H.R. 558.

This legislation was introduced with broad bipartisan support. The distinguished majority leader, Mr. FOLEY, the original sponsor of the legislation, along with Mr. MCKINNEY, our ranking Republican on the Housing Subcommittee, should be commended for their efforts. Also, the efforts of our distinguished Speaker, Mr. WRIGHT, didn't hurt getting us where we are today.

Mr. Speaker, the chairman of our subcommittee, Mr. GONZALEZ, deserves special recognition for his leadership on the legislation before us today. Through Mr. GONZALEZ' tireless efforts, beginning in 1982, he has brought the issue of homelessness to the conscience of the Congress of the United States. Since 1982 the Subcommittee on Housing and Community Development conducted some six hearings on the subject of homelessness in America. Along with our chairman, I would like to single out two of my distinguished colleagues on the Banking Committee, Mr. VENTO and Ms. OAKAR. They have provided leadership on this issue which resulted in two homeless assistance programs enacted in the 99th Congress. And, of course, the gentleman from Washington, Mr. LOWRY, has been a driving force behind this bill.

The Banking Committee's portion of H.R. 558 provides additional funding in fiscal year 1987 for three existing programs for the homeless, the FEMA Emergency Food and Shelter Program, Emergency Shelter Grant Program, and the Transitional Housing Demonstration Program, as well as additional funding for the section 8 existing Housing Certificate Program. From a supportive services standpoint, the bill provides additional funding too, through the existing Community Services Block Grant Program. This program provides assistance to local community action agencies in their efforts to help the homeless. The bill also creates two new initiatives, one for a shelter grant program for underutilized facilities and another for a matching grant program to provide permanent community-based housing for the handicapped persons who are homeless or at risk of becoming homeless.

Some of my colleagues have raised questions as to whether this is the best way to proceed. Their points are well taken. I, for example, feel that State and local governments should be doing more to address the particular needs of the homeless within their communities. In this regard, the provisions of this bill directs Federal assistance to State and local governments to work with voluntary nonprofit organizations at the local level in their efforts to assist the homeless. In view of our hearings and based on experience with our existing homeless assistance programs there appears to be a consensus on this point.

Mr. Speaker, the major purpose of this legislation was to focus attention on the fact that there is a problem, and on that no one seems to disagree. But such a conclusion should have been clear to all of us. You can see it in almost any large city in the country. I've seen it in Columbus, but I've also seen how some of the suffering and hardship can be alleviated. In Columbus we have an excellent program to aid the homeless that is funded under a previous piece of legislation that was approved by Congress. It works, but we need more money and additional tools. H.R. 558 will provide that.

Mr. Speaker, this legislation is strongly supported by the United Way, the Salvation Army, the National Council of Jewish Federations, the American Red Cross, the National Conference of Catholic Charities, the National Council of Churches, and by such organizations as the National Mental Health Association, the Association for Retarded Citizens, United Cerebral Palsy, and the Easter Seal Society. These are some of the people who have been in the front lines in our fight to aid the homeless. They will use these funds and use them wisely.

Finally, Mr. Speaker, let me make one more point. Most of these homeless people do not vote and they do not contribute to political campaigns. There is no "Poor-Pac" that I'm aware of. The homeless are truly without representation but they are human beings who need help and that is why we should pass this legislation.

Mr. WHEAT. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFICANT. I thank the gentleman for yielding.

Mr. Speaker, I would like to rise and say that there have been a few Members who have come up and talked about the waiver of the Budget Act, and that is a significant process here, one that we cannot turn our backs on, the economics of our country.

But, you know, I can remember a vote last term when we came in here and were discussing I believe it was the Jobs Program for Youth. It barely passed the House and it was defeated in the other body.

The argument was, "My God, where are we going to get $180 million with the budget problems in this country for unemployed youth in the metropolitan areas of America?"

But then about a week after that, even though it passed by about three votes, this body passed a $17 billion foreign aid bill and no one even got up and asked for a vote. Now the people of America want Congress to do something about the homeless on our streets. This is an indictment of this Nation. If it takes waiving the Budget Act, then we are going to have to waive it here today. And if we are going to have to make up those funds, we will see where the other side is and where these outspoken critics are of these great deficits when it comes time to cut that military budget or some of those projects that the other side might be concerned about.

I am saying, let us waive the Budget Act; let us not be hypocrites. Yes, we are going to have to do that. Let us do it affirmatively and get some people off the streets.

America does not stand for people sleeping on steel grates; it stands for a lot more than that.

The responsibility for that is in incumbent upon us to ensure this possibility. Vote for this rule; stand strong for it.

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

Mr. Speaker, let me take just a few moments to clear up exactly what this rule does and does not do. This is a 2-hour open rule which provides each Member with the opportunity to be heard on this important measure. With regard to the Budget Act waiver, it is technically true that the Budget Act waiver would be necessary for a provision of H.R. 558, as introduced. It should also be noted that H.R. 558, as introduced, has been substituted for in this rule and the substitute does not contain the provision for which the Budget Act waiver would have been necessary.

So, in fact, in no substantive way is the Budget Act being violated here today.

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

Mr. WHEAT. I yield to the gentleman from New Hampshire.

Mr. GREGG. I thank the gentleman for yielding.

Mr. Speaker, I would ask the gentleman if it is the case that you have a substitute which is in proper order under the Budget Act why was not that substitute brought forward under this rule?

Mr. WHEAT. That substitute is being brought forward under this rule but, in fact, the two measures for which the substitute has been substituted have to be brought to the floor in order to consider the substitute today.

Mr. GREGG. Why did the gentleman not make the bill in order today? We do not have in order today the bill

that is the substitute; what we have in order today violates the Budget Act.

If the bill you wish to bring forward is the substitute then you should have made that in order. I would like an explanation as to why you are bringing forward the bill which violates the Budget Act.

□ 1150

If the bill that you wish to bring forward was the substitute, you should have made that in order. I would like an explanation as to why you are bringing forward the bill which violates the Budget Act as a primary legislative vehicle.

Mr. WHEAT. If the gentleman would like his answer, there are two reasons why we are coming forward in this way: One, to preserve the legislative history of the two bills as they were originally introduced; and two, we are bringing forward the substitute that is the bill that is in order today. That is the bill that will be debated and discussed on the floor and that each Member will have the opportunity to offer any amendments that they care to today.

Mr. GREGG. Mr. Speaker, if the gentleman will yield further, legislative history is fairly clear by the introduction of the legislation.

If you want to maintain the integrity, however, of the budget process, you should have brought forward the substitute, and not the original bill which violates the budget process. It seems to me that the basic thrust here is a political one; you just want to retain a number of a bill, and in doing that, you are willing to waive the budget process to get there.

That seems to me to use form over substance in its worse manner.

Mr. WHEAT. Mr. Speaker, having raised the form-over-substance argument, I would make it clear that in no substantive way is the Budget Act violated here today, and to suggest that it is clearly to assume form over substance.

Mr. GREGG. Mr. Speaker, will the gentleman yield further to me?

Mr. WHEAT. I yield further to the gentleman.

Mr. GREGG. Mr. Speaker, if the substitute is not approved, the Budget Act would be violated; is that not correct?

Mr. WHEAT. The Budget Act does not contain the provision in H.R. 558 for which a Budget Act waiver would have been necessary.

Mr. GREGG. The bill which is brought forward contains the provision for which the Budget Act is violated. It is a provision which would allow for an entitlement program in violation of the Budget Act; is that not correct?

Mr. WHEAT. H.R. 558 would have violated the Budget Act were it to be considered on the floor today and a waiver would have been necessary. However, we are going to consider a substitute that has been introduced for H.R. 558.

Mr. GREGG. The only way you can consider that substitute is by obtaining a waiver because you are bringing forward the bill. The primary bill, which you are going to be substituting, is in violation.

Mr. WHEAT. Mr. Speaker, the primary bill would have contained the clause that would have required a waiver. We can agree on that point. I hope we can also go forward to agree that we are going to consider this substitute which has been brought forward that does not contain that provision, and for which a Budget Act waiver is not necessary.

Mr. GREGG. Mr. Speaker, if the gentleman will yield further, my point is that if you wish to really go forward with this substitute, you would have made that in order.

Mr. WHEAT. Mr. Speaker, I appreciate the comments and wanted to make it clear what, in fact, the rule does not do. This is an important measure, Mr. Speaker. There are over 3 million people in this country who are currently without homes and the homeless rate in this country continues to grow at an alarming rate of 25 percent per year.

People from all walks of life are finding it increasingly difficult to obtain appropriate housing, health care, and nutrition. Currently we have no effective way of delivering services to the citizens of this country who desperately need them.

The emergency legislation that we consider today, the bipartisan emergency legislation, will be the first step in meeting those needs.

Mr. Speaker, the matter before us is of great importance. I urge that we adopt this resolution so that we may proceed to consideration of this bill.

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

Mr. WHEAT. Mr. Speaker, I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. MOODY). The question is on ordering the previous question.

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

Mr. WALKER. 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 269, nays 138, not voting 26, as follows:

[Roll No. 17]

YEAS—269

Ackerman
Akaka
Alexander
Anderson
Andrews
Anthony
Applegate
Aspin
Atkins
AuCoin
Barnard
Bates
Beilenson
Bennett
Bevill
Biaggi
Bilbray
Boehlert
Boggs
Boland
Boner (TN)
Bonior (MI)
Bonker
Borski
Bosco
Boucher
Boxer
Brennan
Brooks
Brown (CA)
Bruce
Bryant
Bustamante
Byron
Campbell
Cardin
Carper
Carr
Chapman
Chappell
Clarke
Clay
Coelho
Coleman (TX)
Collins
Cooper
Courter
Coyne
Crockett
Daniel
Darden
Davis (MI)
de la Garza
DeFazio
Dellums
Derrick
Dicks
Dingell
DioGuardi
Dixon
Donnelly
Dorgan (ND)
Downey
Duncan
Durbin
Dwyer
Dymally
Dyson
Early
Eckart
Edwards (CA)
English
Erdreich
Espy
Evans
Fascell
Fazio
Flake
Flippo
Florio
Foglietta
Ford (MI)
Ford (TN)
Frank
Frost
Gallo
Garcia
Gaydos
Gejdenson
Gibbons
Gilman
Glickman
Gonzalez
Gordon
Grant
Gray (IL)
Gray (PA)
Green
Guarini
Hall (OH)
Hall (TX)
Hamilton
Harris
Hatcher
Hawkins
Hayes (IL)
Hefner
Hertel
Hochbrueckner
Howard
Hoyer
Huckaby
Hughes
Hutto
Jacobs
Jenkins
Johnson (CT)
Johnson (SD)
Jones (TN)
Jontz
Kanjorski
Kaptur
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kostmayer
LaFalce
Lancaster
Lantos
Leath (TX)
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lewis (GA)
Lipinski
Lowry (WA)
Lujan
Luken, Thomas
MacKay
Manton
Markey
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McDade
McEwen
McHugh
McKinney
McMillen (MD)
Mfume
Mica
Miller (CA)
Miller (WA)
Mineta
Mollohan
Montgomery
Moody
Morella
Morrison (CT)
Morrison (WA)
Mrazek
Murphy
Murtha
Nagle
Natcher
Neal
Nelson
Nichols
Nowak
Oberstar
Obey
Olin
Ortiz
Owens (NY)
Owens (UT)
Panetta
Patterson
Pease
Penny
Pepper
Perkins
Pickett
Pickle
Porter
Price (IL)
Price (NC)
Pursell
Quillen
Rahall
Rangel
Ravenel
Ray
Richardson
Ridge
Rinaldo
Robinson
Rodino
Roe
Rose
Rostenkowski
Rowland (GA)
Roybal
Russo
Sabo
Saiki
Savage
Sawyer
Saxton
Scheuer
Schneider
Schroeder
Schumer
Sharp
Sikorski
Sisisky
Skaggs
Skelton
Slattery
Smith (FL)
Smith (IA)
Smith (NJ)
Snowe
Solarz
Spratt
St Germain
Staggers
Stallings
Stark
Stenholm
Stokes
Stratton
Studds
Swift
Synar
Tallon
Thomas (GA)
Torres
Torricelli
Towns
Traficant
Traxler
Udall
Valentine
Vento
Visclosky
Volkmer
Walgren
Watkins
Waxman
Weiss
Wheat
Whitten
Williams
Wilson
Wise
Wolpe
Wortley
Wyden
Wylie
Yates
Yatron

NAYS—138

Archer
Armey
Badham
Ballenger
Bartlett
Barton
Bateman
Bentley
Bereuter
Bilirakis
Bliley
Boulter
Broomfield
Brown (CO)
Buechner
Bunning
Burton
Callahan
Chandler
Cheney
Clinger
Coats
Coble
Combest
Coughlin
Craig
Crane
Dannemeyer
Daub
Davis (IL)
DeLay
DeWine
Dickinson
Dornan (CA)
Dreier
Edwards (OK)
Emerson
Fawell
Fields
Fish
Frenzel
Gallegly
Gekas
Gingrich
Goodling
Gradison
Grandy
Gregg
Gunderson
Hammerschmidt
Hansen
Hastert
Hefley
Henry
Herger
Hiler
Holloway
Hopkins
Houghton
Hunter
Hyde
Inhofe
Ireland
Jeffords
Kasich
Kemp
Kolbe
Konnyu
Kyl
Lagomarsino
Latta
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Lowery (CA)
Lukens, Donald
Lungren
Mack
Madigan
Marlenee
Martin (IL)
Martin (NY)
McCandless
McCollum
McMillan (NC)
Meyers
Michel
Miller (OH)
Molinari
Moorhead
Myers
Nielson
Oxley
Packard
Parris
Pashayan
Petri
Regula
Rhodes
Ritter
Roberts
Rogers
Roth
Roukema
Rowland (CT)
Schaefer
Schuette
Schulze
Sensenbrenner
Shaw
Shumway
Shuster
Skeen
Slaughter (VA)
Smith (NE)
Smith (TX)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Solomon
Spence
Stangeland
Stump
Sweeney
Swindall
Tauke
Taylor
Thomas (CA)
Upton
Vander Jagt
Vucanovich
Walker
Weber
Weldon
Whittaker
Wolf
Young (FL)

NOT VOTING—26

Annunzio
Baker
Berman
Coleman (MO)
Conte
Conyers
Dowdy
Feighan
Foley
Gephardt
Hayes (LA)
Horton
Hubbard
Jones (NC)
Leach (IA)
Livingston
Lloyd
Lott
McGrath
Moakley
Oakar
Roemer
Slaughter (NY)
Sundquist
Tauzin
Young (AK)

□ 1210

Mrs. ROUKEMA, Mr. LAGOMARSINO, and Mr. KONNYU changed their votes from "yea" to "nay."

Mr. BONIOR of Michigan changed his vote from "nay" to "yea."

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. MOODY). The question is on the resolution.

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

RECORDED VOTE

Mr. McCANDLESS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 274, noes 126, not voting 33, as follows:

[Roll No. 18]

AYES—274

Ackerman
Akaka
Alexander
Anderson
Andrews
Anthony
Applegate
Aspin
Atkins
AuCoin
Barnard
Bates
Bellenson
Bennett
Bentley
Bevill
Biaggi
Bilbray
Boehlert
Boggs
Boland
Boner (TN)
Bonior (MI)
Bonker
Borski
Bosco
Boucher
Boxer
Brennan
Brooks
Brown (CA)
Bruce
Bryant
Bustamante
Byron
Cardin
Carper
Carr
Chapman
Chappell
Clarke
Clay
Clinger
Coelho
Coleman (TX)
Collins
Conyers
Cooper
Courter
Coyne
Crockett
Daniel
Darden
de la Garza
DeFazio
Dellums
Derrick
Dicks
Dingell
DioGuardi
Dixon
Donnelly
Dorgan (ND)
Downey
Duncan
Durbin
Dwyer
Dymally
Dyson
Early
Eckart
Edwards (CA)
English
Erdreich
Espy
Evans
Fascell
Fazio
Fish
Flake
Flippo
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Frank
Frost
Gallo
Garcia
Gaydos
Gejdenson
Gibbons
Gilman
Glickman
Gonzalez
Goodling
Gordon
Grant
Gray (IL)
Gray (PA)
Green
Guarini
Hall (OH)
Hall (TX)
Hamilton
Harris
Hawkins
Hayes (IL)
Hefner
Hertel
Hochbrueckner
Howard
Hoyer
Huckaby
Hughes
Hutto
Jacobs
Jenkins
Johnson (CT)
Johnson (SD)
Jones (NC)
Jones (TN)
Jontz
Kanjorski
Kaptur
Kastenmeier
Kennelly
Kildee
Kleczka
Kolter
Kostmayer
LaFalce
Lancaster
Lantos
Latta
Leath (TX)
Lehman (CA)
Lehman (FL)
Leland
Lent
Levin (MI)
Levine (CA)
Lewis (GA)
Lipinski
Lowry (WA)
Luken, Thomas
MacKay
Manton
Markey
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McDade
McEwen
McHugh
McKinney
McMillen (MD)
Mfume
Miller (CA)
Miller (OH)
Miller (WA)
Mineta
Mollohan
Montgomery
Moody
Morella
Morrison (CT)
Morrison (WA)
Mrazek
Murphy
Murtha
Nagle
Natcher
Neal
Nelson
Nichols
Nowak
Oberstar
Obey
Olin
Ortiz
Owens (NY)
Panetta
Patterson
Pease
Penny
Pepper
Perkins
Pickett
Pickle
Porter
Price (IL)
Price (NC)
Pursell
Quillen
Rahall
Rangel
Ravenel
Ray
Regula
Richardson
Ridge
Rinaldo
Robinson
Rodino
Roe
Rose
Rostenkowski
Rowland (GA)
Roybal
Russo
Sabo
Savage
Sawyer
Saxton
Schneider
Schroeder
Schulze
Schumer
Sharp
Sikorski
Sisisky
Skaggs
Skelton
Slattery
Smith (FL)
Smith (IA)
Smith (NJ)
Snowe
Solarz
Spratt
St Germain
Staggers
Stallings
Stark
Stenholm
Stokes
Stratton
Studds
Swift
Synar
Tallon
Thomas (GA)
Torres
Torricelli
Towns
Traficant
Traxler
Udall
Valentine
Vento
Visclosky
Volkmer
Walgren
Watkins
Waxman
Weiss
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Wolpe
Wortley
Wyden
Wylie
Yates
Yatron

NOES—126

Archer
Armey
Badham
Ballenger
Bartlett
Barton
Bateman
Bereuter
Bilirakis
Bliley
Boulter
Broomfield
Brown (CO)
Buechner
Bunning
Burton
Callahan
Chandler
Cheney
Coats
Coble
Combest
Coughlin
Craig
Crane
Dannemeyer
Daub
Davis (IL)
DeLay
DeWine
Dickinson
Dornan (CA)
Dreier
Edwards (OK)
Emerson
Fawell
Fields
Frenzel
Gallegly
Gekas
Gingrich
Gradison
Grandy
Gregg
Gunderson
Hammerschmidt
Hansen
Hastert
Henry
Herger
Hiler
Holloway
Hopkins
Hunter
Hyde
Inhofe
Ireland
Jeffords
Kasich
Kemp
Kolbe
Konnyu
Kyl
Lagomarsino
Lewis (CA)
Lewis (FL)
Lightfoot
Lowery (CA)
Lujan
Lukens, Donald
Lungren
Mack
Madigan
Marlenee
Martin (IL)
McCandless
McCollum
McMillan (NC)
Michel
Molinari
Moorhead
Myers
Nielson
Oxley
Packard
Parris
Pashayan
Petri
Rhodes
Ritter
Roberts
Rogers
Roth
Roukema
Rowland (CT)
Saiki
Schaefer
Schuette
Sensenbrenner
Shaw
Shumway
Shuster
Skeen
Slaughter (VA)
Smith (NE)
Smith (TX)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Solomon
Spence
Stangeland
Stump
Sundquist
Sweeney
Swindall
Tauke
Taylor
Thomas (CA)
Upton
Vander Jagt
Vucanovich
Walker
Weber
Whittaker
Young (FL)

NOT VOTING—33

Annunzio
Baker
Berman
Campbell
Coleman (MO)
Conte
Davis (MI)
Dowdy
Feighan
Gephardt
Hatcher
Hayes (LA)
Hefley
Horton
Houghton
Hubbard
Kennedy
Leach (IA)
Livingston
Lloyd
Lott
McCurdy
McGrath
Meyers
Mica
Moakley
Oakar
Owens (UT)
Roemer
Scheuer
Slaughter (NY)
Tauzin
Young (AK)

□ 1230

So, the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. FRANK). Pursuant to House Resolution 109 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 558.

□ 1232

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 558) to provide urgently needed assistance to protect and improve the lives and safety of the homeless, with special emphasis on families and children, with Mr. KILDEE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the first reading of the bill is dispensed with.

Under the rule, the gentleman from Texas [Mr. GONZALEZ] will be recognized for 22½ minutes, the gentleman

from Connecticut [Mr. McKINNEY] will be recognized for 22½ minutes, the gentleman from California [Mr. WAXMAN] will be recognized for 22½ minutes, the gentleman from California [Mr. DANNEMEYER] will be recognized for 22½ minutes, the gentleman from Texas [Mr. DE LA GARZA] will be recognized for 15 minutes, and the gentleman from Missouri [Mr. EMERSON] will be recognized for 15 minutes.

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

Mr. GONZALEZ. Mr. Chairman, I yield such time as he may consume to the very distinguished chairman of the full Committee on Banking, Finance and Urban Affairs, the gentleman from Rhode Island [Mr. ST GERMAIN].

The gentleman from Rhode Island has exerted leadership from the very beginning and has been supportive all the way and is the ranking member of the Subcommittee on Housing and Community Development.

Mr. ST GERMAIN. Mr. Chairman, I rise in strong support of H.R. 558, the urgent relief for the Homeless Act.

I am proud of the fact that the Committee on Banking, Finance and Urban Affairs and its Subcommittee on Housing and Community Development was the first committee of the Congress to recognize and to conduct hearings on the nationwide scope of homeless problems that exists in our country.

In December of 1982, under the able leadership of the distinguished Gentleman from Texas, Mr. GONZALEZ, the Subcommittee on Housing and Community Development conducted the first hearing on homelessness since the days of the Great Depression in the 1930's when this issue was last reviewed by a committee of the Congress.

We, on the Banking Committee, have also been in the forefront of proposing a Federal response beginning in 1983. Under the leadership of Chairman GONZALEZ and our colleague from Minnesota, BRUCE VENTO, we have pushed since that time for Federal funds to provide emergency shelter for homeless people.

Mr. Chairman, I can recall very clearly the cries of outrage that met our ears when we proposed the first program of $60 million. We have come a long way from that time, especially with bipartisan support that we have with this bill today.

Joining us at that time in responding to the needs of homeless Americans was the distinguished ranking minority member of the Banking Committee, our colleague from Ohio, CHALMERS WYLIE. He and his colleague from Connecticut, STEWART McKINNEY. I commend them now, as I did back in 1983, for their support.

H.R. 558, the Urgent Relief for the Homeless Act, is a bipartisan response to the very real crisis that exists in all of our communities today. This bill has been put together in a bipartisan manner under the direction of the Democratic leadership of the House based on previous attempts of my committee and the Appropriations Committee in responding to the needs of the homeless people.

The bill provides for an emergency authorization of $500 million to be allocated in the quickest possible manner to provide emergency shelter, food and health care for our homeless people. We have worked together on this bill with our colleagues on the Committees on Energy and Commerce, Government Operations, and Education and Labor. It is a committeewide emergency response and, Mr. Chairman, it bodes well for our future response to this problem.

Mr. Chairman, this is only our preliminary response and an emergency one at that. The failure of the administration and the Congress to continue to provide the absolutely essential housing assistance to low- and moderate-income people has directly resulted in the homeless situation that we see in all of our communities. No Member in this Chamber can tell us that they do not have a homeless problem in their districts. It is a problem that exists in our large cities, our small towns, our suburban communities and in our rural areas. The Congress must face up to the problem. We must act on a long-term basis and we on the Banking Committee pledge to do so.

H.R. 4, this year's housing authorization bill, begins the process of rebuilding our Federal housing delivery system and to reestablish a national housing policy. The Subcommittee on Housing and Community Development will complete hearings on H.R. 4 within the next 2 weeks and will begin markup process toward the end of March. I pledge to this House that we on the Banking Committee will bring to the floor a major housing bill within the next 2 months, and we will act with dispatch and bipartisan support that we saw here with last year's housing bill, H.R. 1.

Mr. Chairman, I urge my colleagues to join me in taking this first step to addressing the housing needs of our Nation.

Mr. GONZALEZ. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, today I rise in strong support of H.R. 558, the Urgent Relief for the Homeless Act, which provides vitally needed assistance to homeless persons. The $500 million authorized in this legislation provides emergency assistance to the homeless through homeless service providers—religious and nonprofit groups—States and local governments and Community Action agencies. This bill represents the fact that the Federal Government does have a moral and legal obligation to feed, clothe, and house homeless people who are in every community across this country both urban and rural. The pleas of the homeless are now finally being heard by Congress. The homeless have turned to the door of last resort, the Federal Government.

Before proceeding, Mr. Chairman, let me take a moment to commend my colleagues on the Banking Committee who have been active in the forefront on this issue long before it became a prominent and popular issue to support. The distinguished chairman of the full committee, Mr. ST GERMAIN, has been supportive from the very start beginning in 1982 when my subcommittee began to explore the growing phenomenon of homelessness. The ranking minority member of the Banking Committee, Mr. WYLIE of Ohio, has been supportive of Federal efforts to respond to the needs of the homeless notwithstanding the opposition of the administration and many of his colleagues. The ranking minority member of the Subcommittee on Housing and Community Development, STEWART McKINNEY, has long been an ardent and eloquent supporter of efforts to address the needs of the homeless people. He has been with us in hearings when only a few of the members turned up during the early discussions of what was happening on our streets. Finally, Mr. Chairman, I want to commend my distinguished colleague from Washington, MIKE LOWRY, without whom this bill would never have been developed. He has with commitment and energy put together a package encompassing a range of political support that 1 year ago, none of us would have thought possible. Finally, let me commend my colleague, BRUCE VENTO for all his early work on this issue and his continued and vital support. With consideration of this legislation in the House today, the door is partially opening.

The $500 million in emergency assistance provided in this bill will not eradicate the causes of homelessness; but rather is an emergency short-term effort to assist homeless persons. This bill certainly does not address the causes of homelessness which are deep seated and go beyond the scope of this emergency legislation. The reasons for homelessness lie in the lack of affordable housing in this country for low-income persons, the lack of employment opportunities, and the lack of health and mental health services for the poor. This bill is an emergency effort to assist the homeless and to provide assistance as quickly as possible to local homeless service providers in cities and rural areas in this country. Clearly, the $500 million is a shot-in-the-arm approach to get funding out quickly to the homeless. H.R. 4,

the Housing Act of 1987, provides a more long-term approach at providing shelter assistance to the homeless. I look forward to pursuing H.R. 4 in the House this spring.

The issue of homelessness is not a new one for my subcommittee and this emergency effort is a result of several years of continued congressional concern for the homeless. The Housing and Community Development Subcommittee has held at least seven major hearings on the issue of homelessness since December 1982. In fact, the December 1982 hearing was the first congressional hearing to spotlight the need for a Federal response to homelessness since the 1930's. Throughout these hearings the homeless service providers, who have direct hands-on experience with assisting the homeless, have testified that there are 2 to 3 million persons who are homeless in this Nation and recently the U.S. Conference of Mayors has reported that the number of homeless are increasing. Also indicated in the mayor's survey of 24 cities is the fact that the number of homeless women, children, and families is increasing.

Mr. Chairman, if we in the Congress had not succumbed to the administration's efforts to slash, cut, and terminate our assisted housing programs many of the people on our streets today would not be there. In 1980 the Federal Government was providing housing assistance that added 300,000 units to the housing stock for low and moderate income people. If that effort had been kept up, over a million homeless people today would have had some kind of federally assisted shelter. I regret that these efforts were successfully done under the guise of budget reduction. I warned at that time that the results of these housing cuts would have tragic effects. The existence of the homeless people on the streets today bear witness to my warnings.

Since fiscal year 1983 Congress has provided $435 million to feed and shelter the homeless through the FEMA Emergency Food and Shelter Distribution Program. Nonprofit groups such as the Salvation Army, United Way, Council of Jewish Federations, Catholic Charities, and others have combined their volunteer efforts with this meager Federal support to assist thousands of homeless persons. Clearly this has not been enough and thus we are here today with a $500 million package of assistance to the homeless.

H.R. 558, the Urgent Relief for the Homeless Act, authorizes $500 million to be appropriated in fiscal year 1987 through a variety of existing programs to assist the homeless in both urban and rural areas of this country; $175 million is provided for emergency shelter facilities through the HUD Emergency Shelter Grant Program and the underutilized Surplus Grant Program; $155 million is provided for transitional and more permanent housing assistance through the HUD Transitional Housing Program, the HUD Section 8 5-year existing Certificate Program, and the HUD community based housing for homeless handicapped persons; $70 million for food and shelter assistance through the FEMA Emergency Food and Shelter Distribution Program and the HHS Community Services Block Grant Program; and $100 million for community health and mental health programs.

There is an easy answer to the reason why we have poor people living in homeless shelters. Since 1980 this Congress and the administration have agreed to cut the housing budget by 70 percent. As a result, each year we have been able to help fewer and fewer additional poor people with their housing problems. In 1980 we provided enough assistance through HUD and FmHA to help an additional 317,500 families. In his fiscal year 1988 budget the President proposes enough funds to help only an additional 114,100 families.

The total number of additional families helped by the Federal Government between 1980 and fiscal year 1988 is 1,633,000. If we had maintained the same level of assistance for every year since 1980, we could have helped a total of approximately 2,860,000 families. The difference between those families actually helped and those we could have helped if we had not cut those funds so drastically is 1,227,000.

How many homeless people do we have in this country—1 million, 2 million, 3 million? Whatever the total, had we not agreed to the draconian 70-percent budget cuts in our housing programs, 1,227,000 more families and possibly 3,681,000 more individuals could be living in decent housing and not huddling on the streets, in mass shelters, or in substandard housing. The severity of the homeless problem is no mystery when you understand how our Federal housing programs have been decimated over the last 8 years. I hope my colleagues will join me in reversing this devastating trend by providing more permanent long-term housing solutions through H.R. 4, the housing authorization bill of 1987.

H.R. 558 represents a congressional effort to save lives, to provide emergency shelter and health care services to people whose lives are endangered. This bill is the first response. The second response will occur when Congress considers H.R. 4, the Housing Act of 1987, which seeks to focus our attention on increasing permanent housing for people who are now homeless.

I join my colleagues on both sides of the aisle who realize this Federal responsibility and pass H.R. 558, the Urgent Relief for the Homeless Act.

Mr. GONZALEZ. Mr. Chairman, I reserve the balance of my time.

Mr. McKINNEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, there is a basic issue before us today. It is not essentially just the homeless; it is not essentially just that they are cold; it is in fact what kind of America do you want.

Do you want an America that abandons 10 million of its people? Do you want an America where Americans are sleeping on cement in 20-degree weather and colder? Do you want an America where your kids—your kids, not their kids—do not believe in the system because they see what is happening?

I do not think so. I think you all care very deeply about the United States of America.

□ 1250

There was a great Democrat by the name of Lyndon Baines Johnson. When I stood out Tuesday night with the House of Ruth people serving soup and coffee on the grounds of the Patent Office of the United States of America, I saw the plaque in the wall in concrete, which says "dedicated with pride by Lyndon Baines Johnson to the U.S. Government."

There were eight homeless people sleeping at the base of that plaque, in view of your Nation's White House and on Federal property.

What I am really trying to say here is that we have forgotten. You know, it was a Federal court that said deinstitutionalize. But nobody has bothered to answer the question, What happens to these people when they leave the institutions?

Now, as my chairman, whose work on this bill has been magnificent, states there are families in cars, families sleeping under bridges, families sleeping on the sidewalks, and families with no shelter at all.

A lot of people say "why don't they get a job?" I met two gentlemen on the streets of Washington last Tuesday night. They both had jobs. One of the men had a job 8 hours a day 5 days a week for $5 an hour. He had been in Washington for 2 months. I asked him why he was there. He said he was trying to save enough money to find a place to live.

You cannot get started in Washington, DC, on $5 an hour. It is one of the most expensive cities in the world.

This bill is not a panacea; this bill is not going to determine what kind of an America you are going to have. Hopefully, H.R. 4, the omnibus housing bill, will move in that direction and so will the Committee on Energy and Commerce, which has oversight over HHS. However, what H.R. 558 is going to do is to supply emergency relief.

It was 21 degrees Tuesday night in Washington, DC.

The people need help now. This bill is going to give these people assistance through existing channels, in most cases. It will provide emergency community service money, and we have that program; section 8 money, we have that system; transitional housing, we have had that system since November; emergency shelter grants, we have that system; and FEMA emergency food and shelter programs, which we also have. I will let the other committees discuss their provisions and history.

I have never seen in 17 years in this town a Federal agency operate as quickly as FEMA did this week when in 2 days, and remember this when you get discouraged about the enormity of the bureaucracy, they took our $40 million transfer and had it going on its way to the cities and towns.

Where is this money going? It is going to existing structures that are trying to cope. One may ask why, for a national problem, is all our help coming from the Catholic dioceses, the United Jewish Appeal, the Baptist churches, the Lutheran synods? Where are our States and towns? I do not know. I would like to tell them where I think they are, but that is not polite conversation.

They should be helping the problem more. But they aren't, so we have to step in.

You know, I asked one gentleman the other night, I said "why aren't you in a shelter?" He said "Man, the shelters in this city are worse than the sidewalk." We need to give them help and demand that they do right. I will tell you, he said—and I did have to laugh at this; I see the Delegate from Washington sitting out there, and I know he will be happy to know that this guy told me without question Washington was the best city to eat in. So there we are.

Well, I have taken up my time. This is your America. It is your kids' America. It is a nation that everyone wants to be proud of. I think I can best end it by paraphrasing what Gov. Bill O'Neill, a Democrat by the way, from Connecticut said: "Connecticut doesn't have to sit and wait for prosperity, it has it. What Connecticut has to figure out is how to bring that prosperity to everyone."

Thank you very much.

The CHAIRMAN. The gentleman from Connecticut [Mr. McKINNEY] has consumed 6½ minutes.

The gentleman from Texas [Mr. GONZALEZ] has 7½ minutes remaining.

Mr. GONZALEZ. Mr. Chairman, I yield such time as he may consume to our distinguished colleague, the gentleman from the District of Columbia [Mr. FAUNTROY].

Mr. FAUNTROY. I thank the gentleman for yielding.

Mr. Chairman, I want to first of all commend our majority leader, Mr. FOLEY, and our colleague, Mr. McKINNEY, for having initiated this noble effort. I am as well grateful to the Speaker of the House, to the chairman of the Committee on Banking, Finance and Urban Affairs and particularly to the indefatigable chairman of the Subcommittee on Housing who, over the years, has championed decent, safe, and sanitary housing for all of our people.

For a fleeting moment the night before last several of my colleagues were homeless as we shared the feeling of the homeless of our country by sleeping out, some of us on heating exhaust grates and others of us on the cold hard ground because the heating exhaust grates had already been claimed by the homeless who—not only in the District of Columbia but across this Nation—have overrun the capacity of our cities, our States, and most of all our charitable organizations to deal with the growing problem in this country, the problem of homelessness.

It is a problem that has affected not simply the people over the years who have been homeless, have had that as a way of life but increasingly, as our hearings have revealed, literally hundreds of thousands of people, many of them families who now find themselves to be homeless. We know that this bill does not deal with the root causes of that homelessness and we in the Committee on Banking do expect to come before this body in the very near future with H.R. 4, which will attempt to move us in the right direction in solving those immediate problems. But right now we need the kind of Band-Aid that this measure provides for the 2 million across this country who are in fact homeless.

As I lay there freezing about 2 a.m. in the morning with many of my colleagues, I began to ask myself, "What in the world am I doing here?"

How can a nation that can provide a home for MX missiles fail to provide a home for the homeless who are experiencing this traumatic experience across this Nation today?

So I hope that as we prepare to vote on this measure we will commit ourselves not only to the more than $500 million that we are here committing to emergency assistance to the homeless, but also to the broader agenda which the Housing Committee under the leadership of Congressman GONZALEZ will bring forth before this Congress shortly.

Mr. McKINNEY. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. WORTLEY].

Mr. WORTLEY. Mr. Chairman, "No man is an island, entire of itself; every man is a piece of the continent, a part of the main; if a clod be washed away by the sea, [we] are the less."

John Donne's words ring true today. When individuals in our country are hurting, the country is hurting. The bill before us addresses one of the most severe hurts a human can experience: to be without decent shelter.

Mr. Chairman, whether a result of economic dislocation, the stresses of modern 20th-century life, or physical and mental impairments, we are confronted with a serious problem of homeless persons which demands action by this Congress. The legislation before us would make a significant contribution to alleviating this grave problem. The organizations in my district that work with the homeless tell me that we currently have enough shelter, but there is no money for caseworkers or others who could help the homeless back into the mainstream of society. I am pleased that provisions in this bill would provide funds for such important help.

Much remains to be known about the homeless, beginning with the extent of the problem. The number of homeless that the Department of Housing and Urban Development calculated 2 years ago—250,000 to 350,000—was again repeated in a recent study by Harvard University economist Richard Freeman. Of course, we are also aware of other estimates claiming the number of homeless to be as high as 3 million.

We also need to more accurately determine the composition of the homeless. How many are homeless as a result of urban policies such as rent control and redevelopment which have severely diminished the low-income housing stock by encouraging demolition or conversion to condominiums? In what proportion are the homeless alcoholics, addicted to drugs, criminals, or the mentally disturbed? Unfortunately, there are many instances where even a utopian economy would be of no help, nor would increased Federal funding. A report released by the American Psychiatric Association says it is a "naive and simplistic" notion that such a "complex problem as homelessness among the chronically and severely mentally ill could be solved simply by giving each member of this unfortunate group his or her own low-cost apartment in which to live alone." The APA estimates that 40 percent of the homeless across the country suffer from such major mental disorders as schizophrenia and manic-depressive illness. This has been traced to the excessive deinstitutionalization in the sixties and seventies. But while a room in which to live is not the complete solution, it is absolutely a prerequisite to an eventual answer.

We should also note our accomplishments in this area. The private re-

sponse to the problem has been heroic. The number of shelters in the last 4 years has increased dramatically, and the overwhelming majority of these shelters are operated by churches, synagogues, nonreligious groups, and other voluntary organizations. The American people have funded this effort by increasing their charitable giving from $47.7 billion in 1980 to $74.3 billion in 1984. In addition, the percent of the adult population doing volunteer work has also increased. Federal assistance exceeded $210 million for emergency food and shelter distributed by FEMA over the last 2 years, and legislation has recently been enacted to provide FEMA with a supplemental appropriation of $50 million bringing total 1987 funding to $130 million. Millions of additional dollars have been applied to the homeless problem through such programs as the Department of Agriculture's Emergency Feeding Programs; HUD's Community Development Block Grant; HHS's Alcohol, Drug Abuse, and Mental Health Block Grant; and HHS's Program for Runaway and Homeless Youth. And, very importantly, last year's comprehensive anti-drug bill greatly expanded food stamp, Medicaid health coverage, job training, and other similar benefits to homeless individuals with no fixed address.

I welcome this important legislation. However, I must also note that I have serious reservations about the actual dollar figures which seem irresponsible given the Federal budget crisis. Increasing the Federal deficit will put upward pressure on interest rates and the trade deficit which could hurt the economy and perhaps worsen the homeless situation. It is moral to provide funding for those who need it, but we also have a moral obligation to future generations for the awesome amount of debt we are creating. If this legislation is enacted, I urge my colleagues to use the appropriations process to find the necessary money in other existing but less worthy programs.

□ 1300

Mr. GONZALEZ. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from California [Mr. TORRES].

Mr. TORRES. Mr. Chairman, I want to commend the gentleman from Texas [Mr. GONZALEZ] and the subcommittee for the energetic time that they have spent in hearings, not just of late, but beginning way back in 1982, on this very critical issue that confronts America today.

I joined with the chairman and our colleagues on the committee in the many hearings, mainly those here in the District of Columbia, to focus on this very difficult problem.

I, too, want to commend the gentleman from Connecticut [Mr. MCKINNEY] and the gentleman from Washington [Mr. LOWRY] for pursuit of bringing this issue before us today.

The critics will say that we are just simply throwing money at another problem. My friends on this floor today, I can only say to you that it is a problem that we can do no less but to assist. It is an emergency measure that will deal with the problem of providing shelters, if you will, roofs, a place for the homeless to stay. It will provide food for basic sustenance of those people. It will provide for the medical and the mental health counseling that they so direly need.

I am one of those who joined with my colleague, the Delegate from the District of Columbia [Mr. FAUNTROY], in sleeping on the streets the other night. Yes, the gentleman is right; we did not have enough grates to go around, and many of us spent our time on the cold, cold floor and the cold grass on the knoll over by the Library of Congress.

My son Steve, and I did that, along with many of our colleagues from Congress and other concerned Americans who joined us. I have to tell you, ladies and gentlemen here assembled, it was an excruciating experience, having to spend a night on the cold ground with the wind and the noise and all of the other calamities that must hit those poor people who have to do this night in and night out.

The least we could have done, as we did, was spend one night. They spend 365 nights out of the year doing this.

So we were not grandstanding; we were simply demonstrating a sense of solidarity that we need to do this. Yes, it is a problem, and it is not just a problem of the hopelessness of the homeless in this country; it is an overall problem that has to do with deficits and it has to do with our trade imbalance. It has to do with the question that we have exported millions of jobs overseas causing loss of job, homes, and family breakup. These are the consequences that we are paying, and it is not going to stop. It is growing. It is growing.

Today, we have an opportunity to do something about it. I implore upon you, on both sides of the aisle, that we must give support to H.R. 558.

Mr. Chairman, thank you for your leadership on this issue.

Mr. McKINNEY. Mr. Chairman, I yield 1½ minutes to the gentleman from Washington [Mr. MILLER].

Mr. MILLER of Washington. Mr. Chairman, every cold winter night hundreds are turned away in my district in Washington State to sleep in cars, on streets, in doorways.

That is the problem. Some of these people are mentally ill, alcoholics, or drug addicts. But many, I believe a majority in my area, are just temporarily down on their luck. Their unemployment benefits have not come through or have run out or they cannot make the current rental payment. I say that after spending a night in one of Seattle's largest shelters. With increasing job turnover in our ever more technological business world, these numbers are not likely to go down. Fortunately, the rate of increase has slowed.

The nonprofit and religious organizations in my area have made tremendous efforts. So have some of the cities in my district. But it has not been enough. Many are still turned away.

This is not a perfect bill. I believe the resources could be better focused, that we don't need another agency, and that more attention could be given toward encouraging nonprofit organizations and encouraging all localities to do their part—so that no one city becomes a mecca for the homeless. I will therefore support amendments that I believe shall improve the bill.

After improving this bill as much as we can however, we should pass it. We must make the effort to get our homeless off the streets now, while we should also continue to look at this challenge and come up with more thoughtful and focused effort.

Clearly, giving shelter to the homeless must be a national priority. We may argue over whether to spend on this program or that, but I hope we all can agree that nobody in this country should have to go without food or shelter. This bill recognizes that priority.

The CHAIRMAN. The gentleman from Texas [Mr. GONZALEZ] has 1 minute remaining and the gentleman from Connecticut [Mr. MCKINNEY] has 12½ minutes remaining.

Mr. McKINNEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. CRANE].

Mr. CRANE. Mr. Chairman, I rise in opposition to this well-intentioned, but misdirected piece of legislation.

Mr. Chairman, I certainly support efforts to assist the homeless, but I have serious reservations about this bill. To begin with, it creates a new categorical grant program which identifies and uses underutilized buildings and property to house the homeless. But all too often, these buildings are not suitable for housing the homeless because they are located away from the innercity where the vast majority of the homeless are located. Furthermore, the use of surplus Government buildings to house the homeless could well result in the development of large or mass shelters which are generally agreed to be inappropriate for housing homeless families with children. Since it is a categorical program, the Federal Government will dictate the use of funds, instead of playing the more appropriate role of providing support to State and local governments in their effort

to aid the homeless. It also needlessly duplicates an existing program, the Emergency Shelter Grants Program, by providing similar supportive activities for the homeless.

I am also concerned that the funding level for this bill is excessive given the existing efforts of both Congress and the administration to aid the homeless. Since 1984, when Congress began turning its attention to the problem of the homeless, Congress has appropriated $435 million in direct assistance to the homeless. The administration has run successfully the Emergency Shelter Grant Program, which provides assistance to 36 major cities and additional funding is already planned for this program which will provide grant assistance to approximately 469 metropolitan cities and urban counties. It is a program designed to minimize HUD administration and give maximum control to State and local governments. The administration likewise plans to spend $400 million to help fund nearly 600 community health centers and it already funds nearly 300 runaway and homeless youth centers. Given the difficulty which this body is having in meeting the Gramm-Rudman targets, H.R. 558's authorization to spend an additional $750 million is difficult to justify.

The bill will likewise have a limited immediate impact on the plight of the homeless and thus it is not an emergency piece of legislation. Many of the bill's provisions such as converting unused buildings into shelters could well take years to implement. Furthermore, by the time appropriations are enacted in H.R. 558, it will be virtually impossible to spend all of the money authorized for fiscal year 1987 effectively.

All this spending is hard to justify when the definition of a homeless individual is so broad in this bill that even some congressional staffers could fall under its coverage. The original bill terms a "homeless individual" as anyone "who lacks a fixed and adequate nighttime residence" or anyone who lives "in grossly substandard accommodations". The problem with these definitions is that they create entitlements for millions who are not presently considered to be homeless. Furthermore, the writers of the bill were unduly influenced by Mitch Snyder's inflated estimates of the number of homeless. His group, the Community for Creative Nonviolence, claims that nearly 3 million Americans are homeless. A Harvard University study, on the other hand, estimates that the nationwide population of homeless stands at approximately 350,000 roughly the same number estimated by HUD.

The problem of the homeless is also exceedingly complex and to a great extent a local problem. Reports prepared by the House Government Operations Subcommittee on Intergovernmental Relations and Human Resources found that over 1 million low-rent apartment units are lost each year to condominium conversions, abandonment, arson, and demolition. Over the last 10 years, the subcommittee found that the United States lost more than half of its cheap single-room occupancy units used by poor people. The vast majority of decisions to tear down these units were made at the local level. Furthermore, decisions made at the State level to force patients in mental-health hospitals back into the mainstream of society, as part of a process of deinstitutionalization, have had the effect of putting mentally unstable people on the streets and adding them to the ranks of the homeless.

The problem of the homeless is also greatly complicated by the fact that these local conditions vary greatly from locality to locality. The cause of the homeless in some regions derives from deinstitutionalization while in other regions rent control and condo conversions are to blame. Hence, while some Federal programs such as the Emergency Shelter Program have been successful, the majority of Federal programs have difficulty taking into consideration the differing needs of these communities. It is simply too difficult for bureaucrats based in Washington to tailor programs which can adequately deal with these problems. It makes more sense to allow State and city governments, which are closer and more responsive to the people than the Federal Government, to design programs which fit the needs of their communities.

Many State governments, moreover, are running budget surpluses while the National Government is running a massive deficit. Individual States are already beginning to tackle this problem. Roughly half of the States have formal plans which provide shelter, medical care, and counseling. Many municipal governments also have creative and detailed homeless programs. According to a 1984 HUD study, nonprofit organizations such as the Salvation Army, the YMCA, and churches run over 90 percent of the centers which provide services to the homeless. Many already receive funds from existing Federal programs which, in my opinion, leaves little reason to establish another one. We in Congress should therefore commend local efforts to aid the homeless and should likewise urge State governments to do even more to aid the homeless.

In conclusion, I submit that my colleagues reconsider the wisdom of passing this legislation. It is a bill which usurps local initiative by increasing the power of the Federal Government. The plight of the homeless will be served better by allowing local communities to play a greater role in dealing with this problem.

Mr. GONZALEZ. Mr. Chairman, I yield the remainder of our time to the gentleman from Minnesota [Mr. VENTO], who was in the forefront of all of this.

Mr. VENTO. Mr. Chairman, let me thank the gentleman, Chairman GONZALEZ, for his leadership and for the bipartisan spirit that we have had. I understand that some comments were made earlier and I want to reciprocate by recognizing the ranking member, the gentleman from Ohio [Mr. WYLIE], and certainly the gentleman from Connecticut [Mr. MCKINNEY], for their work on this project.

This has been an important issue for me and I think a growing issue of importance for the Members of this body. I am very proud of the way that they have responded in terms of this 100th Congress by placing this issue virtually at the top of the agenda, rather than at the bottom of the agenda, I think, where very often these individuals in our society find themselves. They are certainly the forgotten Americans.

But I do not think we should forget them. I think that their needs should be addressed and they should be met through logical and sensible programs that are incorporated in this measure.

This is really a modest effort to meet, I think, and to provide human dignity to people in our societies who find themselves, for one reason or another, down and out.

Increasingly we find that those are families. We find that they are people who have various types of disabilities, Mr. Chairman, and I would hope that this body, in its graciousness and its wisdom, would respond by overwhelmingly enacting this measure in this Congress.

□ 1310

Mr. KCKINNEY. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri [Mr. BUECHNER].

Mr. BUECHNER. Mr. Chairman, I thank the gentleman from Connecticut.

Mr. Chairman, I think that the concern and the care that has filled this Chamber so many times for countries and for people, whether they are people who are in need because of their homelessness or their illness or their wretched state caused by war or famine, is evident in the debate that has taken place so far.

But I would suggest, Mr. Chairman, to the Members here that in our hurry to deal with this problem, in our anticipation that America has a problem that will keep getting bigger, that will expand, we must ask ourselves the question: Who are the homeless, and why are they there?

If we think about it for a moment, we have to recognize that the American Psychiatric Institute has estimated that between 25 and 50 percent of these homeless suffer from severe and chronic mental illness, and that there are a tremendous number of these people who are alcoholics or who have some other dependency. But, more importantly, I think we should remember that many of these people, for whatever reason, have chosen to drop out of society, and since they have chosen to drop out of society, I ask this question: Will a new agency handle their needs? People who will not go in and fill out an application for food stamps, will they really line up to come to this agency, this new agency that is going to cost a lot of money and that in many cases will duplicate existing agencies? And will they be able to calm them, to assure them, and to keep them in whatever shelter may be provided?

So, Mr. Chairman, in thinking of the concerns that this body exhibits and the compassion that we show when we respond to tragedy, is it fair to disregard this question: Is this Band-Aid not being put to some end without proper thought?

Mr. McKINNEY. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin [Mr. ROTH].

Mr. ROTH. Mr. Chairman, I appreciate the time yielded to me by the gentleman from Connecticut.

Mr. Chairman, I share the view of the majority of my colleagues on the committee that we need to help the homeless. I must, however, express deep concerns over funding levels authorized in this legislation. The harsh reality of the situation is that paying for this half-billion dollar authorization means adding to our unbearable deficit.

It has been in vogue in recent years to add the word "emergency" or "urgent" to the title of legislation, pass it with a minimum of debate, and send the bill along to the taxpayer. There is no denying that the problem of homelessness is urgent, but we still have an obligation to examine critically how these urgent funds are being spent.

I applaud the sponsors for providing the bulk of the funds in the banking portion of the legislation for three existing programs—FEMA Emergency Food and Shelter, Emergency Shelter Grants, and Traditional Housing Demonstration. These are programs that can be expanded quickly to meet an urgent need and they bring out some of the best elements of federalism.

Whether or not funding levels for the above-mentioned programs and others contained in title I are appropriate, I am particularly concerned about that portion of title III which provides $75 million to use underutilized public buildings and property.

Title III represents a new categorical grant program which relies on Federal Government largesse and does not specifically require a shared financial commitment by other levels of government. In dealing with homelessness the role of the Federal Government should be support for the efforts of other units of government and not the enhancement of bureaucracy.

I am concerned about whether funds allocated under this section can be used efficiently. Funds may be expended for an almost unlimited range of options, including the purchase, lease, renovation, conversion, or even construction, of facilities. This seems to be a scattershot method of dealing with homelessness, and the number of persons who actually receive assistance under this section could be very many—but, just as easily, very few. We are effectively dumping money into a new program, and it is difficult to determine what we will be buying.

Finally, this categorical grant program hardly can be considered an urgent response to homelessness, since its impact will not be immediate. At a minimum, it will take 4 months from the date of enactment until the final selection of applicants. We thus face the prospect that funds authorized under this section may not actually be allocated until fiscal 1988. It would seem more appropriate to take up this issue in the more orderly context of the housing authorization bill, H.R. 4, which already contains more than $300 million in homeless relief.

That the Federal Government has an obligation to assist in solving this pressing social problem is obvious. But each dollar we spend in supplemental money for 1987 we will have to borrow. We should consider how well and how wisely that money is going to be spent. We should also consider whether the States, many of which are falling over themselves to return the windfall from the 1986 tax reform law to their taxpayers, are meeting their share of what is truly a multijurisdictional problem.

Mr. McKINNEY. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. GREEN].

Mr. GREEN. Mr. Chairman, I thank the gentleman from Connecticut for yielding time to me.

Mr. Chairman, I rise to support this measure because it is a measure that is a thoughtful attempt to address a crying problem in this country, one that we can see virtually on our doorsteps any night. It does acknowledge that some of those who are homeless have mental problems or substance abuse problems, but not all of them, and it does recognize that some of the problem involves single people and some involves families. There is a wide variety of reasons that cause people to be homeless in this country, and I think the bill does try to address each of those areas of concern.

I also want to thank the members of the Committee on Agriculture for dealing with a problem that has been very vexatious to us in New York City and that is, I imagine, starting to be felt around the rest of the country. That is the Department of Agriculture's decision to cut down or eliminate food stamps for our homeless who are receiving emergency shelter assistance from the city. Such assistance amounts to a very large amount of money, as has just been said. But to charge that much against food stamp eligibility seems to me to be innocent, and this bill will correct that.

I must say, however, that I should like to leave a message for the Governors of this country, and that is that this bill is not going to solve the problem of those who are mentally ill and who are homeless if the Governors are going to continue to throw people out of the State mental institutions without providing community facilities to deal with their problems. That is what has happened in my State in the past, and Governor Cuomo's administration is now threatening to dump another 10,000 people out of State mental institutions despite the fact that it has failed to provide community mental health facilities for those who are already deinstitutionalized. That is dead wrong, and this bill cannot solve that problem.

Mr. Chairman, another area that I hope we can address later in this Congress is the problem of homeless veterans, but that is not in the Banking Committee's jurisdiction, and I understand that.

The CHAIRMAN. The time of the gentleman from New York [Mr. GREEN] has expired.

The Chair wishes to advise the gentleman from Connecticut [Mr. McKINNEY] that he has 6½ minutes remaining.

Mr. McKINNEY. Mr. Chairman, I gladly yield 2 minutes to the gentleman from the beautiful Hudson Valley, the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Chairman, I rise in strong support of H.R. 558, a bill providing $500 million in assistance to our Nation's homeless in fiscal year 1987. I would like to take this opportunity to thank and commend the gentleman from Washington [Mr. FOLEY] the distinguished majority leader, for introducing this important measure. I would also like to thank and commend the gentleman from Texas [Mr. GONZALEZ] and the gentleman from Connecticut [Mr. McKINNEY], the distinguished chairman and the ranking minority member, respectively, of the subcommittee of jurisdiction, for the leadership they have demonstrated in bringing this measure before us today.

H.R. 558 increases Federal assistance for the homeless from the original $85 million level appropriated during the 99th Congress for fiscal year 1987 to the more realistic level of $500 million. Moreover, this legislation will put special emphasis on aid to families and children.

Members of Congress were recently reminded of the plight of the homeless by the Community for Creative Nonviolence, whose members camped out next to a statue honoring the homeless on the eastern front of the Capitol grounds for 7 weeks. This protest ended when the Speaker of the House, Representative JIM WRIGHT, endorsed the legislation before us today.

Estimates of the number of homeless in our Nation vary from 350,000 to more than 3 million. Unlike the skid row derelicts who comprised the typical homeless population of the 1960's, today's homeless represent many diverse groups including the unem-

ployed, the mentally ill, evicted families, the aged, alcoholics, drug addicts, abused spouses, abused young people, and abandoned children. Although the causes of homelessness have not been researched to any significant extent, reasons most commonly cited include unemployment, the scarcity of affordable housing, deinstitutionalization of the mentally ill, and social service and disability cutbacks. Obviously, in addition to providing immediate relief to those currently in need of assistance, it is imperative that the problem of homelessness be attacked at its roots. Yet, no single Federal agency or program focuses its efforts specifically on the homeless. H.R. 558 establishes an Interagency Office on Homelessness in the Department of Health and Human Services so that public resources and programs will be used in a more coordinated manner to meet the urgent needs of the homeless.

As a member of the Select Committee on Hunger, I have visited soup kitchens and shelters in urban and rural areas. The volunteers tell me that they are not able to keep up with the needs of the growing number of homeless persons who seek their help. I have also seen, first hand, the growing numbers of men, women and children who are literally eating out of garbage cans and sleeping on the street. In the richest Nation on Earth, it is abhorrent that parents must choose between paying the rent or paying for supper, and children must go hungry. But we also know that specific changes to the Federal food programs can prevent this.

A recent report by the Select Committee on Hunger documents that over one-half of the homeless in 140 shelters across the Nation were considered eligible for food stamps but not receiving them. The administration itself has admitted that homeless persons—isolated in shelters, on the streets, or in abandoned buildings—are the least likely to be aware of such benefits or how to apply for them. This bill would provide a matching reimbursement to States which conduct food stamp outreach campaigns directed to the homeless. The increase to the food stamp shelter deduction in this bill would address one of the most common precipitating causes of homelessness: The rising cost of shelter for low-income households. Adjusting the shelter deduction to a more realistic level would help prevent the choice faced by many low-income families—whether to purchase basic foods or shelter. This preventive measure is necessary in our legislative effort to prevent additional homelessness.

Moreover, this package would prohibit USDA from counting homeless shelter payments made by State or local welfare agencies from being included as income in determining food stamp benefits. Currently, Federal regulations reduce food stamp benefits for homeless persons living in welfare hotels. Yet such persons desperately need food assistance. Homeless families in New York, who are unable to store or prepare food, have lost a large portion of food stamp benefits. Because of this regulation, in New York City, on the border of my district, a mother with two children had their food stamp benefits reduced $122 a month to just $49 a month . . . a more than 50-percent reduction.

According to a study recently released by the U.S. Conference of Mayors, 22 of 25 major cities report an average increase of 25 percent in the number of homeless people seeking help. It is important to remember that the metropolitan areas surrounding the core cities also are undergoing a dramatic increase in the number of homeless people. My own congressional district is in close proximity to New York City. Westchester County, a portion of which I represent, has seen its homeless population rise from 374 homeless families, including 714 children, and 263 homeless individuals in July 1985, to 708 families, including 1,373 children, and 614 individuals as of November 1986. In Orange County, a portion of which I also represent, the department of social services reported that they treated an average of 80 homeless people a month between February and December 1985. This figure rose to an average of 200 cases per month throughout 1986, with spending rising from $630,000 in 1985 to $1.86 million in 1986. Rockland County also has experienced an approximate 14-percent increase in homeless persons from 1985 to 1986.

As these statistics indicate, the 22d Congressional District of New York has seen a dramatic rise in its own homeless population, and must take steps to assist these people. Accordingly, I was pleased to cosponsor H.R. 558, which provides an additional $70 million to the $70 million already funded for the Food and Shelter Program of the Federal Emergency Management Agency, and another $130 million to two programs, the Emergency Shelter Grants Program and the Transitional Housing Program, which received a combined funding level of $15 million.

In regard to health care, H.R. 558 provides $50 million in grants for community-based health care providers to deliver comprehensive, onsite primary care and appropriate casework to the homeless to meet both their mental and physical health needs. Another $50 million would also be provided to community health centers. Underutilized Federal, State and local property and buildings will also be employed to combat homelessness under this legislation; $100 million will be used to establish the Interagency Office on Homelessness and then provide grants to make best use of surplus property to help meet the needs of the homeless. At least half of these funds would be reserved to help families and children, including child care facilities.

I certainly hope that my colleagues realize that the problems facing the 22d Congressional District of New York are also faced by many other areas of the Nation. H.R. 558 does dramatically increase Federal spending to help the homeless, but I sincerely believe this increased spending will still not fully address this problem. Indeed, the $500 million price tag of this legislation is well below other proposals to assist the homeless, some of which range up to several billion dollars per year. I consider H.R. 558 to be as fiscally responsible as is possible given the gravity of the homeless situation. Accordingly, I urge my colleagues to lend their full support to this important measure so that desperately needed assistance for our Nation's homeless will be quickly and effectively delivered.

Mr. McKINNEY. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Chairman, I appreciate having the time and the opportunity to speak to an amendment that I am going to offer on behalf of myself and the gentleman from California [Mr. KONNYU] during the consideration of this bill.

Very simply, Mr. Chairman, I was interested in the statements of the gentleman from Texas about the necessity for compassion and about a nation that gives to people who are less fortunate the wherewithal to survive and survive with some dignity. I think that is the direction he wants this bill to go.

I think we also have a duty to allow people to retain their dignity, and I think, with all due respect to the programs of the Great Society, some of the defects of those programs were that they indeed in some cases stripped people of their dignity. I can remember as a young lawyer going to court in San Diego and watching fathers, for example, being prosecuted in welfare fraud cases for the crime of sneaking back into their own houses to visit their own families, their own children. And I realized that with Government programs that direct and give benefits to people, we need to keep in mind that we should not diminish their dignity.

Very simply, the amendment that the gentleman from California [Mr. KONNYU] and I will be offering will allow and will direct States and local governments that partake of funds under this program where they have workfare provisions—and workfare, very simply, is a very popular concept that is being developed in the States—to allow people to work and to have

programs developed by local entities to allow people to work for what they get, so in those jurisdictions where workfare is developed and where workfare exists, able-bodied people under the homeless program will be required to do that.

□ 1320

The CHAIRMAN. The time of the gentleman from California [Mr. HUNTER] has expired.

Mr. McKINNEY. Mr. Chairman, I yield 1 additional minute to the gentleman from California.

Mr. HUNTER. I thank the gentleman.

Mr. Chairman, it is not going to involve people who are mentally incapacitated; it is not going to involve people who are receiving Aid for Families with Dependent Children. But for those able-bodied people who have no mental defects and who want to receive something from that particular jurisdiction under this program, they will be required to work. I think it will dovetail nicely with the programs, the Workfare Programs that are being set up through the United States right now, particularly under the leadership of liberal and conservative Governors.

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

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

Mr. FRANK. I thank the gentleman for yielding to me.

Mr. Chairman, I was delighted to hear the gentleman say that he was unhappy at having seen, when he was a young lawyer, and he is a youngish Member now, but when he was a young lawyer, he was upset at fathers being prosecuted for sneaking back into the house, because what we did last year in this House was to try to mandate the stakes to amend the AFDC Programs in every State so that two-parent families had to be covered. What happened was the other body, controlled at that point by the other party and the administration, refused to go along.

So I would just want to express my agreement with the gentleman from California. I wish the President and the Senate had agreed with us last year, and I hope he will join us this year in putting that two-family hope back in.

Mr. HUNTER. I hope the gentleman from Massachusetts will support the workfare amendment.

The CHAIRMAN. The gentleman from Connecticut [Mr. McKINNEY] has 1½ minutes remaining.

Mr. McKINNEY. Mr. Chairman, I am just going to finish my time off, because in my high emotional state earlier I forgot to thank an awful lot of people.

I want to thank BRUCE VENTO for being the Member that brought this issue to our committee a long time ago and was able to obtain debate, where sometimes I felt, as a minority member, I was howling in the wilderness.

I want to certainly thank my chairman, Mr. ST GERMAIN, who knows the problem and works at the problem tirelessly. I want to thank my subcommittee chairman, Mr. GONZALEZ from San Antonio. I want to thank my ranking member, Mr. WILEY of Ohio, for giving me his support. I think at first he had some questions but he came through resoundingly and we are delighted to have him aboard.

Mr. Chairman, I cannot tell you how much I appreciate the Speaker of the House of Representatives, Mr. JIM WRIGHT of Texas, and his leadership on this issue. It is funny, I have had other issues before that I cared a great deal about, such as synthetic fuels, and Mr. WRIGHT always has been there even though he is of the opposition party. I appreciate it very much.

I would like to thank Mr. LOWRY, who worked so hard on putting this legislation together, as well as the majority leader, Mr. FOLEY of Washington State, who gave so much help and counsel to this effort. I apologize for not doing it in my first speech, but I really want to thank everybody. Of course, there is always the peripatetic Mr. FRANK, who is always there to help when you need help. I thank all of them.

The CHAIRMAN. The gentleman from California [Mr. WAXMAN] will be recognized for 22½ minutes and the gentleman from California [Mr. DANNEMEYER] will be recognized for 22½ minutes.

The Chair recognizes the gentleman from California [Mr. WAXMAN].

Mr. WAXMAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong support of H.R. 558 and ask unanimous consent that I may revise and extend my remarks.

Last Thursday, the Committee on Energy and Commerce ordered reported H.R. 558 with amendments. Since the amendment to title III of the bill, over which we share jurisdiction with the Banking Committee, has already been explained, I will limit my remarks to the provisions in title I and title II authorizing funding for health programs that are exclusively within this committee's jurisdiction.

The substitute before the House authorizes two health initiatives for the homeless totaling $100 million in fiscal year 1987.

The first of these is a grant program of outpatient health care services for the homeless, authorized at $75 million. Under this program, the Secretary of Health and Human Services would make grants to public or private nonprofit organizations to deliver outpatient health care services for the homeless. The services covered would include outpatient mental health services, outpatient substance abuse services, and case management services; the precise mix of services would depend on the needs of the homeless population in each community.

To assure that limited Federal funds are targeted on those communities that are most committed to meeting the health needs of the homeless, grantees would be required to come up with non-Federal funds or in-kind contributions of 25 percent of the cost of operating the project. The Secretary would waive this local matching requirement, but only in certain limited circumstances.

This program is modeled on a successful private sector initiative now underway in 18 cities throughout the country. Funded at $25 million by the Robert Wood Johnson Foundation and the Pew Memorial Trust, this program has demonstrated how health care services can be delivered to the homeless, a population that is completely uninsured, unpopular with providers, and notoriously difficult to reach.

The second committee initiative relates to the Community Support Program run by the National Institute of Mental Health. The CSP Program, which is currently appropriated at $15 million, provides community-based service, to chronically mentally ill adults and children. The committee initiative would authorize an additional $25 million for this program in fiscal year 1987 for project grants to States, localities, or private nonprofit agencies for the delivery of community mental health services to the chronically mentally ill who are homeless. The services that could be made available under this authority include outreach, case management, and assistance with residential programs.

Let me highlight a few basic points about these two initiatives.

First, these programs can be implemented in a short period of time. If appropriations are made available soon, qualified programs can be operating throughout the country by the end of this year.

Second, the benefits of these programs are targeted on the homeless, which the bill defines as individuals who lack housing.

Third, funding under these programs could go to rural as well as urban areas. The committee recognizes that homelessness is not just an urban problem. So long as an applicant is qualified and meets the local matching requirement, the Secretary is authorized to make grants to both rural and urban areas.

Finally, the committee has insisted on reporting requirements which will assure accountability of grantees to the Secretary, and of the Secretary to

the Congress. I would expect the committee to oversee the use of funds under both of these initiatives.

Before closing, I want to respond to the concerns raised by the distinguished ranking minority member of the subcommittee, Mr. MADIGAN, and his colleagues in their dissenting views on the committee report. It is true, as he argues, that the Federal Government does fund existing programs of health care for the poor, including Medicaid. In addition, the Federal Government makes substantial funds available to the States through block grants, including the Alcohol, Drug Abuse, and Mental Health Block Grant.

However, the plain fact is that these programs are not reaching the homeless, and many of the homeless are not getting needed care. To reach the homeless, you have to go where they are—on the streets, in the shelters, in the soup kitchens. You have to be prepared to offer a number of different services—primary care, mental health, substance abuse, case management. The existing programs just aren't doing that. The initiatives we've proposed would.

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

Mr. DANNEMEYER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in listening to the debate so far, one gets the impression that, "Well, this is a new program or new funding for a pressing need in America that we are not answering, in any way, at this time." That is why it is necessary to have an emergency bill to address this newly discovered need in this country. Namely, the status of the homeless.

□ 1330

Nothing could be further from the truth. In this fiscal year, we are appropriating $260 million, the Federal Government is, directly to address the homeless problem.

In addition to that, there are $6 billion in block grants to State and local governments that can be used by local agencies of government to address this pressing need in the localities of America. Among these are: community services block grants, $335 million.

Community development block grants, Social Services block grants, $2.7 billion.

And mental health block grants, $490 million.

Anyone who believes from the rhetoric taking place on the floor of the House today that this administration or that previous Congresses have not been responsive to this need in our society just does not know what they are talking about. So what we are witnessing here on this floor today is nothing more than what we could describe as a budget-busting effort to exacerbate the deficit that exists in this country.

If I may use this term in the well of the floor of the House, someone around this place should speak for the taxpayers who have to pay the bill, or if I may be so bold, for the unborn generations who are going to get stuck with this debt that we, in order to salve our consciences, are spending money which will be on the backs of future generations who are not here to speak for themselves.

If this need were not being met, I think a case could be made for emergency funding in some amount to deal with this issue; but as I have indicated, we are already spending substantial sums to alleviate this problem.

I would like to remind my colleagues in the House that what we are witnessing today is the very reason that the deficit and spending is literally out of control. Over the 5 years of the Reagan administration from 1982 until 1986, the 5 years for which President Reagan is accountable, when you compare the budget requests that this President has made to Congress and in response what Congress has appropriated, you find that Congress has appropriated $229 billion more in social programs than the President has asked for in that 5-year span—$229 billion more for social programs and this is one example of them.

I believe that the responsible thing for us to do is to adopt an amendment that will be offered by our leader, the gentleman from Illinois [Mr. MICHEL]. The amendment will say very clearly that this bill must be revenue neutral; that is to say for the proponents over here, I believe we are at this stage in our society, given the fact that the deficit this year is going to be anywhere from $150 to $200 billion. If you believe that there is an unanswered social need in this country, you, the proponents of this measure, have to suggest where something in the existing Federal spending stream is of less importance so that it will abate and that this new need that is of more pressing importance will take its place. That is what is called revenue neutrality. This gives this need that is perceived to be pressing an opportunity to in effect beat its way to the top of the mountain and be funded and something else is not going to get the money that it would otherwise receive. That amendment will be offered by the gentleman from Illinois [Mr. MICHEL], called revenue neutrality.

To sum up, in this fiscal year we are spending roughly $260 million for this purpose. With the funding in this bill as authorized over the last 5 years, we will have spent $915 million, close to a billion for this need and someplace along the line we have to ask a very profound, serious question. Is there any point that the proponents of spending in this body will recognize the existence of the deficit and tone down spending a little bit.

Mr. WAXMAN. Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Chairman, it gives me great pleasure to disassociate myself with virtually everything just said by the previous speaker.

I did not support this bill originally when it was first introduced for two reasons. No. 1, because I did not think it provided help for one agency that spends most of its time actually touching and dealing with poor people everyday, the Community Action Programs; and second, because it provided no real help for the program that has been mentioned several times to deal with deinstitutionalized mental patients. This new legislation corrects both of those oversights, thanks to the action of a lot of people, including Congressman WAXMAN and Congressman LOWRY. For that reason I am happy to join in cosponsorship of this legislation.

I think it is especially interesting to note on the deinstitutionalized mental patients issue that Attorney General Ed Meese made the observation a couple years ago that most of the homeless in America, most of the street people in this country, are really people who have been deinstitutionalized, who have not been able to function in their own communities, and so they wound up on the streets. He said it was not a homeless problem, it was a problem of the deinstitutionalized mental patients.

I think to a large extent he was correct, but the irony of the situation is that even after Mr. Meese defined the problem, this administration for 6 straight years zero budgeted the only program in the Federal budget to provide local communites with some assistance to develop the infrastructure to deal with these deinstitutionalized mental patients, and this bill corrects that. It does not correct the problem of people routinely being deinstitutionalized who are not in any position to care for themselves in communities, but it most certainly does provide direct aid to the community support program which is designed to give local communities an ability to deal with those kind of poor souls.

So I make absolutely no apology whatsoever for funding this bill today in any way we can do it.

We have the administration asking us to provide $3 billion in money for the Pentagon in the supplemental appropriation which we are supposed to vote for next week. That money is allegedly paid for by phony cuts in the budget that everybody knows will never take place and will never save a dime.

I suggest if we can provide $3 billion more to the Pentagon, we can provide

half a billion dollars in help to the poorest souls in America who have nowhere else to turn but here.

Mr. DANNEMEYER. Mr. Chairman, I yield 5 minutes to my colleague, the gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Chairman, I thank the gentleman.

I want to take just a minute to talk a little bit more about the amendment, the workfare amendment that I am going to offer on my behalf and on behalf of the gentleman from California [Mr. KONNYU] and I would like to engage my colleague [Mr. KONNYU] in a colloquy. He is an expert in the area of those persons who are mentally incapable.

Many people who are homeless today in America in fact have mental problems and that is the cause of their homelessness and to some degree the cause of the inability of the Federal and State Governments to deal with that homelessness.

I would ask the gentleman to explain for the Members of this body the SSI-SSP Program and its present application to homeless people in this country.

Mr. Chairman, I yield to my colleague, the gentleman from California [Mr. KONNYU].

Mr. KONNYU. Mr. Chairman, I thank the gentleman from California [Mr. HUNTER].

Clearly, SSI-SSP is designed for the aged, the blind and the disabled. Under the disabled element, people who are homeless today have the opportunity if they meet that criteria, and certainly if a person's brain is burned out from dope, let us say, and is thereby disabled, that person can apply for that program and get the kind of support both in terms of financial, food stamps, and also, of course, medical support that the general welfare population gets through that.

□ 1340

For example, in my home State, California, that program is a rather favored one, and we have one of the highest cash-grant levels among the States of the Union. So that is how the homeless people can get in under that program, and local welfare agencies generally take great trouble in making sure that those who are eligible end up applying and therefore being put on there for permanent support.

Mr. HUNTER. Let me interrupt the gentleman, then, and ask him this question for the edification of our colleagues. There have been some large numbers put out as being representative of the number of people who are homeless in this country who because of their mental problems could be eligible for this program that you have just described, but also because of the fact that they have mental problems do not sign up for the program or, to use an example, may be drawing under the program in New Orleans, leave unexplainedly to go to California or some other State——

Mr. KONNYU. San Diego, perhaps.

Mr. HUNTER. Perhaps San Diego. And leave absolutely no trail of residency or forwarding address to allow the Federal Government to follow them with their benefits.

I wanted to bring this out, because although it has not been allowed under our amendment on workfare and it is not relevant to the workfare portion, I think that it is important for Members of this body to know that there are Federal programs that deal with many of the homeless right now, and the problem is mating up those homeless people with their Federal benefits. I do not believe that the program that is being presented today on the floor meets those needs.

Does the gentleman have any further comments on that?

Mr. KONNYU. Well, clearly that is a very important element. If, in the example that the gentleman cited, someone who is not mentally competent who is on the SSI-SSP Program let us say in Missouri chooses to go to California and fails to apply there, and meanwhile the checks—the SSI-SSP checks—continue to go to his Missouri address, and therefore he becomes homeless in California—well, those kind of problems that are in the existing system need to be addressed. Obviously they cannot be through this bill because that would require the bill to be referred back to the Committee on Ways and Means. It would not be a germane amendment. We cannot do it this way, but nevertheless at some other opportunity those kinds of assistance that make the current welfare system fairer by keeping the mentally incompetents from being denied actual support are very important.

Mr. HUNTER. So the point is that a lot of people are simply not meeting up with their checks, and that is largely a failure of Federal management, not a lack of Federal dollars.

Mr. KONNYU. Well, or State management, effectively.

Mr. HUNTER. I thank the gentleman.

Mr. WAXMAN. Mr. Chairman, I yield 3 minutes to a very distinguished member of our subcommittee, the gentleman from Texas [Mr. LELAND].

Mr. LELAND. Mr. Chairman, I would like to commend the gentleman from California [Mr. WAXMAN] as well as the gentelman from Texas [Mr. GONZALEZ] and the gentleman from California [Mr. PANETTA] for their leadership in this area.

Mr. Chairman, we are considering passage of legislation to provide urgent relief for the homeless which represents the first significant Federal commitment to resolving the national crisis of homelessness. Last year when millions of Americans joined "Hands Across America" they expressed their concern for the poor, the hungry, and the homeless in our Nation. The legislation before us today is a response to the American people's call for Federal action.

Federal relief for the homeless and those at risk of homelessness is urgently needed. Each year since 1983 there has been a dramatic increase in the demand for emergency shelter. In 1986, the most significant change in the homeless population reported by major cities was the growth in the number of homeless families with children—who are estimated to comprise an average of 28 percent of the homeless nationwide. In a study conducted last summer of Boston's shelters for homeless families, it was documented that two-thirds of homeless children were under 5 years of age. The health and well-being of these children are at particular risk when they are forced to live in such places as emergency shelters, cars, cardboard boxes, and in abandoned buildings. Homelessness is quickly becoming a children's disaster.

I feel it is fitting to quote from the poignant testimony of David Bright, a homeless boy from New York who appeared at a Select Committee on Hunger hearing last year:

> I am ten years old. I am homeless. I am often hungry * * *. When I grow up I will be President of the United States. When I am the President every American will have a home. Every American will have something to eat every day * * *.

David's words have inspired me to action. I hope that we can all remember his hopes today. Our Nation's strength and national security lies in building a healthy future for children like David. David's dreams are not unrealistic. He makes the simple request that families and individuals living in poverty are assured the basic necessities for survival to make the transition to self-sufficiency—food, shelter, and adequate employment.

While the private sector and many local governments have made a gallant effort over the past 5 years to assist the homeless and poor of our Nation, the spiraling needs have clearly outdistanced the capacity of the private sector and local governments to respond. Families with childen were identified by 18 out of 25 cities surveyed by the U.S. Conference of Mayors as a specific group for whom emergency shelter and services are inadequate.

The legislative package before us today embodies provisions of H.R. 558 as reported from the House Banking and Energy and Commerce Committees as well as H.R. 177, the Food Assistance for the Homeless Act of 1987, introduced by myself and my colleague from California, Mr. PANETTA.

Included in the package are new programs of outpatient physical and mental health grants. These grant programs, first introduced in H.R. 287 by myself and my colleague from California, Mr. WAXMAN, are critically needed because the homeless commonly experience serious health problems which can be prevented or easily treated with early intervention.

While emergency services are urgently needed, the major underlying cause of the dramatic increase in homelessness during the 1980's is the decimation in Federal support for low-income housing—with funds cut by more than two-thirds since 1981. In my home city of Houston, the downturn in the oil and gas industries has caused increased unemployment and compounded the low-income housing shortage. There are currently 19,500 Houston residents on the waiting list for subsidized housing. The United Way of the Texas Gulf Coast reports it will take at least 4 years for the average applicant to secure this housing. Homeless families and those at risk of homelessness due to condominium conversions, rent increases and building deterioration must not be forced to wait in emergency shelters for 4 years.

The legislation before us today addresses the urgent needs of those who are homeless as well as those living on the margins of destitution and homelessness. However, we must recognize that homelessness is a manifestation of the poverty that affects millions in our Nation. This disturbing trend will not disappear until we address comprehensively its underlying causes. I urge my colleagues to vote in support of this legislation, and also to work on implementing comprehensive, long-term solutions.

Mr. DANNEMEYER. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. WELDON].

Mr. WELDON. Mr. Chairman, I rise today as someone who has spent the last 10 years of his life dealing with these problems in a very firsthand and real way as the mayor of a local distressed community, one of the most distressed communities in the Commonwealth of Pennsylvania, and as the chairman of the government of a county with a population larger than three States in this Union.

What I am here to say today is that while this bill is attempting to deal with the real problems of solving the situation of the homeless back in the heartland of America, we are missing the mark. We cannot as a Federal Government be all things to all people and think that by allocating $500 million—it has not been in my opinion appropriately thought out as to the implementation on a local level, and we are not going to deal with the correct solution to the problem and the end result.

In my opinion we have not done enough in this bill to leverage local initiative—local, county, and State dollars—as well as those private funds—through existing networks that should be used to maximize the use of limited Federal dollars that would be put into solving any homeless situation or any homeless problem.

This bill does not go far enough to carry that message forward. There are those who would say that the Federal courts are the cause of many of the homeless being placed out into our streets today. I disagree with that. Many of the State courts have an equal burden to share, and certainly the State governments have a equal role to play in helping to provide the funds and the resources necessary to deal with the problems of the homeless in our local towns and our cities throughout America.

This bill and this effort at the Federal level should do more to stimulate local initiative than to try to be the end-all and the cure-all for this situation that we have in America.

The second point that I would like to make is that the criteria that we are using to distribute funds through the FEMA Program are based primarily on unemployment. I think that a far more equitable and prudent way to distribute those funds would be to use criteria already established by HUD and criteria that all of us have come to rely on for distributing programs like the Urban Development Action Grants. If we look at those criteria that are set aside for determining the distressed status of local municipalities, we would have a much better handle on getting the limited Federal dollars that we have down to where the problems are.

As this bill is currently written there will be some counties who will not get one dime of these FEMA dollars, yet they have pockets of poverty in them that certainly need to be addressed. I am aware that there is a provision for State set-asides where funds can be targeted. That is not what I am speaking to. I am speaking to what I think is a quick attempt to provide Federal dollars that have not properly been thought out at the local level, and once again I say that this is based upon my experience as having been a local mayor and the chairman of a county government.

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

Mr. WELDON. I yield to the gentleman from Minnesota.

□ 1350

Mr. VENTO. The FEMA formula has been objected to repeatedly by many.

I think the point needs to be made that that formula is not perfect. There have been some improvements to the formula most recently. But the fact is that the money that is authorized under this bill basically is going through a different formula in terms of the Community Development Action Grant Program, largely under this program.

So I think that that particular criticism is one that ought to be considered in that qualification.

Second, many of the provisions of this bill do provide for a local matching, leveraging, that is, on a 1-to-1 basis, one Federal dollar to one local dollar, which I think should also be noted, which is not typical of the FEMA Program, which did not have that particular characteristic. And the traditional FEMA Program has $20 million authorized, and in this bill although some $135 million have been authorized this year and in the past Congress, but this bill has only $20 million for the FEMA Program with the revised formula in it. So I would hope that the gentleman and others that are interested in this issue would pay attention to those particular points when they are considering the merits of what we have before us.

Mr. WELDON. I thank the gentleman. I am well aware of those points.

I will restate my position, that I think this bill is supposedly designed to better coordinate funds for the homeless; yet, it does the exact opposite. It encourages the continuation of an effort to provide funds to a multitude of different agencies, to provide funds to FEMA, to provide funds through other networks.

I think we have an existing network, the Community Action Agency structure which has proven that it has been effective, and that is the original structure that we should use to implement these dollars. That is not being done by this bill, and I think that is a shortcoming of this bill.

Once again, I would say in summation I think we cannot be the end all and the cure all for this problem. We should be the motivators.

I thank the gentleman from California for yielding me this time.

Mr. WAXMAN. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from Ohio [Ms. KAPTUR].

Ms. KAPTUR. Mr. Chairman, I rise today in strong support of H.R. 558, the Urgent Relief for the Homeless Act. The scope and magnitude of homelessness in America has been a topic of much debate. It is now clearly a problem we as a nation can no longer ignore.

In my own community of Toledo, St. Paul's Community Center provides shelter for an average of 150 people a night. This center not only provides shelter from the cold and a warm bed, but hot meals, mental health, and counseling services. Utilizing their day care center for the homeless, they are

attempting to give the homeless a new start.

I believe this center can serve as a model for others around the Nation. Yet their most pressing need at this time is funding for support staff. Ohio only received $360,000 of the $15 million contained in the continuing resolution for the Emergency Shelter Grant Program. Our actions here today and an appropriation for these programs, which I understand is soon to follow, will assist them greatly in their endeavor. They have also applied for an Emergency Shelter Program grant to expand their activities.

While solutions such as these are working in communities like mine, I know the problem is much worse in other areas of the country. This bill goes a long way toward helping alleviate the worst of these conditions. It is an emergency bill. It will provide temporary shelter for those which happen to find themselves homeless.

These minimal solutions, however, are totally inadequate from the standpoint of basic human dignity. The real answer for the hard-core homeless lies elsewhere. It has been estimated that 85 percent of hard-core homeless have been on the streets for more than a year, many have been homeless their entire adult lives or since being deinstitutionalized. Over half have a disabling mental illness. Ninety percent or more abuse alcohol. Intervention, second stage sheltered housing, and treatment are needed to attack the underlying causes of these desperate and demeaning conditions.

This bill is only the beginning—an emergency measure. We will continue the job we have begun today later this spring with H.R. 4—the Omnibus Housing Act of 1987. Only by doing so do we truly insure that these individuals are given the long-term assistance they require to become self-sufficient and assure that we don't institutionalize shelters.

I urge my colleagues to support H.R. 558. I would like to leave you with a quote from a favorite reading—"Limited charity is not enough. Soup kitchens and secondhand clothes are not enough. The true test of democracy is justice for the most vulnerable among us."

Mr. WAXMAN. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from New York [Mr. WEISS].

Mr. WEISS. Mr. Chairman, let me express my appreciation to the gentleman from California [Mr. WAXMAN] for his leadership in this effort and for yielding the time to me, and also to commend the Speaker, Mr. WRIGHT, for the tremendous leadership that he gave us so that we could act urgently on this problem.

The earlier test votes that have been taken indicate that, indeed, there is broad bipartisan support in this body for dealing with this problem, and yet there is, a small minority which has expressed itself best, I think, in the words of the distinguished gentleman from California [Mr. DANNEMEYER], who suggests that the problem either does not exist or that somebody else can take care of it.

I happen to chair the Subcommittee on Human Resources and Intergovernmental Relations which has held hearings across the country on the problem of homelessness. If anyone thinks that the problem of homelessness does not exist in their community anyplace in this country, then they simply have not been looking or they have been ignoring it. The fact is that we have a greater problem of homelessness today in every community in this country than we have had since the Great Depression. And of all of the levels of government, the Federal Government is that level which has responded the least in the effort to deal with this crisis.

A couple of years ago the Federal Government was going to make sure that its surplus supplies and surplus properties would be made available to communities. The fact is that next to nothing was done.

This legislation will for the first time, put the Congress clearly in the fight against homelessness. Resources, modest though they may be, will be placed at the disposal of those people whose very lives depend on solving this problem of homelessness.

There are indications that the problem of homelessness is increasing by some 38 percent every single year. In this bitterest of winters that we have had in many a year, you see the homeless, out of doors, without shelter wherever we look. It is suggested that somebody else can take care of them. The localities and the charitable organizations in our communities have been doing their best to deal with the problem. They are overwhelmed and they need help and leadership from the Federal Government, and that is what this legislation is seeking to do.

We hope that there will be, in fact, urgent and quick funding so that we do not have to be ashamed in this great, powerful, wealthy country of ours that citizens of ours are treated as are the homeless in the poorest countries on the face of the globe.

Mr. Chairman, I strongly support H.R. 558, the Urgent Relief for the Homeless Act. This bill will literally save the lives of homeless men, women, and children who need our help. As the homeless emergency worsened each of the last few years, charitable organizations and local governments could not meet the urgent needs of the most destitute Americans. They pleaded for help from the Federal Government, and now finally we are responding as a cosponsor of this bill, I am proud to be part of what will be the greatest and most needed congressional response to the homeless crisis.

Many cities across the country have been forced to turn away homeless people in need of food and shelter because they lack sufficient beds and supplies. Shelters and soup kitchens with scant resources have strained to meet the needs of the homeless, and in too many cases, these facilities are unsanitary, unsafe, and dehumanizing. All reports indicate that the current winter is witnessing the largest numbers of homeless people since the Great Depression.

This bill has been constructed in reaction to the overwhelming needs of the homeless, and the inability of local private and public groups to adequately meet those needs, under the leadership of Speaker WRIGHT. It will put the 100th Congress on record as recognizing that America has a massive homeless problem that will not go away, and requires a nationally coordinated response.

The Human Resources and Intergovernmental Relations Subcommittee, which I have the privilege to chair, has conducted four hearings on the Federal response to the homeless crisis, and the full Government Operations Committee has issued two reports which found the Federal response to be woefully inadequate.

The reports found that homelessness in America exists in epidemic proportions, and the homeless population is increasing by as much as 38 percent a year.

The reports found the major causes of homelessness to be the scarcity of affordable housing, deinstitutionalization of the mentally ill, unemployment and severe cuts in Federal housing and antipoverty programs. The factors leading to these causes are worsening. The Nation's low-income housing supply, particularly single room occupancy units, continues to dwindle. The hundreds of thousands of mentally ill Americans released from State mental institutions have found few alternatives to the streets. Deinstitutionalization of the mentally ill was initiated with the best of intentions more than 20 years ago, but the Federal Government never adequately supported the funding of community mental health centers to replace the archaic institutions that once imprisoned the mentally ill. The committee also reported that health problems and mental illness were rampant among the homeless.

H.R. 558 addresses these problems. It provides health care and mental health services. It will fund emergency shelter and transitional housing. Although this legislation will not eliminate homelessness, it will do more to ease the symptoms of the problem than has ever been done before by the U.S. government. Much more will need to be done in the future. Private and public low-income housing programs are needed. Job training is required. Responsible welfare reform is another solution. These initiatives must come from the Congress, for the administration continues to insist that the homeless are not a Federal responsibility.

H.R. 558 is the first signal that the Federal Government is ready to assume a larger role in the battle against homelessness. But this is not solely a Federal problem. All components of our society must work together to combat the homeless epidemic, but leadership for such an effort should come from the top. This

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bill, for the first time, gives the Federal Government a leading role in providing the minimum emergency services, such as shelter, food and medical care, that are so urgently needed. Americans truly incapable of helping themselves should be entitled to these most basic requirements of survival.

Mr. WAXMAN. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. VENTO].

Mr. VENTO. Mr. Chairman, the legislation we are considering today is a modest response to an urgent problem. Over the next couple of years this bill could save thousands of lives, and for thousands upon thousands of people it will improve the quality of their lives. When we consider the fundamental reason that we were elected, we realize that it is to formulate policies which improve the quality of life for all of our citizens; whether that be through a tax system, education, economic policy, national defense or in this case emergency shelters and essential supportive services for the homeless.

None of us here today believe that this bill will eliminate homelessness. This bill may not even provide shelter and supportive services to all the homeless that so desperately need it. However, within the confines of the budget constraints in which we must operate, we have fashioned an approach that meets the most pressing needs in the most efficient and cost effective manner.

Two principles have been at the heart of this effort. First, we have relief to the maximum extent feasible upon existing Federal programs and private efforts that are currently or could be assisting the homeless. Of the $725 million authorized in this bill only $175 million is for new programs; $550 million is for programs that are currently operating. By doing so we have insured that these Federal funds will flow quickly to help the homeless. We are not reinventing the wheel, nor are we establishing new Federal bureaucracy to administer these funds.

Second, we have sought to prioritize our spending so that we concentrate on the most immediate needs of the homeless: Food and shelter. After we have given a homeless person a warm meal and a safe place to sleep we authorize funds to provide essential services to get the family of the unemployed workers back on their feet or to offer the supportive services essential to bring a troubled street person out of the mental fog that is the unavoidable consequences of life on the streets.

This legislation is designed to address the most urgent, the most critical, indeed the most life-threatening situations on the continuum of housing needs in this country. Although in a nation as wealthy as ours it is almost obscene to speak of it, the fact of the matter is that what we are doing today is performing housing triage. This legislation won't help the family living in a squalid inner-city tenement or in a house which lacks running water on a desolate Indian reservation, or a substandard home in a depressed agricultural area. For those people, their life, no matter how unfortunate, is better than life in a shelter or on the street. So I want to reassure my colleagues that there is no gold plating in this bill, and that nobody is going to choose to become homeless so they can avail themselves of the shelters, services or food made available in this bill. What is before us today is a bill to protect human dignity and provide for the most basic of human needs.

Mr. Chairman, this legislation has been ably described by the previous speakers, however I want to express my pleasure that H.R. 558 authorizes $100 million for the Emergency Shelter Grant Program. I first introduced legislation to create such a program in 1982. Although it was authorized in 1983 no funding was provided until, through the good efforts of the Appropriation Committee, the fiscal year 1987 continuing resolution. The program has been a genuine success. Within 2½ months since the regulations were published more than 76 percent of the money was in our communities providing facilities for the homeless. There is every indication that within a few more weeks all the funds will be out on the street. The program is so successful because it delivers funds in accordance with the CDBG formula, requires local communities to match each Federal dollar on a 1-to-1 basis and emphasizes the rehabilitation of existing structures to be used as facilities to help the homeless. I am grateful for the support this program has received from my colleagues and it is rewarding to see the tangible benefits that have already resulted in communities across this Nation from this program.

It is anticipated that later this afternoon an amendment will be offered that would require that any funding for these programs come from reductions in existing appropriations. Whether these amendments are cloaked rhetoric such as "pay as you go" or transfers from "existing accounts" the effect will be to kill funding for this year. The tragedy of this approach is that it seeks to exact a discipline on homeless programs that is not required of any other program we fund. These amendments demand that the poorest of the poor, the least powerful in our society take money away from somebody else before they can have a warm bowl of soup or a blanket and a cot. Considering the magnitude of the problem, and the modesty of the funding, this is simply not a budget issue. The funding in this bill equals approximately one half of 1 percent of our budget deficit and seven one-hundredths of 1 percent of our budget. The authors of these amendments don't tell us where these funds are to be found. They should have gone to the Rules Committee with a plan to fund this bill, and had their amendment made in order. Instead, they are saying "fund it from existing programs." I am confident that my colleagues will recognize the urgent need for this legislation and reject this approach.

Mr. Chairman, each of us in this body must recognize the magnitude of this national tragedy. Only a few blocks from this building, on grounds administered by the Architect of the Capitol, homeless people sleep every night. From the upstairs windows of the White House one can see people sleeping on heating grates. And in each of our hometowns big or small, people huddle in doorways, sleep in cars or wander the night because they have no place to live. In 1982 before the Subcommittee on Housing and Community Development, Dr. Louise Stark spoke of the importance of this effort.

> The most critical aspect of homelessness is shelter. Holding a job while living in the street is an impossibility. Keeping clean while living on the street is a contradiction. Being healthy, both physically and mentally while living on the street is unimaginable. Any hope of reintegrating the homeless into the socio-economic mainstream must begin with shelter.

Today we can provide that hope for our Nation's poorest citizens. I urge my colleagues to support this legislation and take the first step to help the homeless.

□ 1400

Mr. DANNEMEYER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, is the gentleman from New York [Mr. WEISS] still in the Chamber?

I do not see him here, Mr. Chairman, but he made some remarks that caused me to raise this question. I mentioned it earlier, and perhaps he was not here when I made the comment, but if he believes, or anyone in this Chamber believes that I am of the opinion that we do not have homeless in America, please disabuse yourself of that notion.

The point I seek to make is that we are spending $260 million for this purpose this year. The administration believes that is enough. The administration is opposed to this bill on the grounds that we have adequate funding flowing to State and local governments through various community action grants. That money can be used where appropriate.

I intend to take a few moments at this time, Mr. Chairman, to speak about an amendment that this Member will offer when we get into the amendment stage of the consider-

ation of this bill. It will require that any person who avails themselves of the outpatient health care features of this bill—and bear in mind there is $75 million in this bill for that purpose—would, incidental to that treatment, be tested for the AIDS virus.

I think it is a constructive thing for us to adopt this amendment, and let me explain why I say that. The cornerstone, the building block, the beginning building block of whatever public health effort is undertaken to deal with communicable disease in America is based upon the reportability of a communicable disease. That is routine.

A patient has a symptom, goes to a doctor, the doctor treats the patient, usually conducts a blood test to find out what that shows relative to the symptoms, prescribes some medicine, prescribes a treatment. Our law says—it is fairly uniform around the States of the Union—that if a physician in private practice encounters a communicable disease the doctor is required by law, in addition to treating the patient, to report a communicable disease, a case of it, to State public health authorities. This is routine.

In my State of California, we have 58 diseases that are currently on the list for reportable diseases. Included in this 58 are those with AIDS. Not those having the virus, but those having AIDS.

Why do we infringe on the personal liberty or the civil rights of a patient who is sick and goes to a doctor in this manner? For three basic, sound, fundamental reasons.

One, we want to gather statistical information in this Nation about the seriousness of this disease that the physician is encountering; second, we want to cure it if we can; and, third, we want to prevent its transmission to other people.

Those are the three public-policy reasons at the bottom of this whole scheme of things in public health law in America for having a communicable disease reportable to State public health authorities.

The tragedy of the Nation's response to this epidemic that is moving across our country, namely AIDS, is that we have not brought ourselves at this date to treat those with the virus as a reportable disease. Bear in mind that every person who has the virus for this fatal disease today—we do not know how many, but it is estimated 2 to 4 million Americans, every person with the virus, because of that status, has the capacity to infect another human with the fatal virus on a transfer of bodily fluids.

There is nothing in the law of the U.S. Government today that persons with this fatal virus be reported. Three States in the Union do; Colorado, Idaho, and Minnesota. Most States do not.

The tragedy of the public health response to this disease is compounded by the fact that the Surgeon General of the United States, Dr. Koop, is to this day attempting to defend the nonreportability of those with the virus for AIDS as a communicable disease.

Now listen to the paradox, where we are: Routinely reportable among the 58 are venereal diseases called syphilis and gonorrhea. If a doctor encounters those, he is required to report them. In strict confidence, because it is nobody else's business, and it should not be. Between the doctor and the patient and the statistical gathering network of State public health authorities.

So where we are today in the country is that if you have a curable, communicable veneral disease such as syphilis or gonorrhea, the doctor is required to report that to public health authorities.

If, on the other hand, you have a noncurable, communicable, veneral disease such as the virus for AIDS, there is no requirement that it be reported at all.

Now that is absolutely ridiculous, Mr. Chairman. It cannot be defended; and yet, the Surgeon General of the United States, in response to public pressure brought by one organized special interest group in this country, male homosexuals, has intimidated the Public Health Service from taking the response that it should.

There is little doubt in this Member from California's mind that if 73 percent of the AIDS cases in America came from persons with gray eyes, public health response 2 years ago would have been to quarantine the lot of them; but since 73 percent of the AIDS cases in this country come from male homosexuals, who are a highly organized special interest group, they have literally turned the public health care system on its head to avoid from treating it as a public health issue and today they are treating it as a civil rights issue.

As a result of this virus not being reportable, it is necessary, then, that we in our society in order to find out how many Americans have this disease, to begin testing various segments of our society to find out how many Americans have the virus in their blood.

The CHAIRMAN. The time of the gentleman from California [Mr. DANNEMEYER] has expired.

Mr. WAXMAN. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Pennsylvania [Mr. FOGLIETTA].

Mr. FOGLIETTA. Mr. Chairman, there are more homeless people in America today than at any time since the Great Depression, and the recent national economic recovery has not affected the homeless and the hungry. The U.S. Conference of Mayors reports that there has been an average yearly increase of 25 percent in the number of homeless persons seeking help; in Philadelphia, for example, there was a 35-percent increase in the demand for emergency food in 1986, and this figure is expected to increase in 1987. There will be no end in sight to this alarming trend if we do not act quickly and decisively to combat this growing crisis.

This bill is a good beginning. It will go a long way toward funding local programs that address the needs of the homeless. In particular, the various housing provisions contained in the bill will at least partially offset the Reagan administration's budget cuts in programs to house the poor. Overall, there has been a 75-percent decrease in Federal housing subsidies, from $31.9 billion to $9.4 billion, over the last 7 years. Many advocates of the homeless cite the current administration's actions in this area as one of the leading causes of the dramatic rise in the number of homeless. Other provisions in this bill, such as those funding physical and mental health care, job training, permanent housing assistance, and food aid, must also be key components of any rational attempt to deal with the needs of the homeless.

The Reagan administration believes that finding and implementing a solution to the problems of the homeless is the responsibility of private groups and local governments. At the same time, however, the administration has cut aid to State and local governments by approximately 38 percent. For example, last year the administration eliminated the General Revenue Sharing Program, which had in part funded some State and local efforts on behalf of the homeless. And private groups no longer command enough resources to meet the needs of the rapidly growing homeless population without more help from the Federal Government.

We all claim to be concerned about the state of the American family. Contrary to popular belief, the homeless population is not made up solely of single adults; families with children account for almost one-third of all the homeless, and in Philadelphia, this figure is as high as 50 percent. In addition, the U.S. Conference of Mayors reports that families with children are often turned away from temporary shelters, because few of these shelters are equipped to handle them. How can we expect families to remain intact when they are forced to sleep in cars and abandoned buildings or be separated in shelters? We must work to provide adequate facilities for homeless families, and this bill will do much toward that end.

I realize that the causes and solutions to this problem are complex, but it is clear that with one-fourth of the

demand for emergency food and shelter currently going unmet, it is time for the Federal Government to take some drastic measures, even if they are only stop-gap solutions. Now is the time for us to do something concrete in the fight against homelessness, and this bill provides a good vehicle for such action. In this, the wealthiest and most powerful country on Earth, homelessness is indeed a national tragedy that can no longer be ignored.

□ 1410

Mr. WAXMAN. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from New York [Mr. GARCIA].

Mr. GARCIA. Mr. Chairman, I rise in support of H.R. 558, the Emergency Relief for the Homeless Act. I am an original cosponsor of this bill because it does something that we have long talked about but been unable to do—provide emergency relief to those of our citizens who have no home.

Years ago when the words homeless person were uttered, the immediate image that arose was that of those unfortunate men who through alcohol or drug abuse had lost their jobs, families, and homes. Now the face of the homeless person has changed dramatically. There is a new and ever-increasing group of homeless—families with children. In New York, female headed families are one of the fastest growing groups of homeless. This is a shameful state of affairs in a country where a strong commitment to decent housing for all has been the policy for over half a century.

Unfortunately, in States like New York, the number of homeless families is likely to grow. There are thousands of families living doubled and tripled up in units suitable for only one family. The second and third families in these units are already technically homeless—they have nowhere else to go—if the housing authorities find them they will be evicted—and eventually the situation itself will become one that is insupportable, two and three families cannot live cramped together for any considerable length of time. These families will end up literally homeless.

New York is not the only city with this problem. It is one that is growing worse, and that is exacerbated by the lack of available housing in urban areas. In New York there is a vacancy rate of approximately 2 percent, a very low turnover rate in assisted housing units. This coupled with an ever-decreasing amount of new construction amounts to a declaration of war upon low-income families. The more we cut back on housing assistance the more we turn our backs on thousands of people, including young children, who live without knowing where they will sleep each night.

This bill also directs the Department of Agriculture to discontinue the practice of counting vendor payments for temporary housing as household income when determining the size of food stamp allotments. The Department's practice of counting such payments has adversely affected many homeless, including families in New York. These families are often sheltered in temporary lodging such as hotels where cooking facilities are not available, making them more dependent on food stamps. Yet since this policy was implemented many of the homeless have had their food stamp allotments slashed by as much as two-thirds. I would like to thank Congressman LELAND and the Select Committee on Hunger for the work they have done on this issue, and their efforts to help the homeless with the equally urgent problem of inadequate nutrition.

H.R. 558 is an excellent first step in addressing the plight of the homeless, but it is a Band-Aid, not a cure. We need housing legislation. Our inability to have housing legislation passed and in providing funds for new construction has made the problem worse. If we keep on in this manner more Band-Aids will not help what is likely to become an uncontrollable hemorrhage.

I urge my colleagues to support this bill.

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

Mr. GARCIA. I yield to the gentleman from Michigan.

Mr. CONYERS. I thank the gentleman for yielding.

Mr. Chairman, I would like to associate myself with the remarks of the gentleman from New York [Mr. GARCIA].

The CHAIRMAN. The gentleman from California [Mr. WAXMAN] has 1 minute remaining.

Mr. WAXMAN. Mr. Chairman, I yield myself the remaining 1 minute simply to respond. I expect further debate on the question of AIDS since Mr. DANNEMEYER is interested in raising this with respect to the homeless. This bill is to provide health care services for the homeless. It seems to me if a homeless person has AIDS, that ought to be one of the health problems that the clinic would provide health services to treat. But to require that they be tested in order to get any health service they need flies in the face of what the public health experts have said to us as recently as last week, in that they do not believe mandatory testing would serve any useful purpose. Furthermore, if we use all the health care that is supposed to be going for mental health and other medical problems that the homeless might have and use that for the testing of everybody that walks in the door to see if they have the AIDS virus, there will not be any money left over.

I just think that when we get into this issue, if an amendment is offered as Mr. DANNEMEYER has indicated he is inclined to present to us, as much as I think it is inappropriate to offer it on this bill, I think it is a bad policy as well and we ought to defeat it.

I yield back the balance of my time.

The CHAIRMAN. The gentleman from Texas [Mr. DE LA GARZA] will be recognized for 15 minutes and the gentleman from Missouri [Mr. EMERSON] will be recognized for 15 minutes.

The Chair recognizes the gentleman from Texas [Mr. DE LA GARZA].

Mr. DE LA GARZA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of H.R. 558 and ask my colleagues to give their speedy approval to this important measure.

The bill is a sound and compassionate response to one of the real tragedies of the 1980's—homelessness.

The bill, for the most part, provides authorizations for a wide variety of programs to assist homeless people. The actual spending, beginning in fiscal year 1988, will be voted on later and will depend on the availability of funds after Congress completes its work on the fiscal year 1988 budget resolution. I would note also that the bill does not create new Government bureaucracies; rather, it is designed to target existing programs to the special needs of the homeless.

I compliment my colleagues on the other committees that have worked on this bill for the innovative and responsible approaches they have selected to attack this deepening problem.

I am pleased to note that the rule on the bill has incorporated into H.R. 558, as title V, the text of H.R. 177, as reported by the Committee on Agriculture.

H.R. 177—title V—was ordered reported by the Committee on Agriculture by voice vote without dissent. It will make several administrative changes in the Food Stamp Program, and extend the TEFAP law, to ensure that appropriate nutrition assistance is made available to homeless persons.

TEFAP is an acronym for the Temporary Emergency Food Assistance Program, and it provides for the orderly and efficient distribution of surplus Commodity Credit Corporation commodities, such as cheese, butter, and flour, to charitable institutions, such as soup kitchens and food banks.

The program is scheduled to expire at the end of this fiscal year, and the bill will extend it for 3 years and authorize appropriations to cover State administrative costs involved in distributing the surplus commodities.

Homeless people are prime beneficiaries of TEFAP assistance; and with

homelessness an increasingly serious national problem, the extension made by the bill is appropriate.

The bill also provides for a procedure to ensure adequate distribution of surplus cheese under TEFAP. This provision is needed because of situations in the past when States, under current TEFAP procedures, have run out of cheese to meet the needs of destitute people. Plentiful amounts of surplus cheese are available; it is just a matter of revising application procedures under the program to ensure that the cheese goes where it is needed. The bill effectively responds to that problem.

I note that the rule on H.R. 558 has provided for inclusion of a technical amendment to the surplus cheese portion of the bill. This amendment is designed to avoid an indirect violation of the Budget Act. I have conferred with members of the Agriculture Committee, and we have no objection to the inclusion of this provision to resolve this Budget Act problem.

The major food stamp provisions of the bill will help meet the current food needs of homeless people, and help prevent the growth of homelessness in the future.

Specifically, the bill will authorize State food stamp agencies to conduct outreach programs targeted to the homeless, and authorize Federal funding of one-half the costs of such programs.

It will increase the cap on the excess shelter cost deduction under the Food Stamp Program, effective October 1, 1987. In computing household income to determine eligibility and benefit levels under the program, a deduction is allowed to take into account the cost of housing that exceeds 50 percent of net household income. The bill will increase the cap on the excess shelter cost deduction for the 48 contiguous States by 8.3 percent—to $168 a month—with comparable increases for Alaska, Hawaii, Guam, and the Virgin Islands. This will enable needy families in areas where housing is costly to supplement their food budget without sacrificing their housing budget.

Title V will exclude from household income, for purposes of determining food stamp eligibility and benefits, the following: third party payments for temporary housing, if the housing lacks meal preparation facilities. This will address the problem of homeless persons temporarily living in welfare hotels losing their food stamp benefits under an eligibility rule that otherwise counts third party payments as income.

Also, it will make savings in the food stamp program to partially offset any increased Food Stamp Program costs under the bill, by—

First, imposing a new loss-of-benefits penalty on food stamp recipients who willfully or fraudulently underreport income; and

Second, delaying—until October 1, 1987—a scheduled July 1, 1987, upward adjustment in the food stamp income standards of eligibility to reflect increases in the poverty guideline and similarly changing the schedule for future adjustments.

Our committee's provisions require no increase in deficit spending in fiscal year 1987; and spending in later years would be subject to the budget and appropriation processes. I believe we can find the money for future years and not increase the deficit, but that will be our task later this year.

Mr. Speaker, homelessness is a social tragedy that is demeaning to all of us who are privileged to live in this great Nation. We must help those among us without homes and without hope.

Mr. Chairman, this is a first step toward providing help. It is responsible and balanced legislation. I urge its adoption by the House today.

I would urge my colleagues to understand that homelessness and hunger are not urban phenomenons. They also occur in rural America, perhaps not as noticeably due to the sense of family that pervades small communities or to our ability to reach out to those unfortunate ones in part because of the smaller numbers involved than in the urban areas. But the fact remains that it is a national problem, it is a problem that must be addressed.

Mr. Chairman, I laud the leadership for its initiative and its sensitivity on this issue. I would urge my colleagues to support this legislation and not to adopt any amendments that might be detrimental to the thrust of the bill. Then, we continue after that very good first step, we must address the rest of the problem—the root causes and the base causes of what leads eventually to homelessness and hungry people.

So it is a very good first step. I would urge my colleagues to assist us in giving it a strong vote of approval this afternoon.

Mr. Chairman, the chairman of the subcommittee which deals with this area in our Committee on Agriculture is our distinguished colleague from California [Mr. PANETTA]. I yield 5 minutes to the gentleman from California [Mr. PANETTA].

Mr. PANETTA. I thank the chairman for yielding and for his cooperation in this effort to develop the nutrition portion of the homeless bill.

The thrust of title V is to ensure that people who are homeless and have no shelter, inadequate shelter, do not starve, but have provided them some decent nutrition.

There are three points I would like to make at the beginning. One is that this was a bipartisan effort with my colleague, Mr. EMERSON, who is my ranking minority member on the subcommittee. I thank him for his cooperation in developing this initiative. It was reported unanimously by the Committee on Agriculture.

The third point, and I think a very important point, is that with regard to the 1987 costs we have enacted savings within this portion of the bill, within title V, to cover all costs of this bill for 1987. The costs for 1988 and beyond are within the targets that both the Speaker and the chairman of the Committee on the Budget have indicated they would include in the budget resolution.

Mr. Chairman, title V includes five provisions designed to assist the homeless or to prevent additional low-income Americans from being forced into homelessness.

First, States would be given the option to conduct outreach activities to inform homeless persons of their potential eligibility for food stamps. Prior to 1981, outreach was provided to make all potential food stamp recipients aware of the program and how to obtain benefits. The outreach provision in title V is narrowly drawn to provide outreach only to the homeless.

Second, the Temporary Emergency Food Assistance Program [TEFAP] would be extended through fiscal year 1990. This is the program which the administration sought to close down this winter through an illegal deferral of funds. Extending the authorization through fiscal year 1990 is important to reassure the 18 million Americans who depend on the surplus commodities distributed through TEFAP that the food they depend upon will not be snatched away from them.

TEFAP provides the administrative funding, or the glue, which enables grassroots volunteer organizations across the Nation to distribute surplus agriculture commodities to the poor and the homeless. If these funds were taken away, 24 State TEFAP administrators said they would be unable to continue the program; eight States and the District of Columbia said they would greatly reduce distributions. Oklahoma said it would continue the program because of the extraordinary need for emergency food relief in that State, but Oklahoma officials do not know how they would absorb the costs.

Thirty-six State TEFAP administrators told the subcommittee that the demand for emergency food relief is growing. This distressing news came to us soon after the Conference of Mayors reported that the demand for emergency food relief grew 25 percent in major U.S. cities last year. This increased demand, coupled with the startling reports of homelessness in America today, convinced us that nutrition assistance legislation to help

the poor and the homeless must be considered immediately.

Third, up to 14 million additional pounds of cheese a year would be distributed through the TEFAP program if the Governor of the State certified that increases in poverty or unemployment necessitated additional distribution of cheese. In developing this request, the Governor would have to ensure that this cheese would not cause a substantial displacement of commercial sales. The Secretary of Agriculture would retain the authority to make the final determination on the distribution of cheese. Frankly, some of us wanted even larger additional cheese distributions but were constrained by budgetary limitations. To avoid a technical violation of section 303(a) of the Congressional Budget Act of 1974, this provision would be subject to appropriations. I would hope that much of this additional cheese would be distributed to the homeless.

Fourth, the food stamp benefits of persons living in so-called welfare hotels would not be reduced to reflect a portion of room charges paid by welfare agencies on their behalf. This is an emergency measure to correct a problem which came to light in New York City, but apparently is occurring elsewhere in the country.

Fifth, title V also contains a provision designed to help check the growth in homelessness. Needy families with excessive housing costs would receive an offset to rising housing costs in the form of an increase in the food stamp shelter deduction for excess housing expenses. Based on an analysis done for me by the Congressional Research Service, the increase in the shelter deduction from $149 a month to $168 a month gets us to where we would be if the shelter deduction has been increased as scheduled during the 1980's and if the adjustment procedure had been made in such a way as to avoid any understatement of the actual cost of rents and utilities.

Finally, two provisions designed to improve the administration of the Food Stamp Program are included in title V. These provisions are also intended to make the bill budget neutral in fiscal year 1987 and limit the overall cost in the succeeding years. First, the annual update of the income eligibility guidelines would be made in October of each year, instead of July. This would standardize all food stamp inflation adjustments, thereby simplifying administration. Second, the earnings deduction in the Food Stamp Program would be denied for periods in which a recipient is proven to have willfully or fraudulently failed to report earnings.

Title V has no net budgetary impact in fiscal year 1987. In fiscal year 1988, the cost is $59 million in budget authority and outlays above the Congressional Budget Office baseline. We have been assured that the leadership will seek to have this amount included in the first budget resolution for fiscal year 1988.

Neither title V nor the other titles in H.R. 558 will eliminate the shame of homelessness in our Nation. Both bills are emergency measures designed to provide some immediate assistance, while we develop long-term programs to deal with the basic causes of homelessness. We on the Agriculture Committee have an immediate responsibility—which this bill achieves. That responsibility is to do our best to ensure that our fellow human beings without shelter at least do not starve in the streets.

I urge your support of H.R. 558.

I include two documents cited in my statement for the RECORD. These are: First, a summary of the subcommittee's survey of TEFAP administrators; and second, the Congressional Research Service analysis of the indexing of the food stamp shelter ceiling.

SUMMARY: SURVEY OF STATE TEFAP DIRECTORS (FEBRUARY 1987)

INTRODUCTION [1]

Under the Agriculture and Food Act of 1981, Commodity Credit Corporation (CCC) held stocks were first made available to foodbanks for distribution to individuals for home consumption. In January 1982, 17 States received a total of 7.8 million pounds of cheese for distribution to households. By the end of 1982, all States were participating in the "Surplus Commodity Distribution Program" and informed by the U.S. Department of Agriculture that they were eligible to receive an unlimited supply of the following commodities: butter, cheese, nonfat dry milk, flour, cornmeal, rice, and honey. Each State was charged with determining eligibility guidelines for recipients and developing distribution plans.

In 1983, Congress approved legislation (P.L. 98-8) creating the Temporary Emergency Food Assistance Program (TEFAP). TEFAP, which superceded the Surplus Commodity Distribution Program, extended the distribution of commodities to emergency feeding sites and provided $50 million to be allocated among the States to defray the cost of commodity distribution activities. TEFAP was reauthorized again in 1983 and in 1985 at $50 million for each year of operation. Program authority is due to expire on September 30, 1987.

In preparation for the consideration of legislation to reauthorize TEFAP, the House Agriculture Subcommittee on Domestic Marketing, Consumer Relations, and Nutrition, distributed a survey to State TEFAP administrators requesting information on current program operations and recommendations for means by which to improve food assistance services to needy recipient households. The results of the survey were summarized by the staff of the Domestic Task Force of the Select Committee on Hunger.

[1] Note.—Survey responses were received from the 49 States and the District of Columbia which operate TEFAP—Alaska does not sponsor a program. This data represents the responses of State TEFAP administrators and has been validated by independent sources.

TEMPORARY EMERGENCY FOOD ASSISTANCE PROGRAM SURVEY RESULTS—DISTRIBUTION

According to State TEFAP administrators, on an average, TEFAP commodities were distributed to 18,005,859 [2] individuals (6,343,733 households) each month during fiscal year 1986. Schedules for allocating commodities to individuals and families through local distributing agencies are determined on a State-by-State basis. The following chart indicates the most frequently used distribution schedules:

Schedule	Number of States	Percent
1. Quarterly	16	32.7
2. Monthly	19	38.9
3. Bimonthly	8	16.8
4. Other [1]	6	12.2

[1] See Appendix II for other distribution schedules by State.

Comments from the States indicate that a plethora of factors determine the frequency of commodity distribution. Characteristics cited with the greatest regularity include: the lack of State storage facilities (15.7 percent); the receipt of TEFAP commodities on an irregular basis from the Federal government (15.7 percent); and lower distribution costs (27.5 percent)—(See appendix III for others).

During fiscal year 1986, 1,001,451,429 pounds of commodities (cheese, honey, butter, rice, flour, nonfat dry milk, and cornmeal) were distributed through State agencies administering TEFAP (See chart #1). At the local level, these commodities were made available through a variety of both public and private service providers which contract directly with State agencies administering TEFAP or serve as secondary distribution sites receiving commodities from local primary distributors (See chart #2).

CHART 1

Commodity:	*Pounds*
1. Cheese	407,313,427
2. Honey	83,432,966
3. Butter	118,621,424
4. Rice	129,212,997
5. Flour	126,908,183
6. Non-Fat Dry Milk	97,794,760
7. Cornmeal	38,167,672

CHART 2

	States	Number used
Primary organizations:		
1. Food banks	22	90
2. Food pantries	8	428
3. Churches	9	103
4. Soup kitchens	1	5
5. Welfare offices	13	310
6. Community action ag	36	513
7. Veterans orgs	2	2
8. Fraternal orgs	6	32
9. Other [1]	31	710

[1] Denotes the total of other sources defined as a primary organizations. For a state by state description of this category see Appendix IV.

Emergency feeding organizations

The Food Security Act of 1985 (P.L. 99-198) defines Emergency Feeding Organizations (EFO's), in statute, as organizations eligible for priority receipt of commodities and Federal funding assistance for distribution costs. EFO's include the activities and projects of charitable institutions, food

[2] See Appendix I for state-by-state household TEFAP participation.

banks, hunger centers, soup kitchens, and similar public or private nonprofit eligible recipient organizatons. The following chart illustrates the utilization of EFO's during fiscal year 1986.

	States	Number used
Emergency Feeding Organizations:		
1. Food banks	25	31,588
2. Food pantries	18	12,170
3. Soup kitchens	10	10,131
4. Churches	23	52,068
5. Welfare offices	16	10,763
6. Community Action ag	28	22,276
7. Veterans orgs	8	10,215
8. Fraternal orgs	13	10,202
9. Other [1]	30	7,201

[1] Denotes a cumulative accounting of emergency distribution centers in local areas used by state TEFAP administrators. See Appendix V for state-by-state description of the other types of emergency feeding organizations.

FEDERAL ADMINISTRATIVE FUNDING

Federal funds are made available to States to help defray the expenses of administering commodity distribution activities under TEFAP. During fiscal year 1986, States reported receiving $49,003,628 in administrative funding from the Federal government. These funds were designated to the following activities:

Activities listed by priority (ranked from highest expense):	*State ranked responses for use of funds (percent)*
1. Storage	80.4
2. Personnel	66.7
3. Transportation	62.7
4. Distribution	17.6
5. Telephone	3.9
6. Other	47.1

Two factors which may reflect the availability of commodities for distribution are: (1) the number of State storage facilities (see chart 3); and, (2) how soon after receipt States distribute commodities (see chart 4).

CHART 3

	Number of States	Percent of all States
Number of sites for storage:		
1. 0 [1]	6	10.2
2. 1	13	26.5
3. 2	15	30.6
4. 3	4	8.2
5. 4	3	6.1
6. 5	4	8.2
7. 6 to 16	5	10.0

[1] A zero response indicates that the state does not have any storage facilities for TEFAP commodities.

CHART 4

	Number of States	Percent of all States
Immediate distribution:		
1. Yes	18	35.3
2. No	29	56.9
3. Yes and No	1	2.0
4. No response	3	5.9

STATE CONTRIBUTIONS TO TEFAP

The primary source of financial support for TEFAP is derived from the Federal government; however, State, local and private support—both in monetary and in-kind services—have played an integral role in assuring the availability of commodities to eligible households. During fiscal year 1986, 18 State TEFAP administrators reported the receipt of combined cash and in-kind contributions totaling $10,376,041 from State sources. Charts 5 & 6, which follow, distinguish between the cash and in-kind support provided.

CHART 5.—STATE CASH CONTRIBUTIONS

	States	Percentage of all States
Percent of State Support:		
0	15	29.4
1 to 20	6	11.8
21 to 35	1	2.0
36 to 50	1	2.0
51 to 74	1	2.0
75 to 99	3	5.9
100	10	19.6
No response	14	27.5

CHART 6.—STATE-IN-KIND CONTRIBUTIONS TO TEFAP

	States	Percentage of all States
Percent of State Support:		
0	13	25.5
1 to 20	3	5.9
21 to 35	2	3.9
36 to 50	2	3.9
75 to 99	4	7.8
100	8	15.7
No response	19	37.3

POLICY CONSIDERATIONS

The Food Security Act of 1985 reauthorizes TEFAP *only* through September 30, 1987. Responses to the need for maintaining Federal funding for this program clearly indicate that without support, a majority of the States would be unable to continue commodity distribution services to needy households. (See Appendix VI for individual State responses.)

	States	Percentage
Response:		
Unable	24	47.1
Unknown	16	32.7
Greatly reduced	8	16.3
No response	3	5.9

Sufficiency of commodities for distribution

Currently, USDA determines annual commodity allocations to States through a formula based on year-end unemployment data and 1980 Census Bureau poverty statistics. USDA has solicited comments on various proposals for revising this formula to better reflect economic conditions being experienced by States; however, to date, no changes in the allocation formula have been finalized. Consequently, the commodity allocation for many States may not represent the current need.

A vast majority of the States reported that their present allocations are insufficient to meet the food demand during each distribution cycle. When State TEFAP administrators were asked: "Is there enough food available for emergency/disaster needs in addition to the TEFAP distribution?" States responded in the following fashion:

	States	Percentage
Response:		
No	34	66.7
Yes	15	31.4
No response	1	2.0

During fiscal year 1986, 68.6 percent of the States reported a growing demand for emergency food assistance; 21.6 percent indicated that the need was static; and 5.9 percent responded that the need had declined (3.9 percent of the States did not respond to this inquiry). When queried about the adequacy of foodstuffs available for emergency/disaster need in addition to TEFAP distribution, 47.1 percent indicated that supplies were insufficient and 45.1 percent reported adequate access to commodities (there was no response from 7.8 percent of the States).

Supplemental commodities through reallocation plan

Between July 1, 1986 and September 30, 1986, USDA implemented a national reallocation plan for TEFAP commodities. Under this plan, commodities not used by originally designated States were redistributed to States requesting additional TEFAP foodstuffs. Additional cheese was requested and received by 39.2 percent of the States. The following quarter (the first quarter of fiscal year 1987) 49 percent of the States received additional cheese. When queried about the sufficiency of the supplemental cheese allocations, 26 States reported the supply to be adequate.

State views on reauthorizing TEFAP

It was articulated earlier in this analysis that a majority of the States would be unable to continue commodity distribution in the absence of Federal funding. Realizing the dire need for this Program, administrators overwhelmingly (96 percent of the States) recommend TEFAP reauthorization. (See Appendix VII for program improvements recommended by State administrators).

APPENDIX I.—TEFAP PARTICIPATION (FISCAL YEAR 1986)

State	Average number households per month	Individuals monthly	Reported demand
Alabama	141,425	495,000	Growing.
Arizona	73,000	281,841	Do.
Arkansas	80,000	220,000	Do.
California	330,916	827,290	Do.
Colorado	34,000	85,684	Do.
Connecticut	70,000	N/A	Static.
District of Columbia	45,000	160,000	
Delaware	20,632	82,000	Growing.
Florida	237,594	950,376	Do.
Georgia	86,000	215,000	Do.
Hawaii	27,500	101,750	Do.
Idaho	24,698	71,921	Static.
Illinois	300,000	N/A	Growing.
Indiana	107,659	297,911	Static.
Iowa	147,000	382,000	Do.
Kansas	71,758	179,395	Growing.
Kentucky	204,664	818,656	Do.
Lousiana	209,285	669,712	Do.
Maine	63,000	201,600	Declining.
Maryland	132,640	398,000	Static.
Massachusetts	N/A	400,000	Do.
Michigan	270,000	730,000	Static.
Minnesota	184,000	496,800	
Missouri	48,444	124,751	Growing.
Mississippi	81,500	N/A	Do.
Montana	24,000	60,000	Do.
North Carolina	71,364	187,986	Do.
North Dakota	35,000	93,000	Do.
Nebraska	110,000	300,000	Do.
New Hampshire	8,750	18,700	Do.
New Jersey	300,000	525,000	Declining.
New Mexico	55,420	221,680	Growing.
Nevada	18,608	44,617	Do.
New York	500,000	875,000	Do.
Ohio	285,000	700,000	Do.
Oklahoma	193,440	677,040	Do.
Oregon	69,000	228,000	Do.
Pennsylvania	550,000	2,200,000	Static.
Rhode Island	15,720	37,730	Do.
South Carolina	41,210	140,000	Declining.
South Dakota	465	1,536	Growing.
Tennessee	127,770	500,000	Do.
Texas	460,000	1,700,000	Do.
Utah	92,404	314,173	Do.
Virginia	128,300	513,000	Static.
Vermont	5,482	16,446	No response.
Washington	158,561	499,026	Growing.
Wisconsin	88,000	N/A	Do.
West Virginia	40,920	118,120	Do.
Wyoming	18,605	65,118	Do.

APPENDIX II.—OTHER BASIS FOR TEFAP DISTRIBUTION

Arizona—Less than 10% Distribution weekly, daily.

District of Columbia—As Received.

Hawaii—Once Every 6 weeks.

Indiana—3 times a year.

Maine—3 times a year.

Minnesota—Additional depending on allocation.

Missouri—On-Going for Emergencies.

North Carolina—Also checked monthly & bi-monthly.

New Jersey—Open order basis to non-profit.

New York—Quarterly to New York City.

Oregon—Marked B,C,D and said 'depends'.

Pennsylvania—Monthly if inventory enough.

South Carolina—Some skip a quarter—no funds.

South Dakota—3 times a year.

Tennessee—local agencies determine.

Utah—Monthly to Salt Lake & Ogden.

Virginia—Continues for emergency.

COMMITTEE ON AGRICULTURE SURVEY OF STATE ADMINISTRATORS, 1986—TEMPORARY EMERGENCY FOOD ASSISTANCE PROGRAM

1. Distribute on a Statewide System

OBS	State	Q1A
1	Alaska	Not answered.
2	Alabama	Bi-monthly.
3	Arkansas	Monthly.
4	Arizona	Do.
5	California	Do.
6	Colorado	Quarterly.
7	Connecticut	Monthly.
8	District of Columbia	Other.
9	Delaware	Bi-monthly.
10	Florida	Monthly.
11	Georgia	Bi-monthly.
12	Hawaii	Other.
13	Idaho	Monthly.
14	Illinois	Do.
15	Indiana	Other.
16	Iowa	Bi-monthly.
17	Kansas	Monthly.
18	Kentucky	Do.
19	Louisiana	Quarterly.
20	Masachusetts	Do.
21	Maryland	Do.
22	Maine	Other.
23	Michigan	Monthly.
24	Minnesota	Bi-monthly.
25	Missouri	Quarterly.
26	Mississippi	Bi-monthly.
27	Montana	Monthly.
28	North Carolina	Quarterly.
29	North Dakota	Do.
30	Nebraska	Do.
31	New Hampshire	Do.
32	New Jersey	Do.
33	New Mexico	Monthly.
34	Nevada	Do.
35	New York	Bi-monthly.
36	Ohio	Monthly.
37	Oklahoma	Do.
38	Oregon	Other.
39	Pennsylvania	Quarterly.
40	Rhode Island	Do.
41	South Carolina	Do.
42	South Dakota	Other.
43	Tennessee	Do.
44	Texas	Monthly.
45	Utah	Quarterly.
46	Virginia	Do.
47	Vermont	Monthly.
48	Washington	Do.
49	Wisconsin	Do.
50	West Virginia	Quarterly.
51	Wyoming	Bi-monthly.

COMMITTEE ON AGRICULTURE SURVEY OF STATE ADMINISTRATORS—1986 TEMPORARY EMERGENCY FOOD ASSISTANCE PROGRAM, FEDERAL IMPROVEMENTS FOR TEFAP

Alaska ..... 1.
2.
3.

Alabama ..... 1. Make larger quantities of food available.

COMMITTEE ON AGRICULTURE SURVEY OF STATE ADMINISTRATORS—1986 TEMPORARY EMERGENCY FOOD ASSISTANCE PROGRAM, FEDERAL IMPROVEMENTS FOR TEFAP—Continued

2. Ship products into the State on a regular basis.
3. Increase funding to help offset costs of distributions.

Arkansas ..... 1. Include only poverty or per capita income in the allocation formula.
2. If any State receives foods above allocation level, the 5% funds should be transferred to dist. state.
3. National reallocation plan has been very detrimental to our State.

Arizona ..... 1. Remove the "temporary" from the program—literally as well as philosophically.
2. Increase the amount and variety of products.
3. Increase administrative funds or remove those portions of the regulation which increase admin. costs.

California ..... 1. Advance funding with carry-over provisions.
2. Formula adjustment to include a factor for high cost-of-living areas.
3. Regional workshop as where required.

Colorado ..... 1. No state match requirement.
2. Remove requirement to audit all agencies each year.
3. Change allocation method to States using more current and accurate data.

Connecticut ..... 1. Increase allotment of cheese and butter.
2. Provide additional administrative money.
3. Conversion of program to a block grant.

District of Columbia. 1. Provide adequate funding for administrative expenses.
2. Improve shipping cycle.
3. Additional technical assistance to the State.

Delaware ..... 1. Carryover of funds from one fiscal year to the next.
2. Flexibility in when States can request shipment of total quarterly allocations.
3. Dependability of shipping period requests being met.

Florida ..... 1. Issue more non-fat dry milk.
2. Improve the packaging of flour and cornmeal and strengthen the packaging of honey.
3. Butter and honey should be packaged in cans so that it does not have to be frozen or refrigerated.

Georgia ..... 1. Program would operate better if it were permanent, not temporary.
2. Adequate funding.
3.

Hawaii ..... 1. Shorten delivery time.
2. Vary distribution.
3.

Idaho ..... 1. Promptness of Federal funding.
2. Timely Federal regulations.
3. Increased amounts of commodities with additional funding for distribution.

Illinois ..... 1. Additional funding.
2. Reduced paperwork at local level.
3. Make a greater variety of food available.

Indiana ..... 1. Increase funds and products by 25 percent.
2. Standardize packaging of butter.
3. Specify delivery dates within the shipping period.

Iowa ..... 1. An increase in the amount of food and funds released and appropriated.
2. A more equitable allocation formula.
3. An increase in the variety of foods released for TEFAP distribution.

Kansas ..... 1. Increase the quantity and/or variety of foods to meet distribution needs.
2. Stability/consistency is USDA policy, procedures, and funding.
3. Better cooperation from USDA vendors to assure deliveries are timely.

Kentucky ..... 1. Better control over the arrival dates of shipments across the State and reinstate processing contract.
2. To allocate funding according to the amount of food distributed.
3. Reduction of record keeping requirements.

Louisiana ..... 1. Increase quantity of commodities available.
2. Adherence to requested shipping periods.
3. Increase funding to offset a greater percent of program costs.

Massachusetts ..... 1. More administrative funding.
2. Better balance of commodities.
3. Larger variety of commodities.

Maryland ..... 1. Forward funding—appropriate fiscal year 87 in fiscal year 86.
2. Permit carryover of funds from prior fiscal year.
3. Base administrative funding on value of food distributed.

Maine ..... 1. More administrative funding.
2. More surplus butter. Any beef or peanut?
3.

Michigan ..... 1. Increase the number and variety of products.
2. Increase flexibility in ordering products.
3. Eliminate matching requirement which does little other than increase administrative costs.

Minnesota ..... 1. Continue Federal funding to States, at least the current $25 million level.
2. Increase the quantity of food USDA is authorized to allocate for TEFAP.
3. Administrative regulations are necessary but should not become more complicated nor expensive.

Missouri ..... 1. Additional Federal funds.
2. Nationwide distribution rate.
3. Allocations sufficient enough to meet needs, and shipments being two stops and final rather than one.

Mississippi ..... 1. Increased Federal funding.
2. Assessment of policy and procedures.
3. All shipments be palletized.

Montana ..... 1. Provide food at the level requested by States.

COMMITTEE ON AGRICULTURE SURVEY OF STATE ADMINISTRATORS—1986 TEMPORARY EMERGENCY FOOD ASSISTANCE PROGRAM, FEDERAL IMPROVEMENTS FOR TEFAP—Continued

2. Enhance funding to large rural State.
3. Relax required administrative monitoring.

North Carolina ..... 1. Providing sufficient quantity of all products.
2. Provide sufficient funding to cover all storage and distribution costs.
3. Decrease demand of accountability.

North Dakota ..... 1. Funding should contain a variable to account for sparsely populated areas—transportation too costly.
2. Shipping schedules should be more realistic—storage time too long with food arriving different times.
3. All items should be distributed each distribution. Admin. funding must be secure.

Nebraska ..... 1. Need more administrative funding.
2. Reduce paperwork requirement placed on local EFO's.
3. Eliminate 5% requirement on payment value of commodities.

New Hampshire ..... 1. Refinement of ordering and delivery schedule.
2. Increase in program support dollars for storage and transportation and distribution.
3. Additional varieties of commodity foods.

New Jersey ..... 1.
2.
3.

New Mexico ..... 1. A higher adjustment to Federal guidelines establishing the original allocation of money.
2. More accurate deliveries.
3.

Nevada ..... 1. USDA food shipments (butter, flour, NFD milk and cornmeal) would meet the demand.
2. Increase in Federal funds should cover State and local cost, with agencies providing in-kind contrib.
3.

New York ..... 1.
2.
3.

Ohio ..... 1. Guaranteed delivery date.
2. Increased dry commodity.
3. Assured funding.

Oklahoma ..... 1. National guidelines for eligibility.
2. Adequate or uniform amounts for distribution.
3. Stronger regulatory support from USDA.

Oregon ..... 1. Increased funding.
2. More food variety.
3. More flexibility in USDA ordering and shipping procedures.

Pennsylvania ..... 1. Sufficient funding levels.
2. Not be dependent on volunteers.
3. Less reporting/paperwork, or if needed provide adequate funding to support this.

Rhode Island ..... 1. To distribute different types of commodities.
2. Increase of the 5% cap on reimbursement.
3. Reduce Federal reporting requirements.

South Carolina ..... 1. Adequate funding to ensure the continual operation of enough sites to reach eligible clients.
2. Stabilize funding levels and/or allow carry-forward of unspent balances.
3. Reduce the amount of eligibility documentation and audit these costs.

South Dakota ..... 1. The program should remain flexible so that each State can determine what works best.
2. Federal regulations should be kept to a minimum.
3. Each State should determine the amount of commodities needed for distribution.

Tennessee ..... 1. Add stability to program.
2. More input into allocation process.
3. Use of Federal storage when available.

Texas ..... 1. Increase funding.
2. Revise allocation formula.
3. Provide greater variety of food; minimize accountability requirements.

Utah ..... 1. Eliminate some of the reporting requirements, which require more manpower than the funding justifies.
2.
3.

Virginia ..... 1. Establishment as a permanent program with stable requirements (eligibility, records, availability).
2. Full Federal funding of State and local administrative and distributive costs.
3. Allow States to order foods in quantities and when needed.

Vermont ..... 1. A greater variety of food.
2. More funding for local distribution costs.
3. Funding for nutritional education and fewer regulations.

Washington ..... 1. Increased supply of food.
2. Improved communication system with shipments.
3. Increased level of funding.

Wisconsin ..... 1. Allocate in sufficient amounts to the value and amount of food distributed.
2. Allocation of food be more responsive to current economic needs of population.
3.

West Virginia ..... 1. Prompt deliveries of TEFAP monthly allocations.
2. Reevaluation of allocation based on current formula.
3. Additional food allocations for States which request assistance.

Wyoming ..... 1. Make more commodities available as unemployment rate goes up.
2. Upgrade requirements for packaging.
3. Consider additional funding for rural States that have high expenses to ship commodities thru State.

CONGRESSIONAL RESEARCH SERVICE,
THE LIBRARY OF CONGRESS,
Washington, DC, February 9, 1987.

To: House Committee on Agriculture, Attention: Jim Rotherham.

From: Joe Richardson, Education and Public Welfare Division.

Subject: Questions on indexing of the food stamp shelter deduction ceiling.

This memorandum is a preliminary response to your questions concerning the inflation indexing of the ceiling on food stamp shelter deductions.[1]

1. What would the shelter deduction ceiling be now, if the present 15-month "gap" in indexing were accounted for?

As you know, the shelter deduction ceiling was legislatively "frozen" at $115 a month between January 1981 and October 1983.[2] When inflation indexing was resumed, effective October 1983, any increases in (1) renters' costs and (2) prices of fuels and other utilities related to housing, for the period October 1980 through December 1981, as measured by those components of the Consumer Price Index for All Urban Consumers (CPI-U), were not reflected in the shelter deduction ceiling, as directed by 1982 legislation.[3]

A precise measure of what the shelter deduction would be now, if price changes in the appropriate CPI-U components during this 15-month period were taken into account, is not immediately possible for us, given limitations on the data available to us to replicate the procedures normally used for updates, and time limitations. However, a rough approximation is possible. By a rough estimate, the shelter deduction ceiling would now be $159 a month, rather than its present $149.[4]

The procedure used takes account of inflation in the appropriate CPI-U components from October 1980 through June 1986, including the 15 months between October 1980 and December 1981.[5] It indicates that the increase would have been 40.4 percent, as opposed to the 31.5 percent represented by the current shelter deduction ceiling.

This estimate of what the shelter deduction ceiling would be if the period not accounted for in the present $149 ceiling were taken into account should be used with caution. It uses "weights" assigned to the two components (i.e., renters' costs and fuels and other utilities) at the beginning and end of the period under consideration (i.e., September 1980 and June 1986)[6] in computing index changes. This does not take into account significant revisions in assigned weights during the measurement period, changes that might noticeably affect the result because inflation in the two components differed substantially. The updating procedure normally used in calculating inflation adjustments to the shelter deduction ceiling takes these weighting changes into account.

2. How does the food stamp law's mandate to exclude CPI-U components for homeowners' costs and maintenance and repairs affect the inflation adjustment of the shelter deduction ceiling? Would the ceiling be different if different weights were used for the applicable CPI-U components?

As you know, in 1981, PL. 97-35 required that the inflation adjustment of the shelter deduction ceiling exclude the CPI-U component for homeownership costs. The intent of this change, as expressed in the House Committee report on the measure (H. Rept. 97-106), was to remove expenditure items that had been "overstating" inflation in recent years and that were not normal expenses for the overwhelming majority of food stamp households. In response to a Bureau of Labor Statistics (BLS) decision to redefine the "Homeownership" component into two components (i.e., homeowners' costs and maintenance and repairs), P.L. 99-198 directed the exclusion of these two components in lieu of the old homeownership component, as the Agriculture Department had already begun doing after consulting with the BLS.

The most immediately noticeable effect of excluding homeownership costs, and then homeowners' costs and maintenance and repairs, is that changes in these costs are simply not considered in calculating adjustments to the shelter deduction ceiling.

However, perhaps as important, the law's directive to exclude homeowners' costs and maintenance and repairs as components in calculating adjustments has increased the importance (i.e., weighting) given the fuels and other utilities component in the calculation. When the various homeownership-related costs were included in the calculation, the fuels and utilities component had a minority weighting (about 17 percent based on the weighting used for the January 1981 adjustment). With homeowners' costs and maintenance and repairs removed from consideration, the relative influence of changes in costs for fuels and utilities jumped in relation to the remaining component, renters' costs, (to about 52 percent based on the weighting used for the October 1986 adjustment). As a result, the slowing down or speeding up of inflation in prices measured by the fuels and other utilities component has an increased effect on adjustments to the shelter deduction ceiling.

If a different weighting system were used, there would be significant effects on the food stamp shelter deduction ceiling. For example, a rough estimate of what the shelter deduction ceiling would be, if the weights assigned the fuels and other utilities component in the calculation done in answer to your first question has been derived from pre-1981 practices (e.g., 17 percent in 1980), indicates that it might be as high as $168—taking into account inflation from October 1980 through June 1986, as with the earlier estimate. However, as with the approximation in answer to your first question, this estimate should be used with caution since it does not take into account significant weighting changes during the 1980-1986 period.[7]

A Final Note. Because indexing in the Food Stamp program is of continuing interest and because the standard deduction is indexed to the CPI-U, exclusive of homeowners' costs and maintenance and repair components, it might be advisable to take a closer and more precise look at the effects of excluding these components. It also should be noted that since 1982 the major portion of the homeowners' costs component has been calculated using an "owners' equivalent rent" value, and that the CPI-U is scheduled to undergo a major revision in the near future.

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Mr. EMERSON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the bill before us today makes several changes in programs under the jurisdiction of the Committee on Agriculture. The food assistance for the homeless title of H.R. 558 was reported by the Committee on Agriculture as H.R. 177.

The goal of that legislation is to help meet the food needs of homeless people, an issue the committee has looked at in depth. I support these and other programs aimed at providing food assistance to needy individuals and families. In fact these are but two of the several programs operated in the U.S. Department of Agriculture to provide food assistance. The USDA programs alone account for over $20 billion in 1987 spending.

The committee bill does not increase expenditures in 1987. That was one of the goals of this legislation and I commend the subcommittee chairman for achieving that target. However, there are significant costs to the budget in 1988 and the outyears, with insufficient offsets to accommodate these spending increases. The committee was informed that the 1988 budget resolution will accommodate this additional spending. At this point the 100th Congress has not adopted the 1988 budget resolution and yet we are proposing to spend money we do not know if we will have.

Included in the food assistance title are several changes to the food stamp program and reauthorization and improvement of the Temporary Emergency Food Assistance Program. This title:

First, allows States to conduct outreach activities aimed at persons without permanent homes to encourage them to participate in the Food Stamp Program. The Federal Government will pay one-half of all outreach costs.

Second, increases the shelter deduction for food stamp participants with high shelter costs from $149 per

[1] Prior to May 1986, the ceiling under discussion actually applied to the combination of shelter and dependent-care expense deductions. However, in this memorandum, it will be referred to as the shelter deduction ceiling for simplicity's sake.

[2] P.L. 97-35 and P.L. 97-253. Different dollar ceilings than the ones under discussion in this memorandum apply to Alaska, Hawaii, the Virgin Islands, and Guam; but, since they are indexed in the same manner, they are not dealt with separately.

[3] P.L. 97-253.

[4] The computed increase is from $113.90, the unrounded amount on which the January 1981 $115 shelter deduction ceiling was based; until 1982, the law prescribed rounding to the nearest $5. The $159 amount is rounded down from $159.97, as required by law, just as the $149 amount was rounded down from $149.75.

[5] June 1986 is used as the end of the period under consideration because food stamp law uses the immediately prior June as the end-point for each October's inflation adjustment.

[6] September 1980 is used as the base month for the actual calculation because (1) the January 1981 adjustment reflected inflation through the CPI-U for September 1980 and (2) procedures regularly used in updating the ceiling call for its use (e.g., any 12-month adjustment begins with the index numbers as they stood in the month 13 months earlier).

[7] For example, the shelter deduction ceiling might be as low as $162 if the most recent weight given fuels and other utilities were used throughout the period under consideration.

month to $168 per month, effective October 1, 1987.

Third, exempts housing assistance payments made on behalf of households living in temporary quarters from consideration as income for food stamp purposes. Such payments will not be counted if the temporary housing lacks facilities for preparation and cooking of hot meals or refrigeration.

Fourth, coordinates the annual adjustment of food stamp income levels with annual adjustments of food stamp benefit levels and deductions. All will take place on October 1.

Fifth, denies the earned income deduction to food stamp participants who deliberately fail to report earnings.

Sixth, allows the Secretary, upon certification of need by a State Governor, to provide up to 14 million pounds of surplus cheese for distribution within the State. Governors must certify that there are eligible participants not being served by TEFAP; or, that the unemployment rate within the State has risen; and, that the distribution of surplus cheese will not substantially displace the commercial sales of cheese.

Seventh, reauthorizes TEFAP through 1990 at the following levels: 1988, $52 million; 1989, $53.9 million; 1990, $56.2 million.

According to the Congressional Budget Office there is no cost to the budget in 1987 as a result of the food assistance for the homeless provisions. However, in 1988, the CBO estimates the cost will be $111 million—the total cost, through 1990 is $387 million.

The cost of these provisions in 1988 and the outyears remains a concern to me. As I stated during the subcommittee and committee consideration, the Congress has not yet adopted a 1988 budget resolution and I believe we must be budget conscious. We must be assured that we can pay for future increases in the budget as we make these changes; not only for aid to the homeless but for all expenditures of taxpayer dollars.

H.R. 558, of which the food assistance to the homeless title is just one part, presents even greater budget problems. CBO estimates the cost to be $500 million in 1987, with no offsets to pay for these additional expenditures. At least in the Agriculture Committee we did exercise fiscal responsibility for 1987 and show no additional expenditures to the budget. However, for 1988 and the outyears we, too, have problems.

I am concerned about the homeless individuals and families. However, as we did in House Joint Resolution 102, we must be able to pay for the benefits we provide.

Of the many issues before the 100th Congress, this is one which I find to be difficult to resolve. As I have said before, during the several hearings the subcommittee has held concerning this issue of food assistance to the needy, I firmly believe that in our Nation of abundance, it is a tragedy for one child or one elderly person or anyone to go hungry. We are a generous country—both through Government programs and through the private sector.

USDA programs alone provide over $20 billion in food assistance. Private sector contributions to various nonprofit organizations regularly increase from year to year and approached $80 billion last year. And yet, there is no dispute that there are significant numbers of homeless people in both urban and rural areas of the United States.

The causes of homelessness are many and are complex. They include the deinstitutionalization of mental health patients, redevelopment of cities and the loss of low-rent housing, high-unemployment rates and a breakdown in traditional family structure. The Federal, State, and local programs available to low income individual and families often do not meet the needs of the homeless, despite the billions spent each year.

While housing is the key issue in dealing with homelessness other services are needed as well. These include food assistance, health and mental health clinics and for those who are able, assistance in getting and keepng jobs.

The two major programs under the jurisdiction of this subcommittee that provide food assistance are the Food Stamp Program and the Temporary Emergency Food Assistance Program [TEFAP], neither of which are designed for the homeless but both provide assistance to this group of individuals. Through the Food Stamp Program participants are provided food coupons, which, in most cases, supplement the food budget of low income people. However, for the homeless difficulties arise in making full use of food coupons since they lack homes and cooking and food storage facilities. Last year the Congress amended the Food Stamp Act to allow the homeless to use food coupons in shelters and soup kitchens. This provision was patterned after a proposal that I was working on, along with Chairman PANETTA, concerning demonstration projects designed to allow the homeless to purchase low cost, nutritious meals at soup kitchens. While the amendment adopted last year does not address all concerns we covered in our proposal, I am anxious to see how this further extension of the Food Stamp Program to the homeless will work.

The pilot project we proposed presented a unique opportunity to begin solving a difficult problem in a straightforward manner. Lacking facilities for storage and preparation of food, homeless individuals are unable to make optimal use of food stamp benefits to which they may be entitled. By permitting such eligible individuals to use food stamps to purchase low-cost prepared meals, the proposal would increase the effectiveness of the program for some of its most needy beneficiaries. Those operating the soup kitchens could have used food stamps for the purchase of food in large quantities, thereby maximizing the efficiency of food stamp benefits for the homeless. In addition, the use of food stamps would have been limited to the purchase of food, rather than preparation services and other associated costs, also maximizing Food Stamp Program funds by alleviating hunger and adhere to the goal of the Food Stamp Act.

The second program under our committee's jurisdiction is the Temporary Emergency Food Assistance Program. TEFAP provides surplus commodities to States for distribution to organizations serving low-income people, some of whom are homeless. In 1988 it is anticipated that the commodities made available will include: 420 million pounds of cheese; 180 million pounds of rice; 144 million pounds of flour; 96 million pounds of honey; 96 million pounds of nonfat dry milk; 72 million pounds of butter; and 48 million pounds of cornmeal.

With regard to TEFAP I am pleased that the Congress acted to overturn the proposed deferral of $28.6 million of TEFAP administrative funds. I introduced House Joint Resolution 124, which disapproved that deferral, so that the full amount of money States had planned to use to distribute surplus foods will be available during this year.

The Agriculture Committee may be able to contribute to easing the problems of the homeless but solving this problem will require much more and must involve not only the Federal Government but State and local governments and our communities as well.

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

Mr. PANETTA. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. SCHUMER].

Mr. SCHUMER. Mr. Chairman, I thank the good gentleman from California [Mr. PANETTA] for yielding 1 minute of his time to me.

I would like to make two quick points. The first point, the gentleman from Wisconsin [Mr. ROTH] had asked what about the $37,000 welfare hotels? That is a problem that is cured by an amendment put together by myself and the gentleman from New York [Mr. WEISS], but it goes through the Committee on Ways and Means because it is an AFDC problem. Therefore, it was not part of this bill.

I am happy to let the Members know, I have gotten support from both the Speaker of the House, Speaker

WRIGHT, and the chairman of the Committee on Ways and Means, the gentleman from Illinois [Mr. ROSTENKOWSKI] that they will make every effort to put some part of this Schumer bill as part of the welfare reform package due to be on the floor in May.

The second point, and my major point, this bill is a good bill. It does something very needed; it puts roofs over peoples' heads who have none now. But let us not delude ourselves. This bill gets at the symptoms of the problem, but it does not cure the disease of homelessness. That cure only comes from more housing. Most of the homeless are homeless because they do not have housing, and until we meet that fact and build more housing, we are going to have many more homeless who need roofs over their heads.

Mr. EMERSON. Mr. Chairman, I yield 5 minutes to the gentleman from Louisiana [Mr. HOLLOWAY].

Mr. HOLLOWAY. Mr. Chairman, this is my first time to speak before this great Chamber, so I hope the few of you bear with me.

I come from the real world, and I wonder how many people we have here who really know what is going on out in the real world today. We talk about $500 million as being a nominal fee. We have lost the whole concept of what this country, and the people who sent us here and pay tax dollars, are all about.

I serve on the Select Committee on Children, Youth and Families and we had a family brought before us, a family who testified on the hardships they had in finding a home.

But when we got to questioning and I asked them, were there opportunities to be there, they said, yes. They wanted the father to leave the family; they wanted to take the children away from the mother.

It is not a problem of not having enough money; it is a problem of putting our money where it should be, to use it where it can be best used.

Here in Washington, undoubtedly, what we do is, rather than try to spread money or put it in the right place, we give another $500 million. We forget that there is such a thing as trying to go back and look at reality; I hope someday that the taxpayers look at some of you and say, "Why did we send them there? They do not even represent us. They give money—all you have to do is ask for money and they give it."

It is time that we stand together and say, "Listen, there are 10 million people out there who would love free housing." I am homeless, if you want to look at it that way.

It is time that we look at it and say, "What is the role of the Federal Government? What are we to do?"

There is no end if we are going to keep offering candy bars. There is no end to the line that is going to line up and wait for candy. I think that we have totally lost touch and I hope that I can make a little difference here in Congress. If I cannot, I would much rather be in Louisiana.

I say to you today that it is time that we look at reality. Are we going to try to ever live with Gramm-Rudman? Are we ever going to try to even think of getting back to the point where we have a balanced budget?

I say to you today that this is a ridiculous bill. We are either going to stop somewhere and have the backbone to vote and quit just laying money out anytime that it appears that we can gain a vote—or anytime there is someone who is going to knock us a little bit for spending it.

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It is time that we all have the backbone and stand up and say "no" and send a message to the country that we are willing to try to manage our money in the way that the people sent us here to manage it. I do not believe there is any district in the country that did not send us here to manage the money right.

So my appeal to the Members would be to vote no on this bill and send a message to the country that we are ready to stand up and be heard. Let us go back to the work ethic in our country that teaches us to work and earn our own living. There is going to be rich, there is going to be poor, and there is going to be middle class. It we do not have that, we are going to be a socialistic country, and I think it is time that we stand up and be heard.

Mr. PANETTA. Mr. Chairman, I yield 1 minute to the distinguished chairman of the Committee on the Budget, the gentleman from Pennsylvania [Mr. GRAY].

Mr. GRAY of Pennsylvania. Mr. Chairman, I just think that the people of this great country should know that homelessness is a problem that is real and complex, and it is a national tragedy.

Back in my district in Philadelphia, at a shelter for homeless families, I met a woman who was there because she had been abused by her husband and could not stay in her home any longer. I met a family that was homeless because their home had burned down. I met someone else who was there because he could not find low-income housing.

The needs of all these people must be met if we are ever to overcome the problem of homelessness. H.R. 558 seeks to do just that. This legislation is designed to meet the immediate needs of homeless individuals like the ones described as well as to provide opportunities for homeless individuals to permanently improve their lives.

I believe that each of us has a moral obligation to help the many hundreds of thousands of homeless families and individuals forced to live on our streets. As one of the original cosponsors of this very important legislation I urge support for H.R. 558.

Mr. EMERSON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I understand that the chairman of the subcommittee wishes to engage in a colloquy, and I am delighted to yield to him at this time for that purpose.

Mr. PANETTA. Mr. Chairman, I would like to discuss one issue with my good friend and the vice chairman of the subcommittee, BILL EMERSON from Missouri. I want to ensure that we both share the same understanding about the provision of title V which would exclude from income for food stamp purposes the full amount of vendor payments that pay for temporary housing for the homeless in which there are not fully adequate facilities to prepare and store food.

The language in the Committee on Agriculture's report on the bill notes that—

> A welfare hotel room or suite, or similar emergency housing, that possesses inadequate facilities for storage and cooking of food would qualify for this special vendor payment exclusion.

I would hope that the Department of Agriculture would use the rule of reason in interpreting this provision. I assume that a mother who is trying to cook meals on a hot plate, which may be in violation of the local fire code, in a hotel room with a miniature refrigerator that cannot hold more than a day's food would not be considered to be living in a place with adequate cooking facilities. On the other hand, a room with a multiburner stove with an oven and a full-size refrigerator would clearly have adequate cooking facilities. Is that your interpretation of our intent?

Mr. EMERSON. Yes, Mr. Chairman, families placed temporarily in these so-called welfare hotels have special needs. They have limited access to grocery stores, limited food storage, and food preparation facilities. That is the reason for this special treatment of vendor payments made to the hotels on their behalf. Nevertheless, the real problem rests with housing. I believe, and I know that the subcommittee chairman concurs, that keeping families in these welfare hotels and paying huge amounts for grossly inadequate living quarters does not make sense. That is the situation that must be changed. I concur in the subcommittee chairman's interpretation.

Mr. PANETTA. Mr. Chairman, I thank the gentleman from Missouri [Mr. EMERSON] for his cooperation.

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

Mr. PANETTA. Mr. Chairman, I yield myself such time as I may consume, and I yield to the gentleman from Minnesota [Mr. VENTO] for the purpose of engaging in a colloquy.

Mr. VENTO. Mr. Chairman, I thank the gentleman for yielding, and I commend the committee and the chairman for bringing the food and nutrition provisions of this bill to the floor and for their cooperation on the cheese distribution provision of this bill. Would the gentleman from California [Mr. PANETTA] engage in a brief exchange to clarify some of the new provisions regarding cheese distribution?

Mr. PANETTA. Yes, I would be delighted.

Mr. VENTO. I thank the gentleman. Despite the fact that millions of pounds of surplus cheese are sitting in Government storage, recent studies indicate that one-half of the cities surveyed had to turn hungry people away from empty food distribution sites. While the Secretary of Agriculture already has the authority to correct this situation, he has not done so. This legislation does not actually provide the Secretary with additional authority, instead, it urges him to use his existing authority and provides him with guidelines for determining when additional cheese should be released. Under this legislation, the Secretary should release cheese to those States that request additional cheese and meet the criteria outlined. Is that correct, Mr. PANETTA?

Mr. PANETTA. Yes, Mr. VENTO, this legislation is designed to free up an added 14 million pounds of surplus cheese each year for distribution in addition to the normal allocations and any reallocations. The Secretary should release extra cheese to any State that either shows a need for additional cheese or an increase in unemployment that occurred 90 days previous to the State's request, and where the State certifies that such excess cheese will not result in substantial commercial displacement.

I would also like to assure the gentleman that while the committee determined that it was necessary to maintain the Secretary's overall discretion on cheese distribution, we intend to closely monitor this process. The Secretary would be required to notify the committee upon the receipt of a request and we expect the Secretary to make a good-faith effort to comply with all qualifying requests.

Mr. VENTO. When any of the additional 14 million pounds of cheese is provided to States and localities under provisions in this bill, does the Secretary have the authority to reduce the level of current cheese allocations? I am concerned that this situation would result in no net gain in the level of cheese distributions to States that have certified a need for greater food assistance.

Mr. PANETTA. Clearly, it is not our intent that this legislation be implemented in such a manner. The 14 million pounds of cheese referred to in this legislation is to be in addition to the States' normal allocations and any reallocations.

Mr. VENTO. I thank the gentleman for his assurances and for clarifying the intent of this provision. I am hopeful that when the Secretary exercises his discretionary authority over this distribution program that he will comply with the intent of the committee, will take into consideration the needs of the low-income families and homeless persons who rely on this program, and will provide additional cheese to States that submit requests.

Mr. PANETTA. Mr. Chairman, I now yield briefly to the gentleman from Texas [Mr. LELAND].

Mr. LELAND. Mr. Chairman, I wish to thank the gentleman from California [Mr. PANETTA] for yielding, and I thank him for his leadership on this issue.

Mr. Chairman, Federal relief for the homeless and those at risk of homelessness is urgently needed.

The legislation before us today embodies the work of the Agriculture Committee in its consideration of H.R. 177, the Food Assistance Act of 1987, legislation introduced by my colleague from California, Mr. PANETTA and myself. Hunger among the homeless is an issue that has repeatedly surfaced during the hearings and research of the Select Committee on Hunger. At site visits to shelters and soup kitchens across the Nation, we consistently heard from service providers of the need to increase food assistance to the homeless.

The Select Committee on Hunger report, "Hunger Among the Homeless," prepared last week, reveals that the major Federal food assistance program—the Food Stamp Program—is not serving a large percentage of homeless people. The legislation before us today would address this concern by authorizing Federal funding for Food Stamp Program information directed to homeless persons.

The substitute also raises the ceiling on the excess shelter deduction from $152 to $168 in fiscal year 1988. This provision is intended to prevent hunger among the low-income population whose scarce dollars are spent in a market where rents are going up and affordable housing is diminishing. If they buy enough food for a sufficient diet, they will be unable to pay their rent, and thus, eventually they may join the ranks of the homeless. The select committee has repeatedly received testimony that rising housing costs are forcing low-income families to choose between paying the rent and eating.

Third, shelter payments made by State or local welfare agencies to homeless shelters would be precluded from being counted as income, therefore reducing food stamp benefits for homeless families. Homeless families are without food storage and preparation facilities. They must shop daily for meals and must purchase expensive food in small quantities. We must not allow homeless persons who have been denied the right to permanent shelter to also be denied nutrition assistance.

Finally, I want to stress the importance of the reauthorization of the Temporary Emergency Food Assistance Program [TEFAP]. This program provides significant Federal food assistance to both the private voluntary groups engaged in feeding the homeless and to low-income families. Eighteen million people received portions of the basic surplus commodities—rice, flour, nonfat dry milk, cheese, butter, cornmeal, and honey—in fiscal year 1986.

TEFAP is probably the most cost-effective Government food assistance program now in operation. In my own State of Texas it costs only 85 cents per family per year to deliver these basic commodities, because they are delivered through the network of charitiable, voluntary groups. Farmers also benefit when the commodities are distributed because the vast amounts now in storage depress prices and farm income. Commodities deteriorate in inadequate storage while homeless people forage in dumpsters for sustenance.

Some may be concerned that the food assistance provisions of this measure will require limited new moneys in fiscal year 1988 and beyond. By assuring access to food assistance for the homeless, and assuring that rising shelter costs do not cause hunger among low-income families, we will undoubtedly save the long-term costs of the health and social consequences of homelessness.

Again, I urge my colleagues to support the substitute before us today. These sections represent the significant steps for a domestic food aid policy that can prevent additional hunger and homelessness.

Mr. PANETTA. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. FAZIO].

Mr. FAZIO. Mr. Chairman, I thank my colleague for yielding time to me.

Mr. Chairman, I would like to commend our committee chairman, the gentleman from Texas [Mr. LELAND] and our task force chairman, the gentleman from California [Mr. PANETTA] of the Select Committee on Hunger for the work they have done in bringing this legislation to the floor.

Mr. Chairman, I strongly support the passage of House Resolution 558, the Urgent Relief for the Homeless Act, which would authorize $725 million over a 4-year period for an array of Federal programs providing emergency shelter and food, health care, and more permanent housing for the homeless.

I would like to begin by commending my colleagues Mr. LOWRY, House Majority Leader TOM FOLEY, and Mr. STEWART MCKINNEY, as well as Mr. CHALMERS WYLIE, and Mr. FERNAND ST GERMAIN for their leadership in addressing this important issue. I'd also like to commend Mr. LELAND, Mr. PANETTA, and my colleagues on the Select Committee on Hunger for their efforts.

The plight of the homeless in our country has reached a state of crisis. Recent surveys indicate that this winter alone the number of homeless people has risen by 24 percent. The largest increases have been reported among homeless families and children. Most disturbing of all, a study by the U.S. Conference of Mayors and the National Coalition for the Homeless found that in over half the cities surveyed people are turned away from emergency shelters because there is no room to house them.

Several weeks ago I had the opportunity to observe the magnitude of the problem in my own district. During an average month in Yolo County, CA, the most rural and least populated of the three counties I represent, as many as 450 homeless people receive food and shelter. I met with church officials and representatives from local relief organizations who have exhausted their already very limited resources and are begging for Federal assistance. Clearly, the situation is urgent. It is time for us to fulfill our responsibility to shelter and care for our Nation's homeless.

Our churches and our private voluntary organizations have done all they can do. We are not creating, as our critics imply, a problem—not inventing a problem—that we must then solve here. We are responding to the legitimately felt needs of people who have been responding long before the Federal Government was ever involved.

In its fiscal 1988 budget proposal the administration once again places the burden of the deficit reductions on those who are most needy. The administration's budget cuts low-income programs, including child nutrition and antihunger programs, by $6.7 billion and Medicare by $4.6 billion—this will only exacerbate the problem. Our proposal provides funds for programs already in existence which have a proven record of performance. It seeks to address the immediate needs of the homeless and to give them the chance to make permanent improvements in their lives.

Homelessness and hunger are national problems demanding our full attention and leadership. We not only have the opportunity but we have the responsibility to ameliorate the lives of millions of Americans living under deplorable conditions. I again urge favorable consideration of this resolution on behalf of our Nation's homeless.

Mr. PANETTA. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Chairman, I rise in support of this legislation.

Mr. Chairman, this is the first in a series of small steps in turning back the tide of cuts that have stripped marginal families, marginal working families, from the support systems that have caused them now to have to go and live on the streets.

The tragedy is that it is no longer single individuals or people who were in serious trouble in our society. We now see families with children becoming the fastest-growing subgroup among the homeless, and we must understand that we are now raising children in very, very unhealthy situations.

Hopefully, this legislation will start to turn the corner and bring this country back to a sense that after 6 years of cutting this is the result. Most of us in this body should not be surprised by the presence of the homeless on our streets because it is the policies that we carried out in following the Reagan agenda that cut the low-income housing, that cut shelters for these people, and that brought them to the streets of the United States of America.

Mr. EMERSON. Mr. Chairman, I yielded back my time because at the time I did not have any further requests for time. I should have reserved my time.

So, Mr. Chairman, I ask unanimous consent if I may now reclaim my time.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri [Mr. EMERSON] that he be allowed to reclaim his time?

There was no objection.

Mr. EMERSON. I thank the Chair.

Mr. Chairman, I yield such time as he may require to the gentleman from Washington [Mr. MORRISON].

Mr. MORRISON of Washington. Mr. Chairman, I am pleased to be a sponsor of H.R. 558, the Urgent Relief to the Homeless Act, and rise in its support. I am particularly pleased to see the inclusion of the Food Assistance for the Homeless Act, which was approved by the Agriculture Committee.

Homelessness and substandard housing are facts of life for a disproportionately high number of Washington's rural poor. In my district, in Yakima County alone, 6 of 15 active organizations provided 54,000 bednights to the homeless in 1986, and unfortunately, an unknown number of folks were turned away because of the lack of resources. Rural areas contain 25 percent of Washington's housing stock, but have 38 percent of the substandard housing units—those units requiring major repair or demolition. Towns and private groups have increasingly devoted resources to housing rehabilitation and the needs of the homeless, but it is my belief that they cannot adequately serve these needs without additional assistance from the Federal level. This bill provides additional funding through a variety of programs which have already been shown to work.

Families—and in particular, rural families—are the new homeless. Nearly half of the homeless served in my district are homeless families, with the majority of those having children under 5 years old. Shelter providers serving families are able to place a few in emergency housing for up to 30 days. More typically the placement is 4 to 7 days. While additional funds are provided for emergency needs, this legislation also provides opportunities for the homeless to permanently improve their lives and focuses special emphasis on families and children.

In addition, this bill contains provisions adopted by the Agriculture Committee which provide food assistance for the homeless. It allows States to conduct outreach activities aimed at persons without permanent homes to encourage them to participate in the Food Stamp Program, and it exempts housing assistance payments made on behalf of households living in temporary quarters from consideration as income for food stamp purposes. Finally, this legislation reauthorizes TEFAP through 1990, and allows the Secretary of Agriculture, upon certification of need by a State Governor, to provide up to 14 million pounds of surplus cheese for distribution within the State, providing that it will not displace the commercial sales of cheese.

Again, I rise in strong support of this legislation and encourage my colleagues to vote in favor of this desperately needed assistance for the homeless.

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Mr. LOWRY of Washington. Mr. Chairman, will the gentleman yield?

Mr. MORRISON of Washington. I yield to the gentleman from Washington.

Mr. LOWRY of Washington. I thank the gentleman for yielding to me.

Mr. Chairman, I wanted to thank the gentleman for his excellent statement. We are very proud of the fact that every Member of the Washington State delegation is a sponsor and has worked hard on this legislation. It is very appreciated and also it goes right along with the leadership of STU MCKINNEY and CHALMERS WYLIE and all kinds of other people. It is bipartisan, good legislation.

Mr. MORRISON of Washington. I thank the gentleman for his leadership on this issue.

Mr. EMERSON. Mr. Chairman, I reserve the balance of my time.

Mr. PANETTA. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia [Mr. LEWIS].

Mr. LEWIS of Georgia. Mr. Chairman, I thank the gentleman for yielding me this time.

I rise today to express my strong support for H.R. 558, the Urgent Relief for the Homeless Act. This legislation is not only necessary but long overdue. In recent months, reports

have indicated that the problem of the homeless has significantly worsened. Our Nation shares the moral obligation to help the many homeless families and individuals forced to live in the streets.

The State and local governments, along with private organizations can no longer carry the weight of the problem of the homeless. The National Government must make a strong stand, a strong stand in helping those that have been left out and left behind.

How can we as elected officials stand by and watch so many of our young and old suffer the pain of winter and violence and the everyday street hazards that they encounter simply because they cannot afford adequate housing and safe housing.

Mr. Chairman, we must take a stand; we must continue to be a caring and sharing society. Today, I am issuing a challenge to all of my colleagues, both Democrats and Republicans, to join me in supporting this important piece of legislation. The provision for adequate housing for all American citizens is a basic right. We can do no less but provide shelter and housing for all of our people.

Mr. FRENZEL. Mr. Chairman, when the debate began on the rule for this bill, I was prepared to vote for H.R. 558. At that time I was unaware that the leadership of this House had scheduled the bill notwithstanding the fact that it violated this Budget Act.

I will acknowledge the needs of the homeless. But I am shocked that this bill, which is not to be effective until next fiscal year, would be rushed to the floor in violation of the Budget Act, and apparently with little other thought of seeking real solutions to a vexing problem.

If this were an emergency, I would probably support the bill, and look to the appropriations bill to tidy up the mess. But, the two committees which processed the bill have plenty of time to present a more thoughtful, budget-conforming version before October 1.

I am particularly distressed that the House leadership and the bill's managers don't seem to care about the budget problem. The rejection of the Michel amendment was convincing evidence to me that controlling our fiscal deficits is a matter of scorn to those who are promoting this bill. Aid to the homeless is a high priority; but so is control of the deficit.

It is possible serve both priorities, and when the House leadership shows interest in so doing, I shall vote for the bill. Until then I am obliged to vote against it.

Mr. DINGELL. Mr. Chairman, I rise in strong support of the legislation.

H.R. 558 is a bill to provide urgently needed housing, health services, and other supportive services to the estimated 1 million homeless. To this end, the bill authorizes a total of $500 million in fiscal year 1987 for a variety of purposes: emergency food and shelter, transitional housing, low-income housing, permanent housing for the disabled homeless, and emergency community services. The bill will also insure that the various Federal agencies with responsibilities in relation to the homeless will be able to coordinate their activities.

Many of the people this bill will benefit are those homeless families with children, mentally ill individuals and people suffering from substance abuse.

The bill is intended to alleviate the suffering of this unfortunate segment of society. The homeless are vulnerable to illness due to adverse conditions on the streets or in makeshift shelters. The homeless suffer from weakened physical condition due to lack of food. And the homeless face barriers in getting access to basic medical care, in part because so many of them are uninsured and lack the ability to pay for services, and in part because the traditional medical care delivery system is not designed to accommodate the homeless.

The Committee on Energy and Commerce has contributed to the effort to address the most pressing needs of the homeless by authorizing $75 million for grants for outpatient health services for the homeless, $25 million for grants for community mental health services to the mentally ill homeless, and $75 million for the conversion of unused or underused public facilities into facilities for the homeless and to provide basic social services in those facilities.

Assistance for the homeless is long overdue. I am pleased that the Congress and this Nation have started to address the needs of this long-neglected group.

I urge my colleagues to support H.R. 558.

Mr. DREIER of California. Mr. Chairman, I rise in reluctant opposition to H.R. 558, the Urgent Relief for the Homeless Act. Nobody denies that there is a homeless problem in this country. The fact that the homeless stream now includes a large number of women and children makes a increased commitment necessary.

But in my view, the $750 million price tag of this legislation, though an impressive statement it makes, provides little substance in which to solve the inherent problems of the homeless. Furthermore, in light of current budget constraints, Federal assistance for the homeless has, thus far, not been modest. Since fiscal year 1984, Congress has appropriated $435 million in direct assistance to the homeless. I believe that, before commiting such a substantially increased level of resources, we should have a better grasp of the magnitude and the nature of the problem.

Who are the homeless, and how many of them are there? Experts seem to differ on this issue. Some say they are deinstitutionalized mental patients, others say they are the unemployed, and still others suggest they are the uneducated. According to the community for creative nonviolence, there are 3 million homeless, but a Harvard University study indicates there are 350,000. The answer, I would guess, falls somewhere in between the enormous variance of these estimates.

State and local governments, and private organizations are better equipped to deal with problems of the poor and homeless in their communities. Although H.R. 558 seeks to utilize this approach, it is still too restrictive and extreme. In my view, their lack of success at the local level in dealing with the homeless problem, whether it be perceived or real, is not so much the result of a lack of resources, but of a lack of understanding of the nature of the problem. If local governments, which are best equipped to deal with the unique needs of their area, have, thus far, been unable to solve the problem, I doubt that the Federal Government will do a better job with H.R. 558.

Lastly, I believe much of this legislation is duplicative and unnecessary. For instance, title III of the bill practically duplicates the emergency shelter grants program at a cost of $100 million. In addition, the FEMA Food and Shelter Program is double the annual appropriations over the last two fiscal years; and, while I applaud the use of surplus food, I fear that this addition, along with the significant increase in the Food and Shelter Program, could negatively impact private sector volunteer efforts.

Mr. Chairman, I am dismayed that I am unable to support H.R. 558. The plight of the homeless is, indeed, a real American tragedy. But I feel strongly that the concept of H.R. 558 is flawed, and will do little to solve the inherent problems of the homeless.

Ms. OAKAR. Mr. Chairman, I rise in strong support of H.R. 558—the urgent relief for the Homeless Act—and to urge my colleagues to join me in supporting this very important and humanitarian initiative.

As a member of the Housing Subcommittee of the Committee on Banking, Finance and Urban Affairs, I have actively participated in the subcommittee's longstanding efforts to identify the extent of our Nation's homeless problem and to develop appropriate responses consistent with the Federal Government's responsibility to provide adequate shelter for its citizens.

America is a proud and prosperous nation, yet the tragedy of homelessness is around us everywhere. There are homeless in urban areas, in rural towns, in the suburbs and the cities. Sadly, the number of homeless persons is growing every year and according to recent estimates it is growing by 25 percent annually. The fact that 2 to 3 million people have no place to live but the streets is a disgraceful condition which should not exist in a country like ours.

Before us today is a package of reasonable and responsible proposals intended to provide immediate assistance to local governments and charitable organizations, who over the years, have tried admirably to provide the necessary assistance and care to the homeless, but the fact is the problem has grown beyond their resources. The Urgent Relief for the Homeless Act will provide a coordinated Federal response to supplement local community efforts.

The urgent relief for the homeless authorizes $20 million for the FEMA Emergency Food and Shelter Program, $100 million for the Emergency Shelter Grants Program, and $30 million for the Transitional Housing Program. Additionally, the legislation authorizes $50 million for community action agencies to provide services to the homeless and it authorizes 4,000 short-term section 8 certificates for housing.

The need for this legislation is unmistakable, but let there be no misunderstanding, this will not solve or eliminate the homeless problem in America. To the contrary, this leg-

islation provides only emergency food and shelter necessary to keep the people now on the streets from dying of malnutrition or exposure to the cold. Eliminating the homeless problem will require medium- and long-term commitments from the administration, Congress, local governments, and local service providers to find or construct adequate permanent housing, to provide sufficient community based housing for the deinstitutionalized mentally ill, to provide employment training and counseling, and to develop adequate programs to treat alcohol and drug dependency. For this reason, I believe the transitional housing program is a key component of this package.

As the sponsor of the Transitional Housing Program, I believe it goes beyond just an emergency focus to provide short-term housing for the homeless and deinstitutionalized mentally ill in homes where they can receive supportive service that include medical and psychological treatment, job counseling, proper nutrition, and Federal assistance which they are qualified to receive.

Although this moves us in the right direction, we still have a long journey to travel to resolve the homeless crisis. We must move forward with enlightened ideas developed in cooperation and coordination with architects and developers, planners and financiers, business and government, all united in commitment to eliminating homelessness by designing and constructing permanent housing that is affordable, safe, decent, and where people can live with dignity and self respect. As the sponsor of the Transitional Housing Program, I know that this and emergency shelter programs can only be an interim solution. As a compassionate nation, it is our moral duty to help the homeless through long term solutions that provide permanent housing and not to accept overcrowded and understaffed shelters as the best that we can do.

If we really want to resolve the problem of homelessness it will take commitment, both personal and financial among national and local interests. There already exists thousands of dedicated volunteers who give generously of their time and effort to help those alone and on the streets. It is now time for us to do the right thing by providing Federal resources to help the local communities get the job done. I rise in strong support of H.R. 558 and to commend my colleagues, Representative FOLEY, Representative COEHLO, Representative LOWRY, Representative GONZALEZ, and Representative MCKINNEY, for their outstanding efforts to help the homeless. I urge my colleagues to join me in supporting this important and necessary legislation.

Mr. CONTE. Mr. Chairman, I rise in support of the substitute offered by my dear friend from Florida [Mr. PEPPER]. I have been proud to stand with him so many times in the past, and I am proud to stand with him again today.

Mr. Chairman, I know that some of my colleagues view this as a local issue. Indeed, the local response to the homeless problem has been nothing short of magnificant. In my own district, the response of communities and a network of hundreds of volunteers at shelters, food banks, and soup kitchens has been impressive and moving. Their response has been a compliment to our capacity as a society. But the truth is that local resources have been overwhelmed. A 1986 Conference of Mayors report found that nearly every city in the country has been forced to turn away homeless people in need of food and shelter.

As the ranking minority member of the House Appropriations Committee, I want to remind my colleagues as we debate today's legislation of the efforts we have already made to assist the homeless. To help meet the need, the Appropriations Committee brought a $50 million urgent supplemental to this floor in January. Another $95 million in homeless funding was in the fiscal year 1987 CR. Since 1983, we have provided literally billions of dollars in homeless assistance through the demonstration transition and block grant programs at HUD; surplus food through USDA's TEFAP Program; VA Outreach, Counseling, and Treatment Programs; FEMA's Emergency Food and Shelter Program; and a wide array of HHS programs. We should take pride in those efforts.

But it is clear that additional resources are needed. Funding today's authorization will be difficult, but it merits our best efforts. I know that this is the era of new federalism and budget deficits. But what role is there for Government if we turn our back on those who need us most? This isn't some billion dollar synfuels boondoggle or a water project bill filled with pork. It's help for those who don't have a home to heat or pork to eat.

When we confront adversity, so often "we get by with a little help from our friends"—sometimes Divine, sometimes earthly. And we all know how important that help can be. The homeless have few friends, few families. In this time of adversity for the homeless, Government must be their friend. I urge my colleagues to support the Pepper substitute, and help the homeless get by with a little help from their friends. Thank you.

Mr. BIAGGI. Mr. Chairman, I rise as a cosponsor and strong supporter of H.R. 558, a bill to provide urgent relief for our Nation's growing homeless population.

This legislation addresses a complex problem facing our Nation that has now reached crisis proportions. Quite simply, there are no simple solutions, but the simple truth is that the number of homeless has grown beyond the ability of local governments and charitable groups to deal effectively with this problem. This legislation will not rid our Nation of the homeless problem, but it will do a great deal to address some of the most pressing needs of our Nation's homeless, by providing emergency food and shelter, and important health care services.

Mr. Chairman, I am proud to say that my home State of New York was the first in the Nation to establish a State program providing grants for the construction of housing with services for the homeless. That was in 1983. To date, that program has committed $70 million to serving 7,000 homeless people. The proposed New York State budget for the upcoming fiscal year includes $180 million to feed, shelter, and care for the homeless.

New York has recognized the seriousness of the homeless crisis and, like so many other States, is doing its best to respond to a positive and significant way. Unfortunately, though, State and local resources are simply not enough to do the whole job. They need help from the Federal Government. We have provided substantial assistance already. In fact, earlier this year we approved an additional $50 million for emergency homeless relief. But, we need to do more, and H.R. 558 gives us that opportunity.

All totaled, this bill authorizes $725 million for a variety of homeless aid programs for this fiscal year and lasting through fiscal year 1990. Contained in this amount is $400 million for housing programs, including the Emergency Shelter Grant Program, the Transitional Housing Program, section 8 low-income housing certificates, and FEMA's Emergency Food and Shelter Program. The bill also authorizes the acquisition and rehabilitation of surplus Government properties for the homeless, and provides for a matching grant program for the acquisition of permanent housing for handicapped homeless.

I am particularly impressed by the provisions in this bill that authorize a total of $100 million in fiscal year 1987 for outpatient health care and mental health services for the homeless; $75 million of that amount would be earmarked for a new grant program that would enable community-based health care providers to serve the homeless with outpatient health care, outpatient mental health services, outpatient drug and alcohol abuse services, and case management services.

This legislation is expected to provide my home State of New York with about $48 million in additional homeless assistance, and for that I am very pleased and thankful. However, one of the biggest benefits it provides New York is that it excludes housing assistance payments made to "welfare hotels" on behalf of homeless families from being used in the calculation of their food stamp benefits. Welfare hotels are especially prevalent in the Westchester County, NY, area I serve. Adoption of this provision will restore lost food stamp benefits to over 5,000 families in New York, and that is a reform that is much needed and overdue.

Mr. Chairman, I want to refer to the Westchester County homeless situation as a fitting example of just how serious our homeless crisis has become. Westchester County is one of our country's richest communities, yet the homeless problem there is already serious and it is getting worse. Let me quote from a letter I received from Westchester County Executive Andrew O'Rourke:

> Between 1983 and 1984 the homeless caseload went up by a factor of four. During the same period the average length of stay for the homeless doubled from two months to four months. Between 1984 and 1985 the average length of stay further increased to five and one-half months. In 1983 the direct cost for housing the homeless, that is the cost of providing emergency housing in shelters, motels and with contracted agencies was $750,000. In 1984 it escalated to $6 million. In 1985 it increased further to approximately $9 million. If indirect costs are added, which include transportation, restaurant allowances and county staff, the total comes to $14 million for 1985.

To make matters worse, Mr. Chairman, I have been informed that three-fourths of Westchester County's homeless are children. These are shocking facts and they leave us

with only one choice, to provide immediate and substantial assistance to cope with this crisis.

That is what we are doing today, and I am pleased to note that we are doing more than merely increasing the dollar amount for homeless programs. This bill also establishes an Interagency Commission on Homelessness to coordinate, monitor, and improve the Federal response to the problems of the homeless. In addition, the bill simplifies the procedure for making homeless individuals eligible for participation in the Job Training Partnership Act. It also clarifies that literacy programs should better serve homeless adults and encourages literacy services to be offered in shelters. This is an important part of the long-term solution to our homeless problem.

Mr. Chairman, none of us here expect the homeless problem to go away overnight, with or without this bill. However, the early consideration of this legislation, and the substantive content of this measure, makes it clear that the homeless issue has been targeted as a top national priority, and appropriately so. Much work is left to do in this area, but we are making an important contribution to a final solution here today. I urge the overwhelming passage of H.R. 558.

Mr. SUNDQUIST. Mr. Chairman, I am as deeply concerned and troubled by the plight of the homeless as any of my colleagues in Congress; however, I have some serious reservations about today's bill to aid the homeless.

This homeless package smacks of political shortsightedness. With H.R. 558, we have taken a very legitimate social problem and turned it into political grandstanding for political gain. Once again, Congress is trying too quickly to resolve a very complex problem by throwing money at it.

We need more than cosmetic solutions to the homeless problem. We need solutions that get to the root of the problem, like dealing with the mentally ill—the greatest source of homelessness. Yet, this bill authorizes a mere fraction of the total amount—$25 million—to address the needs of the mentally impaired.

Furthermore, it is ironic that there is no recognition in H.R. 558 that it is the Federal Government's own long-time policy of deinstitutionalizing mental institutions that has led to our current homeless crisis. I don't see any attempt in this bill to change our policies toward the mentally ill—the heart of the problem. Once again Congress is trying to treat the symptoms and not the cause. This bill is too little and too late for the mentally ill, too much money, too quick for the homeless.

This bill is also fiscally shortsighted. In total—with the food and nutrition supplement—the package would dump nearly three quarters of a billion dollars—in the middle of the fiscal year—just as a temporary "bandaid" until new authority can be worked out for fiscal year 1988.

Mr. Chairman, there is no doubt that the homeless need help. But to literally throw almost $1 billion out for temporary, cosmetic surgery is irresponsible—particularly, as we are struggling daily in the Budget Committee to preserve programs for the elderly and for education while meeting our Gramm-Rudman targets.

Mr. Chairman, we must learn to be more practical and more reasonable in our spending decisions. It is irresponsible to authorize nearly $1 billion overnight just because an important social issue has become popularized by the news media. Too often we succeed only in appearing to solve a problem, when in reality new levels of bureaucracy are the beneficiaries of Congress' superficial solutions, not the people who need the help.

The problem of homelessness has been with us for a very long time. A $725 million bandaid will not cure the problem—all it will do is provide politicians with something new to grandstand about.

We need to take some incisive steps to cure the root of the problem, to find out why these people are homeless—and then come up with permanent solutions—not bandaids.

Mr. RAHALL. Mr. Chairman, I rise today in support of the bill, H.R. 558, to provide urgent relief for the homeless. There are more homeless people in America today than at any time since the Great Depression. Despite the last 4 years of economic recovery, the homeless population has been growing at the rate of about 25 percent a year, and the number of homeless is expected to increase still further unless action is taken.

The explosion in the number of homeless Americans has outrun the ability of local governments and charitable organizations to cope with the problem. Cities across the country report that homeless people—including families with children—are routinely being turned away from emergency shelters due to the lack of space.

Efforts to deal with the homeless crisis have been hampered by persistent myths about who the homeless are, why they are in such a desperate situation, and what can be done to help them.

There are six myths which perpetuate a distorted picture of the homeless. These myths are: First, most of the homeless have always lived this way; second, the homeless are almost entirely made up of single adults; third, the vast majority of the homeless are the chronically mentally ill, who generally choose to be homeless; fourth, State and local governments and charitable organizations have the resources to handle the homeless problem; fifth, economic growth will solve the problem; and sixth, the Federal Government cannot afford to deal with the homeless.

The facts are: First, most of the homeless have become homeless only in recent years; second, families with children are the fastest growing group among the homeless, now comprising almost one-third of the homeless population; third, the mentally ill, which make up only 29 percent of the total number of homeless are not a majority of the homeless, and while some do refuse assistance, most mentally ill homeless have not chosen to live that way; fourth, existing shelter programs are already filled beyond capacity, despite the best efforts of charitable organizations and local governments to create more shelters; fifth, there is no correlation between an expanding economy and solving the homeless problem. In fact, the fastest growth in homelessness has occurred during the current economic recovery; and sixth, modest and targeted Federal funding can greatly improve the lives of the homeless without straining the budget.

In response to the alarming increase in homelessness in the last few years, homeless relief legislation has been a high priority of this Congress. On January 21, the Democratic Steering and Policy Committee adopted a resolution urging prompt enactment of legislation and appropriations to care for the homeless. The legislation before us today is the first important step in realizing this goal.

H.R. 558 authorizes $500 million in new budget authority in fiscal year 1987 for a variety of homeless aid programs. The funds authorized are largely for existing local programs that will be unable to meet the needs of the homeless during fiscal year 1987 without additional assistance. Notably, all funds appropriated under this bill's authorizations would remain available until expended.

H.R. 558 authorizes for fiscal year 1987 funding for the following: An existing emergency food and shelter program; an ongoing program for rehabilitating buildings into temporary shelters; support services for the homeless at group homes; rental certificates for low-cost rental housing; new permanent housing for the handicapped homeless; conversion of underutilized government property into facilities for assisting homeless families and individuals; and outpatient health care and mental health services for the homeless.

In addition, food assistance for the homeless, reported out of the Agriculture Committee, have been incorporated into the bill by the Rules Committee. These provisions would not increase spending for fiscal year 1987, but would authorize increased spending of $225 million in fiscal year 1988 through fiscal year 1990 for food assistance to the needy. These provisions amend the Food Stamp Program to better target benefits to the homeless and to prevent homelessness, expand the surplus cheese program, and reauthorize the Temporary Emergency Food Assistance Program [TEFAP] through fiscal year 1990.

As a representative from southern West Virginia, I am very much concerned with the plight of the homeless. The residents of my congrssional district have been burdened with failing industries and the ensuing high unemployment rates for the past decade. While the figures on what monetary relief this bill will provide to West Virginia are either non-existent or very rough in nature, I have gleaned some hope for my State's future ability to address the homeless situation through the assistance of this measure.

While most of the money is distributed on a competitive grant basis, there are a handful of programs which are funded on a formula derived basis. I have obtained tentative figures for the amount which would be made available to West Virginia on three of these programs.

Of the $225 million provided for emergency fiscal year 1987 funds for programs administered by the Housing and Urban Development [HUD], $100 million would be for the Emergency Shelter Grants Program. This program provides grants for the renovation, rehabilitation, or conversion of buildings into emergen-

cy shelters to expand the supply of shelters for the homeless. HUD distibutes the grants to local governments, which can use the grants themselves or distribute funds to private charitable organizations. Up to 15 percent of these grants can also be used for supportive services for the homeless such as job counseling and health services. Under the bill, grant applicants could apply for a waiver of this 15-percent cap on supportive services funding. If appropriated, roughtly $739,000 of this money would go to West Virginia. Approximately $523,000 would be at the Governor's discretion, while the following amounts would be allocated to the accompanying major cities: $67,000 to Charleston, $70,000 to Huntington, $32,000 to Parkersburg, and $47,000 to Wheeling.

The bill authorizes a total of $70 million in additional fiscal year 1987 funds for an existing food and shelter program and for the Community Services Block Grant Program to provide food, shelter, and services to the homeless; $50 million of this would be authorized for the Community Services Block Grant Program, administered by the Health and Human Services Department [HHS]. The $50 million would be reserved for services for the homeless and would be given only to local Community Action agencies that are already providing services, food and shelter to the homeless. An estimated $538,000 of this amount would be distributed in West Virginia.

The remaining $20 million of this $70 million is earmarked for the on-going Emergency Food and Shelter Program, administered by the Federal Emergency Management Agency [FEMA]. This program provides funds to charitable organizations and local governments that run food and shelter programs for the homeless. Roughly, $224,100 of this money would go to West Virginia, with approximately $17,100 at the Governor's discretion. The counties in my congressional district would receive roughly $60,000 of this amount.

The amounts of Federal funds that are being discussed to address the homelessness crisis are minimal when compared to the overall size of the Federal budget. The cost of H.R. 558 is in fact less than half the cost of one Trident submarine. Furthermore, Federal dollars spent now can avoid higher costs to the Federal Treasury later. Initiatives taken now, to prevent the growing number of families and working poor from becoming homeless in the first place, will reduce future public expenditures to help move these people back into mainstream society. Studies have shown that every additional week spent without a home tends to create further dependency, only adding to the ultimate bill paid by American taxpayers. With homelessness getting worse by the month, it makes fiscal sense for the Federal Government to target resources to reverse this trend before the cost in lives and dollars gets still worse.

Finally, providing the minimum needed for survival is one of the core responsibilities of government. Just as the Federal Government has a responsibility to protect the country against foreign attack, it also has a responsibility to assure that everyone can be sheltered and fed, at least at minimum levels. While some Government programs should be curtailed or eliminated in the fact of budget deficits, giving people a place to sleep at night and food to survive are not "luxury items" in a decent society. The United States, as the world's richest democracy, can surely provide its citizens with the basic requirements for physical survival.

In this vein, I cosponsored H.R. 558. I will support its passage and urge my colleagues to join me and the bill's other many supporters in this effort.

Mr. RODINO. Mr. Chairman, in the last several years, the numbers of men, women, and children living in the streets and alleys of America—one of the wealthiest nations on Earth—have skyrocketed to shocking proportions. We drive past them, huddled on grates for warmth, on our way to work. We see them everyday, standing on the same street corner or wandering aimlessly, always hungry, tired, and hopeless.

Statistics on the number of homeless are difficult to verify, understandably, because of the transient nature of the streets. However, professionals who work with the homeless every day estimate that as many as 3 million of our fellow Americans have no permanent residence, no place to call home. Shelter workers have noted a new dimension to this national tragedy: In many cities, up to half of the homeless population are children. According to figures compiled by the New Jersey Human Services Commission in 1986, over 25,000 persons in the State are homeless. But shelter workers like Rev. Eric Duff of the Apostles' House shelter in Newark says the commission's figures are conservative. He estimates that there are at least 50,000 homeless persons throughout New Jersey, and says that an average of 12,000 women and children are turned away from his shelter every year because of limited space and resources.

The national statistics are equally grim. According to the U.S. Conference of Mayors, which conducted a comprehensive study on the homeless last year, 28 percent of the homeless in America are families with children. In New York City, 76 percent of the homeless are families with children.

Clearly, as the merging figures and studies show, this problem is not isolated to chronically depressed areas of the Nation. It is not limited to society's classic stereotype of street people, "wandering nomads" who prefer the bottle and the street to responsibility and work. Instead, the homeless are young families who cannot afford our Nation's skyrocketing rents. The homeless are steelworkers who lost their jobs when the recession turned their once thriving communitites into ghost towns. The homeless are proud farmers who could not make ends meet and finally lost the family farms. The homeless are young black women who find that their meager wages cannot possibly cover both their children's medical bills and next month's rent. The homeless are elderly and frail Americans who find that their limited Medicare and Social Security checks can't possibly cover the costs of nursing homes. The homeless are young Texas oil workers and their families who once lived comfortably on $50,000 a year, until they lost their jobs when the bottom fell out of the oil-based State economy.

There has been much debate about the causes and extent of homelessness in our Nation, but there is a clear consensus that this human tragedy has grown to frightening proportions, and that it will continue to grow, leaving suffering and shattered lives in its wake, if we as a nation fail to respond.

I have not seen a problem of more tragic proportions since the Great Depression. Then, in the 1930's, Americans and their children lined up at soup kitchens by the hundreds of thousands. Today, sadly, their grandchildren wander the streets, desperately hoping for beds in overcrowded shelters and seeking meals from inadequately funded public kitchens.

In the 1930's President Roosevelt—acknowledging America's historic commitment to compassion for our less fortunate fellow citizens—responded immediately by launching a nationwide campaign to get the people back on their feet, to give them back their dignity. He proposed and pushed hard for the enactment of public work and job training programs, food and housing assistance. He reminded us, with his words and national leadership, that the American Government would not turn its back on the needs of the people. In his second inaugural address to the Nation, President Roosevelt said:

> But, here is a challenge to our democracy: In this nation I see tens of millions of its citizens—a substantial part of its whole population—who at this very moment are denied the greater part of what the very lowest standards of today call the necessities of life.
>
> I see millions of families trying to live on incomes so meager that the pall of family disaster hangs over them day by day * * *.
>
> I see one-third of a nation ill-housed, ill-clad, ill-nourished.
>
> It is not in despair that I paint you that picture. I paint it for you in hope—because the Nation, seeing and understanding the injustice in it, proposed to paint it out. We are determined to make every American citizen the subject of his country's interest and concern; and we will never regard any faithful, law-abiding group within our borders as superfluous. The test of our progress is not whether we add more to the abundance of those who have much; it is whether we provide enough for those who have too little.

In sad contrast, in the 1980's President Reagan has responded to this decade's poor and dispossessed with insensitivity—declaring that "I don't believe there is anyone going hungry in America," pushing for crippling slashes in people programs, and classifying poor Americans as deserving and undeserving.

Does not the social compact between the people and their representative government include the right of all Americans to have a decent place in which to live and raise their children? H.R. 558, the Urgent Relief for the Homeless Act goes a long way in providing this sorely needed assistance for our fellow Americans who, due to unfortunate circumstances—circumstances that could touch any of us—find themselves and their loved ones in the streets. This bill will authorize $500 million in fiscal year 1987 for a variety of homeless aid programs. The funds would be allocated as follows:

$100 million for HUD's Emergency Shelter Grants Program;

$100 million for section 8 rental housing subsidies targeted solely for homeless families;

$75 million for a new grant program to meet both the physical and mental health needs of the homeless;

$75 million for a new grant program to convert surplus Government property into facilities for the homeless;

$50 million for the Community Services Block Grant Program for services for the homeless;

$30 million for HUD's Transitional Housing Demonstration Program;

$25 million for the National Institute of Mental Health Community Support Program to fund services for mentally ill homeless persons;

$25 million for construction of permanent housing for handicapped homeless persons; and

$20 million for the Federal Emergency Management Agency's Emergency Food and Shelter Program.

I am happy to note that, according to analyses conducted by the Washington office of the State of New Jersey, homeless New Jerseyans are expected to benefit from the nearly $6 million expected to be allotted to the State under this bill.

It is up to us to come to the aid of our less fortunate fellow Americans. This is an important first step in crafting a definitive, national solution to this urgent, tragic problem. Americans have always thought of themselves as generous, ready to extend a hand of help to a neighbor in need. The need is greater than ever today. I urge my colleagues to act quickly so that our fellow citizens need not spend another cold, hopeless night in the streets.

Mr. BONKER. Mr. Chairman, I rise today in support of H.R. 558, the Urgent Relief for the Homeless Act. I am pleased to be a cosponsor of this bill, and I commend the efforts of my distinguished colleagues and fellow Washingtonians, Majority Leader TOM FOLEY and Congressman MIKE LOWRY, in offering this urgently needed legislation. I also commend the leadership efforts of the Speaker, Chairman GONZALEZ, and Chairman WAXMAN in moving this legislation so expeditiously.

While there is considerable dispute over the numbers of homeless people—recent estimates range from as low as 250,000 to as many as 3 million—there is little dispute that homelessness is a growing problem that is swamping the current patchwork of services.

The number of homeless in Seattle is estimated at 10,000. Each night these homeless people crowd into the few shelters available, such as the Union Gospel Mission where there are 200 beds for men, 120 beds for women and children, and 100 people sleep on the floor. Another 200 people sleep on the mezzanine floor of the Morrison Hotel every night.

As chairman of the Housing Subcommittee of the Select Committee on Aging, I am particularly pleased that the statement of purpose of H.R. 558 targets the elderly. Hearings conducted by our subcommittee have established that the elderly homeless are especially likely to require the multifaceted approach envisioned by this legislation. Traditionally, these homeless elderly have been without permanent shelter for an average of 6 to 8 years. In addition to shelter, the homeless elderly have unique physical and mental health problems, requiring specially targeted programs.

Accordingly, I would also like to voice my strong support of the amendment offered by the chairman of the Select Committee on Aging, Mr. ROYBAL. This amendment would ensure that funds are targeted to meeting the extreme needs experienced by the homeless elderly.

While most of the elderly are healthier and more prosperous than ever, the needs of the homeless elderly are especially desperate. Without services and housing facilities, many elderly individuals with physical or mental handicaps are condemned to living on the streets and relying on a beseiged system of private and local services. H.R. 558 will provide services needed to help these people live in a decent, sheltered environment.

Local service agencies in the State of Washington have also indicated that a growing number of the elderly are homeless because of impoverishment in old age. This new group of elderly homeless are mostly women who have lost their husbands and later lost their homes. Those with few economic or family resources often have few alternatives to living on the streets. This tragedy cannot be allowed to continue.

H.R. 558 would muster the resources of a number of agencies and departments in order to address the multiple housing, health, and service needs of homeless people. In addition to providing critical short-term shelter and emergency services, this bill also recognizes the need to provide more permanent housing through incremental section 8 units. H.R. 558 would support innovative and cost-conscious efforts to deal with the growing plight of the homeless such as the conversion of unused government buildings for shelter.

Laudable as this legislation is, we must go beyond the efforts of H.R. 558 to address the root causes of homelessness. We must confront the critical shortage of low-income housing that is, in part, the result of years of severe budget cutting in Federal housing assistance. Over the past 6 years, the Reagan administration has cut federally assisted housing programs by more than 70 percent. The President's budget proposal for fiscal year 1988 calls for additional cuts of 28 percent. These kinds of budget cuts in housing programs would quickly undo the benefits of this homeless relief bill.

Mr. Chairman, our national goals of safe and affordable housing for all Americans is being challenged as never before by the rapidly growing numbers of homeless people. Our generosity as a nation is also being challenged to provide for the multiple needs of those who find themselves in this desperate plight. We must extend a hand to homeless people of all ages. H.R. 558 with the amendment by Mr. ROYBAL deserves our enthusiastic support as a major first step in this direction.

Mr. ESPY. Mr. Chairman, I rise in support of H.R. 558, the Food Assistance Act of 1987, which provides food assistance for the homeless and those citizens at risk.

Presently, the private sector is the primary source for food for persons who are among the hungry of this country or those at risk. Passage of H.R. 558 in its current form would increase the availability of adequate Federal food assistance by: First, providing Federal reimbursement to the States for food stamp outreach to the homeless; second, increasing the excess shelter cap deduction to $175 in fiscal year 1988—this provision directly affects Mississippi's Second District, in that, it is intended to prevent hunger among the low-income population whose scarce dollars are spent in a market where rents are going up and affordable, quality housing is diminishing. Third, addressing the Temporary Emergency Food Assistance Program, which provides both significant Federal food assistance to the private voluntary groups engaged in feeding the homeless and to low income families.

Mr. Chairman, I urge passage of H.R. 558. Later during this session we will vote on numerous health aid bills. Combating hunger now, will provide an avenue of prevention later.

Mr. FLAKE. Mr. Chairman, poverty is an issue being addressed by many different interest groups in our country today. While we here in Congress deliberate over what course of action we should take to feed the hungry and house the homeless, there is a steady increase in the number of individuals who require emergency food assistance and emergency shelter. In fact, the number of homeless Americans today exceeds the number of homeless during the Depression era.

America is confronted with a major challenge that has serious consequences for all the people of our Nation. The problem must be addressed now and H.R. 558 will at least let the American people know that this Congress has heard the cry and we are attempting to respond to it in a meaningful way. I agree, H.R. 558 is a Band-Aid approach but it is better than doing nothing. I am hopeful that there will be many bills introduced during this Congress that will focus on the need to resolve this crisis permanently.

The casualties of poverty today exceed many wartime atrocities. There are currently 2 million homeless nationwide. How will America arm itself against this growing menace? Our mothers and children, veterans, and the deinstitutionalized mentally ill are the hardest hit by the blight of poverty. How is it that this segment of our society is being constantly left out of the American dream?

In New York City alone, there was a 29-percent increase in need for emergency food supply and a 24-percent increase in the demand for emergency shelter in 1986 according to a report published by the U.S. Conference of Mayors—December 1986. At the same time there is an all around shortage of the number of affordable low-income housing units in urban areas.

Black Americans are particularly hard hit by the homelessness crisis. Blacks continue to lag behind the majority population in the family income distribution, with over half of the black population living at or below the poverty level, as reported by the National Urban League in "the State of Black America 1987."

To combat this growing problem of hunger and homelessness, I believe the government has an obligation to provide the necessary educational, technical, economic and other supplemental assistance to ensure that all citizens are guaranteed a standard of living that reflects the wealth and resources available to our country. The responsibility of providing food, shelter, and emergency services to the homeless should be under the auspices of one Federal agency.

For the good of the constituents in my district and the welfare of America, we must vote favorably for the passage of H.R. 558.

Mr. WALGREN. Mr. Chairman, I urge support for H.R. 558, the Urgent Relief for the Homeless Act, which would provide new assistance for a range of programs, from housing to mental health.

Homelessness is a growing problem that stems from high unemployment rates, inadequate mental health services, lack of affordable housing, and insufficient welfare benefits. In the last 5 years, the problem has worsened. For example, the administration has made deep budget cuts in programs that help the poor get housing. From fiscal year 1981—President Carter's last budget year—to fiscal year 1987, funds for federally assisted housing were slashed from $31.9 billion to $9.4 billion, more than a 70-percent cut.

Very few homeless willingly choose homelessness as a way of life. In other words, though it may sound simplistic to say it, everyone wants a home. The image of the homeless person is changing from that of the hobo who chooses a gypsy lifestyle to that of the unkempt men and women who sleep on grates and carry all their belongings in shopping bags. The phrase "bag lady" was coined as a direct result of the changing image of the homeless. It also reflects that homelessness is increasingly becoming a woman's issue—70 percent of the homeless single men, but increasing numbers are single women with children, trying to escape domestic violence. Nearly half the homeless are minorities.

The homeless are most visible in large urban areas, but they are also in smaller cities and suburban and rural areas. The exact number of homeless persons is not known, primarily because so few studies have been done to determine their numbers. The figures vary, from one estimate by the Department of Housing and Urban Development citing 250,000 homeless persons nationwide to as many as 3 million, estimated by the Community for Creative Non-Violence.

Adequate housing is a critical need of the homeless but so is adequate health care. Many have mental, alcohol, and/or substance, abuse problems, along with the physical problems from inadequate nutrition, exposure to chronically adverse climatic conditions, and violence in the streets. The homeless are among the 27 million Americans who have no health insurance. Because they often do not carry ID cards, they are denied access to health care provided by many hospitals and emergency rooms.

H.R. 558 would assist the homeless with emergency food and shelter, including an ongoing program for rehabilitating buildings into temporary shelters. An especially important section from my Subcommittee on Health would provide outpatient health care, including mental health and drug alcohol rehab services, in community clinics.

Long-term solutions to the problems of the homeless are desperately needed. This bill takes one small step toward that goal.

Mr. ACKERMAN. Mr. Chairman, I rise in strong support of H.R. 558, the Urgent Relief for the Homeless Act. Congressional action is vitally needed to ease the continuing and expanding crisis of hunger and poverty in America, and to give nationwide priority to the plight of the homeless. H.R. 558 is a comprehensive $500 million package of aid to provide the homeless with a wider range of services, such as health care and more permanent housing. This vital measure deserves the full support of this body.

Homelessness grew at a staggering average rate of 25 percent during 1986. No section of the Nation has escaped the problem. Across the country, emergency shelters are filled beyond capacity, and are forced to turn away people in need. In my home State of New York, on an average night last year, 20,210 people spent the night in emergency accommodations; 85 percent of these people were in New York City. As alarming as these figures are, the Federal Government estimates the total homeless population in my State, including both those in and out of shelters, to be between 40,000 and 50,000 people. Transient loners sleeping on grates, many of whom are mentally disabled or alcoholic, are a real problem, and their plight cannot be ignored by a civilized society. But they are not a majority of the homeless. Families with children make up almost one-third of the homeless and are the fastest growing component.

Last night, along with several of my colleagues, I participated in the "Grate American Sleep Out," which was organized by the Community for Creative Non-Violence. I can tell you, sleeping on the streets is worse than you imagine it is. Those of us who participated, found the cold temperatures and lack of shelter an inconvenience. But for our Nation's homeless, the weather is much more than a nuisance. It's life threatening, and exacerbates an already urgent need for shelter and assistance for the homeless. The people we met living on the streets were not primarily drug abusers and the deinstitutionalized mentally ill. We found that the causes of homelessness are many. A lack of affordable housing, unemployment, inadequate community mental health facilities, and personal and family problems, all contribute to drive people to a life on the streets.

The supply of low-income housing is shrinking even as the need for such housing rises. President Reagan pledged that "we will never abandon those who through no fault of their own must have our help." Yet, in the face of this national crisis, the administration's policies have halted all new construction of publicly assisted housing, while the White House seeks to end subsidies for privately owned low-income housing, and ignore the homeless. As subsidy programs run out, landlords will be able to increase rents, convert projects to condominiums or sell them to investors. Lower income residents will be dumped on the streets, replaced by those able to pay market rents.

The Select Committee on Hunger, of which I am a member, recently held a hearing on hunger among the homeless. The testimony presented, like the results of a recent survey of 140 shelters conducted by the select committee, reaffirm that more and more parents and children are becoming homeless, primarily due to poverty or family disruption such as unemployment, sudden displacement from a previous home, and a lack of affordable housing.

Mr. Chairman, the legislation we are considering today would authorize programs specifically focused on the needs of the homeless. It would fund emergency shelters, transitional housing, increased medical and mental health care and better utilization of surplus Federal facilities. It also would provide additional funding for rental subsidies for low-income housing.

I urge my colleagues to support this measure to provide urgently needed emergency food and shelter funds to our Nation's homeless.

Mr. MOAKLEY. Mr. Chairman, I rise in strong support of H.R. 558, Urgent Relief for the Homeless Act of which I am proud to be a cosponsor. This comprehensive legislative initiative for our homeless population is absolutely critical to the survival of the nearly 3 million Americans who are homeless in our Nation. I commend the authors of this bill as well as the authorizing committees for their expeditious action on this measure. This national tragedy continues to grow at epidemic proportions, a staggering 25 percent since last year. The statistics are particularly disheartening with regard to the increase in homeless families. Families with children are by far the fastest growing group of this population, now nearly one-third of the homeless. The current shelters, programs, and services that previously struggled to help this segment of the population simply do not have the resources necessary to meet this growing need.

It is a national disgrace that so many Americans must live in despair, with little hope for the future. These people don't want pity, they want a chance to get back on their feet and start a new life for themselves and their families. But to get from here to there they need the relief that this legislation provides: Food, temporary shelter, health care, job training and placement assistance, housing, education, child care, and social services. While this bill won't be the answer for the homeless problem, it will be a major first step in properly addressing and treating the problem.

I hope that this legislation will be approved today and will also move swiftly through the other body. There are many, many homeless out there who are depending on us to give them the chance they need to get off the streets and put their lives and the lives of their families back together. Let's give them that chance.

Mr. MILLER of California. Mr. Chairman, I rise as a cosponsor and strong supporter of H.R. 558, the Urgent Relief for the Homeless Act, to provide urgently needed assistance to protect and improve the lives and safety of the homeless. I am particularly pleased that special emphasis is placed on the needs of

homeless families with children. H.R. 558 allows about 4,000 rental subsidy certificates to be used by families and sets aside for families at least half of the funds aimed at converting surplus Federal property into homeless shelters and support facilities.

We have not seen a housing crisis of the magnitude we are witnessing today since the Great Depression. For whatever reason—the unavailability of affordable housing, lack of employment opportunities, marginal living standards, or deinstitutionalization of the mentally ill—up to 3 million Americans are now without homes. Homelessness is rising in every area of the country, in rural towns as well as the inner cities. Armies of the homeless have appeared in the once booming Sunbelt economies of Dallas, Oklahoma City, Phoenix, and Santa Barbara, just down the road from the Reagan ranch.

Homelessness has grown even more tragic because families with children comprise the fastest growing segment of Americans without homes. Families now make up 40 percent of the homeless, including up to 800,000 children.

In over 70 percent of the cities recently surveyed by the U.S. Conference of Mayors, families comprise the largest group for whom emergency shelter and other needed services are particularly lacking. Shelters in Boston, Kansas City, Louisville, Norfolk, Phoenix, Nashville, and New Orleans report turning away families because they run out of room in family shelters, or there are no facilities that can accommodate intact families. At the Richmond, CA, rescue mission in my district, which houses 188 beds, up to 15 families are turned away every night.

The long-term effect of homelessness on children and families can be devastating. Most temporary facilities, such as the "welfare hotels," provide unsafe and unhealthy environments for children. Every aspect of a child's life, from health to education, suffers as a result of the homeless experience.

Without funds for emergency assistance, antifamily policy is being implemented in many States where shelters for families are nonexistent or overwhelmed. In an effort to cope without a home, families are being torn apart. Parents with children are forced to decide between their children sleeping in a car, dilapidated shelters, or on a street corner and placing them in foster homes. In many cases, the father leaves the family when a shelter refuses to take the family as a whole.

Lisa and Guy McMullan recently testified with their four children before the Select Committee on Children, Youth and Families, which I chair, about the strains placed on their family when they suddenly found themselves without jobs and without a roof overhead. As they shuffled from shelter to shelter in search of one that would take a two-parent family, the McMullan family was often asked to split up, to leave the father in a care outside, or to put the children in foster care. The McMullan family is yet another example of hard-working Americans who are thrown out in the street by a sudden reversal of their economic circumstances, but who are fighting to break the cycle of homelessness.

Additional testimony before the Select Committee on Children, Youth and Family revealed the physical and emotional trauma of children whose lives are out of order because they live without homes. Chronic physical disorder is nearly twice that of normal children, and children are consistently shown to be depressed, overanxious, frustrated, angry, and at great risk of succumbing to poverty.

We cannot succeed in the fight against homelessness without the continued help of local community and charity organizations across the Nation. I am proud to commend my constituents of Contra Costa County, CA, for the extraordinary commitment they have made to ending homelessness in our community.

Contra Costa County, where perhaps as many as 10,000 individuals are homeless, established an Office on Homelessness last November. The office was created by a 250-person county task force with donations of $10,000 from the Hands Across America benefit and office space from the United Way. With a dedicated director in Ms. Carol Severin and a group of committed volunteers, the office has recently conducted a countywide survey to determine the extent of the homeless problem in Contra Costa. They also plan benefits and an indepth study of homelessness in Contra Costa in the near future.

Along with many of my colleagues, I spent Tuesday night sleeping on a steam grate to help draw attention to the national tragedy of homelessness. But I also came away with a deep appreciation of knowing that I would have a bed to sleep on the next evening. For the many Americans who return to the streets night after night, we must act to help them get back on their feet. While we have a long way to go to meet the challenge, the bill we are considering today is a critical first step.

I urge my colleagues to support H.R. 558.

Mr. BUSTAMANTE. Mr. Chairman, I am not certain as to whether or not the minority intends to offer, or pursue, an amendment to H.R. 558 which would effectively deny a great many States the opportunity to avail themselves of the programs authorized by this legislation. I am referring to the restriction of participation in the food, clothing, shelter and health care programs to those States with comprehensive planning and placement programs already in place.

I object to the idea for a number of reasons. First, with regard to the chronically, mentally ill, we have such legislation on the books. Title V of Public Law 99-660 stipulates that States shall forfeit the portion of development grants dedicated to administrative expenses in 1986 if they do not plan promptly and effectively. This provision provides a strong incentive for the development of comprehensive State mental health plans by the end of fiscal year 1989.

In addition to this redundancy, any such amendment would pose a chicken-or-egg conundrum. Those who argue that the States must have a plan in place assume that the States will already have means at their disposal for implementing such a plan—not just for the chronically mentally ill, but for the homeless and deinstitutionalized in general. How can the States realistically develop such plans without a demonstration of fiscal good faith on the part of the Congress?

In Texas, the Department of Mental Health and Mental Retardation developed a State plan for the mentally ill at the request of then Gov. Mark White. That report, submitted to the State legislature on January 1, 1986, was followed by a 2-day seminar and a second report which focussed specifically on the problem of homelessness across our State. The report on the homelessness brought together, in addition to the Department of Mental Health and Mental Retardation, the housing, agriculture, human services agencies, as well as churches and charities. Texas has attempted to deal with the tragedy of homelessness, but its capabilities in responding to the staggering needs of the homeless will depend on the work we do here today.

We do not need to congratulate ourselves prematurely for the passage of this bill. If we have managed to identify a problem apparent on the streets of our cities, from San Antonio to Houston to Washington, we have not been particularly observant. We must not revert to indifference by asking States to do the impossible.

Mr. LEVINE of California. Mr. Chairman, I rise in strong support of H.R. 558, Urgent Relief for the Homeless. In my district there are approximately 3,000 to 5,000 homeless individuals, and throughout Los Angeles there are 30,000 to 50,000 homeless. The homeless population in Los Angeles is literally larger than the entire populations of many cities and towns. Throughout the country, there are now more homeless than at any time since the Great Depression. This legislation is an important first step in aiding the homeless, and I urge my colleagues to support it.

The homeless population is composed of a broad cross section of society. It cannot be stereotyped by age, marital status, or even employment. Families with children are the fastest growing segment. In my district, emergency shelters and facilities serving the homeless report major increases in the number of families and elderly individuals seeking assistance. Many of homeless are employed, but are still unable to afford shelter.

Serious health problems are another consequence of homelessness. A recent study documented that a significant number of the homeless in Los Angeles tested positive for TB. It is tragic that after the advances we made in this country against TB we are now again losing ground to this disease. TB represents not only a health risk to homeless individuals, but is a public health risk as well. Health and mental health care must be provided for the homeless. This legislation allocates $100 million for a grants to provide the homeless with health and mental health care, drug and alcohol abuse services, and other services.

H.R. 558 also includes provisions to prevent homelessness, and to increase food assistance to the homeless. There is no excuse for any citizen of the wealthest nation on Earth to lack a decent place in which to live. I urge my colleagues to support this legislation.

Miss SCHNEIDER. Mr. Chairman, as we consider legislation to boost the Federal Government's commitment to assisting the homeless, I would like to bring to the attention of

my colleagues a unique effort that is underway in my home State of Rhode Island, an effort that should be a great success because it has both public and private sector support.

On February 19, the Travelers Aid Society of Rhode Island unveiled its new free medical van which will offer services and referrals to runaways and homeless youth. Funding for the project was made possible by grants from Gulf and Western, the Frank B. Hazard Trust, the city of Providence and the State of Rhode Island.

What follows is a complete description of the project. I am hopeful that this information will help other States, localities, businesses, and nonprofit organizations develop similar programs to benefit the homeless.

TRAVELERS AID FREE MEDICAL VAN

At the 58th annual meeting of Travelers Aid Society of Rhode Island, President Paul A. Silver presented the latest in a series of the Agency's innovative services—the Travelers Aid Free Medical Van.

This unique project was funded with a $50,000 challenge grant from Gulf and Western and administered by the Bridge agency in Boston. The Bridge agency has utilized a free medical van in conjunction with their runaway program since 1970.

In July 1986, Travelers Aid received funding from the Rhode Island Foundation and ACTION to develop a Runaway Youth Project. This project utilizes outreach workers on the streets in downtown Providence afternoons and evenings. These workers offer services and referrals to runaways and homeless street youth. The Gulf and Western grant is specifically tied to the Runaway Youth Project. In addition to Gulf and Western, moneys for the Medical Van Project come from the Frank B. Hazard Trust, the city of Providence and the State of Rhode Island. "I am proud that the State of Rhode Island is able to contribute $26,000 toward the administrative and operational costs of this sorely needed medical van", Governor Edward D. DiPrete stated, "and I am confident that this van will provide the State's needy population with invaluable medical service."

Travelers Aid has a long history of servicing mobile people in crisis. The Runaway Youth Project is an outgrowth of that service with a concentrated effort to assist a youth population that is increasing at an alarming rate. During the first six months of operation the Travelers Aid Runaway Youth Project serviced 125 homeless youth. Services ranged from emergency medical, shelter, food and/or alcohol/drug detoxification. The free medical van will service all people in the downtown Providence area. The van will be on the streets from 6-10 p.m. Monday through Friday. Monday, Wednesday and Friday the van will be located near the downtown Post Office at Kennedy Plaza. Tuesday and Thursday the van will be on Empire Street near the Blue Cross building. Mayor Joseph R. Paolino, Jr., says, "The City of Providence is pleased to participate in this joint public/private partnership of providing health care to people living on our streets. This is exactly the kind of program we need to begin to address the complex issues at the heart of the homeless population".

Future plans for the van include going to emergency food/shelter facilities as well as education activities in schools and elderly housing/meal sites. The van is staffed by medical professional volunteers including physicians, nurses, physician assistants and nurse practitioners. Darlene M. Ross, R.N., Medical Van Coordinator, is actively recruiting volunteers for one 4 hour shift per month.

"This is a very exciting opportunity for the Agency and the community", comments Paul A. Silver, Board President. Silver, an attorney with Hinckley, Allen, Tobin and Silverstein, is serving his second term as President of Travelers Aid. The medical van was purchased from Allied TransCare Systems of Houston, Texas. Allied is world known for their provision of mobile medical units in overseas nations.

William F. Murphy, Jr., Executive Vice President at Allied, states, "Allied TransCare exists to provide mobile systems tailored to the needs of the community. But the best system in the world is only as good as those who use it. So the real worth of this system lies not with the equipment itself but with the dedication of the volunteers and staff who work diligently to continue the purpose and programs of the Travelers Aid Society of Rhode Island."

Travelers Aid is embarking on an aggressive method of delivering services to those individuals who are most vulnerable. With Travelers Aid outreach workers, the free medical van and crisis intervention/counseling capabilities, a service delivery system will be in place for individuals who would otherwise not avail themselves of needed services. Marion F. Avarista, Executive Director of Travelers Aid, says, "This public and private partnership serves as a model for responding to community needs. As a United Way member agency, our stable funding base provides Travelers Aid the opportunity to enter into joint projects with foundations, trusts, Federal, city and State agencies. The Medical Van Project is by far the best model of cooperation between the public and private sector. The benefits derived from this venture are the people of Rhode Island."

Mr. DE LUGO. Mr. Chairman, I rise in support of H.R. 558, a bill to provide urgently needed assistance to protect and improve the lives and safety of the homeless, with special emphasis on families and children. This is an important and timely piece of legislation as we encounter each day the increasing problem of homelessness and the tragic and special needs of homeless families and more importantly children.

Our society can no longer ignore the plight of the homeless and their cry for our help. We must demonstrate that as a great nation we have not lost our compassion for the less fortunate among us. But will do whatever we can to ensure that this Nation with its vast resources will be available to assist them.

I would like to commend Majority Leader FOLEY for his leadership in sponsoring this piece of legislation. His sponsorship has sent a loud signal to the Nation that this Congress has heard the cry of the homeless and is actively working to address their needs.

The bill authorizes $500 million in new budget authority in fiscal year 1987 for a variety of homeless aid programs including: $100 million for Housing and Urban Development's Emergency Shelter Grants Program; $100 million for section 8 rental housing subsidies for the sole use of homeless families: $75 million for a new grant program that would meet both the physical and mental health needs of the homeless; $20 million for the Federal Emergency Management Agency's Emergency Food and Shelter Program which would assist private charities and local governments to run food and shelter programs for the homeless; and $25 million for creating residential long-term care facilities for the chronically mentally ill, to name a few.

I am particularly pleased with a provision in the bill which directs the Secretary of Housing and Urban Development to allocate assistance to the territories under the Emergency Shelter Grant Program. When the Emergency Shelter Grant Program was first established in Public Law 99-591, Congress clearly intended for the territories to participate in the program. However, due to the Community Development Block Grant [CDBG] section 107 formula which was adopted for the allocation of the funds, the territories were inadvertently omitted since they only receive CDBG under a section 106 formula. I am pleased and grateful that the committee was so quick to respond after I brought this oversight to their attention, and by this provision have assured that the territories will fully participate in the program.

I would like to comend and thank HENRY GONZALEZ, chairman of the Subcommittee on Housing and Community Development as well as Chairman ST GERMAIN for their support and assistance in providing for the homeless of this Nation including those residing in the territories.

I would also like to thank Chairman BOLAND of the HUD Appropriation Subcommittee for his support and willingness to assist the territories in this effort.

Mr. AUCOIN. Mr. Chairman, the growing rate of homelessness in this country is more than just a social problem; it is a human tragedy of the first magnitude. It is a disaster as large in scale as a major earthquake or flood. And just as in the case of natural disasters, Americans are responding to the suffering with open hands and hearts. Unfortunately, what they have been able to do so far has not been enough.

Conservative estimates put the number of people living on the streets in Oregon at more than 16,000. Following the national trend, women and children—the fastest growing part of the homeless population--make up nearly one-third of the total. Behind the numbers are countless individual stories of illness, job loss, failure, misfortune, abuse, and, worst of all in some cases, utter abandonment of hope that things will ever get better.

In a prosperous society, justly proud of its inventiveness, energy, and compassion, this situation is intolerable.

America's cities, churches, and charities are acting to treat and to heal this open wound in our society. But by spring of 1987, many have exhausted their resources. Battle fatigue is setting in. It is time we in Congress matched their efforts with renewed efforts of our own. It is time to act. It is time to reenlist the Government in service to local communities where the essential work of rescue and restoration is being done.

This legislation before us will not solve the problems of all those who are stuck—for whatever reason—in absolute, Third World poverty. But for some who have fallen completely off the ladder, it will help them back

onto the bottom rung. For others, it will give a reprieve from the results of lost jobs so they can renew their hopes. It will provide food, shelter, and health care to families, temporarily at sea and tempest-tossed.

I commend the leadership for bringing this measure—H.R. 558—to the floor, and I urge the strongest support from my colleagues.

Mr. MANTON. Mr. Chairman, I rise in strong support of H.R. 558, the Urgent Relief for the Homeless Act. I want to take this opportunity to commend you, Mr. Chairman, for making this legislation a top priority. Your commitment to this issue has given hope to the millions of Americans who are without adequate shelter. I also want to commend the chairman of the Banking Committee, Mr. ST GERMAIN, and the chairman of the Housing Subcommittee, Mr. GONZALEZ, for moving this emergency bill quickly to the floor. Finally, I want to express my appreciation to all those who played a role in crafting this truly bipartisan homeless as's'stance measure.

Mr. Chairman, I am an original cosponsor of H.R. 558 which would provide $500 million in fiscal year 1987 emergency assistance to the homeless and $225 million over the next 4 years in food assistance to the needy. This legislation primarily utilizes existing homeless assistance programs so that the funds will reach those in need as soon as possible. H.R. 558 is also sensitive to the changing makeup of the homeless population by targeting funds directly to homeless families. Finally, this legislation recognizes that we must do more than simply warehouse the homeless. H.R. 558 expands and improves programs that provide health care, job counseling, and other services that are designed to move the homeless back into independent living.

Mr. Chairman, in the Ninth Congressional District of New York, which I represent, we have witnessed a frightening and rapid increase in the number of homeless over the past several years. Much of New York's rental housing stock is in a serious state of disrepair. The renovation of our existing stock and the construction of new housing for low- and moderate-income families has been dramatically curtailed due to severe cuts in Federal housing and community development assistance. As a result, a growing number of New Yorkers are without adequate shelter.

In June 1985, the Subcommittee on Housing and Community Development, of which I am a member, held a hearing in my district on the homeless. The subcommittee received dramatic testimony which graphically described the plight of the homeless and the growing demand for shelter. We heard of sick children who are forced to sleep on the floor of emergency shelters and of the thousands of families who are packed into single hotel rooms without adequate facilities. The subcommittee was told about Sunnyside Community Services, a nonprofit organization in my district, which opened a federally assisted housing project for low-income seniors and the disabled. In just 2½ years there were more than 18,000 people on a waiting list for just 78 units. The problem has only gotten worse in New York and across the Nation.

Today, there are anywhere from 2 to 3 million homeless Americans. Since 1980, the homeless population has been growing at a rate of 25 percent a year. Homeless families are the fastest growing segment of the homeless population. The problem is particularly acute in New York City. Approximately 30,000 homeless people are living in shelters in New York City, 18,000 of whom are children. Each night, more than 3,500 homeless families are housed in hotels. In New York, families comprise 76 percent of the homeless population. The New York State and city governments, local nonprofit groups, and church organizations are doing everything possible to assist the homeless. But New York and every city and town across the Nation need a helping hand from the Federal Government.

With the enactment of the Housing Act of 1937, the Federal Government made a commitment to provide affordable housing opportunities for every American. Today, the Federal Government has a moral obligation to make certain that no American citizen is forced to live in the streets of the greatest nation in the world.

Mr. Chairman, H.R. 558 is just a beginning. But it is a step in the right direction. I urge my colleagues to join me in voting for this emergency legislation.

Mr. SCHUETTE. Mr. Chairman, I very much appreciate the opportunity to clarify my position on H.R. 558—Urgent Relief for the Homeless Act.

Despite my concerns about many of the provisions in this bill and its cost to the Federal Treasury, I will support H.R. 558 because of my overriding concern for two aspects of the bill which are of critical importance to my district.

First, I support H.R. 558 because of language which reauthorizes the TEFAP [Temporary Emergency Food Assistance Program] through fiscal year 1990. This program, which was scheduled to expire at the end of the current fiscal year, provides vital financial support to States for the storage and distribution of surplus food commodities to the less fortunate.

In the State of Michigan, for example, 270,000 households benefit from this Commodity Distribution Program. Over 730,000 Michigan residents, or 8.3 percent of the total population of my State, receive these federally supported commodities. In mid-Michigan, the district which I am proud to represent, over 25 percent of farm communities participate in this Commodity Distribution Program. Moreover, because of the recent flooding disaster in my district, this number is expected to increase dramatically to over 50 percent of farm families. Without TEFAP, many States—including the State of Michigan—would not be able to afford to distribute these much-needed commodities to the needy.

Second, I support H.R. 558 because of three additional food assistance provisions of vital importance to central Michigan. H.R. 558 reauthorizes the Food Stamp Outreach Program, which distributes important information about the Food Stamp Program to the homeless. In addition, H.R. 558 also increases the food stamp shelter deduction, and increases the amount of the so-called shelter expenses, which are exempt from consideration in determining Food Stamp Program eligibility.

While I am concerned about the fiscal impact of this bill, H.R. 558 will receive my support because it addresses the urgent needs of the homeless and less fortunate, both around the Nation and in mid-Michigan, where the TEFAP and food stamp provisions are of critical importance.

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

Mr. PANETTA. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, the question that is before the House is the question of the quality of life that we want in this country. Do we want or tolerate the national shame of having millions of Americans in this country without shelter and without a home? That is really the question that faces all of us today in dealing with this legislation.

This is not going to solve what is a very complex problem in our society, but in the very least it provides some limited help to those in need. We can do no less at this point but to try and move quickly and adopt the legislation before the House.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the CONGRESSIONAL RECORD of March 3, 1987, by Representative PEPPER, as modified by the amendment set forth in section 2 of House Resolution 109, shall be considered as an original bill for the purpose of amendment under the 5-minute rule, which shall be considered as having been read.

The Clerk will designate the amendment in the nature of a substitute, as modified.

The text of the amendment in the nature of a substitute, as modified, is as follows:

H.R. 558

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 "Urgent Relief for the Homeless Act".

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds that—

(1) the Nation faces an immediate and unprecedented crisis due to the lack of shelter for a growing number of individuals (including elderly or handicapped persons) and families with children;

(2) the problem of homelessness has become more severe and, in the absence of more effective efforts, is expected to become dramatically worse, which will endanger the lives and safety of the homeless;

(3) due to the record increase in homelessness, States, units of local government, and private voluntary organizations have been unable to meet the basic human needs of all of the homeless and, in the absence of greater Federal assistance, will be unable to protect the lives and safety of all of the homeless in need of assistance; and

(4) the Federal Government has a moral obligation, a governmental responsibility, and an existing capacity to fulfill a more effective and responsible role to meet the basic human needs and to engender greater

respect for the human dignity of the homeless.

(b) PURPOSE.—It is the purpose of this Act—

(1) to establish an Interagency Commission on Homelessness;

(2) to use public resources and programs in a more coordinated manner to meet the critically urgent needs of the homeless of the Nation; and

(3) to provide funds for programs to assist the homeless, with special emphasis on elderly persons, handicapped persons, and families with children.

TITLE I—FEDERAL FUNDS TO ASSIST THE HOMELESS

SEC. 101. AUTHORIZATIONS OF APPROPRIATIONS.

(a) GRANTS FOR HEALTH SERVICES FOR THE HOMELESS.—For an authorization of appropriations of $75,000,000 for grants for health services for the homeless, see section 201.

(b) COMMUNITY SERVICES DEMONSTRATION PROJECTS FOR HOMELESS CHRONICALLY MENTALLY ILL INDIVIDUALS.—There are authorized to be appropriated for payments pursuant to section 504(f) of the Public Health Service Act $25,000,000 for fiscal year 1987 in addition to those funds already appropriated. The additional funds authorized to be appropriated by this subsection shall be available only for the provision of community-based mental health services to homeless chronically mentally ill individuals.

(c) GRANTS FOR FACILITIES TO ASSIST THE HOMELESS.—There are authorized to be appropriated to carry out title III $75,000,000 for fiscal year 1987.

(d) EMERGENCY FOOD AND SHELTER PROGRAM.—

(1) There are authorized to be appropriated for the emergency food and shelter program carried out by the Federal Emergency Management Agency pursuant to section 101(g) of Public Law 99-500 or Public Law 99-591 $20,000,000 for fiscal year 1987.

(2) The limitation on the maximum total administrative costs of the program described in paragraph (1) shall be 5 percent of the amount appropriated for the program for any fiscal year.

(e) EMERGENCY SHELTER GRANTS PROGRAM.—

(1) There are authorized to be appropriated for the emergency shelter grants program carried out by the Department of Housing and Urban Development pursuant to section 101(g) of Public Law 99-500 or Public Law 99-591 $100,000,000 for fiscal year 1987.

(2) In addition to the allocations required under the program described in paragraph (1) pursuant to the provisions made applicable by section 101(g) of Public Law 99-500 or Public Law 99-591, the Secretary of Housing and Urban Development shall (for amounts appropriated after the date of the enactment of this Act) allocate assistance under the program to the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and any other territory or possession of the United States, in accordance with an allocation formula established by the Secretary.

(3) The Secretary of Housing and Urban Development may waive the 15 percent limitation on the use of assistance for essential services established for the program described in paragraph (1) pursuant to section 523(2)(B) of the provisions made applicable by section 101(g) of Public Law 99-500 or 99-591, if the unit of general local government receiving the assistance demonstrates that the other eligible activities under the program are already being carried out in the unit of general local government with other resources.

(f) TRANSITIONAL HOUSING DEMONSTRATION PROGRAM.—There are authorized to be appropriated for the transitional housing demonstration program carried out by the Department of Housing and Urban Development pursuant to section 101(g) of Public Law 99-500 or Public Law 99-591 $30,000,000 for fiscal year 1987.

(g) SECTION 8 HOUSING ASSISTANCE.—

(1) The budget authority available under section 5(c) of the United States Housing Act of 1937 for assistance under section 8(b)(1) of such Act is authorized to be increased by $100,000,000.

(2) The amounts made available under this subsection shall be used solely to assist the homeless (as defined in section 304), with primary benefit for homeless families with children. In making such amounts available, the Secretary of Housing and Urban Development shall—

(A) give priority to public housing agencies that ensure that comprehensive support and services are provided to households assisted with such amounts; and

(B) coordinate the use of such amounts with other activities carried out pursuant to this Act.

Each annual contributions contract entered into with a public housing agency to obligate the authority made available under this subsection to assist the homeless shall bind the Secretary of Housing and Urban Development to make such authority, and any amendments increasing such authority, available to the public housing agency for an aggregate period of 5 years.

(4) Any contract for assistance payments entered into by a public housing agency and a property owner with respect to amounts made available under this subsection to assist the homeless may provide that such assistance payments shall be project based.

(5) The amounts made available under this subsection shall not be subject to section 16 of the United States Housing Act of 1937.

(6) Not later than the expiration of the 30-day period following the date of the enactment of this Act, the Secretary shall by notice establish such requirements as may be necessary to carry out the provisions of this subsection. Such requirements shall not be subject to section 553 of title 5, United States Code, or section 7(o) of the Department of Housing and Urban Development Act.

(h) EMERGENCY COMMUNITY SERVICES HOMELESS GRANT PROGRAM.—

(1) There are authorized to be appropriated for the emergency community services homeless grant program, to be carried out by the Office of Community Services of the Department of Health and Human Services, $50,000,000 for fiscal year 1987.

(2) Funds awarded under this subsection shall be used only for the following purposes:

(A) Expansion of comprehensive services to the homeless to provide followup and long-term services to enable the homeless to make the transition out of poverty.

(B) Promotion of private sector and other assistance to the homeless.

(3) From the amounts made available under the authorization in paragraph (1), the Secretary of Health and Human Services shall make grants to States that administer programs under the Community Services Block Grant Act (42 U.S.C. 9901 et seq.). The Secretary shall allocate emergency community services homeless grant program funds to the States in accordance with the formula set forth in section 674(a)(1) of such Act except that, if a State does not apply for such funds or does not submit an approvable application, the Secretary shall use the funds to make grants directly to agencies and organizations in such State in accordance with the criteria set forth in paragraph (4)(B).

(4) In order to receive an emergency community services homeless grant under this subsection, a State shall—

(A) submit an application to the Secretary of Health and Human Services in such form and at such time as the Secretary may require, describing the agencies, organizations, and activities that the State intends to support with emergency community services homeless grant program funds;

(B) ensure that it will award all of the grant funds it receives to community action agencies that are eligible to receive funds under section 675(c)(2)(A) of the Community Services Block Grant Act (42 U.S.C. 9904(c)(2)(A)) and organizations serving migrant and seasonal farmworkers, except that not less than 90 percent of the funds received shall be awarded to such agencies and organizations that, as of January 1, 1987, are providing services to meet the critically urgent needs of the homeless;

(C) ensure that emergency community services homeless grant funds are not used to supplant other programs for the homeless administered by the State; and

(D) ensure that no emergency community services homeless grant funds will be used to defray State administrative costs.

(i) JOB AND LITERACY TRAINING.—

(1)(A) Section 4(8) of the Job Training Partnership Act (29 U.S.C. 1503(8)) is amended—

(i) by redesignating clauses (D) and (E) as clauses (E) and (F), respectively; and

(ii) by inserting after clause (C) the following: "(D) qualifies as a homeless individual under title II or III of the Urgent Relief for the Homeless Act;".

(B) Section 141(e) of the Job Training Partnership Act (29 U.S.C. 1551(e)) is amended by inserting before the period at the end the following: ", including exceptions necessary to permit services to homeless individuals who cannot prove residence within the service delivery area".

(2)(A) Section 306(b) of the Adult Education Act (20 U.S.C. 1205(b)) is amended—

(i) in paragraph (1), by inserting "homeless adults," after "English language skills,";

(ii) in paragraph (7), by inserting "organizations providing assistance to the homeless," after "antipoverty programs,"; and

(iii) in paragraph (8), by inserting "homeless adults," after "English language skills,".

(B) Section 309(a)(1)(A) of the Adult Education Act (20 U.S.C. 1207a(a)(1)(A)) is amended—

(i) by inserting "homeless adults," before "elderly"; and

(ii) by inserting a comma after "individuals".

(j) COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.—Section 102(a)(6) of the Housing and Community Development Act of 1974 is amended in the second sentence by inserting "or 1984" after "fiscal year 1983".

(k) PERMANENT HOUSING FOR HANDICAPPED HOMELESS PERSONS.—There are authorized

to be appropriated to carry out title IV $25,000,000 for fiscal year 1987.

SEC. 102. DISBURSEMENT OF FUNDS.

(a) SCHEDULE FOR DISBURSEMENT.—Any amount made available by appropriation Acts under the authorizations in this title (other than subsection (a), (b), (e), or (f) of section 101) shall be disbursed by the Federal agency receiving such amount to the appropriate grantees or administering entities before the expiration of the 3-month period beginning on the date on which such amount becomes available.

(b) EVALUATIONS BY COMPTROLLER GENERAL.—The Comptroller General of the United States shall evaluate the disbursement and use of the amounts made available by appropriation Acts under the authorizations in this title (other than subsections (a) and (b) of section 101), and submit a report to the Congress setting forth the findings of such evaluation, upon the expiration of the 4-month and 12-month periods beginning on the date of the enactment of this Act.

SEC. 103. CALCULATION AND AVAILABILITY OF FUNDS.

(a) CALCULATION.—The amounts authorized in this title shall be in addition to any amount appropriated for the programs involved before the date of the enactment of this Act.

(b) AVAILABILITY.—Any amount appropriated under an authorization in this title shall remain available until expended.

TITLE II—HEALTH SERVICES FOR THE HOMELESS

SEC. 201. GRANTS FOR HEALTH SERVICES FOR THE HOMELESS.

Part D of title III of the Public Health Service Act (42 U.S.C. 247d et seq.) is amended by striking subpart IV and inserting the following new subpart:

"Subpart IV—Health Services for the Homeless

"GRANT PROGRAM FOR HEALTH SERVICES FOR THE HOMELESS

"SEC. 340. (a) ESTABLISHMENT.—The Secretary, acting through the Administrator of the Health Resources and Services Administration, may make grants for the purpose of enabling grantees, directly or through contracts, to provide for the delivery to homeless individuals of outpatient health services.

"(b) MINIMUM QUALIFICATIONS OF GRANTEES.—The Secretary may not make a grant under this subpart to an applicant unless—

"(1) the applicant is a public or nonprofit private entity;

"(2) the applicant has the capacity to effectively administer a grant under this subpart; and

"(3) with respect to outpatient health services that are covered in the appropriate State plan approved under title XIX of the Social Security Act—

"(A) if the applicant will provide under the grant any such outpatient health services directly—

"(i) the applicant has entered into a participation agreement under the appropriate State plan; and

"(ii) the applicant is qualified to receive payments under the appropriate State plan; and

"(B) if the applicant will provide under the grant any such outpatient health services through a contract with an organization—

"(i) the organization has entered into a participation agreement under the appropriate State plan; and

"(ii) the organization is qualified to receive payments under the appropriate State plan.

"(c) PREFERENCES IN MAKING GRANTS.—The Secretary shall, in making grants under this subpart, give preference to qualified applicants that—

"(1)(A) are experienced in the direct delivery of primary health services to homeless individuals or medically underserved populations;

"(B) are experienced in the treatment of mental illness in homeless individuals or medically underserved populations; or

"(C) are experienced in the treatment of substance abuse in homeless individuals or medically underserved populations; and

"(2) agree to provide for outpatient health services to homeless individuals through both public entities and private organizations.

"(d) REQUIRED SERVICES.—The Secretary may not make a grant under this subpart to an applicant unless the applicant agrees that the applicant will, directly or through contract—

"(1) provide outpatient health services at locations accessible to homeless individuals;

"(2) provide to homeless individuals, at all hours, emergency outpatient health services;

"(3) refer homeless individuals to medical facilities for necessary inpatient services;

"(4) provide outreach services to inform homeless individuals of the availability of outpatient health services; and

"(5) aid homeless individuals in establishing eligibility for assistance, and in obtaining services, under entitlement programs.

"(e) RESTRICTIONS ON USE OF GRANT FUNDS.—(1) The Secretary may not, except as provided in paragraph (2), make a grant under this subpart to an applicant unless the applicant agrees that grant funds will not, directly or through contract, be expended—

"(A) to provide inpatient services, except with respect to short-term residential treatment for substance abuse provided in settings other than hospitals;

"(B) to make, without consideration, any cash payment to any individual; or

"(C) to purchase or improve real property (other than minor remodeling of existing improvements to real property) or to purchase major medical equipment.

"(2) If the Secretary finds that the purpose of this subpart cannot otherwise be carried out, the Secretary may make a grant under this subpart to an otherwise qualified applicant that will expend grant funds for the purposes described in paragraph (1)(C).

"(f) LIMITATION ON CHARGES FOR SERVICES.—The Secretary may not make a grant under this subpart to an applicant unless the applicant agrees that, whether outpatient health services are provided directly or through contract—

"(1) outpatient health services under the grant will be provided without regard to ability to pay for the outpatient health services; and

"(2) if a charge is imposed for the delivery of outpatient health services, such charge—

"(A) will be made according to a schedule of charges that is made available to the public;

"(B) will not be imposed on any homeless individual with an income less than the official poverty level; and

"(C) will be adjusted to reflect the income and resources of the homeless individual involved.

"(g) REQUIREMENT OF MATCHING FUNDS.—(1)(A) The Secretary may not make a grant under this subpart to an applicant—

"(i) in an amount exceeding 75 percent of the costs of providing outpatient health services under the grant; and

"(ii) unless the applicant will make available non-Federal contributions toward such costs in an amount equal to not less than $1 (in cash or in kind under subparagraph (B)) for each $3 of Federal funds provided in such grant.

"(B)(i) Non-Federal contributions required in subparagraph (A) may be in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such non-Federal contributions.

"(ii) Such determination may not include any cash or in-kind contributions that, prior to February 26, 1987, were made available by any public or private entity for the purpose of assisting homeless individuals (including assistance other than the provision of outpatient health services).

"(2) The Secretary may waive the requirement established in paragraph (1)(A) if—

"(A) the applicant involved is a nonprofit private grantee under section 330; and

"(B) the Secretary determines that it is not feasible for the applicant to comply with such requirement.

"(h) REQUIREMENTS WITH RESPECT TO ADMINISTRATION.—The Secretary may not make a grant under this subpart to an applicant unless the applicant—

"(1) agrees to establish such procedures for fiscal control and fund accounting as may be necessary to ensure proper disbursement and accounting with respect to the grant;

"(2) agrees to establish an ongoing program of quality assurance with respect to the outpatient health services provided under the grant;

"(3) agrees to ensure the confidentiality of records maintained on homeless individuals receiving outpatient health services under the grant;

"(4) with respect to providing outpatient health services to any population of homeless individuals a substantial portion of which has a limited ability to speak the English language—

"(A) has developed and has the ability to carry out a reasonable plan to provide outpatient health services under the grant through individuals who are able to communicate with the population involved in the language and cultural context that is most appropriate; and

"(B) has designated at least one individual, fluent in both English and the appropriate language, to assist in carrying out the plan; and

"(5) agrees to submit to the Secretary an annual report that describes the utilization and costs of outpatient health services provided under the grant and that provides such other information as the Secretary determines to be appropriate.

"(i) LIMITATION ON ADMINISTRATIVE EXPENSES OF GRANTEE.—The Secretary may not make a grant under this subpart to an applicant unless the applicant agrees that the applicant will not expend more than 10 percent of any such grant on the costs of administering the grant.

"(j) APPLICATIONS FOR GRANTS.—The Secretary may not make a grant under this subpart unless an application containing the

agreements required in this subpart has been submitted to, and approved by, the Secretary. The application shall be in such form, be in such manner, and otherwise contain or be accompanied by such information as the Secretary determines to be appropriate.

"(k) USE OF GRANT FUNDS FOR REFERRALS TO CERTAIN ADVOCACY SYSTEMS.—Any grantee under this subpart may, with respect to title I of the Protection and Advocacy for Mentally Ill Individuals Act of 1986, expend grant funds for the purpose of referring homeless individuals who are chronically mentally ill, and who are eligible under such Act, to systems that provide advocacy services under such Act.

"(l) USE OF SELF-HELP ORGANIZATIONS.—Any grantee under this subpart may provide outpatient health services through contracts with nonprofit self-help organizations that—

"(1) are established and managed by current and former recipients of mental health services who have been homeless individuals; and

"(2) with respect to the provision of outpatient health services described in subsection (b)(3), are organizations qualified under subparagraph (B) of such subsection.

"(m) TECHNICAL ASSISTANCE.—The Secretary may, without charge to any grantee under this subpart, provide technical assistance to any such grantee with respect to the planning, development, and operation of programs to carry out the purpose of this subpart. The Secretary may provide such technical assistance directly, through contract, or through grants.

"(n) ANNUAL REPORTS BY SECRETARY.—Not later than January 10 of each year, the Secretary shall submit to the Congress a report describing the utilization and costs of outpatient health services provided under this subpart during the immediately preceding fiscal year.

"(o) FUNDING.—(1) There are authorized to be appropriated to carry out this subpart $75,000,000 for fiscal year 1987, of which $2,000,000 shall be available for technical assistance under subsection (m).

"(2) Any amount appropriated under paragraph (1) shall remain available until expended.

"(p) DEFINITIONS.—For purposes of this subpart:

"(1) The term 'homeless individual' means an individual who lacks housing (without regard to whether the individual is a member of a family), including an individual whose primary residence during the night is a supervised public or private facility that provides temporary living accommodations.

"(2) The term 'medically underserved population' has the meaning given such term in section 330(b)(3).

"(3) The term 'official poverty level' means the nonfarm income official poverty line defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Omnibus Reconciliation Act of 1981.

"(4) The term 'organization' includes individuals, corporations, partnerships, companies, and associations.

"(5) The term 'outpatient health services' means outpatient health care, outpatient mental health services, outpatient substance abuse services, and case management services.

"(6) The term 'primary health services' has the meaning given such term in section 330(b)(1).

"(7) The term 'substance abuse' means the abuse of alcohol or other drugs.".

SEC. 202. PROVISION OF HEALTH SERVICES TO THE HOMELESS BY NATIONAL HEALTH SERVICE CORPS.

Section 332(a) of the Public Health Service Act (42 U.S.C. 254e(a)) is amended by adding at the end the following new paragraph:

"(3) Homeless individuals (as defined in section 340(p)(1)) may be a population group under paragraph (1).".

TITLE III—INTERAGENCY COMMISSION ON HOMELESSNESS AND GRANTS FOR FACILITIES TO ASSIST THE HOMELESS

SEC. 301. INTERAGENCY COMMISSION ON HOMELESSNESS.

(a) ESTABLISHMENT.—There is established a commission to be known as the Interagency Commission on Homelessness.

(b) MEMBERSHIP.—The Commission shall be composed of 7 members as follows:

(1) The Secretary of Housing and Urban Development, or the designee of the Secretary.

(2) The Secretary of Health and Human Services, or the designee of the Secretary.

(3) The Secretary of Agriculture, or the designee of the Secretary.

(4) The Secretary of Defense, or the designee of the Secretary.

(5) The Director of the Federal Emergency Management Agency, or the designee of the Director.

(6) The Administrator of General Services, or the designee of the Administrator.

(7) The Administrator of Veterans' Affairs, or the designee of the Administrator.

(c) DUTIES.—The Commission shall carry out the following duties:

(1) Review all Federal activities and programs that assist the homeless.

(2) Monitor, evaluate, and improve efforts to assist the homeless in cooperation with other Federal agencies, private voluntary organizations, States, and units of local government.

(d) CHAIRPERSON.—The chairperson of the Commission shall be elected by the members of the Commission.

(e) STAFF AND OFFICES.—The Secretary of Housing and Urban Development shall provide the Commission with such staff and office facilities as are necessary to ensure that the Commission carries out its functions under this section in an efficient and expeditious manner.

(f) REPORTS FROM OTHER AGENCIES.—Not later than 90 days after the date of the enactment of this Act and annually thereafter, the head of each Federal agency shall submit to the Congress and the Commission a report setting forth—

(1) the programs administered by the agency that assist the homeless and the number of the homeless assisted by such programs;

(2) impediments to the use by the homeless of the programs administered by the agency (or the services or benefits provided under such programs), including statutory and regulatory restrictions on such use; and

(3) efforts made by the agency to increase the opportunities for the homeless to gain shelter, food, and supportive services.

(g) ANNUAL REPORT.—The Commission shall submit annually to the President and the Congress a report setting forth the findings and conclusions of the Commission. The report shall include—

(1) an assessment of the extent and nature of the problems relating to homelessness and the needs of the homeless;

(2) a comprehensive and detailed description of the activities and accomplishments of the Federal Government in resolving such problems and meeting such needs;

(3) an assessment of the level of Federal assistance necessary to fully resolve such problems and meet such needs; and

(4) any recommendations of the Commission for legislation, administrative actions, and other actions to resolve such problems and meet such needs.

(h) TERMINATION.—The Commission shall cease to exist, and the requirements of this section shall terminate, upon the expiration of the 3-year period beginning on the date of the enactment of this Act.

SEC. 302. USE OF UNDERUTILIZED PUBLIC BUILDINGS AND PROPERTY FOR FACILITIES TO ASSIST THE HOMELESS.

(a) IDENTIFICATION OF UNDERUTILIZED BUILDINGS AND PROPERTY.—The Secretary of Housing and Urban Development shall identify underutilized public buildings and property suitable for use for facilities to assist the homeless. The Secretary shall actively solicit information from other Federal agencies, States, and units of local government to identify such buildings and property.

(b) AVAILABILITY FOR FACILITIES TO ASSIST THE HOMELESS.—The Secretary of Housing and Urban Development shall take such actions as may be necessary to make buildings and property identified under subsection (a) available for use for facilities to assist the homeless operated by private voluntary organizations, units of local government, and States.

(c) PROHIBITION ON TRANSFER OF OWNERSHIP OF FEDERAL BUILDINGS OR PROPERTY.—Federal buildings or property may be made available under this section only through the use of long-term leases. Ownership of the buildings and property shall not be transferred from control of the Federal Government.

SEC. 303. GRANTS FOR FACILITIES TO ASSIST THE HOMELESS.

(a) IN GENERAL.—The Secretary of Housing and Urban Development shall make grants to private voluntary organizations, units of local government, and States to better enable them to provide assistance to the homeless in buildings or on property made available for such purpose (including properties made available under section 302).

(b) INVOLVEMENT OF SECRETARY OF HEALTH AND HUMAN SERVICES.—The Secretary of Housing and Urban Development and the Secretary of Health and Human Services shall—

(1) jointly establish selection criteria for grants under this section;

(2) jointly evaluate and select the applications for grants under this section, except that the Secretary of Health and Human Services shall have sole responsibility for approval of any portion of an application relating to outpatient health services; and

(3) enter into such agreements as may be necessary to carry out such joint responsibilities.

(c) USE OF FUNDS.—

(1) Funds received under this section may be used only for the following activities undertaken in buildings or on property made available for such purpose (including properties made available under section 302):

(A) Purchase, lease, renovation, conversion, or construction of facilities to assist the homeless. Such facilities shall be safe and sanitary and, when appropriate, meet all applicable State and local housing and building codes and licensing requirements in

the jurisdiction in which the facility is located.

(B) Provision of supportive services for the homeless.

(2)(A) If funds received under this section are used to purchase, construct, or substantially rehabilitate a facility to assist the homeless, the facility shall be used to assist the homeless for not less than a 10-year period.

(B) The Secretary of Housing and Urban Development may waive the requirement established in subparagraph (A) if—

(i) the unit of local government in which the facility is located certifies that the facility is no longer needed to assist the homeless; and

(ii) the grantee demonstrates to the satisfaction of the Secretary that the facility is no longer needed to assist the homeless.

(C) If the Secretary of Housing and Urban Development grants a waiver under subparagraph (B), the grantee—

(i) in the case of a facility owned by the Federal Government, shall return control of the facility to the Federal Government, unless the Secretary approves the continued use of the facility for activities that directly benefit lower income persons for the remainder of the 10-year period; or

(ii) in the case of a facility not owned by the Federal Government, shall repay the full grant amount or continue to use the facility for activities that directly benefit lower income persons for the remainder of the 10-year period.

(3) Not more than $10,000 of any grant provided under this section may be used for outpatient health services (exclusive of the cost of any renovation, conversion, or construction).

(d) LIMITATIONS ON ADMINISTRATIVE EXPENSES.—Not more than 5 percent of a grant made under this section may be expended for administrative expenses.

(e) ELIGIBILITY REQUIREMENTS.—Any private voluntary organization, unit of local government, or State may submit an application for assistance under this section, in such form as the Secretary of Housing and Urban Development and the Secretary of Health and Human Services determine to be appropriate.

(f) SELECTION.—Assistance may be provided under this section only to an applicant that—

(1) has shown a demonstrated commitment to alleviating poverty;

(2) has the continuing capacity to effectively provide assistance to the homeless; and

(3) complies with such other requirements for assistance under this section as the Secretary of Housing and Urban Development and the Secretary of Health and Human Services may establish.

(g) PRIORITIES.—The Secretary of Housing and Urban Development and the Secretary of Health and Human Services shall—

(1) reserve, to the maximum extent practicable, not less than 50 percent of all funds provided under this section for the support of facilities designed to primarily benefit homeless families with children (and a portion of such funds shall be used for child care facilities);

(2) in making grants to States and units of local government, give priority to States and units of local government that—

(A) have in effect laws, ordinances, or policies that preserve lower income housing (such as single room occupancy housing) and prevent the displacement of lower income persons;

(B) use non-Federal funds (including funds from private voluntary organizations) to supplement assistance provided under this section; and

(C) support and participate in the activities proposed by the applicant; and

(3) give priority to facilities designed to provide, alone or together with associated supportive services provided by other organizations, comprehensive assistance to the homeless in order to both meet their immediate needs and to enhance opportunities for the homeless to permanently improve their lives.

(h) ALLOCATION.—In selecting applications for grants under this section, the Secretary of Housing and Urban Development and the Secretary of Health and Human Services shall ensure that the funds are provided to the geographical areas of greatest need, taking into consideration the particular needs of different geographical regions, communities of different population sizes, and urban, suburban, and rural communities.

(i) ACCOUNTABILITY.—The Secretary of Housing and Urban Development (or, in the case of outpatient health services or facilities used for such services, the Secretary of Health and Human Services) shall monitor the use of funds made available pursuant to this section as follows:

(1) The Secretary shall inspect each facility assisted pursuant to this section and, at least annually, the State or unit of local government in which the facility is located shall certify to the Secretary that—

(A) the homeless are receiving the assistance specified in the application;

(B) public buildings, property, and grant funds are being used in a cost-effective manner; and

(C) the recipient of assistance under this section is complying with the terms of any lease or grant agreement entered into with the Secretary.

(2) Each recipient of assistance under this section shall maintain such records as the Secretary requires taking into account the nature of the recipient (including the private voluntary organization implementing the program) and as may be reasonably necessary to disclose the amount and disposition of the proceeds of the assistance. For purposes of audit and examination, the Secretary shall have access to any records of the recipient that are related to assistance received under this section.

(j) REGULATIONS.—Not later than the expiration of the 30-day period beginning on the date of the enactment of this Act, the Secretary of Housing and Urban Development shall by notice establish such requirements as may be necessary to carry out the provisions of this section. Such requirements shall not be subject to section 553 of title 5, United States Code, or section 7(o) of the Department of Housing and Urban Development Act. Such notice shall—

(1) provide that a notice of funding availability shall be published in the Federal Register not later than the expiration of the 30-day period beginning on the date on which amounts become available to carry out this section;

(2) require all applications for grants under this section to be submitted not later than the expiration of the 30-day period beginning on the date on which the notice of funding availability is published in the Federal Register; and

(3) provide that the final selection of applications for grants under this section shall be completed not later than the expiration of the 60-day period beginning on the date on which the notice of funding availability is published in the Federal Register.

SEC. 304. DEFINITIONS.

For purposes of this title:

(1) The term "Commission" means the Interagency Commission on Homelessness established in section 301.

(2) The term "facility to assist the homeless" means a building or property used to provide living accommodations or supportive services (or both) for the homeless.

(3) The term "homeless" means families and individuals who—

(A) are lower income families and individuals (including lower income families and individuals who are elderly families and individuals or handicapped families and individuals), as such terms are defined in section 3(b) of the United States Housing Act of 1937; and

(B) lack traditional or permanent housing.

(4) The term 'outpatient health services' means outpatient health care, outpatient mental health services, outpatient substance abuse services, and case management services.

(5) The term "private voluntary organization" does not include any organization in which any part of the net earnings inures to the benefit of any member, founder, contributor, or individual.

(6) The term "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and any other territory or possession of the United States.

(7) The term "supportive services" means food, child care, assistance in obtaining permanent housing, outpatient health services, employment counseling, nutritional counseling, security arrangements necessary for the protection of residents of facilities to assist the homeless, and such other services essential for maintaining independent living as the Secretary of Housing and Urban Development determines to be appropriate. Such term includes the provision of assistance to the homeless in obtaining other Federal, State, and local assistance available for such persons, including mental health benefits, employment counseling, and medical assistance. Such term does not include major medical equipment.

(8) The term "unit of local government" includes any combination of local governments.

TITLE IV—PERMANENT HOUSING FOR HANDICAPPED HOMELESS PERSONS

SEC. 401. STATEMENT OF PURPOSE.

It is the purpose of this title to provide grants for the acquisition and rehabilitation of property to serve as permanent housing for handicapped homeless persons.

SEC. 402. AUTHORITY TO PROVIDE GRANTS TO STATES.

The Secretary shall, to the extent of amounts approved in appropriation Acts, make grants to States in order to enable the States to provide grants to nonprofit organizations for the acquisition and rehabilitation of property to serve as permanent community-based housing for handicapped homeless persons.

SEC. 403. ALLOCATION OF GRANTS TO STATES.

(a) ALLOCATION FORMULA.—The Secretary shall allocate assistance under this title to States in a manner that ensures that the percentage of the total amount available

under this title for any fiscal year that is allocated to any State is equal to the percentage of the total amount available for section 106 of the Housing and Community Development Act of 1974 for the prior fiscal year that is allocated to the State (including the metropolitan cities and urban counties located in the State).

(b) LETTER OF PARTICIPATION.—No grant may be provided to any State under this title unless, not later than the expiration of the 90-day period following the announcement of an allocation under this section, the State submits to the Secretary a letter of participation. Such letter shall include—

(1) the commitment of the State to comply with the matching funds requirement in subsection (e) by the time all assistance allocated to the State under this section is obligated and a description of the sources and amounts of such matching funds;

(2) the assurances of the State that it will facilitate the provision of supportive services consistent with the needs of the residents of the facilities established using amounts provided under this title;

(3) a designation of a State agency whose primary responsibility is handicapped persons to assist the State housing finance agency in operating the program of the State under this title; and

(4) a description of the methods by which the State will distribute the amounts received under this title to nonprofit organizations, including the methods by which the State will—

(A) distribute amounts received through reallocation under subsection (d); and

(B) reallocate amounts under section 404(b).

(c) ALLOCATION OF ASSISTANCE.—The Secretary shall allocate assistance under this title to each State not later than the expiration of the 30-day period following receipt from the State of a letter of participation in compliance with the requirements of subsection (b).

(d) REALLOCATION OF AMOUNTS.—

(1) The Secretary shall annually recapture and reallocate any amount allocated under subsection (a) that is unused or returned to the Secretary.

(2) The Secretary shall recapture and reallocate any amount received by a State under subsection (a) that is not committed for later obligation to a specific housing project before the expiration of the 6-month period following the date of receipt. The Secretary may extend such period by not more than 6 additional months if the Secretary determines that the State is unable to commit the amounts within the initial 6-month period due to reasons that are not within the control of the State.

(3) The Secretary shall recapture and reallocate any amount recaptured by a State under section 404(b) that is not committed for later obligation to a specific housing project before the expiration of the 3-month period following the date of recapture by the State.

(e) MATCHING FUNDS REQUIREMENT.—

(1) Each State receiving a grant under this section shall be required to supplement the assistance provided under this section with an equal amount of State and local government funds—

(A) that are to be used solely for acquisition or rehabilitation; and

(B) not more than 50 percent of which may be local government funds.

(2) The Secretary may waive all or part of the requirement established in paragraph (1) if the State demonstrates to the satisfaction of the Secretary that—

(A) the State is experiencing a severe financial hardship that makes it unable to provide an equal amount of funds; and

(B) the local governments of the areas in which the nonprofit organizations receiving grants from the State under section 404 are located will contribute local government funds in an aggregate amount equal to the amount of such contribution waived for the State under this paragraph.

(f) ADMINISTRATION OF ASSISTANCE.—Each State shall act as the fiscal agent of the Secretary with respect to assistance provided to the State under this title.

SEC. 404. DISTRIBUTION OF AMOUNTS TO NONPROFIT ORGANIZATIONS.

(a) IN GENERAL.—Each State receiving a grant under this title shall use the funds to provide grants to nonprofit organizations.

(b) REALLOCATION OF AMOUNTS.—Each State shall, not less than once during each fiscal year, recapture and redistribute any assistance committed under subsection (a) that is unobligated at the expiration of the 12-month period following commitment or is returned to the State. The State shall commit for later obligation to a specific housing project any amount recaptured under this subsection before the expiration of the 3-month period following the date of recapture.

SEC. 405. USE OF FUNDS BY NONPROFIT ORGANIZATIONS.

(a) IN GENERAL.—Each nonprofit organization receiving assistance under this title shall use the funds for the acquisition or rehabilitation (or both) of property to serve as permanent community-based housing for handicapped homeless persons.

(b) DESIGN AND LOCATION REQUIREMENTS.—

(1) Community-based housing assisted under this title shall be designed for not more than 8 handicapped persons. Such housing shall be safe and sanitary and, when appropriate, meet all applicable State and local housing and building codes and licensing requirements in the jurisdiction in which the housing is located.

(2) In the case of community-based homes assisted under this title, not more than 1 home may be located on any 1 site and no such home may be located on a site contiguous to another site containing such a home.

(c) CONTINUED USE FOR HANDICAPPED HOMELESS PERSONS.—

(1) Each nonprofit organization receiving assistance under this title shall certify to the State that it will maintain as housing for handicapped homeless persons for not less than a 20-year period any building for which assistance is used under this title.

(2) The Secretary may waive the requirement established in paragraph (1) if the nonprofit organization demonstrates to the satisfaction of the Secretary that—

(A) the facility is no longer needed to assist handicapped homeless persons, in which case the funds resulting from the sale of the facility will be returned to the State for reallocation under this title; or

(B) the funds resulting from the sale of the facility will be used by the nonprofit organization to provide additional housing for handicapped homeless persons.

SEC. 406. ADMINISTRATIVE PROVISIONS.

(a) REGULATIONS.—Not later than the expiration of the 30-day period following the date of the enactment of this Act, the Secretary shall by notice establish such requirements as may be necessary to carry out the provisions of this title. Such requirements shall not be subject to section 553 of title 5, United States Code, or section 7(o) of the Department of Housing and Urban Development Act. The Secretary shall issue regulations based on the initial notice before the expiration of the 12-month period following the date of the enactment of this Act.

(b) INITIAL ALLOCATION OF ASSISTANCE.—Not later than the expiration of the 30-day period following the date on which funds become available to carry out this title, the Secretary shall notify each State of its allocation of assistance under this title. Such assistance shall be allocated and may be used notwithstanding any failure of the Secretary to issue regulations under susbection (a).

(c) LIMITATION ON USE OF FUNDS.—No assistance received under this title (or any State or local government funds used to supplement such assistance in accordance with the requirements of this Act) may be used to replace other public funds previously used, or designated for use, to assist handicapped persons, homeless persons, or handicapped homeless persons.

(d) LIMITATION ON ADMINISTRATIVE EXPENSES.—No State or nonprofit organization may use more than 5 percent of a grant received under this title for administrative purposes.

(e) ACCOUNTABILITY.—

(1) The Secretary shall monitor, and annually audit, the use of funds made available under this title.

(2) Not less than annually, the State in which housing assisted under this title is located shall certify to the Secretary that—

(A) handicapped homeless persons are receiving the assistance specified in the application; and

(B) the recipient of assistance under this title is complying with the terms of any agreements entered into under this title.

(3) Each recipient of assistance under this title shall maintain such records as the Secretary requires taking into account the nature of the recipient (including the nonprofit organization implementing the program) and as may be reasonably necessary to disclose the amount and disposition of the proceeds of the assistance. For purposes of audit and examination, the Secretary shall have access to any records of the recipient that are related to assistance received under this title.

SEC. 407. REPORT TO CONGRESS.

The Secretary shall submit to the Congress an annual report summarizing all activities carried out under this title and setting forth any findings, conclusions, or recommendations of the Secretary as a result of such activities.

SEC. 408. DEFINITIONS.

For purposes of this title:

(1) The term "community-based housing" includes—

(A) any building used solely for housing for handicapped homeless persons that is integrated into the neighborhood in which it is located; and

(B) dwelling units that are to be used for housing for handicapped homeless persons and are included in a larger multifamily housing project, condominium project, or cooperative project that is integrated into the neighborhood in which it is located.

(2) The term "handicapped" means an individual who is handicapped within the meaning of section 202 of the Housing Act of 1959.

(3) The term "handicapped homeless person" means a handicapped individual

who is homeless or at risk of becoming homeless.

(4) The term "homeless" means an individual—

(A) whose income does not exceed 80 percent of the median income of the area, as determined by the Secretary; and

(B) who has no access to either traditional or permanent housing.

(5) The term "nonprofit organization" means any governmental or private nonprofit entity that is approved by the Secretary as to financial responsibility.

(6) The term "Secretary" means the Secretary of Housing and Urban Development.

(7) The term "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and any other territory or possession of the United States.

TITLE V—FOOD ASSISTANCE FOR THE HOMELESS

SEC. 501. ANNUAL ADJUSTMENT OF INCOME ELIGIBILITY STANDARDS.

Section 5(c) of the Food Stamp Act of 1977 (7 U.S.C. 2014(c)) is amended by inserting "shall be adjusted each October 1 and" after "eligibility" the first place it appears.

SEC. 502. INELIGIBILITY FOR EARNED INCOME DEDUCTION.

The third sentence of section 5(e) of the Food Stamp Act of 1977 (7 U.S.C. 2014(e)) is amended by inserting before the period at the end the following: ", except that such additional deduction shall not be allowed with respect to earned income that a household willfully or fraudulently fails (as proven in a proceeding provided for in section 6(b)) to report in a timely manner ".

SEC. 503. EXCESS SHELTER EXPENSE.

The proviso to the fourth sentence of section 5(e) of the Food Stamp Act of 1977 (7 U.S.C. 2014(e)) is amended—

(1) by striking "$147" and inserting "$168"; and

(2) by striking "$256, $210, $179, and $109 a month, respectively, adjusted on October 1, 1986" and inserting "$292, $239, $204, and $124 a month, respectively, adjusted on October 1, 1988".

SEC. 504. THIRD PARTY PAYMENTS FOR CERTAIN HOUSING.

Section 5(k)(2) of the Food Stamp Act of 1977 (7 U.S.C. 2014(k)(2)) is amended—

(1) in subparagraph (D) by striking "or" at the end;

(2) by redesignating subparagraph (E) as subparagraph (F); and

(3) by inserting after subparagraph (D) the following new subparagraph:

"(E) housing assistance payments made to a third party on behalf of a household residing in temporary housing if the temporary housing unit provided for the household as a result of such assistance payments lacks facilities for the preparation and cooking of hot meals or the refrigerated storage of food for home consumption; or".

SEC. 505. FOOD STAMP OUTREACH TO HOMELESS INDIVIDUALS.

(a) AUTHORITY TO CONDUCT OUTREACH.—Section 11(e)(1) of the Food Stamp Act of 1977 (7 U.S.C. 2020(e)(1)) is amended—

(1) by striking "shall (A)" and inserting "(A)(i) except as provided in subclause (ii), shall",

(2) by inserting ", and (ii) may conduct food stamp outreach activities directed at households that do not reside in permanent dwellings and households that have no fixed mailing addresses" after "Act", and

(3) in clause (B) by inserting "shall" after "(B)".

(b) ADMINISTRATIVE EXPENSES.—The first sentence of section 16(a) of the Food Stamp Act of 1977 (7 U.S.C. 2025(a)) is amended—

(1) by redesignating clause (4) as clause (5); and

(2) in clause (3) by inserting after "households," the following: "(4) food stamp outreach activities permitted under section 11(e)(1)(A)(ii) of this Act,".

SEC. 506. DISTRIBUTION OF SURPLUS CHEESE.

The Temporary Emergency Food Assistance Act of 1983 (7 U.S.C. 612c note) is amended by inserting after section 202 the following new section:

"AVAILABILITY OF CCC CHEESE

"SEC. 202A. (a)(1) Notwithstanding any other provision of law, and subject to such amounts as are provided in advance in appropriation Acts, in each of the fiscal years 1988, 1989, and 1990 cheese acquired by the Commodity Credit Corporation that is in excess of quantities needed to—

"(A) carry out other domestic donation programs,

"(B) meet other domestic obligations (including quantities needed to carry out a payment-in-kind acreage diversion program),

"(C) meet international market development and food aid commitments, and

"(D) carry out the farm price and income stabilization purposes of the Agricultural Adjustment Act of 1938, the Agricultural Act of 1949, and the Commodity Credit Corporation Charter Act,

may be made available under this section by the Secretary.

"(2) The Secretary may make such excess cheese available in any State, in addition to the normal allotment of cheese (adjusted by any reallocation) under this Act, at the request of the chief executive officer of such State who certifies to the Secretary that—

"(A)(i) individuals in such State who are eligible to receive cheese under this Act are not receiving cheese distributed under other provisions of this Act, or

"(ii) the number of unemployed individuals in such State has increased during the 90-day period ending on the date the certification is made, and

"(B) the distribution of cheese under this subsection in such State will not substantially displace the commercial sale of cheese in such State.

"(3) Cheese made available under this subsection by the Secretary shall be made available without charge or credit in such fiscal year, in a usable form, for use by eligible recipient agencies in such State.

"(b) In each of the fiscal years 1988, 1989, and 1990, the amount of cheese made available under subsection (a) shall not exceed 14,000,000 pounds.

"(c) Whenever the Secretary receives a request submitted under subsection (a)(2), the Secretary shall immediately notify the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate that such request was received.".

SEC. 507. AUTHORIZATION OF APPROPRIATIONS FOR FOOD STORAGE AND DISTRIBUTION COSTS.

(a) AUTHORIZATION.—Section 204(c)(1) of the Temporary Emergency Food Assistance Act of 1983 (7 U.S.C. 612c note) is amended by inserting "$51,850,000 for the fiscal year ending September 30, 1988, $53,950,000 for the fiscal year ending September 30, 1989, and $56,200,000 for the fiscal year ending September 30, 1990," after "1987,".

(b) PROGRAM EXTENSION.—Section 212 of the Temporary Emergency Food Assistance Act of 1983 (7 U.S.C. 612c note) is amended by striking "1987" and inserting "1990".

SEC. 508. ISSUANCE OF RULES.

Not later than July 1, 1987, the Secretary of Agriculture shall issue rules to carry out the amendments made by this title.

SEC. 509. EFFECTIVE DATES; APPLICATION OF AMENDMENTS.

(a) EFFECTIVE DATES.—

(1) Except as provided in paragraphs (2) and (3), this title and the amendments made by this title shall take effect on the date of the enactment of this Act.

(2) The amendments made by sections 502, 504, and 505 shall take effect on the date the Secretary of Agriculture issues rules under section 508 or on July 1, 1987, whichever occurs earlier.

(3) The amendments made by sections 503 and 506 shall take effect on October 1, 1987.

(b) APPLICATION OF AMENDMENTS.—

(1) The amendments made by section 503 shall not apply with respect to allotments issued under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.) to any household for any certification period beginning before the effective date of such section.

(2) The amendments made by sections 502 and 504 shall not apply with respect to allotments issued under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.) to any household for any month beginning before the respective effective date of the section involved.

AMENDMENT OFFERED BY MR. GONZALEZ

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

The Clerk read as follows:

Amendment offered by Mr. GONZALEZ: In section 302(a), strike "property suitable" and insert "other real property (including fixtures) suitable".

In section 302(b), insert ", in accordance with other applicable Federal law," after "shall".

In section 302(c), strike "long-term leases" and insert "leases for at least 1 year".

In section 302(c), strike "control of".

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

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

There was no objection.

Mr. GONZALEZ. Mr. Chairman, as is obvious here, we have had this bill with referral to three other committees but also there was a fourth, the Committee on Government Operations that had matters within its jurisdiction that are included in this proposed legislation. So that this technical amendment requested by the Government Operations Committee chairman, my colleague from Texas, Mr. BROOKS, would amend a portion of title III of the bill that deals with the underutilized public property to assist the homeless. The amendment ensures that the effective provisions of title III dealing with this underutilization will conform to the existing laws such

as the Federal Property and Administrative Services Act.

This amendment has been reviewed and has been agreed to by the distinguished minority ranking member on the subcommittee and it seems to have the general consensus of agreement.

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

Mr. GONZALEZ. I yield to the gentleman from Connecticut.

Mr. McKINNEY. I thank the gentleman.

Mr. Chairman, the ranking side of the committee has no objection to this amendment whatsoever.

Mr. BROOKS. Mr. Chairman, I rise in support of the amendments to title III of H.R. 558, regarding the use of surplus and underutilized Federal property to assist the homeless, and I appreciate the courtesy of the managers of the bill in offering it at this time. These are the technical amendments which are mentioned in the reports on H.R. 558 that reflect the interest of the Committee on Government Operations in seeing to it that laws within or jurisdiction dealing with utilization and disposal of Federal property are followed in this instance.

Essentially, the amendments make clear that the provisions of title III with respect to making underutilized public property available for facilities to assist the homeless are implemented, so far as Federal property is concerned, in a manner that will be in harmony, and not in conflict, with existing laws. The principal statute in this regard is the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.).

The first amendment declares that actions to make underutilized property available are to be carried out in accordance with other applicable Federal law. A second clarifying amendment makes explicit that the words "public buildings and property" refer to real property, including fixtures attached to it.

A third amendment makes specific the intended minimum term for the outleasing of underutilized property. It provides that a lease, the only method by which property is to be made available, shall not be for a period shorter than 1 year. The fourth amendment is merely perfecting in nature, eliminating two unnecessary words.

Mr. Chairman, I believe that with these amendments the bill will provide a broad legislative base for Federal agencies to assist the homeless by making available underutilized public real property. It will also make clear Congress' intent that the legislative authority provided in other applicable law shall be used by the affected agencies to the greatest extent possible consistent with the bill's overall purpose.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. GONZALEZ].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MICHEL

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

The Clerk read as follows:

Amendment offered by Mr. MICHEL: At the end of the bill, add the following new title:

TITLE VI—DEFICIT NEUTRAL PROVISIONS

SEC. 601. LIMITATION ON AUTHORIZATIONS OF APPROPRIATIONS

Notwithstanding any other provision of this Act to the contrary, any authorization of appropriations (or authorization to provide other budget authority) in this Act shall be considered to be only an authorization to approve the transfer to the program or activity involved, of amounts provided in appropriation Acts before the date of the enactment of this Act.

Mr. MICHEL. Mr. Chairman, let me first get to a fundamental proposition at the heart of this debate. In the United States of America it is intolerable that human beings should sleep outside in the cold. It is equally intolerable that in any weather the streets of America's cities should be used for sleeping. The question is how does American society attack the problem? Not just Congress, not just the administration; our entire society, private and public.

It is a national problem that needs immediate local action. The first thing cities have to do is get people off the streets and now. There is absolutely no excuse for a mayor of any city to allow human beings to sleep in the cold on the streets. No matter what we do here today, the basic minimum we should demand is that local officials save individuals human beings from their immediate dilemma. If it means picking them up in city vehicles and bringing them to city facilities for the night, then so be it. If such action is deemed to be a violation of civil rights of the homeless, then why not bring a test case to court?

But get the people off the streets and into shelters while the lawyers debate the issue. Two nights ago here in Washington, movie stars and politicians slept with the homeless to dramatize their plight. Would it not have been better to have had the movie stars and politicians help get the people off the streets for that one night rather than going through this gimmick? The movie stars go back to Hollywood and to Beverly Hills; the politicians go back out to the suburbs and the men and women they are supposed to help will spend another night right there on the streets.

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If you cannot get all the homeless into shelters, some city-owned facility, some church, some charity, some shelter someplace that is at least warm, well, let us get as many as we can.

The entire issue of the homeless is a complicated one. There are many, many former patients of psychiatric hospitals who have been deinstitutionalized and they present a formidable problem in terms of long-range care. Some say up to half the homeless fall under this category and there are disputes about the number of homeless.

There is not even a working definition of homeless, so this bill may not be helping those who need the help.

The Washington Post here in town is not known as a heartless institution toward the homeless. In fact, it is very well-known as a newspaper that favors the kind of Federal programs we have before us here today, but this is what the Post said yesterday:

> The homeless, are wretched people who need help. If the government can help them with some emergency funds, it should. But there is a side of this stampede toward the television cameras that does no one credit and will not help the homeless. It is much more help for the helpers, at best an impulse without clear intent, aid of the kind we should all have learned long ago to distrust.

I feel as though we have stepped back in time, back a decade or so. So often Congress would latch on to a social ill that speaks to the conscience of the country and out of compassion we would act in haste and substitute the depth of our feelings for the effectiveness of our solution. Since the Federal Government is a clumsy and inefficient mechanism, we create a clumsy and inefficient program with dollars substituting for insight, and here we are doing it again.

Earlier this year the cost of this program was supposed to be $50 million. Then it became $250 million. Soon it became half a billion dollars. Just this weekend the $500 million was thrown on top of the $250 million, making the new money three-quarters of a billion dollars; from $50 million to three-quarters of a billion within about 60 days time.

Then on top of that, we already have $260 million I am told already being spent in that area.

There are $6 billion in block grants already in the hands of States that can be used for the problem. What have they done with it all? Will this $1 billion disappear into that same black hole?

This 100th Congress began on January 6, about 60 days ago. In those 60 days we have adopted 24 simple resolutions, 7 concurrent resolutions, 8 joint resolutions and just 5 bills, 2 of which were left over from the previous Congress.

This bill is really the first new bill of substance and expense. With the first bill, what did we do? Authorize more spending that we cannot afford; waive the Budget Act, ignore Gramm-Rudman. If this bill is going to pass, the least we can do is make it a commitment to fiscal integrity. If we believe that $1 billion is a cure to this social ill, then let us not exacerbate the fiscal ill by making it new money. We ought to transfer the funds from existing accounts.

My amendment would accomplish this goal. Do not make us choose between the victims of homelessness and

the taxpayers who are already victims of the deficit that began right here in this Congress.

I hope that the end of this process the homeless get their help. I also hope we can spare the taxpayers this additional burden by adopting my amendment.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

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

Mr. MICHEL. Mr. Chairman, noting the gentleman from Califorina [Mr. PANETTA] who this morning in a short exchange made mention of the fact that in the agricultural portion of this bill that principle was followed, I would like to applaud the committee for having taken that action.

The text of my amendment would not do violence to what the gentleman has done in his committee; but for the Banking Committee, for the Commerce Committee, in my judgment the same situation ought to prevail. While this is an authorization bill, when we get to the appropriation process then it seems to me the Appropriations Committee ought to make that determination with the priorities and take money from existing funds.

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

Mr. MICHEL. I am happy to yield to the gentleman from California.

Mr. PANETTA. Mr. Chairman, I thank the gentleman for yielding.

One of the concerns that I raised with the gentleman is the fact that with regard to title V, we struggled, the gentleman from Missouri [Mr. EMERSON] and I and the other members of the committee struggled to insure that this would in fact be budget neutral in terms of its cost for 1987. As a consequence, we were able to develop that kind of provision for 1987.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

(At the request of Mr. PANETTA, and by unanimous consent, Mr. MICHEL was allowed to proceed for 1 additional minute.)

Mr. PANETTA. Mr. Chairman, will the gentleman yield further?

Mr. MICHEL. I am happy to yield to the gentleman from California.

Mr. PANETTA. My concern was that in the language of the amendment in its broad sweep that we might pay a double penalty as a result of work we did trying to make this budget neutral; so I would just want to ask the gentleman that since title V is budget neutral, is the gentleman's intention that title V be subject to the gentleman's amendment?

Mr. MICHEL. Well, frankly, if that has already been accomplished, it seems to me it is rather academic. My intention here is to do exactly what you all did, for all practical purposes, in the agricultural portion of this bill, by simply drawing from other accounts so we do not have to ante up brand new money. The language of the amendment does not negate what the gentleman has sought to do.

Mr. PANETTA. I understand that. The key point is that the gentleman's amendment does not require additional transfer——

Mr. MICHEL. Absolutely not.

Mr. PANETTA. In order to require that we can spend money on the provisions we have included for 1987.

Mr. MICHEL. The gentleman is absolutely correct.

AMENDMENT OFFERED BY MR. FRANK TO THE AMENDMENT OFFERED BY MR. MICHEL

Mr. FRANK. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. FRANK to the amendment offered by Mr. MICHEL: Insert "covered in budget function 150" after the words "appropriation Acts".

Mr. FRANK. Mr. Chairman, I am not a supporter of the amendment offered by the gentleman from Illinois. I am somewhat appalled by the compassion gap that seems to be breaking out in some parts of this Chamber. We are talking about the poorest and most deprived people in this country. We are talking about people who have borne the brunt of the cuts that have come in years past as other accounts have gone up.

I think we can afford in this wealthy country to provide the money. The gentleman from Illinois, and I was prepared to entrust to the Appropriations Committee in its wisdom finding the money. This is just an authorization. I believe the Appropriations Committee on both sides could have come out, and they might have found some of it here and some it there.

The gentleman from Illinois says no, we are absolutely going to insist that this has to come out of funds already appropriated.

Well, if that is to be the principle, which funds already appropriated should they come out of?

My amendment says they come out of those dealing with foreign operations.

If we are in fact going to say that we cannot afford to help desperately poor elderly people, former mental patients, small children, unless we take it out of money already appropriated, let us look to the State Department. Let us look to forms of foreign assistance and see if they can find it there, and that is what this amendment says.

Now, I emphasize that this does not seem to me to be the preferred way to legislate. I would be prepared to give the Appropriations Committee its discretion; but if we are going to tell the Appropriations Committee that they have to take it out of somewhere, I do not want it taken out of part B of Medicare.

If we pass the gentleman's amendment without my amendment, then the Appropriations Committee might take it out of part B of Medicare. They might take it out of Medicaid. They might take it out of community development block grants for our communities, which have already lost revenue sharing. They might take it out of a lot of places. Maybe they could take it out of star wars, and that would not be bad, but I do not want to gamble.

If in fact, we are going to be told that, I would prefer, as I said, to leave it to the Appropriations Committee; but if we are to give them instructions, I want to give them this instruction.

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

Mr. FRANK. Yes, I yield to the gentleman from New Hampshire.

Mr. GREGG. Mr. Chairman, I was wondering if the gentleman could explain to us, is this going to come across the board out of foreign affairs appropriations?

Mr. FRANK. No, I would leave it to the discretion of the Appropriations Committee. Some might come from the State Department. We might be shutting down operations somewhere because the administration's terrorism policy has been so successful that we can operate in fewer countries. Maybe we could save a little on that. We could take it from wherever the Appropriations Committee finds it. There might be some country that will have a kind of revolution and we will not be too crazy about them anymore. We can take it back from them.

I am not in favor of giving this instruction. I am against the gentleman's underlying amendment; but if we are going to have it, I would say that it is up to the Appropriations Committee.

If the gentleman is going to ask me, is this going to come out of Israel and Egypt or what, I would hope not. I think the Appropriations Committee can pick other places. I think there is money that we spend in some other places; Zaire, for instance, I think is still getting some money. I would rather give the money to the homeless here than to Mobutu, or Liberia. I heard a suggestion that Liberia would be a good contributor.

Now, if the gentleman wants to specify, we could not have an amendment in the third degree, but if the gentleman wants to come up with a specification list, I would be glad to withdraw my amendment and yield to the gentleman; so if the gentleman thinks we could take it from Zaire, Liberia and others, then I would yield to him.

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

Mr. FRANK. I yield to the gentleman from New Hampshire.

Mr. GREGG. Mr. Chairman, would the gentleman accept a unanimous-consent request that if it does come out of foreign operations that it come out of foreign operations across the board, so that all levels of foreign operations would be impacted the same?

Mr. FRANK. No, I do not accept that, because I think that that is a very mistaken notion. Mr. Chairman, across-the-board people suspend the mental function which we ought to be using. No, not every recipient is equally valuable. Some recipients are more valuable than others. Across the board? Liberia does not seem to me as valuable. Pakistan is doing some good work right now helping us to fight for freedom in Afghanistan. I do not want to cut Pakistan the same as I want to cut Liberia. I do not like this across-the-board stuff. I think that that is intellectual laziness.

I just want to reiterate that I am not for denying money to the homeless unless it comes out of what we have already appropriated, but accept the amendment of the gentleman from Illinois and you put at risk medical care for elderly people, research at the NIH, you put at risk a whole lot of things.

Now the administration may come in and say, "Well, we'll pay for it; we'll do another asset sale, or we'll do another rescission, we'll rescind a little more cancer research." They'd love to rescind cancer research. What we ought to say is, in my judgment, "Let's leave it to the Appropriations Committee."

Even if my amendment is adopted, I will vote against the underlying amendment, but I do say that if we are in fact going to send this instruction, let us instruct that we look at the State Department. You know, they have this big antiterrorism thing. Some of us think that maybe now in their antiterrorism operation they are going to have to stop and think and rethink it the way it has been doing. Maybe in the foreign operations they will find some of the money that we are owed for the arms sales to Iran. Maybe Oliver North will talk, and there is $20 or $30 or $40 million. We can get it out of there. Maybe if he is persuaded that he is going to help the homeless, we could get Mr. North and Mr. Secord and Mr. Poindexter to tell us where some of those tens of millions are. Maybe we can get it from the Sultan of Brunei. We can get it from a lot of places when we really want to.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. FRANK] has expired.

(On request of Mr. GREGG and by unanimous consent, Mr. FRANK was allowed to proceed for 1 additional minute.)

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

Mr. FRANK. I yield to the gentleman from New Hampshire.

Mr. GREGG. Mr. Chairman, I am tempted to ask: Do we consider Massachusetts as part of the foreign operations budget? But I will not. That might be a Northeast question. But I would ask why the gentleman is so insistent, if he is going to take it out of foreign operations, that he is not going to identify the States right now, on the record, that he feels are appropriate for removing those funds from and give us the dollar figures there, or agree to an across-the-board amendment on those States. Is it because the gentleman has certain States that he does not wish to raise the matter about, or is it because the gentleman is really not sincere in his amendment?

Mr. FRANK. Mr. Chairman, in the first place, the gentleman asked me two very opposite questions: First, why will I not be completely specific, and second, why will I not be totally general?

I think that you may plead in the alternative in court if you are a lawyer. Arguing in the alternative—that is, embracing opposites in your argument—I do not think makes a lot of sense in a parliamentary body.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. FRANK] has expired.

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

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

Mr. FRANK. I have yielded to the gentleman three times, and I yielded the last minute almost entirely to him. I am just trying to answer his point.

The point is this. I did not know that the gentleman from Illinois was going to have the amendment. I do not read the CONGRESSIONAL RECORD as diligently as I should, and I apologize. But I did not have time to specify.

I would be glad to specify. Maybe we could hit up the Sultan of Brunei—they are good at that in this administration—for a little contribution to the homeless. We have Liberia; we have Zaire. I did not have time to do it in detail. That is why I cannot specify completely.

If the gentleman says to me, are there some States that I do not want to hurt, I say yes. I do not want to reduce funds for Israel, for Egypt, for Pakistan. There are some other countries where I do not want to reduce funds.

The gentleman apparently thought that he might embarrass me if I mentioned that I think that some recipients of foreign assistance are more worthy than others. That does not embarrass me in the slightest. I think that anybody with a brain understands that some countries that get foreign assistance are more valuable than others, and that is what I would leave to the discretion of the gentleman from Wisconsin. The ranking member of his subcommittee I believe is the gentleman from New York [Mr. KEMP]. I apparently have more confidence in the gentleman from New York than my friend over there—Mr. EDWARDS, I am sorry; I apologize.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. FRANK] has expired.

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

Mr. FRANK. Mr. Chairman, I just want to reiterate that I do not want to see the underlying amendment, but if we are going to say that we can only help the homeless by taking it from funds already appropriated, protect medical care, protect the farmers, protect veterans, and let us do it out of the discretionary fund of foreign assistance and State Department operations.

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

Mr. FRANK. I yield to the gentleman from New Hampshire.

Mr. GREGG. Mr. Chairman, how much time do I have?

The CHAIRMAN. The gentleman has 15 seconds remaining.

Mr. FRANK. The gentleman has 5 minutes if he wants to get recognition. I will be glad to explain to him how that is done in this Chamber.

Mr. GREGG. Mr. Chairman, I would simply state that it seems to me that if the gentleman from Massachusetts [Mr. FRANK] wishes to bring forth an amendment in which he has already stated that he does not want better than half of the foreign operations budget to be touched, and then states that he wishes to eliminate from the foreign operations budget such a sizable amount of money, that he is not bringing forward an amendment which is a reasonable amendment, he is bringing forward a specious amendment.

Mr. FRANK. Mr. Chairman, just to take back my time, my amendment, compared to that of the gentleman from Illinois [Mr. MICHEL], is a model of specificity in thought.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. FRANK] has expired.

Mr. GREGG. The gentleman can ask for more time, of course. If he would like an explanation of how to do that, I will be happy to give it to him.

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

Mr. Chairman, I was prepared to offer an amendment similar to the amendment presented to this body by the gentleman from Illinois [Mr. MICHEL], but in noticing his amendment in the RECORD, I felt that it

would be more appropriate to simply lend my support to that effort.

It seems to me that all of us here have a commitment to the homeless in our society. This legislation is an attempt to devote additional resources to take care of those very real needs. But in doing so we should not run out and borrow the money; we should not run up the deficit. Clearly if this is a high-priority item, and most of us would argue that it is, there must be some items in our overall budget that are of a lower priority that we can borrow from, that we can reduce in order to make room for funding for this new initiative for the homeless.

The amendment offered by the gentleman from Illinois attempts to present the issue in that fashion, to ask us to set some priorities. If we are going to spend more in fiscal year 1987 on the homeless, then let us find something else in the fiscal year 1987 budget that we can cut in order to take care of these needs.

I commend my colleagues on the Committee on Agriculture for keeping that pay-as-you-go principle in mind as they developed their portion of the bill on food assistance, because in fiscal year 1987 we do provide the offsets in other spending areas to make sure that any new food aid funds spent in this bill are covered by those other reductions.

This amendment offered by the gentleman from Illinois says that we have to apply that pay-as-you-go approach to the other programs within this legislation.

I believe that it is really up to the membership here to decide whether we go along with the amendment offered by the gentleman from Massachusetts [Mr. FRANK]. Frankly, whether we turn it back to the Committee on Appropriations to look across a broad number of accounts to find some other areas that can be reduced, or whether we go specifically into the foreign-aid accounts and look there, is not the big issue to me. The big issue is, Will we cut in other areas to offset increases in these areas, so that overall we do not add to the deficit?

The principle can be adhered to whether we adopt the Frank amendment or whether we adopt the Michel amendment as is.

Again, I think that this philosophy has to be evident in all of our work this year when we are facing new demands in the area of competitiveness and retraining for workers displaced by unfair trade, and as we look at other important needs. We cannot solve problems by running up the deficit. We cannot solve problems with borrowed money. We have to toe the line. We have to keep an eye on the bottom line. And I think that this amendment deserves our consideration and our support.

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

Mr. PENNY. I yield to the gentleman from Illinois.

Mr. MICHEL. I appreciate the gentleman's yielding.

Mr. Chairman, let me applaud the gentleman for the comments that he has made. I noticed the gentleman from Wisconsin [Mr. OBEY] on the floor, who is responsible in no small measure in the appropriation process in the foreign-aid field, and I must say that I have the reservations about spelling out, as I understand that the Frank amendment would do, rather than giving a more free, flexible option to the Committee on Appropriations to make those reductions from the places that I think might be more appropriate. I would be interested in the comment of the gentleman from Wisconsin [Mr. OBEY] relative to what has been proposed here. But I do want to applaud the gentleman for his support and thank him for it.

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

Mr. GONZALEZ. Mr. Chairman, I move to strike the requisite number of words and I rise in opposition to the Michel amendment.

Let us not kid ourselves. The Michel amendment is a gutting amendment. If the Michel amendment is accepted, what you do here is just knock out the authorization in this bill, and in effect you have gutted it. Any way you want to describe it, that is what it ends up in being.

I think the main thing though that motivates me getting up at this point, and clearly identifying this as a gutting amendment, it has no intention of aiding the processes of urgent and immediate relief to the homeless at all. The idea is to kill this legislation, and that is what it is. There is no way it can be perfected by any amendments offered thus far.

But I think the distinguished minority leader displays a lack of knowledge of the bill. Obviously he did not read this bill when he said there is no definition of homeless here. In the definition section of this legislation we say definitions, for the purposes of the subpart—

> The term homeless individual means an individual who lacks housing without regard to whether the individual is a member of a family, including an individual whose primary residence during the night is a supervised, public or private facility that provides temporary living accommodations.

That is our definition phrase.

The minority leader says there is no such thing. This reveals that the minority leader, whose intent and explicit intent is to gut the legislation, not to add a perfecting amendment, an improvement to the legislation such as has been the effort of four different committees, three of them having even had hearings on this matter, and having the imprimatur of the Budget Committee on our whole process as being within the terms of the budget. We have approval from the Budget Committee, we have a proper definition of the budgetary compliance in this proposed legislation, and I just feel that the Members ought to know that this amendment is simply a gutting amendment, and I urge the Members to resist and vote against it.

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

Mr. GONZALEZ. Certainly I yield to the gentleman from Pennsylvania.

Mr. WALKER. I thank the gentleman for yielding. The definition of homeless that he read, is that the definition under title II?

Mr. GONZALEZ. The gentleman is correct.

Mr. WALKER. The definition that he read is a definition different from the definition in H.R. 558. Has the definition been changed in the substitute from the definition that was in H.R. 558?

Mr. GONZALEZ. I do not know what the gentleman is referring to as definition in H.R. 558.

Mr. WALKER. I am referring to the same thing, I mean the definition section of title II, and it says, "For purposes of this title, the term homeless means families and individuals who * * *," and it goes on. That definition is different from the one that the gentleman just read to this House.

The only thing I can assume is that between the time that this bill was drafted and the substitute was brought to the floor, that the title of homeless changed. Can the gentleman clarify the point?

Mr. GONZALEZ. First, let me say that this definition I read is a conforming amendment throughout the bill, and that the gentleman must remember that we accepted to proceed on the amendatory processes on the substitute.

Mr. WALKER. Yes.

Mr. GONZALEZ. And what the gentleman is referring to in his perplexity here is the original 558 in the definition portion. The issue is not that at all. The issue is that the distinguished minority leader stated that there was no definition of homeless, and I am saying that there is, and the gentleman clearly recognizes it, and it is existent. Whether it is in the first version or the second version, it is there.

Mr. WALKER. If the gentleman will yield further?

Mr. GONZALEZ. Certainly, I yield to the gentleman from Pennsylvania.

Mr. WALKER. The reason why, of course, it comes up is that it appears as though the definition that the gentleman is using is a changing definition. What the gentleman read is sub-

stantially different from what was in the original bill.

The minority leader, I think, validly raises the point that we do not seem to have a clear definition of exactly who it is who is going to get these benefits, and the gentleman has just admitted to me now that, in fact, that definition is a changing definition.

The CHAIRMAN. The time of the gentleman from Texas [Mr. GONZALEZ] has expired.

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

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

Mr. GONZALEZ. I yield to the gentleman from Connecticut.

Mr. MCKINNEY. There are two definitions of homeless in the bill, one done by the Energy and Commerce Committee on page 37, which is homeless individual. The other is on page 59 and is one that was done by the Committee on Banking, Finance and Urban Affairs in the Subcommittee on Housing and Community Development, and is listed as the homeless. They are two different definitions, one for the homeless individual and one for the homeless.

Mr. WALKER. Will the gentleman yield to me?

Mr. GONZALEZ. I will be glad to yield to the gentleman from Pennsylvania.

Mr. WALKER. That is different from what the gentleman just told me. He said that in the substitute it was given as a conforming amendment and the term "homeless" means the same thing throughout the bill.

Mr. GONZALEZ. That is right.

Mr. WALKER. The gentleman from Connecticut told us we have two different definitions for homeless in the bill. Now which is it?

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

Mr. GONZALEZ. I yield to the gentleman from Connecticut.

Mr. MCKINNEY. There are two entirely different aspects of this bill. One is housing and one is essentially health. Let us group, or block it that way. The health one is particularly for an individual, obviously, for obvious reasons which we all understand. And the other is the housing one. Other than that, they say the same thing in different words.

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

Mr. Chairman, I am not quite certain what to urge people to do, but I think what I am going to suggest you do is support the Frank amendment to the Michel amendment and then I would urge you to vote against both of them, frankly, out of deference to the request of the Reagan administration.

If I had my way, I would take the Frank amendment cold turkey because, as you know, I have been trying for 2 years to hold down the foreign aid bill as chairman of that subcommittee. But before people get too pious and start posing for political holy pictures on the deficit here today, I would like to give you a few numbers.

□ 1520

I am really interested in the fact that all of a sudden, when we are dealing with the most wretched souls in this country, people with no housing, no community structure to support them, no family structure supporting them, people out there stripped of everything but their mere existence, all of a sudden we are passionate in defense of the budget. But let us take a look at what the administration is asking us to report out when we mark up the appropriations supplemental next week:

The administration is asking me to give them an additional $1,100 million in foreign aid. Not cuts, but additional foreign aid. The administration is asking us to provide $3 billion in additional spending for the Pentagon. The administration overall is asking that we spend $12 billion more, not less—more, and how are they paying for it? They are paying for it by proposing reductions of $5.8 billion—not enough to cover the $12 billion. They are providing reductions of only $5.8 billion and $5.7 of that reduction comes on the domestic side of the ledger.

So I would suggest to you that before we pose for holy pictures on deficit reduction today, Mr. Chairman, that we treat people on an equal footing. In fact, I do not even agree that that is the morally correct thing to do. I agree with the Catholic bishops who say that the poor and the homeless and the defenseless in this society have a prior obligation that exceeds anybody else's, and that until we meet that obligation, we are not meeting our moral obligation anytime we deal with budget issues.

That is part of what this homeless bill is all about today. So I would urge you to vote for the amendment to the Michel amendment, because if we are going to take it out of previously appropriated items, at least let us take it out of an administration priority which they have not been willing to control.

Do you know how much foreign grant military assistance has gone up under Ronald Reagan? Since the day that Ronald Reagan became President, the giveaway military aid—that is the stuff he used to squawk about before he became President—the giveaway military aid has gone up 600 percent in the budget.

Now I suggest, if we are going to pay for this out of the hide of some other program, do it out of foreign assistance; but just remember, institutionally both of these amendments are irresponsible because we have a distinction in process here between what authorizing committees are supposed to do and what the appropriations committees are supposed to do.

We fundamentally corrupt the process by which we legislate when we engage in this funny business of trying to pretend that you are saving a dime on an authorization bill by instructing the appropriations committees to do anything.

We all know this amendment is not going to survive in conference anyway; it is another one of those political amendments that is offered, and I think you ought to do with it what we ought to do with all political amendments, which is to junk both of them after you first adopt the substitute amendment.

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

Mr. Chairman, I would like to join with my colleague [Mr. OBEY] a member of the Committee on Appropriations, in opposing this amendment; in fact, the amendment to the amendment as well. I do so soberly, because I have agreed with my friend the minority leader [Mr. MICHEL] in prior years when he moved, for example, to terminate revenue sharing because we did not have the money to pay for it. We probably had not provided money in the budget or appropriations process for this very popular program.

I agreed with him in his approach to providing for drugs in the last session of Congress. I think it was patently inappropriate; a violation of our trust to be up front with the American people to provide funds that were not there, really, to fight a problem we all took very seriously.

This is a different situation than we were in at the end of the last fiscal year. Mr. OBEY has said it well; we are messing around with an appropriations process that has not even had an opportunity to play itself out during the remainder of this fiscal year.

We are marking up a supplemental appropriations bill now. There remains some $7.7 billion, I believe, in discretionary budget authority available. That is not enough to satisfy all demands and we will have to make some choices in the next several months about how we are going to use that authority before the end of this fiscal year. The last thing we need to do is to cause the Appropriations Committee to have no influence about how to allocate and apportion among our priorities as we make these decisions on the supplemental.

In addition, there is no question that we have cut over the last 6 years some $300 billion in domestic spending out of essentially 12 of the 13 subcommit-

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tees of the House Committee on Appropriations everything but defense.

To be clear we have, in fact, reduced our domestic budget from the Congressional Budget Office's baseline, in real terms well over $300 billion. This amendment would simply force us to cut more this year out of discretionary appropriations that have declined as a percentage of the total budget by some 5 percent in the last 6 years, without being able to sensitively do so, without being able to set priorities on behalf of all the Members.

It is obvious, Mr. Chairman, that this amendment is politically motivated; it will not work. More appropriately, though, we ought to be focusing on the job the Appropriations Committee will have over the next several months, as I have indicated, and that is not an easy one because we have already had requests that exceed the budget; we have already been asked for funds by the administration, by the committees, the authorizing committees, that really does make it impossible for us to remain within our budget amount.

But we cannot operate with our hands tied behind us as this amendment would require; we cannot do a fair job of allocating resources if we have some automatic process working, where the Committee on Appropriations does not have the opportunity even to comment on where we will get the funds to aid the homeless.

We have made the mistake of not providing enough for these people in the past. We are about to rectify that mistake; let us not agree to amendments that will totally gut this proposal and hold out a promise that we will not be able to keep.

Mr. Chairman, I yield to my friend from Minnesota [Mr. VENTO].

Mr. VENTO. Mr. Chairman, I rise in opposition to the Michel amendment.

Mr. VENTO. Mr. Chairman, if we are going to have to adopt one of these amendments, I am going to vote for the Frank amendment, but hopefully we will not opt for either amendment.

The amendment offered requires that any funding for these programs come from reductions in existing appropriations. Whether these amendments are cloaked in rhetoric such as pay-as-you-go or transfers from existing accounts, the effect will kill funding for this year.

The tragedy of this approach is that it seeks to exact a discipline on the homeless programs that is not required in any other program that we find. This type of amendment demands that the poorest of the poor, the least powerful in our society, take money away from somebody else before they can have a warm bowl of soup or a blanket or a cot.

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

Mr. Chairman, I have a feeling that the Frank amendment is going to pass in this body, and I think it is rather important to establish the legislative history with regard to that amendment, because I think we are going to have a very clear vote, then, in a moment.

As I understand what the gentleman from Massachusetts [Mr. FRANK] has told us is, that he has specified certain countries where we ought to take the money out. He said Liberia, Brunei, and Zaire were places that he would take it out. I would hope that maybe we could add Mozambique and Ethiopia to the list, because it seems to me that the mass genocide in Ethiopia might be a thing that we would want to talk about.

Mr. FRANK. Mr. Chairman, will the gentleman from Pennsylvania [Mr. WALKER] yield?

Mr. WALKER. I yield to the gentleman.

Mr. FRANK. Mr. Chairman, the gentleman misunderstood me. I would not like to claim that simply by making a couple of illustrative statements in debate I could make binding legislative history.

I did say that I believe Liberia and Zaire would be the ones, but I also said explicitly my intention was, and I said this several times as is my unfortunate habit, to leave it to the discretion of the Subcommittee on Appropriations.

I would only add one other correction. I did not suggest that we should cut aid to Brunei. Brunei, as the gentleman knows, gives aid to us; we are the conduit. So I would ask Brunei to give us more money. I would cut money to the others, but I would leave it up to the subcommittee.

Mr. WALKER. Mr. Chairman, if the gentleman would allow me to reclaim my time. I think, though, the gentleman also stated—and I think it very necessary to make this clear if the gentleman's amendment has a chance of winning—that he would not want the aid to come out of Israel, Pakistan, or Egypt.

The gentleman is shaking his head "yea," and that is clearly, then, the intention, it seems to me, of the House as we vote for this amendment; that we are to take the money out of places other than Israel, Egypt, and Pakistan.

Now, should the gentleman's amendment be adopted, as I have a feeling that it may be, then we are going to have a very clear vote on the Michel amendment; because at that point the Michel amendment becomes the question of whether or not we add more money to the deficit or whether or not we take it out of foreign aid.

□ 1530

Now the gentleman from Wisconsin [Mr. OBEY] said we ought to vote against both. I would suggest when we get to that vote that a lot of people may want to think about that. You may want to think about whether or not you would rather take it out of foreign aid than add to the deficit. In my case I think it might be very reasonable for me to vote "yes" on the Frank amendment and also vote "yes" then on the Michel amendment because it seems to me that at that point we have a clear choice before the House of Representatives.

That clear choice is this: Are you more willing to add to the deficit and thereby run a bypass past the Budget Act than to take money out of foreign aid? In my case I think we ought to take it out of foreign aid and not add to the deficit. It will be interesting to see how the House votes.

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

Mr. WALKER. I will be very glad to yield to the gentleman from Illinois.

Mr. MICHEL. I thank the gentleman for yielding.

Mr. Chairman, the gentleman from Wisconsin a few moments ago said this was a political amendment. Now I am not so thin skinned that I would be offended by someone making that characterization of my amendment. I do think, however, from my intelligence on the other side of the Capitol, that there is significant support over there for the kind of amendment that I have offered here in the House of Representatives. I just happen to feel that overall, under budget restraints that we are under today, that we have got to pick and choose some serious priorities and that, frankly, what we are saying here, we are trying to declare our sensitivity to the need here. I would have a quarrel with the total amount. I think we can get by with something less than that. By the same token then we had better, if we are going to be serious about deficit reduction here, make the decision here today that it comes from some other area that frankly is not as important as taking care of the homeless. I think it has certainly been offered in good faith and is not political at all in that sense, other than that this is a political body and political decisions are made every day, across the aisle and on the same side.

Mr. WALKER. I thank the gentleman, because his amendment offered us a broad range of choices. The gentleman from Massachusetts, in his wisdom, has decided that we ought to narrow that range of choices to simply foreign aid. The question then becomes whether or not foreign aid is more importnat than budget deficits, and I would hope that the House will decide that we will take the money out of the foreign aid bill and that we will do so knowing that the money is not to come out of Israel, is not to come

out of Pakistan, and is not to come out of Egypt.

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

Mr. WALKER. I will be glad to yield to the gentleman from Massachusetts.

Mr. FRANK. I thank the gentleman for yielding.

I would like to add further that it is not just foreign aid. I did say budget function 150, which I believe includes the Eximbank, State Department. It is foreign operations in the broad, with some of the development banks. I just wanted to clear that up.

Mr. WALKER. I thank the gentleman for the clarification. It is a little bit broader than I described it. I think it is well to clarify it that way.

But I just want to make the House aware that that is the choice I think that you are going to probably going to have: Add to the deficit or take it out of foreign aid.

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

Mr. WALKER. I will be glad to yield to the gentleman from Wisconsin.

Mr. OBEY. I thank the gentleman for yielding.

Mr. Chairman, if the Frank amendment is adopted, how does the gentleman intend to vote on the administration request that we, through expedited procedures, add an additional $300 million in foreign aid to Central America?

Mr. WALKER. Well, I would say to the gentleman that I think that we probably, in prioritization, ought to find money to defend ourselves against the Communist aggression that is taking place in Central America.

Mr. OBEY. So the gentleman is going to vote for more foreign aid next week, is that right?

Mr. WALKER. No, I am for cutting in other places, other areas of foreign aid so we can find money to fight Communists.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. WALKER] has expired.

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

Mr. WALKER. I am perfectly willing, for instance, to cut money out that we now send to Communist countries in order to find money to fight Communists. I am always amazed that in this body we do not seem to have that same sense of priority. So we ought to take it out of Mozambique and give it to Central America.

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

Mr. WALKER. I yield to the minority leader, the gentleman from Illinois [Mr. MICHEL].

Mr. MICHEL. I thank the gentleman for yielding further.

Mr. Chairman, the request of the administration for $300 million is one coming out of transfer from funds in foreign aid and Defense Department appropriations for that necessary money down in Central America.

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

Mr. WALKER. I will be glad to yield to the gentleman from Wisconsin.

Mr. OBEY. I thank the gentleman for yielding.

Mr. Chairman, is the gentleman aware of the fact that with the adoption of the foreign assistance bill last year no money goes to a Communist country unless the President certifies that it is necessary for the national interest? Any money that goes to Communist countries goes there because Ronald Reagan says it is essential in the national interest or it does not go there.

Mr. WALKER. As the gentleman well knows, Ronald Reagan is also subservient in some cases on that to his State Department. I think they made some bad decisions along the way.

So let me say to the gentleman I think we ought to lock it down tight and we ought to stop voting aid to Communists in this body.

Mr. FIELDS. Mr. Chairman, I rise in support of the Michel amendment to H.R. 558, the Urgent Relief for the Homeless Act.

Important, if not incumbent at this time to focus on the Michel amendment—lot of rhetoric to disguise the true intent of the Michel amendment. The amendment offered by our distinguished minority leader is deceptively simple, deceptively logical. It would ensure that the authorization of funds under H.R. 558 does not result in increased appropriations in fiscal 1987. Rather, any authorized funds must come from unobligated funds that have been appropriated prior to this date.

The amendment allows that "any authorization of appropriations * * * shall be considered to be only an authorization to approve the transfer * * * of amounts provided in appropriation acts before the date of the enactment of this act."

Mr. Chairman and colleagues, I cannot believe that we are here today actually considering spending an additional $725 million to address a single issue in this fiscal year when just a few very short months ago Congress, without my support, passed the largest spending bill ever.

Billions of dollars have been appropriated for the various executive departments for fiscal 1987. Much of those appropriated amounts have not yet been spent. If Congress decides that money should flow to help the homeless, it has to recognize that that new priority must push already established priorities to the back of the line.

Furthermore, and I say this without disregard for the true needs of the homeless, H.R. 558 is a hastily and ill-conceived legislative package which attempts to address a poorly understood problem by creating a new categorical entitlement program.

The committee on which I serve, Energy and Commerce, authorized a new categorical program to provide outpatient services to the homeless in this bill. Although I may have no objection to providing these services to those truly without resources, I suspect that this new program will duplicate services already provided through other programs and facilities.

But, we have not taken the time to see how these current resources and established programs might be used to address the needs of the homeless in this country. First we need to understand the nature of the population. Until then I feel that there is little reason to believe that new programs will be effective.

With the current $160 billion deficit staring at us, we cannot simply continue appropriating money for new programs, even if they are designated as emergency or, as in this case, urgent. We cannot afford to throw this much money at a problem that is ill-defined and not well-understood. Nor can we afford to throw this much money at a new program with more administrative overhead. This is poor public policy.

Again, I support the Michel amendment which would preclude additional appropriations in fiscal 1987 for programs authorized under this bill. I urge my colleagues to support this amendment as a demonstration of fiscal responsibility and as a protest against the promulgation of poor public policy. We must make priorities about spending.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. FRANK] to the amendment offered by the gentleman from Illinois [Mr. MICHEL].

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. MICHEL], as amended.

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 203, noes 207, not voting 23, as follows:

[Roll No. 19]

AYES—203

Alexander	Clinger	Fawell
Applegate	Coats	Fields
Archer	Coble	Flippo
Armey	Coleman (MO)	Florio
Badham	Combest	Frenzel
Ballenger	Coughlin	Gallegly
Barnard	Courter	Gallo
Bartlett	Craig	Gekas
Barton	Crane	Gingrich
Bates	Daniel	Goodling
Bennett	Dannemeyer	Gradison
Bentley	Darden	Grandy
Bereuter	Daub	Gregg
Bilirakis	Davis (IL)	Gunderson
Bliley	Davis (MI)	Hall (TX)
Boehlert	DeLay	Hamilton
Boulter	DeWine	Hammerschmidt
Broomfield	Dickinson	Hansen
Brown (CO)	Dornan (CA)	Harris
Buechner	Dreier	Hastert
Bunning	Duncan	Hefley
Burton	Dwyer	Henry
Byron	Dyson	Herger
Callahan	Early	Hiler
Campbell	Edwards (OK)	Holloway
Chandler	Emerson	Hopkins
Chappell	English	Houghton
Cheney	Erdreich	Huckaby

Hughes
Hunter
Hutto
Hyde
Ireland
Jacobs
Jeffords
Jenkins
Johnson (CT)
Kasich
Kemp
Kolbe
Konnyu
Kyl
Lagomarsino
Lancaster
Latta
Leath (TX)
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Lott
Lowery (CA)
Lujan
Lukens, Donald
Lungren
Mack
Madigan
Marlenee
Martin (IL)
Martin (NY)
McCandless
McCloskey
McCollum
McDade
McMillan (NC)
Meyers
Michel
Miller (CA)
Miller (OH)
Molinari
Moorhead
Morella
Morrison (WA)
Myers
Nichols
Nielson
Olin
Oxley
Packard
Parris
Pashayan
Patterson
Penny
Petri
Porter
Pursell
Quillen
Rahall
Ravenel
Ray
Regula
Rhodes
Ridge
Ritter
Roberts
Robinson
Rogers
Roth
Roukema
Rowland (CT)
Rowland (GA)
Saiki
Saxton
Schaefer
Schneider
Schuette
Schulze
Sensenbrenner
Sharp
Shaw
Shumway
Shuster
Skeen
Slaughter (VA)
Smith (NE)
Smith (TX)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Solomon
Spence
Stallings
Stangeland
Stenholm
Stratton
Stump
Sundquist
Sweeney
Swindall
Tallon
Tauke
Taylor
Thomas (CA)
Upton
Valentine
Vander Jagt
Vucanovich
Walker
Watkins
Weber
Weldon
Whittaker
Wolf
Wortley
Wylie
Young (FL)

NOES—207

Ackerman
Akaka
Anderson
Andrews
Anthony
Aspin
Atkins
AuCoin
Bateman
Bellenson
Bevill
Biaggi
Bilbray
Boggs
Boland
Boner (TN)
Bonior (MI)
Bonker
Borski
Bosco
Boxer
Brennan
Brown (CA)
Bruce
Bryant
Bustamante
Cardin
Carper
Carr
Clarke
Clay
Coelho
Coleman (TX)
Collins
Conte
Conyers
Cooper
Coyne
Crockett
de la Garza
DeFazio
Dellums
Derrick
Dicks
Dingell
DioGuardi
Dixon
Donnelly
Dorgan (ND)
Downey
Durbin
Dymally
Eckart
Edwards (CA)
Espy
Evans
Fascell
Fazio
Feighan
Fish
Flake
Foglietta
Foley
Ford (MI)
Ford (TN)
Frank
Frost
Garcia
Gaydos
Gejdenson
Gibbons
Gilman
Glickman
Gonzalez
Gordon
Grant
Gray (IL)
Gray (PA)
Green
Guarini
Hall (OH)
Hatcher
Hawkins
Hayes (IL)
Hayes (LA)
Hefner
Hertel
Hochbrueckner
Howard
Hoyer
Johnson (SD)
Jones (NC)
Jones (TN)
Jontz
Kanjorski
Kaptur
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kostmayer
LaFalce
Lantos
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lewis (GA)
Lipinski
Lowry (WA)
Luken, Thomas
MacKay
Manton
Markey
Martinez
Matsui
Mavroules
Mazzoli
McCurdy
McHugh
McKinney
McMillen (MD)
Mfume
Mica
Miller (WA)
Mineta
Mollohan
Montgomery
Morrison (CT)
Mrazek
Murphy
Murtha
Nagle
Natcher
Neal
Nelson
Nowak
Oakar
Oberstar
Obey
Ortiz
Owens (NY)
Owens (UT)
Panetta
Pease
Pepper
Perkins
Pickett
Pickle
Price (IL)
Price (NC)
Rangel
Richardson
Rinaldo
Rodino
Roe
Rose
Rostenkowski
Roybal
Russo
Sabo
Savage
Sawyer
Scheuer
Schroeder
Schumer
Sikorski
Sisisky
Skaggs
Slattery
Smith (FL)
Smith (IA)
Smith (NJ)
Solarz
Spratt
St Germain
Staggers
Stark
Stokes
Studds
Swift
Synar
Thomas (GA)
Torres
Torricelli
Towns
Traficant
Traxler
Udall
Vento
Visclosky
Volkmer
Walgren
Waxman
Weiss
Wheat
Whitten
Williams
Wilson
Wise
Wolpe
Wyden
Yates
Yatron

NOT VOTING—23

Annunzio
Baker
Berman
Boucher
Brooks
Chapman
Dowdy
Gephardt
Horton
Hubbard
Inhofe
Leach (IA)
Livingston
Lloyd
McEwen
McGrath
Moakley
Moody
Roemer
Skelton
Slaughter (NY)
Tauzin
Young (AK)

□ 1550

The Clerk announced the following pair:

On this vote:

Mr. McEwen for, with Mr. Leach of Iowa against.

Messrs. STAGGERS, JONES of North Carolina, SMITH of Florida, BRYANT, CONYERS, VOLKMER, KANJORSKI, GAYDOS, MURPHY, and KOLTER changed their votes from "aye" to "no."

Messrs. McCLOSKEY, CRAIG, and ALEXANDER, Miss SCHNEIDER, Messrs. COATS, RAHALL, and EDWARDS of Oklahoma, Mrs. MORELLA, and Mr. MORRISON of Washington changed their votes from "no" to "aye."

So the amendment, as amended, was rejected.

The result of the vote was announced as above recorded.

□ 1600

AMENDMENT OFFERED BY MRS. ROUKEMA

Mrs. ROUKEMA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. ROUKEMA: At the end of the bill, add the following new title:

TITLE VI—LIMITATION ON PROVISION OF ASSISTANCE

SEC. 601. REQUIREMENT OF STATE PLANS WITH RESPECT TO MENTALLY ILL INDIVIDUALS.

Nothwithstanding any other provision of this Act to the contrary, assistance made available pursuant to this Act may not be expended in any State that has not by law established a State plan with respect to the provision of community-based services and treatment for mentally ill individuals.

Mrs. ROUKEMA (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from New Jersey?

There was no objection.

Mr. GONZALEZ. Mr. Chairman, I reserve a point of order on the pending amendment.

The CHAIRMAN. The gentleman from Texas reserves a point of order on the amendment.

Mrs. ROUKEMA. Mr. Chairman, I would think that compared to what we have just been through this amendment will be tame.

Mr. Chairman, the amendment I offer today is intended to stimulate a debate on a subject of great severity, but which has not been elevated to the level of national direct focus.

My amendment is directed to the society's neglect. The whole subject of homelessness, and specifically the mentally ill who were deinstitutionalized or who were never in an institution, is an unpleasant one. Discussion of this topic holds a mirror up to the face of society. Until now, society has reacted like Snow White's ugly step mother, who broke the mirror rather than face the truth.

At the outset, let me establish two things for the record. First, I support H.R. 558. I am a cosponsor of the legislation. I supported it in the Housing Subcommittee and in the full Banking Committee. We have a serious homelessness problem in America and the Federal Government has a role to play in solving that problem.

Second, I recognize that the homeless population is diverse. The stereotype of the homeless person as a single male suffering from alcoholism. The nature of the homeless population is changing dramatically. Shelters have seen a dramatic increase in the number of families and children without homes. I understand that there are many segments to that population besides the mentally ill. My amendment, however, and the debate I hope it spurs are focused only on the problem associated with those who are homeless because of deinstitutionalization.

With those two facts established, let me explain my amendment.

Through much of the sixties and seventies, States released the number of patients in State mental institutions. This was a social and medical experiment with the best of intentions. But many States failed completely in their responsibility to develop community based treatment facilities to help the mentally ill cope with life outside an institution.

This abdication of responsibility is an outrage. If the Federal Government must now act because of that abdication, then so be it. But I want the record to reflect clearly that we are cleaning up someone else's mess. There are many Governors and local officials who should be called upon to explain themselves.

My amendment would say to those States that met their responsibility,

"We applaud your action and we are willing to help with the money contained in H.R. 558."

However, to those States that did nothing and which still do not have in place any plan to provide community-based treatment centers for the mentally ill, my amendment would say, "The Federal Government is not going to reward your inattention to this problem with a bailout."

Now, I am sure that my colleagues understand that I am offering this amendment to be provocative. The debate on this amendment should put States on notice that they are not being let off the hook.

Congress also spoke on this matter last year by enacting Public Law 99-660, the omnibus health bill. A provision of that law requires States to form plans to deal with the mentally ill. We were long overdue in imposing that requirement. I have only a few reservations about that law. First and most obvious, we in the Federal Government should not have to tell the States to do this. The need was obvious, and States should have been doing it for 15 or 20 years. Second, Public Law 99-660 authorized $10 million in grants to States to develop their plans. Some level of Federal financial assistance may be appropriate, but I do not want the States to think that the Federal Government should or is going to shoulder the bulk of these planning costs. Finally, the law provides only a weak sanction against any State which fails to develop a plan—the Federal Government can withhold administrative fees to the States under the Alcohol, Mental Health, and Drug Abuse Block Grant Program.

Today, with my amendment, we are speaking again to the States, and we are saying, "face your responsibility."

As I indicated, not every State is at fault. Wisconsin and Vermont are States which experts point to as ones which did a good job of providing community alternatives to State institutions. In my own State of New Jersey, Governor Kean's recent budget calls for $12.6 million in new spending to improve community care for the mentally ill, and it outlines a 4-year plan to reduce the number of patients at Greystone Park State Psychiatric Hospital. Unfortunately, such States have been the exception rather than the rule.

The inadequacy of the care available to deinstitutionalized patients is suggested by the large increases since the early 1960's in the rate of admissions to State mental hospitals and by the fact that a growing majority of admitted patients have been hospitalized before. The drop in the resident population of the institutions is accounted for by shorter average stays. Younger ill people who might have been institutionalized 15 years ago now receive only brief and episodic care.

The system is cold, uncaring. Chronically disturbed people are sent out into the community, often to empty lives in single-room-occupancy hotels and skid row rooming houses. And they are the relatively lucky ones. With the severe shortage of even this substandard housing, many of the people end up on the streets.

In addition to my position on the House subcommittee, I am also the vice chairman of the Select Committee on Hunger, which has looked extensively into the problem of hunger among the homeless. If our work on those two committees has taught us anything, it is that homelessness is a complex problem; it has many dimensions. Clearly, it is also a long-term problem and one not solved by this emergency measure. With respect to the mentally ill homeless there is a major health care task to be performed. It is a task which should be performed by health care professionals and not by bureaucrats from the Department of Housing and Urban Development, and it is a task which should be organized primarily by State and local governments and not by the Federal Government.

We should look to a legislative vehicle to enforce the requirements of the law. States have to take up their responsibility or face sanctions.

□ 1610

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

Mrs. ROUKEMA. I am glad to yield to my chairman, the gentleman from Texas.

Mr. GONZALEZ. Mr. Chairman, allow me to say that the gentlewoman, of course, is a very valued member of the subcommittee and has been very diligent in her work. I interposed and reserved a point of order because the gentlewoman's amendment at this point on this urgent act is not germane; however, the point that the gentlewoman makes is very, very valid. It addresses a fact that because of decisions made a few years ago, the State governments have interpreted a Federal decree as meaning that because of economy they would empty the eleemosynary institutions for the mentally ill, which is, or course, a source of homelessness that amounts to a goodly 25 to 30 percent.

However, very sadly I must not accept the amendment, as much as I would like to, because it is not germane at this point to this pending legislation.

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

Mrs. ROUKEMA. Yes, I am happy to yield to the chairman of the Health Subcommittee, the gentleman from California.

Mr. WAXMAN. Mr. Chairman, I want to express a great deal of sympathy with the purpose of the gentlewoman's amendment, which, as I understand it, is to tell the States that we want them to develop the plans that will be necessary to deal with the chronically mentally ill.

Last year the Congress enacted and the President signed into law S. 1744 requiring that States develop comprehensive mental health services plans and over the next 4 years implement those plans. Those plans have to be approved by the Secretary of HHS as complying with the requirements set forth in law.

The States which do not comply will lose a portion of their share of the alcohol, drug abuse, and mental health block grant money. I think that is a formidable sanction.

If other sanctions are needed, I want to work with the gentlewoman to look to see what else will be necessary, either by way of incentives or sanctions, because the States should be doing this job.

If we put this amendment in this bill, I think it would be inappropriate, because the States would not act fast enough and we would be seeing that the States' homeless people would lose out on benefits because the State would be taking 6 months, a year or 2 years to do the plan; but I do agree we need to push them to get those plans.

Mrs. ROUKEMA. Mr. Chairman, I thank the gentleman for that statement, but I would like to clearly get on the record here that States have been dilatory and that it may mean that they are going to view this homelessness bill as an indication that somehow the Federal Government is going to bail them out. That is why I want the record to clearly indicate that is not the intention of this committee. This is a 1-year authorization and that the chairman of the Health Subcommittee understands the true nature of this problem and is in agreement that this is a State health problem where the Governors and local authorities should be complying with the requirements of the law more expeditiously than they presently have indicated.

Mr. WAXMAN. Mr. Chairman, will the gentlewoman yield further to me?

Mrs. ROUKEMA. I yield to the gentleman from California.

Mr. WAXMAN. Mr. Chairman, the gentlewoman is absolutely correct. The Congress and the President went on record again last year saying that they must go forward with these plans or they are going to start losing the money they get from the Federal Government; so I would concur with the gentlewoman.

Mrs. ROUKEMA. I would say, Mr. Chairman, that with the concurrence of the chairman of the Health Subcommittee and the understandings es-

tablished in this debate, I look forward next year or at the appropriate time to a legislative vehicle where we can put in legislative language our understandings and agreements with respect to the responsibilities of the States in this matter.

Mr. Chairman, I ask unanimous consent that my amendment be withdrawn.

The CHAIRMAN. Is there objection to the request of the gentlewoman from New Jersey?

There was no objection.

AMENDMENT OFFERED BY MR. DANNEMEYER

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

The Clerk read as follows:

Amendment offered by Mr. DANNEMEYER: In section 201 of the bill: In section 340(d) of the Public Health Service Act (relating to required services, as proposed to be inserted by the bill)—

(1) strike "and" after "services;" in paragraph (4);

(2) strike the period at the end of paragraph (5) and insert "; and"; and

(3) insert after paragaph (5) the following new paragraph:

"(6) ensure that any recipient of outpatient health services pursuant to this subpart is tested for the presence in the bloodstream of the virus causing acquired immune deficiency syndrome (commonly known as HTLV-III/LAV) or for the presence of the antibody to such virus, and that the results of such tests are provided to State public health authorities, which tests results shall remain confidential.

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

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

There was no objection.

Mr. DANNEMEYER. Mr. Chairman, when we were in general debate under this bill, I brought to the attention of the Members an approach that is routinely followed with respect to the treatment of communicable diseases in our society. The basic cornerstone of that treatment and handling of communicable disease is notification to public health officials.

You may say, "Well, why are you talking about notification when your amendment relates to testing?"

It is very simple. Because our society, because our public health authorities in this country have committed a major blunder in terms of making those with the virus reportable, we do not know how many Americans have the virus. The estimates are between 2 and 4 million; but because we have not provided for notification, we must come in through another door to try to figure out and get a handle on how many people in this country have the virus. That is the reason for this amendment.

We would test those persons who come for health services in connection with this legislation for the virus of AIDS.

I want to apologize to the House for bringing just this narrow window of people to be tested. I would like to have the testing requirement expanded to include the following: Federal prisoners, immigrants, persons seeking a marriage license, persons arrested for prostitution, persons arrested for drug use, persons working in the health care industry who would perform invasive procedures, and persons admitted to hospitals. That minimally is what our public health authorities should be doing across this country today; but of course, if my amendment included all these categories to be tested, I would suspect that someone would be on his feet claiming a point of order of nongermaneness because my amendment would be going beyond the scope of the bill. That is why I have narrowly drafted this amendment to only pertain to those to be tested who are seeking health services in this category.

Clearly, the data indicates that over half of them are drug addicts. For that reason they are in the high risk group, those people who historically have contributed 17 percent of the AIDS cases in this Nation.

I want to share with the Members just how serious this epidemic is. It has been estimated, as I have said, that between 2 and 4 million people have the virus. Some estimates are 1 to 2 million. We will take the lower figure, just say 2 million people.

A year ago, public health authorities were telling us that within a year, or 5 years, rather, 20 to 30 percent of that 2 million people would go on to get AIDS. Today the estimate is more like 50 percent that are going to have AIDS within 5 years and the balance of them, the health authorities now tell us, are going to manifest some impairment of the immune system; that is, they are going to have some contact with the health care industry as a result of the impairment of their immune system.

□ 1620

If 50 percent of the 2 million get AIDS in the next 5 years, that is a million people, and estimates are that it takes about $100,000 to care for these people. If you multiply a million times 100,000, we are looking at about $100 billion in health care costs over the next 5 years to take care of these people.

We are going to lose to this disease, unless we find a cure in the next 5 years—more men in our society than we lost to the category of killed in action in World War II, a little less than 300,000 people. That is how serious this disease is.

What is alarming today is that the growth curve of heterosexuals of those getting AIDS today is about where that growth curve was with respect to homosexuals in our society just 4 years ago. Anyone in this country who believes that if they are a heterosexual that they are exempt from getting AIDS, they are deluding themselves. The genus for this disease is promiscuity and perverse sex. Any citizen in our society engaging in promiscuous or perverse sex is at increased risk for AIDS.

The CHAIRMAN. The time of the gentleman from California [Mr. DANNEMEYER] has expired.

(By unanimous consent, Mr. DANNEMEYER was allowed to proceed for 2 additional minutes.)

Mr. DANNEMEYER. Drug users in our society contribute 17 percent of the AIDS cases. This group includes a little more than half of the persons that will be availing themselves of these health-care services under this legislation.

Gallup took a poll last month in this Nation, and I want to share the results with my colleagues:

Eighty-seven percent of the American people believe that we should be testing those who are in the high-risk group for AIDS—male homosexuals, intravenous drug users, and the sex partners of these people.

Seventy-one percent of the American people believe that we should be testing those in the health care industry and in the food industry.

Eighty percent of the American people believe that we should be testing those who apply for a marriage license.

Seventy-seven percent of the American people believe that we should be testing those who enter a hospital for routine treatment.

The heavy majority of the American people are far ahead of the public health authorities in this country. The people of America know intuitively that our public health response has been treating this as a civil rights issue, not as a public health issue. I believe that we should do the responsible thing today and adopt this amendment that just modestly says that those who avail themselves of this homeless treatment through the medical aspects of the bill would be required to submit to a blood test for the virus for AIDS.

The argument perhaps will be made that it is going to cost too much money. In mass quantities this test can cost as little as $2 per test, and most people when they come in for medical care have a blood sample taken. It would be a routine thing to just add the antigen for the virus for AIDS and test it.

I will close by observing that my amendment specifically says that any results of this test are to be kept confidential between the patient and the doctor and the public health authori-

ties, so we are not talking about transgressing on anybody's civil rights.

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

Mr. Chairman, this amendment is an irresponsible amendment, especially on this bill. We have a very limited amount of money that we are providing for health-care services for the homeless. If we require that that money be used to test everyone who comes in for services—every man, woman, and child—for AIDS, mandating that they be tested, mandating that money be used for that purpose, I can assure the Members that there is not going to be any money left over for prenatal care, for low-income women, for essential health-care services for the homeless, which are the whole purpose of this bill.

I suppose that there are some Members who will vote for this amendment thinking that since it would make the bill unworkable in terms of getting money to provide health care to these people that they might find it attractive, but I think that there is another level of why this amendment is one that we ought to reject. Even as recently as last week the Centers for Disease Control convened a 900-person meeting of health professionals in Atlanta, and they considered the question of widespread use of the AIDS test. At that meeting there was virtual consensus that mandatory testing in any setting—hospitals, outpatient clinics, or through the State health authorities—is not only ineffective, but actually counterproductive.

The Surgeon General, Dr. C. Everett Koop, testified before our subcommittee, and when he was asked by the gentleman from California [Mr. DANNEMEYER] whether he would support this proposition, he said clearly and explicitly "No." He thinks that it is a wrong measure to take for health reasons, that it would do more to drive away people who have a high risk of having this disease from coming in and getting tested and receiving counseling and we want to encourage them to come in.

This amendment does an enormous amount of mischief. It is bad from a public health point of view. It is very detrimental to the purposes of this legislation.

Let me also add that this is not the place to deal with the AIDS question. This is one of the major public health problems of our time, and we have to be as thoughtful as possible. I have talked to the gentleman from Illinois [Mr. MADIGAN], the ranking minority member of our subcommittee, and we are in the process of working to produce legislation that will be thoughtful, that will be productive in protecting the public health, that will do what is going to be in the best interests of the health community and the Nation to find a way to stop the spread of this disease.

I think that that is a reasonable way to deal with the problem in legislation. We should think through what the options are and give recommendations to the House, not do it in such a haphazard way.

I yield to the distinguished gentleman from Illinois [Mr. MADIGAN] for a colloquy with him and to ask him to confirm that fact that we are working together on this issue.

Mr. MADIGAN. I thank the gentleman for yielding.

Mr. Chairman, even though I am going to vote in opposition to this amendment, I want to emphasize that as a Member of this assembly, I am in debt to the gentleman from California [Mr. DANNEMEYER] for his willingness to come out and be the point man on this issue. As the other gentleman from California [Mr. WAXMAN] has said, this is now the No. 1 public-health problem in the United States. It is not getting better, it is getting worse by the day nobody knows what the dimensions of this problem are going to be even 12 months from now.

Obviously it deserves the attention of the Congress, and it deserves the attention of the Congress in a reasonably expedited way. This would not be occurring, in my judgment, if it were not for the leadership of the gentleman from California [Mr. DANNEMEYER]. As I have said, I am indebted to him for his leadership, but I am inclinded to agree that we should not be identifying the homeless for this particular treatment at this time.

I think that we have to have the courage to talk about prostitutes. I understand that the word "prostitute" has never been mentioned in any public law ever passed by the Congress of the United States. I think that we have to get that kind of thinking behind us, and we have to be willing to talk not only about the homeless, but about prostitutes, about intravenous drug users, about any and all people who may be and who are most susceptible to this disease.

As the gentleman from California [Mr. WAXMAN] has said, he and I are working on legislation. We are working with the administration on that legislation. We need cost figures, and they are promising us that we are going to get help in estimating those figures so that we can produce this year, in calendar year 1987, and bring to the floor of this House, a piece of legislation that will deal with all of the high-risk groups we hope to provide for those individuals the test that they need and the counseling that they need and the provisions for confidentiality that should be associated with these tests and counseling so as to ensure that they will come forward and make themselves available for the test.

The CHAIRMAN. The time of the gentleman from California [Mr. WAXMAN] has expired.

(By unanimous consent, Mr. WAXMAN was allowed to proceed for 3 additional minutes.)

Mr. MADIGAN. Mr. Chairman, will the gentleman yield further?

Mr. WAXMAN. I continue to yield to the gentleman from Illinois.

Mr. MADIGAN. The gentleman from California [Mr. WAXMAN] has promised me his cooperation in accomplishing this. His staff and my staff and people from the administration are working toward that end right now.

□ 1630

I want to, in reluctant opposition to the other gentleman from California, assure him of my best effort to see that we bring this piece of legislation to the floor of the House of Representatives this year, and I thank the gentleman for yielding.

Mr. WAXMAN. I thank the gentleman for his comments. Reclaiming my time, we need to approach this terrible epidemic in the most responsible fashion possible, not to let hysteria be the way that we will dictate what is the policy, because hysteria can lead us to policies that will be counterproductive to stopping the spread of this disease. So, therefore, I want to hear what the administration wants, what the public health people want, to work with my colleague and friend, the gentleman from Illinois [Mr. MADIGAN] and to have our staff think through what would be appropriate legislation on that subject.

But the legislation that is before us now is health care in a very limited way for the homeless, and this test, which would be mandated, is an expensive test. It could cost an additional $50 to $100 per person for that test, and even more for counseling, and the money that would go into that test and counseling would use up the money that we have scheduled for a whole range of health care services for those people who, by the way, have no other access to health care services at the present time. They are not insured, they are not under Medicaid, they are not under Medicare. They have no other way to get their basic health care needs met.

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

Mr. WAXMAN. I am glad to yield to the gentleman from Massachusetts.

Mr. FRANK. If I am correct, as I read the amendment, it would not require that testing go only to certain risk groups, but every single potential entrant, so that some 64-year-old woman, where there was no history of drug abuse, you would have to test that woman and every single entrant, am I correct?

Mr. WAXMAN. That is correct. What we would want to do is focus a legislative proposal that would be most cost effective in accomplishing the objective of trying to stop the spread of this disease.

Mr. FRANK. If the gentleman will yield further, we have had this problem of people not going into the shelters. We know, we all agree, a certain percentage of this population are people that have mental and emotional problems. To take a woman in her sixties, who has no previous record of sexual activity of any great amount, or of drug abuse, and you tell her she cannot go into the shelter, and she has had emotional problems, until she is tested for AIDS, I do not think that that is a useful thing for us to mandate the local governments to do. I do not think that you are going to do a great favor to the police officers either when you ask them to administer that.

AMENDMENT OFFERED BY MR. BROWN OF COLORADO TO THE AMENDMENT OFFERED BY MR. DANNEMEYER

Mr. BROWN of Colorado. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. BROWN of Colorado to the amendment offered by Mr. DANNEMEYER: In the amendment that proposes a new section add the following after the word "tested" "on a voluntary basis".

Mr. BROWN of Colorado. Mr. Chairman, the amendment is very, very simple. It keeps the language of the Dannemeyer amendment, but merely inserts therein that such test is done on a voluntary basis. In other words, testing would be available at these facilities.

I think the gentleman from California has raised an important public health point. I do not mean to diminish the gentleman's efforts in this area at all. He has been a leader in this fight to bring public awareness to this very serious problem.

I am concerned about making the folks that use these facilities the only ones that we have a mandatory test for. It seems to me there is an indication of discrimination here, there is an indication that we have singled these people out for treatment that we do not require of anyone else.

I would certainly acknowledge the gentleman from California has the best of motives, and frankly I think there would be real value in having this test available. The purpose of this amendment, therefore, is to retain the ability to offer this test at these facilities, but it makes it on a voluntary basis instead of requiring it.

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

Mr. BROWN of Colorado. I am glad to yield to the gentleman from California.

Mr. WAXMAN. Mr. Chairman, I think the amendment is an improvement, but I still think it is not an improvement that would justify our acting. It is not responsible for us to act on this amendment at all. I think we ought to defer the subject to further legislation.

The gentleman would make it voluntary. At least that would not require the use of all of the funds for some AIDS test before people could be given basic health care. But it would have a reportable requirement which is part of the original amendment.

I will support the gentleman's amendment, but I still think we ought to defeat the whole thing and go on and deal with this in a manner that would permit the House to look at the AIDS question after the committee of jurisdiction, working with the administration, proposes legislation before us.

So I thank the gentleman for his amendment.

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

Mr. BROWN of Colorado. I am glad to yield to the gentleman from Massachusetts.

Mr. FRANK. Mr. Chairman, I appreciate what the gentleman from Colorado is doing, and it seems to me it is a substantial improvement.

The one problem I have with the amendment has to do with the reportability from two aspects. First of all, you are dealing with the question of reportability in an ad hoc way, because there would be a reportability requirement only for people who came through the shelters at some stage, and not elsewhere. It seems to me that should cause some skewing problems.

Beyond that, we have been told, we just had my local officials down, there is a lot of concern on their part about mandates by us, et cetera. It would seem to me, to the extent that there is a reportability issue, which is a complicated issue, State by State as to who should or should not be, that complicates it.

Without that, I think the gentleman's amendment is a very good one. But approaching the reportability thing in this fashion, mandating that some be and not others I think complicates it, and that is what causes me pause. I am not sure about the public health aspects, what good the data is if you are reporting it with regard to some people and not others. It is certainly useful for scientific and research purposes.

I would hope that the gentleman might change the reportability part, and then I would be wholeheartedly supportive. But the reportability, one, from the standpoint of our mandating the States and, two, dealing only with reportability as to homeless people and not others, I think could lead us into deterring people from going in. I would like the homeless to be able to avail themselves on a voluntary basis of this test, but again we are dealing with people with emotional and mental problems. If you tell them it is reportable, I think you may be discouraging some of the population that we most want to help from taking advantage of the service.

Mr. BROWN of Colorado. I appreciate the gentleman's point, and obviously if he has a further improvement, I am sure that the body would consider it.

This is a very narrow issue. It simply is a question of whether or not you are going to force someone to have this test taken when they go into this facility.

I yield back the balance of my time.

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

Mr. Chairman, I am not sure this is the proper vehicle to address this issue, but there is an amendment before us that deals with this critical health issue, and I intend to vote for it because I think this is so important.

There have been some comments here on this secondary amendment, that this should be a voluntary program. Let me just tell my colleagues why that would not work, and I think ultimately, I really believe this, that we are going to see mandatory AIDS testing for people of grade school level and above across the country, and I think my colleagues ought to know why I feel that way.

Today it is estimated there are 2 million people with the AIDS virus in their systems. Approximately 50 percent of those people are going to get active AIDS and are going to die from it. Now those 2 million people, those 2 million people by and large do not know they have it. As a matter of fact, right now fewer than 40,000 people have had active AIDS in this country. About half of them have died.

If you take 40,000 and recognize that those 40,000 people know they have AIDS, and you know that there are 2 million people estimated that have the virus in their systems, that means that over 98 percent of the people that have had AIDS virus in their system do not know they have it. And they are out there spreading this thing to other people, and they do not even know they have it, let along the people they are coming in contact with.

The only way you are ever going to get to the bottom of this problem is to identify the people with the AIDS virus, and you are not going to do it with a voluntary program. This AIDS virus is doubling every 10 to 12 months. Today we have approximately 2 million people that have the virus. There are going to be 4 million people approximately in 10 to 12 months, and it is projected to double every 10 to 12 months after that. I do not know when the curve will start to turn down, but if it does not turn down over

the next 5 years we will have approximately 50 to 60 million people that will have the virus in their system.

If the scientists that I have come in contact with, and the gentleman from California [Mr. DANNEMEYER] has come in contact with are close to being correct, we are going to have millions and millions of people terminally ill with the AIDS virus. What that means simply is we are going to have to get on with getting testing approved by this Congress and the health agencies of this country on a monumental scale, not just on a voluntary basis. We are going to have to make sure we know throughout our society who has the virus and direct those people to change their habits, their sexual habits and the way they conduct their daily lives.

□ 1640

Now, if you break that down, that means 10,000 people per day are acquiring the AIDS virus in their system. That is 10,000 a day. That is more than there are live births in this country.

This thing, according to many scientists, threatens the human species, and we cannot just drag our feet and go on with business as usual and appoint commissions to look into it, because today 10,000 new people acquired the virus.

Now here in Washington, DC, in Washington, DC, a Howard University study shows that 50 percent, approximately, of the prostitutes have AIDS, and we have conventioneers that are coming into this town every day and going down on 14th Street and getting involved with those women, and they are taking this virus back home to their wives and their loved ones.

They do not even know what they are getting, because we are not stopping those people from spreading that disease. Now, we are going to have to identify AIDS carriers, who carries the disease, who has the virus in their system, and we are going to have to come up with a program to redirect their activities; either voluntarily or mandatory at some point in the future.

If people will not change their sexual habits—and I am talking about prostitutes, now, and other people who continue to involve themselves in promiscuous activities after having known they have AIDS—they are going to have to be extricated from society; they are going to have to be moved away.

Now, you may say that this problem is not of the magnitude that we are talking about today. I think very few people in this body are really informed on this issue.

I want to tell the body that 15 years ago the people of this country just started hearing about a disease called genital herpes. We do not hear much about that anymore. Do you know, in the last 15 years, how many people have contracted that disease? 40 million. 40 million people in this country, according to scientists, have genital herpes.

Now, if we continue along the same road we have been following, we are going to see millions of people dying.

(By unanimous consent, Mr. BURTON of Indiana was allowed to proceed for 2 additional minutes.)

Mr. BURTON of Indiana. We are going to see millions of people dying from this AIDS virus.

Now some of you are going to say this is hysteria we are talking about, but it is not. This is not a hysterical analysis of the program.

Dr. Vernon Mark of Harvard feels this way; Dr. Robertson of Research, Testing and Development Corp. of Lexington, GA, feels this way; many scientists feel this way, and we are going to have to come to grips with this problem in a relatively short period of time.

Mr. BROWN of Colorado. Mr. Chairman, will the gentleman from Indiana [Mr. BURTON] yield?

Mr. BURTON of Indiana. I yield to the gentleman.

Mr. BROWN of Colorado. Mr. Chairman, I commend the gentleman for his comments. I think his observations about the necessity of testing are very valid.

On a narrow point, I would say if we are suggesting that everyone be tested, we set up a broad system for testing, I would certainly join the gentleman in that effort.

My concern is that we are singling out one group here, and making it mandatory for them and not for others, and I think that is the subject of the amendment.

Mr. BURTON of Indiana. I thank the gentleman for his comments.

Mr. Chairman, when I started my remarks, I said that I was not sure this was the proper vehicle for it, but it does give us an opportunity before this body to bring this point to the fore. I think it is extremely important that everybody in the Congress of the United States realize what we are up against and come to the realization that we have to come to grips with this in a very short period of time.

(By unanimous consent, Mr. BURTON of Indiana was allowed to proceed for 2 additional minutes.)

Mr. DORNAN of California. Mr. Chairman, will the gentleman from Indiana [Mr. BURTON] yield?

Mr. BURTON of Indiana. I yield to the gentleman.

Mr. DORNAN of California. Mr. Chairman, I just wanted to point out a statistic that is rather frightening, and shows the enormity of the problem.

This week we will pass 18,000 deaths due to AIDS, and the Surgeon General told me that figure is probably 20 percent low because family doctors across the country, and it is understandable even though wrong, as they have done for years with suicide, alcoholism, syphilis, all sorts of this will, out of respect or love for a family or a friend, put in something else in the death certificate.

Even at 18,000—I just called the Pentagon, just as a comparison, and asked what month we hit 18,000 killed in action in Vietnam. It was as late as November 1967, and you know this country was focused on that death-inflicting conflict in November 1967, 2 months before the Tet offensive. The 18,000 is a horrendous, enormous problem today.

Mr. KOSTMAYER. Mr. Chairman, will the gentleman from Indiana [Mr. BURTON] yield for a question?

Mr. BURTON of Indiana. I yield to the gentleman.

Mr. KOSTMAYER. Mr. Chairman, the gentleman mentioned the survey regarding the prostitutes in this city who have AIDS. Does the gentleman know how many, how large the sample was; how many prostitutes?

Mr. BURTON of Indiana. The study is 200, as I understand it. So far, they have only come to conclusions on 26 of them, but of the 26, half of them have AIDS.

Mr. KOSTMAYER. I appreciate the gentleman yielding further. There were 16 tested; 8 had AIDS; 8 did not.

Mr. BURTON of Indiana. Well, that is not according—that does not jive with my figures.

Reclaiming my time, let me end by saying this: We cannot procrastinate on this for very long. Many of my colleagues and many of the people around the country are talking about safe sex now, and in Fort Lauderdale, FL, they are passing out condoms to young people along with information indicating that you can have sexual contact without having to have any risk whatever of getting AIDS. That simply is not the case.

In a test that was conducted in San Francisco, CA, among the gay or homosexual community involving another veneral disease that was running rampant throughout that community, they decided to use condoms. The condoms were successful in reducing the instances of gonorrhea among these people by 70 percent.

While it reduced the instance of gonorrhea by 70 percent, the number of people who acquired AIDS went from 12 percent to 67 percent, among the same group. So while one VD was going down, AIDS was going up at a dramatic rate.

So if anybody tells you that there is such a thing as safe sex outside of a monogamous relationship, they are simply giving you the wrong information.

This is going to be the No. 1 issue of the late eighties and nineties, and the Congress of the United States must come to grips with this problem.

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

Mr. Chairman, I want to thank my colleague from Colorado [Mr. BROWN] for offering this amendment and for the good intentions that he brings to the issue. Let me explain to you why I think it is an error for the House to adopt the amendment; and I will tell you why.

Up until this time in this Nation, we have been essentially treating the AIDS problem as a civil rights problem. The amendment offered by the gentleman from Colorado [Mr. BROWN] to make this test voluntary continues in that vein, treating this as a civil rights issue.

I believe that it is time we treat this as a public health issue. Now, I respect his obervation that it appears that we are singling out those homeless people who come within the purview of this bill.

I mentioned earlier that I would like to expand those to be tested to include many others: Federal prisoners, immigrants, persons seeking a marriage license, those arrested for prostitution, arrested for intravenous drug use, persons working in the health care industry and persons admitted to hospitals.

The moment that I would include these other people to be tested in my amendment, the people that are opposing my amendment would stand up and raise a point of order of nongermaneness for this other group. That is why I have had to reluctantly only limit it to this group of people covered by the legislation.

Let me explain to you how this thing is so crazy and convoluted. I can illustrate it by comparing how our public health care system treats common venereal diseases that are curable; syphilis or gonorrhea.

In our society today, in every State of the Union, if you go to a doctor and complain of symptoms, and that doctor treats you for syphilis or gonorrhea, which is a curable communicable venereal disease, by law that doctor is required to report that case of a communicable disease to public health authorities.

There is no voluntary participation in the health care process at all. In fact, the patient is told that if they don't reveal who their sexual contacts are they can be quarantined. That is the way public health deals with that issue today.

Contrast the way we are dealing with the virus for AIDS, which is a noncurable communicable venereal disease. It is not even reportable under the system that exists in the public health care system today.

Here, this Member is just trying to say, "Let's test a small group, test a very small group for the virus for AIDS." Why do we test?

□ 1650

We test to gather statistical information on the magnitude of the problem, to cure it and prevent, if we can, the disease from being transmitted to others. I believe any person who has the virus has a duty to know it, so hopefully if they have this virus they are not going to intentionally transfer it to another human. That is why we test people. This is sound public policy. To suggest that we are going to make this whole process voluntary is just a continuation down the wrong course of treating this as a civil rights issue. It is not that. Viruses do not have civil rights. It should be treated as a public health issue. We should reject this amendment making it voluntary and vote for the amendment to require those coming into the treatment centers, half of whom are drug addicts, and drug addicts are contributing 17 percent of the AIDS cases in this country. This is the high risk group. I will repeat to my colleague from Colorado, 87 percent of the American people, in a poll taken by Gallup last month, support not voluntary testing but mandatory testing of these people in high risk groups; namely, male homosexuals who contribute 73 percent of the AIDS cases and intravenous drug users who contribute 17 percent of the AIDS cases, and the sex partners of those people.

If you want to go contrary to the way 87 percent of the American people think we should go, that is your privilege. But I think the people of this Nation are intuitively sick and tired of this issue being treated as a civil rights issue in this country. They want the public health authorities to treat it as a public health issue, and we are moving modestly in that direction by voting down the amendment of the gentleman.

I thank my colleague from Illinois [Mr. MADIGAN] for looking at legislation that would be desirable. Also I can say to my friend from California [Mr. WAXMAN], chairman of the subcommittee on which I serve that when we held hearings a couple of weeks ago with Dr. Koop, and I brought up the numerous bills that I have introduced in this Congress on this issue, Mr. WAXMAN was rather cavalier in suggesting that my bills might never enjoy a hearing. I introduced many of those bills in the last Congress, in September of 1985. Would you believe that I have not had the courtesy of one hearing on any of those bills to date? The point is the issue is being stonewalled. We should stop treating it as a civil rights issue.

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

Mr. Chairman, I have some very significant concerns about the Dannemeyer amendment because I believe that this amendment specifically targets the poor for AIDS testing and I think in that regard it is discriminating.

Now, if we can say that a vast percentage of the homeless also happen to be drug addicts, perhaps that is an appropriate target population. But then are we not supposed to target that same drug addict population if they are members of the middle class or the rich?

Now, this amendment, without taking anything away from the importance of the gentleman's interest in testing people for AIDS, this amendment focuses on one group of the population which may be among the poorest in our society.

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

Mr. RITTER. I will yield to my friend, the gentleman from California [Mr. WAXMAN].

Mr. WAXMAN. I thank the gentleman for yielding.

Mr. Chairman, the gentleman is pointing out another problem with trying to legislate to deal with the AIDS epidemic on this bill. It seems to me the appropriate thing for us to do is to defeat everything that is before us and to write a bill in the committee and not try to write a bill on the floor. I want to concur in the statement of the gentleman that I do not think it makes sense to be making policy until we have thought it through.

Mr. RITTER. I would hope then that the distinguished chairman of the subcommittee would entertain some of the ideas of the gentleman from California with regard to legislation in this area and perhaps at that point he would not be so focused on a legislative vehicle which may not have anything to do with the AIDS issue whatsoever.

Mr. WAXMAN. Mr. Chairman, will the gentleman yield to me?

Mr. RITTER. I yield to the gentleman from California.

Mr. WAXMAN. I thank the gentleman for yielding further.

Mr. Chairman, Mr. MADIGAN and I have already had a discussion. We have pointed out that we are working on a bill together which we expect to present to the House.

Mr. RITTER. I thank the Chairman and yield back the balance of my time.

Mr. ROYBAL. Mr. Chairman, I move to strike the requisite number of words, and I rise against the amendment.

Mr. Chairman, I was hesitant to take the floor on this particular issue but I find it necessary because of the direc-

tion that I see that the House is taking.

I served in the field of public health education before I went into the political arena. I worked in the field of tuberculosis. That was a communicable disease.

I remember very well back in the late 1930's and early 1940's that the same kind of hysteria that we find here in this House today we found in State legislatures, in city councils, and in boards of supervisors in the State of California.

It was a time when the incidence of tuberculosis was the very highest. There was not a single sanitarium in the entire country that was not full.

Now tuberculosis is closely associated with poverty, and the one thing that I remember happening then is that the health authorities were constantly telling the legislators that something, of course, had to be done but it had to be done in cooperation with those who understood epidemiology; the epidemiologists of that time and the health authorities.

It took that combination before we were finally able to almost eradicate tuberculosis.

Now, that particular disease is on the rise again, again due to poverty, again due to all these other things that contribute greatly to the incidence of communicable diseases in general.

I believe that we must go back now to the time and carefully consider the fact that experience has taught us a great deal in the last few years and what it did teach us with regard to tuberculosis and other communicable diseases was that it was not the prerogative of the legislator by himself to do anything, but that the legislator in order to be effective had to be in full consultation with the experts of health, epidemiologists, and also be in touch constantly with the problems existing in the community.

Mr. Chairman, I think that this House would be ill advised to adopt any of these amendments.

I think that what we should do is to make it possible for a committee of this House to study the situation in cooperation with the Department of Health, with the health authorities of this Nation and with the experts who are now studying the incidence of AIDS in this Nation.

You probably remember that it was not too long ago that we brought in the first appropriation for AIDS right here in this House. You probably will remember that up to that time not a single penny had been spent on research.

Well, that was 5 years ago. Now we know a little bit more than we did before. But we also have the experience of the past with other communicable diseases. It seems to me that we as legislators should take one step back and as we do that make it possible for the experts to come in, the doctors, those who are involved with this and to advise us as to what the next step should be.

That I offer as humble advice from someone who actually dealt in that field.

Believe me, if we do not do that, I think the time will come when we may live to regret it.

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

The reason we have been going on a long time about this in a way is a good sign; it means that people on both sides of the aisle understand the critical importance of this AIDS issue.

But, ladies and gentlemen from both sides of the aisle, the way to fight against AIDS is not through this homeless bill. It just is not the proper vehicle. Whether it is voluntary or mandatory, the testing does not belong in this bill. It will have an adverse effect on the spread of AIDS. Under both versions whether it is mandatory or voluntary, there is reportability. We know because the public health experts just had a conference and told us that this is not the way to go.

AIDS is not a political issue. And I am going to say that a lot from this particular well this year, AIDS is not a political issue.

□ 1700

AIDS is a public health issue, and therefore, we must follow the advice of the public health experts.

Every time we are tempted to vote one way or another or make an inflammatory speech, we have to remember what they are telling us. They are telling us not to do the kinds of things that are being done in the Dannemeyer amendment.

Let us please, please vote down these amendments. It is not the appropriate vehicle. Let us remember that when the appropriate committees come in, that is the time that we will be together in fighting this dreadful disease.

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

Mrs. BOXER. I yield to the gentleman from Illinois.

Mr. DURBIN. Mr. Chairman, I would like to stand in opposition to the amendment offered by the gentleman from California. I think to include mandatory testing in this bill singles out one group of Americans, namely the homeless. If we would pass the amendment by the gentleman from California, we would be stigmatizing these unfortunate people.

There is no doubt that in the public eye, there would be a suggestion that the homeless are more susceptible to this disease. We know that is not true. It is a not a group that is at greater risk. We are all at risk, and I think that is very obvious.

I should add, too, that at a meeting of our Select Committee on Children, Youth and Families, a family came before us with four small children and explained what they had been through trying to find shelter. To burden this family and many others with a mandatory AIDS test before giving the kids shelter is inhuman.

I would ask the Members of this committee to reject the amendment offered by the gentleman from California [Mr. DANNEMEYER].

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

Mrs. BOXER. I yield to the gentleman from New York.

Mr. WEISS. Mr. Chairman, I want to agree with the gentlewoman from California [Mrs. BOXER] wholeheartedly. The public health people have, in fact, been telling us repeatedly that mandatory testing of the nature that the gentleman from California [Mr. DANNEMEYER] suggests is exactly the wrong way to go from a public health point of view.

The National Institute of Medicine of the Academy of Sciences issued a report on October 1 of this past year saying exactly that. A CDC hearing 2 weeks ago confirmed exactly that.

We in the Congress have reason to be proud of the fact that we have dealt with this as a public health scientific issue. Let us not turn our backs on the approach of public education and research at this stage.

Mrs. BOXER. Mr. Chairman, the gentleman is right. We should not panic when we do this; we should do it the right way.

The gentleman from California [Mr. WAXMAN] will be coming with us and he is ranking member of the subcommittee. That is the way to deal with this issue.

The CHAIRMAN (Mr. KILDEE). The question is on the amendment offered by the gentleman from Colorado [Mr. BROWN] to the amendment offered by the gentleman from California [Mr. DANNEMEYER].

The amendment to the amendment was rejected.

The CHARIMAN. The question is on the amendment offered by the gentleman from California [Mr. DANNEMEYER].

Mr. MADIGAN. Mr. Chairman, the gentleman from California [Mr. LEWIS] has been seeking recognition for 20 minutes on this side.

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

Mr. Chairman, this rather extended debate on the Dannemeyer amendment and substitute thereto is a very, very important signal note that the House, on both sides of the aisle, is beginning to reflect the constituent in-

terests and concern about what is likely to be the most dreaded disease to face our country in our lifetimes.

Indeed, in a very short time, in every neighborhood, in every family, there is going to be expressed concern about the impact of this disease.

I am most pleased that the appropriate committees involved are seriously addressing this matter this year. We will see comprehensive legislation soon.

I, myself, have a package with well over 100 cosponsors on both sides of the aisle, and it involves the highest level of coordination through a top-level commission, analyzing the potential means of solving this problem.

The way to solve it does not involve, in my judgment, a rifling at a specific group of people in a bill like this. We will have a dozen bills in the next couple of weeks, and we can have this debate over and over and it will tend to polarize us on this issue.

Instead, I would urge us to come together to do our homework, to find solutions, and pass legislation that will raise this issue to the highest level of concern within this House.

For that reason, while I respect the concern of my colleague, the gentleman from California [Mr. DANNEMEYER], I would urge very strongly for my colleagues to vote "no."

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. DANNEMEYER].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 101, noes 292, not voting 40, as follows:

[Roll No. 20]

AYES—101

Archer
Armey
Ballenger
Bartlett
Barton
Bentley
Bliley
Boulter
Broomfield
Brown (CO)
Bunning
Burton
Coats
Coble
Combest
Crane
Daniel
Dannemeyer
Daub
Davis (IL)
DeLay
DioGuardi
Dornan (CA)
Dreier
Duncan
Emerson
Fawell
Fields
Gallegly
Gingrich
Hall (OH)
Hall (TX)
Harris
Hastert
Hefley
Herger
Hiler
Holloway
Hunter
Hyde
Ireland
Konnyu
Kyl
Lagomarsino
Latta
Lent
Lewis (FL)
Lightfoot
Lott
Lowery (CA)
Lujan
Lukens, Donald
Lungren
Mack
Marlenee
Martin (IL)
McCandless
McCollum
McMillan (NC)
Michel
Miller (OH)
Moorhead
Myers
Nielson
Oxley
Packard
Parris
Petri
Ravenel
Rhodes
Rogers
Roth
Schaefer
Scheuer
Schuette
Schulze
Sensenbrenner
Shumway
Skeen
Slaughter (VA)
Smith (NE)
Smith (TX)
Smith, Denny (OR)
Smith, Robert (NH)
Solomon
Stangeland
Stenholm
Stratton
Stump
Sundquist
Sweeney
Swindall
Taylor
Vander Jagt
Volkmer
Walker
Weber
Wilson
Wolf
Wortley
Young (FL)

NOES—292

Ackerman
Alexander
Anderson
Andrews
Applegate
Aspin
Atkins
AuCoin
Barnard
Bateman
Bates
Beilenson
Bennett
Bereuter
Biaggi
Bilbray
Bilirakis
Boehlert
Boggs
Boland
Boner (TN)
Bonior (MI)
Bonker
Borski
Bosco
Boxer
Brennan
Brooks
Bruce
Bryant
Bustamante
Byron
Callahan
Campbell
Cardin
Carper
Carr
Chandler
Chappell
Clarke
Clay
Clinger
Coelho
Coleman (TX)
Collins
Conte
Conyers
Coughlin
Courter
Coyne
Crockett
Darden
Davis (MI)
de la Garza
DeFazio
Dellums
Derrick
DeWine
Dicks
Dingell
Dixon
Dorgan (ND)
Downey
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Edwards (OK)
English
Erdreich
Espy
Evans
Fascell
Fazio
Feighan
Fish
Flake
Flippo
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Frank
Frenzel
Frost
Gallo
Garcia
Gaydos
Gejdenson
Gekas
Gilman
Glickman
Gonzalez
Goodling
Gordon
Gradison
Grandy
Grant
Gray (IL)
Gray (PA)
Green
Gregg
Guarini
Gunderson
Hamilton
Hammerschmidt
Hatcher
Hawkins
Hayes (IL)
Hayes (LA)
Hefner
Henry
Hertel
Hochbrueckner
Houghton
Howard
Hoyer
Huckaby
Hughes
Hutto
Jacobs
Jeffords
Jenkins
Johnson (CT)
Johnson (SD)
Jones (NC)
Jones (TN)
Jontz
Kanjorski
Kaptur
Kasich
Kastenmeier
Kemp
Kennedy
Kennelly
Kildee
Kleczka
Kolbe
Kolter
Kostmayer
LaFalce
Lancaster
Lantos
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (GA)
Lowry (WA)
MacKay
Madigan
Manton
Markey
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McDade
McHugh
McKinney
McMillen (MD)
Meyers
Mfume
Mica
Miller (CA)
Miller (WA)
Mineta
Molinari
Mollohan
Montgomery
Moody
Morella
Morrison (CT)
Morrison (WA)
Mrazek
Murphy
Murtha
Nagle
Natcher
Neal
Nelson
Nichols
Nowak
Oakar
Oberstar
Obey
Olin
Ortiz
Owens (NY)
Owens (UT)
Panetta
Pashayan
Patterson
Pease
Penny
Pepper
Perkins
Pickett
Pickle
Porter
Price (IL)
Price (NC)
Pursell
Quillen
Rahall
Rangel
Ray
Regula
Richardson
Ridge
Rinaldo
Ritter
Roberts
Robinson
Rodino
Roe
Rose
Rostenkowski
Roukema
Rowland (CT)
Rowland (GA)
Roybal
Russo
Sabo
Saiki
Savage
Sawyer
Saxton
Schneider
Schroeder
Schumer
Sharp
Shaw
Shuster
Sikorski
Sisisky
Skaggs
Slattery
Smith (FL)
Smith (IA)
Smith (NJ)
Smith, Robert (OR)
Snowe
Solarz
Spence
Spratt
St Germain
Staggers
Stallings
Stark
Stokes
Studds
Swift
Synar
Tallon
Tauke
Thomas (CA)
Thomas (GA)
Torres
Torricelli
Towns
Traficant
Traxler
Udall
Upton
Valentine
Vento
Visclosky
Vucanovich
Walgren
Watkins
Waxman
Weiss
Weldon
Wheat
Whittaker
Whitten
Williams
Wise
Wolpe
Wyden
Wylie
Yates
Yatron

NOT VOTING—40

Akaka
Annunzio
Anthony
Badham
Baker
Berman
Bevill
Boucher
Brown (CA)
Buechner
Chapman
Cheney
Coleman (MO)
Cooper
Craig
Dickinson
Donnelly
Dowdy
Dyson
Gephardt
Gibbons
Hansen
Hopkins
Horton
Hubbard
Inhofe
Leach (IA)
Leath (TX)
Lipinski
Livingston
Lloyd
Luken, Thomas
McEwen
McGrath
Moakley
Roemer
Skelton
Slaughter (NY)
Tauzin
Young (AK)

□ 1720

The Clerk announced the following pair:

On this vote:

Mr. Cheney for, with Mr. Leach of Iowa against.

Mr. KASICH and Mr. STAGGERS changed their votes from "aye" to "no."

Messrs. WILSON, HYDE, PACKARD, STENHOLM, HALL of Texas, HARRIS, and LENT changed their votes from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. WALKER

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

The Clerk read as follows:

Amendment offered by Mr. WALKER: At the end of title I, insert the following new section:

SEC. 104. LIMITATION ON EXPENDITURE OF FUNDS.

No amount may be made available under an authorization in this Act (or, if made available, obligated or expended) in violation of any other Federal law, including, but not limited to, section 1103 of title 31, United States Code, the Balanced Budget and Emergency Deficit Control Act of 1985, the Congressional Budget Act of 1974, and the Internal Revenue Code of 1986.

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

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

There was no objection.

Mr. WALKER. Mr. Chairman, the amendment that I have before the House at the present time should be noncontroversial, but it probably will not be. It should be accepted by the committee, but it probably will not be.

Let me say that this amendment speaks to the concept of the rule of law. We wonder why we see so much disrespect for the law, why we see so much flouting of the law, why we see

so much ignoring of the law. We wonder why the law becomes so unimportant to people within the administration, to people across the country. Well, I think one reason is that they constantly look at this body and they see us constantly voting to violate the laws that we impose upon others.

What this law says, and says very clearly, is that the money spent under this bill must comply with all Federal laws.

Let me read the amendment for the Members. All it says is,

No amount may be made available under an authorization in this Act or, if made available, obligated or expended in violation of any other Federal law.

It seems to me that is quite clear and it probably should not seem very controversial. Some might contend that it is not even needed. But let me explain why it needs to be passed. We have a homeless shelter here in Washington, DC, that gets money from this Government. The shelter is run by an individual who testified before the Government Operations Committee last year. When asked about the financing of his shelter, he made these statements. He first of all said we are not tax exempt. One of the Members of this body questioning him said, "* * * and therefore, not being tax exempt, you are, if I understand correctly, required to file tax returns and pay income tax on the income from donations?"

The answer to that question was, "Neither of which we do." In other words, that shelter is absolutely in violation of the Internal Revenue Code.

□ 1730

Let me also suggest that several months ago, a couple years ago now, we in a great fit of political passion passed a law for the land that required a balanced budget. Well, we seem to go along, having done these things and passing congressional budget acts and all of that, we then just go about ignoring the commitments that we make.

I will say very bluntly that this amendment, if adopted, would create major problems in implementing the act, but it also raises a very basic question. When the issue arose of whether or not to obey the law and we passed upon that particular question, how did you vote? What is more important in this body, the politics of big spending or the rule of law?

We had a statement made out here earlier today that we fundamentally can corrupt the process by what we do here. I will tell you that it seems to me when we say flatly that some people are above the law, we fundamentally corrupt the process. If you believe in the rule of law, you will vote "yes" on this amendment and support that rule of law. If you vote no, you say quite clearly there are times when the rule of law simply does not matter.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. WALKER].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 154, noes 230, not voting 49, as follows:

[Roll No. 21]

AYES—154

Archer
Armey
Ballenger
Bartlett
Barton
Bateman
Bereuter
Bilirakis
Bliley
Broomfield
Brown (CO)
Bunning
Burton
Byron
Callahan
Campbell
Chandler
Clinger
Coats
Coble
Combest
Coughlin
Courter
Crane
Daniel
Dannemeyer
Darden
Daub
Davis (IL)
DeLay
DeWine
DioGuardi
Dornan (CA)
Dreier
Duncan
Edwards (OK)
Emerson
English
Fawell
Fields
Fish
Frenzel
Gallegly
Gallo
Gekas
Gingrich
Goodling
Gradison
Grandy
Gregg
Gunderson
Hall (TX)
Hastert
Hefley
Henry
Herger
Hiler
Holloway
Houghton
Hunter
Hyde
Ireland
Jacobs
Kasich
Kemp
Kolbe
Konnyu
Kyl
Lagomarsino
Latta
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Lott
Lowery (CA)
Lujan
Lukens, Donald
Lungren
Mack
Madigan
Marlenee
Martin (IL)
Martin (NY)
McCandless
McCollum
McDade
McMillan (NC)
Meyers
Michel
Miller (OH)
Miller (WA)
Molinari
Moorhead
Morrison (WA)
Myers
Nielson
Oxley
Packard
Parris
Pashayan
Petri
Pickle
Porter
Quillen
Ravenel
Ray
Regula
Rhodes
Ritter
Roberts
Robinson
Rogers
Roth
Rowland (CT)
Saxton
Schaefer
Schuette
Sensenbrenner
Shaw
Shumway
Shuster
Skeen
Slaughter (VA)
Smith (NE)
Smith (TX)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Solomon
Spence
Stallings
Stangeland
Stenholm
Stratton
Stump
Sundquist
Sweeney
Swindall
Tauke
Taylor
Thomas (CA)
Upton
Vander Jagt
Volkmer
Vucanovich
Walker
Watkins
Weber
Weldon
Whittaker
Wolf
Wortley
Young (FL)

NOES—230

Ackerman
Alexander
Andrews
Anthony
Applegate
Aspin
Atkins
AuCoin
Barnard
Bates
Beilenson
Bennett
Biaggi
Bilbray
Boehlert
Boggs
Boland
Boner (TN)
Bonior (MI)
Bonker
Borski
Bosco
Boxer
Brennan
Brooks
Bruce
Bryant
Bustamante
Cardin
Carper
Carr
Chappell
Clarke
Clay
Coelho
Coleman (TX)
Collins
Conte
Conyers
Coyne
Crockett
Davis (MI)
de la Garza
DeFazio
Dellums
Derrick
Dicks
Dingell
Dixon
Dorgan (ND)
Downey
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Erdreich
Espy
Evans
Fascell
Fazio
Feighan
Flake
Flippo
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Frank
Frost
Garcia
Gaydos
Gejdenson
Gilman
Glickman
Gonzalez
Grant
Gray (IL)
Gray (PA)
Green
Guarini
Hall (OH)
Hamilton
Harris
Hatcher
Hawkins
Hayes (IL)
Hayes (LA)
Hefner
Hertel
Hochbrueckner
Howard
Hoyer
Huckaby
Hughes
Hutto
Jeffords
Jenkins
Johnson (CT)
Johnson (SD)
Jones (NC)
Jones (TN)
Jontz
Kanjorski
Kaptur
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kostmayer
LaFalce
Lancaster
Lantos
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lewis (GA)
Lowry (WA)
Manton
Markey
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McHugh
McKinney
McMillen (MD)
Mfume
Mica
Miller (CA)
Mineta
Mollohan
Moody
Morella
Morrison (CT)
Mrazek
Murphy
Murtha
Nagle
Natcher
Neal
Nelson
Nichols
Nowak
Oakar
Oberstar
Obey
Olin
Ortiz
Owens (NY)
Owens (UT)
Panetta
Patterson
Pease
Penny
Pepper
Perkins
Pickett
Price (IL)
Price (NC)
Pursell
Rahall
Rangel
Richardson
Ridge
Rinaldo
Rodino
Roe
Rose
Rostenkowski
Roukema
Rowland (GA)
Roybal
Russo
Sabo
Saiki
Savage
Sawyer
Scheuer
Schroeder
Schumer
Sharp
Sikorski
Sisisky
Skaggs
Slattery
Smith (FL)
Smith (IA)
Smith (NJ)
Snowe
Solarz
Spratt
St Germain
Staggers
Stark
Stokes
Studds
Swift
Synar
Tallon
Thomas (GA)
Torres
Torricelli
Towns
Traficant
Traxler
Udall
Valentine
Vento
Visclosky
Walgren
Waxman
Weiss
Wheat
Whitten
Williams
Wilson
Wise
Wolpe
Wyden
Yates
Yatron

NOT VOTING—49

Akaka
Anderson
Annunzio
Badham
Baker
Bentley
Berman
Bevill
Boucher
Boulter
Brown (CA)
Buechner
Chapman
Cheney
Coleman (MO)
Cooper
Craig
Dickinson
Donnelly
Dowdy
Dyson
Gephardt
Gibbons
Gordon
Hammerschmidt
Hansen
Hopkins
Horton
Hubbard
Inhofe
Leach (IA)
Leath (TX)
Lipinski
Livingston
Lloyd
Luken, Thomas
MacKay
McEwen
McGrath
Moakley
Montgomery
Roemer
Schneider
Schulze
Skelton
Slaughter (NY)
Tauzin
Wylie
Young (AK)

□ 1750

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. ROYBAL

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

The Clerk read as follows:

Amendment offered by Mr. ROYBAL:

In section 101(g)(2), strike "homeless families with children" and insert the following: "elderly persons and homeless families with children (to the extent informed by public

housing agencies to be consistent with the composition of the homeless population in the jurisdictions of such agencies)".

In section 303(g)(1), insert after "practicable" the following: "and to the extent informed by applicants for grants under this section to be consistent with the composition of the homeless population in the jurisdictions of such applicants".

In section 303(g)(1), insert "elderly persons and" before "homeless families with children".

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

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

There was no objection.

Mr. ROYBAL. Mr. Chairman, this is a perfecting amendment that only does two things. No. 1, it ensures that the needy elderly person would have equal access to assistance.

The next thing that it does is it includes the elderly person among those to receive primary benefits in section 101(g)(2), which specifically authorizes section 8 housing authority assistance. Then it goes on and it also provides grants for facilities with regard to section 303(g)(1).

It merely then includes the elderly as participants under the provisions of this bill, and nothing else.

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

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

Mr. GONZALEZ. Mr. Chairman, we are well advised of this amendment. It is an improvement on the bill and we accept it on our side.

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

Mr. ROYBAL. I yield to the gentleman from Connecticut.

Mr. McKINNEY. Mr. Chairman, the minority is delighted to accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. ROYBAL].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GEKAS

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

The Clerk read as follows:

Amendment offered by Mr. GEKAS: In section 301, insert after subsection (f) the following new subsection (and redesignate the subsequent subsections accordingly):

(g) INITIAL REPORT.—

(1) Not later than 6 months after the date of the enactment of this Act, the Commission shall submit to the Congress a report setting forth the findings and conclusions of the Commission.

(2) The report required in this subsection shall include a review and evaluation of—

(A) the current funding of programs for the homeless and the effectiveness of such funding;

(B) the impact and effectiveness of current Federal programs for relieving the problems of the homeless; and

(C) the need for additional funding for such programs (including recommended amounts for the programs for which amounts are authorized to be appropriated in this Act, or in the amendments made by this Act.

(3) No authorization of appropriations in this Act, or in the amendments made by this Act, shall be effective until the Commission submits the report required under this subsection. If the Commission determines that the amount provided for any program in this Act is sufficient, then the authorization shall become immediately effective. If the Commission determines that the amount provided for any program in this Act is insufficient or excessive, then the authorization shall not be effective until the Congress, by law, enacts a new authorization of appropriations.

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

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

There was no objection.

Mr. GEKAS. Mr. Chairman, all this amendment does is try to put the horse and the cart in the right order.

The bill as it has been created and is in front of the floor creates an interagency commission to administer all of these various programs and to report back to the Congress on various aspects, whether it is overlapping, whether there is duplication, whether there is money wasted, whether there are insufficient funds in some programs and not others, and then, without waiting to see what that agency does, assigns the money, appropriates the money, and spends the money.

This amendment puts the horse back in front where it belongs, and really implements the will of the authors of this bill. It says that this interagency commission, which now has 30 days to report back to the Congress under the wording of the bill, would simply have 6 months to do so, but that no money shall be spent under the appropriations until that agency, which this bill creates, reports back to the Congress and determines whether or not there has been overlapping, whether or not there has been overspending in any or underspending in any, and if that report confirms the levels of funding that appear in the main body of this bill, then that will be the end of it and the appropriation will take place.

If the money is too much in one area because of overlapping, then the Congress will have another opportunity to cut back on that one to meet the needs on the funding that is already in place.

Members of the committee, my amendment will do no harm to the commitment that we have to the homeless because the stream of funding that is already in the pipeline will continue to flow. It simply means that in order to make sure that we have the right amounts in the right places that we are going to wait until the report of the interagency commission comes back to the Congress.

I ask that this amendment be adopted. The one trouble with it, I know, is that it makes sense. But if you can look beyond that, I ask you to adopt the amendment.

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

Mr. Chairman, once again this is a gutting amendment. It says we will wait until you have this authorized and then you have to wait 6 months until you get an interagency report.

The gentleman said that this was placing the horse in front of the cart as it ought to. This does not place any horse anywhere except shooting him dead. This is a gutting amendment, it is nothing else but, and I think that suffices for the moment.

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

Mr. GONZALEZ. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, the fact is this amendment does not put the horse in front of the cart. This amendment shoots the horse. That is what this amendment does, and the fact is that what this amendment is saying is that we are going to study this issue some more, that for the next 3, 4, 5 months we are going to study this issue rather than deal with the urgent problem that exists.

I thank the gentleman for yielding and would ask the defeat of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. GEKAS].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 124, noes 260, not voting 49, as follows:

[Roll No. 22]

AYES—124

Archer	DeWine	Hunter
Armey	Dornan (CA)	Hutto
Ballenger	Dreier	Hyde
Barton	Duncan	Ireland
Bateman	Edwards (OK)	Kemp
Bereuter	Emerson	Kolbe
Billirakis	Fawell	Konnyu
Bliley	Fields	Kyl
Boulter	Frenzel	Lagomarsino
Broomfield	Gallegly	Latta
Brown (CO)	Gekas	Lent
Bunning	Gingrich	Lewis (CA)
Burton	Goodling	Lewis (FL)
Callahan	Gradison	Lightfoot
Clinger	Grandy	Lott
Coble	Gregg	Lowery (CA)
Combest	Hammerschmidt	Lujan
Crane	Hastert	Lungren
Daniel	Hefley	Mack
Dannemeyer	Herger	Madigan
Daub	Hiler	Marlenee
Davis (IL)	Holloway	Martin (IL)
DeLay	Houghton	McCandless

McCollum
McMillan (NC)
Meyers
Michel
Miller (OH)
Moorhead
Murphy
Myers
Nielson
Oxley
Packard
Parris
Porter
Quillen
Ravenel
Regula
Rhodes
Ritter
Roberts
Rogers
Roth
Rowland (CT)
Schaefer
Sensenbrenner
Shaw
Shumway
Shuster
Sisisky
Skeen
Slaughter (VA)
Smith (NE)
Smith (TX)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Solomon
Spence
Stangeland
Stenholm
Stump
Sundquist
Sweeney
Swindall
Tauke
Taylor
Thomas (CA)
Upton
Vander Jagt
Vucanovich
Walker
Weber
Weldon
Whittaker
Wolf
Young (FL)

NOES—260

Ackerman
Alexander
Anderson
Andrews
Anthony
Applegate
Aspin
Atkins
AuCoin
Barnard
Bartlett
Bates
Beilenson
Bennett
Bentley
Biaggi
Bilbray
Boehlert
Boggs
Boland
Boner (TN)
Bonior (MI)
Bonker
Borski
Bosco
Boxer
Brennan
Brooks
Bruce
Bryant
Bustamante
Byron
Campbell
Cardin
Carper
Carr
Chandler
Chappell
Clarke
Clay
Coats
Coelho
Coleman (TX)
Collins
Conte
Conyers
Coughlin
Courter
Coyne
Crockett
Darden
Davis (MI)
de la Garza
DeFazio
Dellums
Derrick
Dicks
Dingell
DioGuardi
Dixon
Dorgan (ND)
Downey
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
English
Erdreich
Espy
Evans
Fascell
Fazio
Feighan
Fish
Flake
Flippo
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Frank
Frost
Gallo
Garcia
Gaydos
Gejdenson
Gilman
Glickman
Gonzalez
Grant
Gray (IL)
Gray (PA)
Green
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Harris
Hatcher
Hawkins
Hayes (IL)
Hefner
Henry
Hertel
Hochbrueckner
Howard
Hoyer
Huckaby
Hughes
Jacobs
Jeffords
Jenkins
Johnson (CT)
Johnson (SD)
Jones (NC)
Jones (TN)
Jontz
Kanjorski
Kaptur
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kostmayer
LaFalce
Lancaster
Lantos
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lewis (GA)
Lowry (WA)
Manton
Markey
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McDade
McHugh
McKinney
McMillen (MD)
Mfume
Mica
Miller (CA)
Miller (WA)
Mineta
Molinari
Mollohan
Moody
Morella
Morrison (CT)
Morrison (WA)
Mrazek
Murtha
Nagle
Natcher
Neal
Nelson
Nichols
Nowak
Oakar
Oberstar
Obey
Olin
Ortiz
Owens (NY)
Owens (UT)
Panetta
Pashayan
Patterson
Pease
Penny
Pepper
Perkins
Petri
Pickett
Pickle
Price (IL)
Price (NC)
Pursell
Rahall
Rangel
Ray
Richardson
Ridge
Rinaldo
Robinson
Rodino
Roe
Rose
Rostenkowski
Roukema
Rowland (GA)
Roybal
Russo
Sabo
Saiki
Savage
Sawyer
Saxton
Scheuer
Schroeder
Schuette
Schumer
Sharp
Sikorski
Skaggs
Slattery
Smith (FL)
Smith (IA)
Smith (NJ)
Snowe
Solarz
Spratt
St Germain
Staggers
Stallings
Stark
Stokes
Stratton
Studds
Swift
Synar
Tallon
Thomas (GA)
Torres
Torricelli
Towns
Traficant
Udall
Valentine
Vento
Visclosky
Volkmer
Walgren
Watkins
Waxman
Weiss
Wheat
Whitten
Williams
Wilson
Wise
Wolpe
Wortley
Wyden
Yates
Yatron

NOT VOTING—49

Akaka
Annunzio
Badham
Baker
Berman
Bevill
Boucher
Brown (CA)
Buechner
Chapman
Cheney
Coleman (MO)
Cooper
Craig
Dickinson
Donnelly
Dowdy
Dyson
Gephardt
Gibbons
Gordon
Hansen
Hayes (LA)
Hopkins
Horton
Hubbard
Inhofe
Kasich
Leach (IA)
Leath (TX)
Lipinski
Livingston
Lloyd
Luken, Thomas
Lukens, Donald
MacKay
McEwen
McGrath
Moakley
Montgomery
Roemer
Schneider
Schulze
Skelton
Slaughter (NY)
Tauzin
Traxler
Wylie
Young (AK)

□ 1810

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. KONNYU

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

The Clerk read as follows:

Amendment offered by Mr. KONNYU:

TITLE VI—WORK-FARE REQUIREMENTS

SEC. 601. STATES WITH WORK-FARE PROGRAMS RELATING TO FEDERAL FUNDS.

(a) IN GENERAL.—Notwithstanding any other provision of this Act to the contrary, grant funds under this Act may not be expended in any State—

(1) that by law requires recipients of Federal funds to participate in work-requirement programs; and

(2) that does not by law require that, to the extent practicable, a homeless person participate in such work-requirement programs if the homeless person is—

(A) able-bodied and mentally competent;

(B) receiving services pursuant to this Act; and

(C) ineligible to receive funds under the Federal program with respect to Aid to Families with Dependent Children, or with respect to Supplemental Security Income.

(b) EXCEPTION.—Grant funds under this Act may be expended within the jurisdiction of a local unit of government that by law makes the requirements described in subsection (a).

SEC. 602. STATES WITHOUT WORK-FARE PROGRAMS RELATING TO FEDERAL FUNDS.

(a) IN GENERAL.—With respect to any State that does not by law require recipients of Federal funds to participate in work-requirement programs, grant funds under this Act, notwithstanding any other provision of this Act to the contrary, may not be expended in any such State unless such State—

(1) establishes a program for the purpose of assisting homeless individuals in finding employment; and

(2) requires that, to the extent practicable, homeless individuals who are able-bodied and mentally competent participate in such program if receiving services pursuant to this Act.

(b) EXCEPTION.—Grant funds under this Act may be expended within the jurisdiction of a local unit of government that by law makes the requirements described in subsection (a).

SEC. 603. APPLICABILITY.

This title shall apply to grants provided under contract entered into after the expiration of the 12-month period beginning on the date of the enactment of this Act, or after the expiration of the 180-day period beginning on the date that, with respect to the State involved, the legislative body for such State convenes, whichever comes later.

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

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

There was no objection.

Mr. KONNYU. Mr. Chairman, when the majority has a steamroller bill going, the best that the loyal opposition can do is to offer amendments which perfect the majority's bill.

In this case, Mr. HUNTER and I are offering an amendment which requires States and localities where, if they have a workfare program already for their welfare recipients, to also establish one for the homeless.

For those States and localities that do not have a workfare program, it requires the establishment for the homeless of a job search program.

There are sound and balanced suggestions that we have worked out, certainly in California and other than the homeless and I think all of the 50 States ought to have this.

One of the great tragedies of the homeless is that many of them are able to work and they do not get the kind of assistance that they would if they were AFDC or in one of the other such programs.

This amendment would allow them to get the kind of assistance, positive assistance that those homeless recipients need.

Mr. HUNTER. Mr. Chairman, would the gentleman yield?

Mr. KONNYU. I yield to the gentleman from California to continue this discussion.

Mr. HUNTER. I thank the gentleman for yielding. I want to commend my colleague, the gentleman from California, and simply say that while this bill cannot affect the moneys that are going to be going out in the near future, any reauthorization will be required to have the workfare provision. Very simply, a great many of the people who are homeless today are not mentally incompetent, not physically incapable, they are healthy, able-bodied people who are perfectly capable of working for what they are receiving from the Federal Government and from the State.

I think in light of the fact that workfare programs are proliferating through this country, it is important to dovetail our homeless program with workfare.

I commend the gentleman for this amendment and ask my colleagues to support it.

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

Mr. KONNYU. I yield to the gentleman from California.

□ 1820

Mr. PANETTA. Mr. Chairman, I thank the gentleman for yielding.

For clarification purposes with regard to the Food Stamp Program, since you are dealing with grant funds and since you are dealing with a requirement that already applies to the food stamp area, I take it food stamps are not included with regard to this provision.

Mr. KONNYU. Mr. Chairman, the gentleman is correct.

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

Mr. KONNYU. I yield to the gentleman from Connecticut.

Mr. McKINNEY. Mr. Chairman, I am delighted to accept the gentleman's amendment.

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

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

Mr. GONZALEZ. Mr. Chairman, we have looked over the amendment, this joint amendment. We consider it an improvement, and we accept it on our side.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. KONNYU].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. RIDGE

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

The Clerk read as follows:

Amendment offered by Mr. RIDGE: In section 101(d)(1), strike "$20,000,000" for fiscal year 1987." and insert the following: "$35,000,000 for fiscal year 1987, of which amount $20,000,000 is authorized to be appropriated solely for purposes of preventing homelessness through the portion of the program that provides emergency rent and utility assistance.".

In section 101(g)(1), strike "$100,000,000" and insert "$90,000,000."

In section 101(h)(1), strike "$50,000,000" and insert "$45,000,000".

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

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

There was no objection.

Mr. RIDGE. Mr. Chairman, before discussing my amendment, I want to acknowledge the leadership of Chairman GONZALEZ and Mr. McKINNEY in making sure that Congress acts swiftly to assist the thousands of Americans in desperate need of emergency food, shelter, and health care. I am a cosponsor of this bill. I wholeheartedly support its objective: To provide urgent relief to the homeless now in 1987.

But, with all the hope, promise, and assistance in this bill, not 1 cent will be spent specifically to prevent homelessness. While attempting to meet an ever increasing demand for shelter space, and I understand that the Mayor's task force pegs growth in demand at 25 percent in 1987, it does nothing to reduce demand. This bill says—we want to help you but you must be homeless first.

My amendment acknowledges that our responsibility extends to the potentially homeless as well as those without shelter. It will enable many of those on the edge of becoming homeless in the next few months to hold on to their apartment and their self-respect. By utilizing an already existing program operated by the FEMA Board of Charities including the United Way, Catholic Charities, the National Council of Churches, the Salvation Army, the Council of Jewish Federations, and the Red Cross, this amendment seeks to ensure that today's opportunity to prevent homelessness is not squandered. The program bridges a crucial gap by providing one-time rental and utility assistance vouchers to prevent eviction or cutoff. It also can provide assistance with the first month of rent when a homeless individual has found a job and saved the security deposit most landlords require.

This program of prevention deserves to be a significant and specific component of the urgent relief bill. By taking the modest amount of $20 million, we will immediately significantly reduce the strain on our shelters and allow at least a few fortunate individuals and families a chance to maintain their residence, dignity, and self-respect.

Yesterday, every Member of Congress received a letter from the president of an organized network of homeless people in Philadelphia, New York, Chicago, Los Angeles, Baltimore, New Orleans, and Washington. In case my colleagues did not get a chance to read this letter, I want to quote a few lines:

Shelters are, in our view, 20th Century poor houses. They are, for the most part, institutions that offer no hope, dignity or needed support services. More importantly, and tragically, shelters foster a continuing dependency and despair by those who must use them. The current public policy is moving the nation dangerously close to institutionalizing the "alms" house that prevailed at the end of the century. We urge you, the highest elected legislative body in the nation. To Go Beyond Shelters.

This amendment is a positive step in that direction. Combined with necessary additional food assistance, health care, shelter space and section 8 certificates, I believe this prevention program provides a more balanced approach to keeping individuals and families off the streets. It meets the goals and objectives of our effort and it does it quickly and cheaply. I ask that my fellow colleagues understand that it offers hope to many, who desperately want to maintain their residence and their dignity.

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

Mr. RIDGE. I yield to the gentleman from Connecticut.

Mr. McKINNEY. Mr. Chairman, I am very pleased with the gentleman's amendment as a demonstration program, and I promise the gentleman that he will get all of my support in title I of H.R. 4, where we are going to discuss the homeless again. I congratulate him on it. I am sure we on this side accept it.

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

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

Mr. FRANK. Mr. Chairman, I believe on this side, we think it is good. I would just like to commend the gentleman for the amendment and to point out that what the gentleman has in here are some minimums that are to be spent on his program. There are some grant applicants in here who we would encourage to spend even more than that.

There are some minimums, but more could be spent.

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

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

Mr. GONZALEZ. Mr. Chairman, we have again been working on this amendment for some time. The gentleman from Pennsylvania [Mr. RIDGE] is a very distinguished and hard-working member of the subcommittee. The gentleman has shown his ever reasonableness and we have reached a reconciliation in our understanding of the amendment.

We certainly accept it on this side, Mr. Chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. RIDGE].

The amendment was agreed to.

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

Mr. Chairman, I rise at this moment to call the attention of the House to an omission from H.R. 558.

Normally, I would be here to propose an amendment to reform the Davis-Bacon Act in order to keep this from happening. But since the Committee on Education and Labor has agreed this year to seriously consider reform of Davis-Bacon, I rise not to propose an amendment, but propose to

discuss with this House what happens when, once again, we attempt to throw money at a problem without dealing legislatively with other problems that affect the homeless.

H.R. 558 has one section that deals with transitional programs meant to provide more than overnight shelter, and to help get people back on their feet in the long term. That is the very goal the House of Laureze is pursuing right here in the District of Columbia.

The House of Laureze, operated by Luther and Marianne Canody, is working to renovate a large, old house in the District to provide longer term shelter and rehabilitation for up to 14 homeless persons. In 1985, the D.C. government agreed to provide a $137,000 loan to the House of Laureze, on which repayments would be forgiven over time based on compliance with the terms of the agreement; $70,000 has already been used to purchase the house itself.

Because the loan included community development block grant funds, the D.C. government has told the Canodys that the Davis-Bacon Act applies to the project. Under Davis-Bacon, the Canodys may not accept donated labor in carrying out repairs and renovations. While there is a controversy as to whether the original loan agreement was based on the use of contributed labor, the fact is, without donations of labor, there are not enough resources to complete the project. This, despite the fact that the Canodys have already received thousands of dollars worth of contributed materials and services not covered by Davis-Bacon. Because of other difficulties flowing from this situation, the D.C. government has threatened to foreclose on the house and shut down this project altogether.

The chairman should hear a familiar ring to this problem. Last year, when the house considered H.R. 1, the housing bill, Congressman FAUNTROY introduced and passed an amendment to allow contributed labor on repairs to tenant-managed public housing. The experience of the Canodys indicates that this type of problem may be more widespread than some think. This appears to be one of those cases. The kind to which critics point with delight, in which our Congress steps on the accelerator with one foot and the brake with the other.

What I ask today is that the chairman and his staff examine this problem and help us develop an appropriate response.

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

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

Mr. GONZALEZ. Mr. Chairman, certainly the gentleman knows that—and he has referred in prior contacts with us—to what we did in H.R. 1 with the Fauntroy amendment that would have permitted donated labor. But I also understand that the gentleman is working very, very hard on short-term and long-term solutions to this problem through administrative channels which I really sincerely believe are acceptable of resolving and taking care of this problem on a short-term basis.

I will tell the gentleman that we certainly are intending to look into this on the basis that we have the H.R. 4 housing authorization bill before us. We will be having hearings on it. The gentleman from Texas [Mr. STENHOLM] can be assured that this problem that he has brought to our attention will certainly be looked into and evaluated.

□ 1830

Mr. STENHOLM. Mr. Chairman, I appreciate the response of the subcommittee chairman. The gentleman is correct. We are looking for this particular problem to be resolved through the administrative process within the D.C. government, but I believe we will find there are going to be some other improvements. I accept the fact that the Education and Labor Committee will be looking at that in the reform of Davis-Bacon, and I would hope that all the membership, including the subcommittee chairman, would lend us their support in this particular area when we get to it.

Mr. GONZALEZ. Mr. Chairman, as I said, we are grateful to the gentleman, and we look forward to working with him to resolve this problem.

Mr. STENHOLM. Mr. Chairman, I thank the gentleman.

AMENDMENT OFFERED BY MR. MILLER OF WASHINGTON

Mr. MILLER of Washington. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MILLER of Washington: Strike section 101(c).

In section 101(d)(1), strike "$20,000,000" and insert "$50,000,000".

In section 101(e)(1), strike "$100,000,000" and insert "$125,000,000".

In section 101, redesignate subsections (d) through (k) as subsections (c) through (j), respectively.

In section 102(a), strike "(e), or (f)" and insert "(d), or (e)".

Strike title III (and redesignate the subsequent titles and sections, and any references to such titles and sections, accordingly).

Mr. MILLER of Washington (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. MILLER of Washington. Mr. Chairman, I will be brief. This amendment is designed to better focus the resources and channel the funds through existing programs at the State and local levels and through nonprofit organizations.

What it does is to eliminate provisions in the bill for a new government interagency commission. It eliminates the new Federal categorical grant program, and it eliminates the section which provides for new construction. All of these provisions, while admirable, I do not believe, are going to provide emergency relief to the homeless now, and that is what we are trying to do. Most of the money saved through this amendment would go to the existing FEMA shelters, the emergency shelter grant programs, to try to help localities and nonprofit organizations get more of the homeless off the streets and into shelters.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington [Mr. MILLER].

The amendment was rejected.

AMENDMENT OFFERED BY MR. DE LAY

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

The Clerk read as follows:

Amendment offered by Mr. DELAY: At the end of title I, insert the following new section:

SEC. 104. LIMITATION ON ELIGIBILITY OF CERTAIN RECIPIENTS.

No amount may be provided under this act for the shelter located at Second and D Streets, N.W., in the District of Columbia, unless the organization operating the shelter is an organization described in section 501(c) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such code.

Mr. DELAY. Mr. Chairman, I hesitate to bring this amendment. I thought I had an amendment drawn to take care of those that do not choose to show their books to the Federal Government, and this amendment is specific to the CCNV facility run by Mitch Snyder at 2d and D Streets. It does not exclude Mr. Snyder and CCNV from getting funds. What it does do is say, if you receive these funds, then you must be described in section 501(c), which is the tax exempt provision of the IRS Code that mandates that your books can be audited.

At the present time, Mr. Chairman, Mr. Snyder and the CCNV refuse to open their books. We have given them, I believe, some $6.5 million to fix up that property, not only that but we have given the property to the District's government under Mr. Snyders' direction, but no one has audited his books. No one has seen his books, and he refuses to show his books to anyone. The Federal Government has given hard-earned taxpayers' money to Mr. Snyder, and we have not seen any of his books. He even has a city office set up by the District of Columbia that takes his contributions and then funnels them to him. But he does not apply and will refuse to apply for a 501(c), tax exempt, status. In fact, he has been quoted before the Sub-

committee on Government Activities of the Committee on Government Operations as saying this: they send a letter every year to the IRS refusing to pay taxes, and in his letter Mr. Snyder says—and I am quoting for the RECORD from the letter—"the letter we send the IRS every year explains we don't believe participatory democracy or democracy means the paying of 15 or 20 or 25 percent of one's income."

Mr. Chairman, all my amendment says, is if Mr. Snyder wants any of the funds contained in this bill, he must apply for a section 501(c) tax exempt status and open his books so that we can see what his organization is and certainly make him accountable so we can see where the taxpayers' money is going.

Mr. Chairman, on that note, I'd like to submit for the RECORD an article from a local newspaper explaining what Mr. Snyder's organization is all about. Just 2 weeks ago, Mr. Snyder and his band of protesters nearly caused a riot at an Alexandria City Council meeting. It seems that Mr. Snyder and his disorderly group of protesters caused the early adjournment of the meeting.

A HASTY RETREAT

This town has a well-documented reputation for knuckling under fast.

On Aug. 28, 1814, it took the threat of 5,000 troops to convince the town fathers to negotiate with the British to agree to let them plunder, but not burn, Alexandria after they sacked Washington the week before. Some called it "a disgraceful capitulation," but most historians generally have taken pains to point out that the town was outmanned and outarmed.

On May 24, 1861, exactly one day after Virginia ratified its secession from the Union, President Lincoln, who was said to be annoyed by the sight of a giant Confederate flag waving over a King Street tavern, sent 6,000 soldiers by land and by sea to subdue the rebellious natives. The 4:30 a.m. raid ended with a few minor skirmishes and the taking of 35 prisoners.

And last Saturday, Mayor James Moran and City Council members Del Pepper, Connie Ring and Patsy Ticer put themselves in the history books with their own disgraceful capitulation when they voted to adjourn their meeting following several minutes of verbal abuse from Publicity Thug Mitch Snyder and 200 protesters.

While their cause—objecting to the displacement of hundreds of tenants from the Dominion Gardens apartments—is worth a careful examination and a thorough evaluation of the alternative plan they have drawn up, Snyder's disruptive tactics are not. City officials were correct in not attempting to have the protesters arrested, which is what Snyder wanted, but their attempt to defuse the situation should have stopped there.

The business of the city came to a halt Saturday afternoon, nothing was solved, but Snyder could claim a victory. Council members could have offered to listen to the protestors if they agreed to speak in an orderly manner. Otherwise, police should have removed them from the building.

Instead, the council legitimized uncontrolled behavior as a tool of government and let it be known that those who speak the noisiest get their way. The people of Alexandria elected the council members, not an out-of-town demagogue, to conduct their business.—Kurt Jensen.

BITCH ALONG WITH MITCH

MAYHEM SHUTS DOWN COUNCIL

(By Ed Miller)

It started as a normal City Council Saturday public hearing—the usual all-day snoozerama of requests for special use permits and two-foot encroachments into the public right-of-way.

It ended with the City Council voting to adjourn the meeting early, as protestors stood on the council dais and sat in the chairs of Council members, refusing to let the meeting continue.

"The Mayor is not in charge of this room anymore, the people are in charge," said Mitch Snyder, the Washington activist who Saturday led about 150 people in a boisterous protest of the displacement of up to 5,000 low-income Arlandria residents.

The event began about noon at the Alfred Street Baptist Church. The group then marched to Market Square. Upon learning that the Council was not in regular session, but in a luncheon work session on proposals for relocating Route 1, Snyder led the group to the Council chambers to "make sure no one uses the City Council."

With the Council continuing its work session in an adjacent room, the protestors entered the chambers shouting, "We're fired up, won't take it no more."

"We should not give back their chamber until they agree not to take our homes," Snyder said.

City Manager Vola Lawson quickly called in police officers and sheriff's deputies, who guarded the entrance to the council workroom.

When Mayor Jim Moran entered the chambers, he was shouted down by the group, which who refused his request to vacate council members' chairs so the meeting could continue.

"Kill the Mayor!" shouted one woman.

Moran was heckled again when he told the protestors that a tenant plan for the city to purchase their homes through eminent domain would not work. Moran said the $13 million proposed in the plan was not enough to purchase and renovate the 416-unit Dominion Gardens apartment complex.

"The plan will not work with the numbers and sources of revenue you have here," Moran said.

Snyder then lashed out at Moran, telling him to "tell the folks how you're going to save their homes or shut up.

"You figure out how to do it," he said. "You're talking politics, (the tenants) are talking about human dignity."

Visibly angered, Moran yelled back at Snyder and the two stood face to face exchanging words like an umpire and a baseball manager arguing over a called third strike.

Moran left to chants of "Evict the Mayor," and "Displace the Mayor," and the council voted 4 to 3 to adjourn the meeting.

"You've succeeded in shutting down their hearing," Snyder said.

Snyder urged the protestors to stay in the room until they had to be forcibly removed. "If they arrest us and remove us from here it will be heard around the country," he said as the protestors cheered.

When city officials said they wouldn't arrest anybody, Snyder declared victory anyway. "From here we do whatever we have to do," he said as the protestors marched out of the chambers.

The tenants were protesting the Artery Organization's purchase of Dominion Gardens, a 416-unit apartment complex in Arlandria. Artery bought the units last summer and announced plans to renovate them, which many residents say would raise rents beyond a level they can afford.

McCormack, Baron and Associates, a Kansas City development firm, has presented a plan to the City Council that would enable a tenant group to purchase and rehabilitate Dominion Gardens and keep rents at an affordable level.

Is Mitch Snyder, a convicted criminal, the type of person we want to empower with millions of taxpayers dollars? Absolutely not. I believe that accountability of Mr. Snyder's books is the least we can ask. We are not cutting off any funds. He has already received $6.5 million. In fact, he said that he has received all he wants and does not want any of the funds authorized in this bill—I certainly intend to hold him to that statement—but I, along with many other of my colleagues, would like to see Mr. Snyder's books.

Mr. LOWRY of Washington. Mr. Chairman, will the gentleman yield?

Mr. DELAY. I yield to the gentleman from Washington.

Mr. LOWRY of Washington. Mr. Chairman, would the gentleman like to apply that principle to the Contras?

Mr. DELAY. To the Contras? Are the Contras involved here?

Mr. LOWRY of Washington. Yes. They are receiving Federal money, and we cannot figure out where it has gone.

Mr. DELAY. Reclaiming my time, Mr. Chairman, I will ask, do the Contras take care of the homeless?

Mr. LOWRY of Washington. In one way or another.

Mr. GONZALEZ. Mr. Chairman, I rise in opposition to this amendment.

Mr. Chairman, I request very strongly that this single-purpose, vengeful amendment, targeting only one single activity, be defeated at this time.

Nevertheless, on the merits of the amendment the facts are that Mitch Snyder and his organization, the Community for Creative Non-Violence, does not receive and has not accepted direct Federal outlays. Yes, it is true that they make use of federally funded premises and some supportive activities that are federally funded, but this amendment has a thrust of vengeance about it. It singles out this particular organization on 2d Street, and I think that if we do this, besides the questioning of the general justice of this approach, we may unintentionally be foreclosing other organizations, religious in nature, who on the basis of religious belief do not subscribe to section 501(c) of the Internal Revenue Code.

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

Mr. GONZALEZ. Yes, I yield to the gentleman from Texas.

Mr. DELAY. Mr. Chairman, I hope the gentleman would read my amendment, because my amendment does not in any way speak to any religious organization. It is specific for this particular organization that chooses not to open its books.

I would think the gentleman would be wanting a little accountability if this organization applies for Federal funds under this act. I would hope that we would be able to see his books because he has been recorded in this House and in committee hearings as not opening his books and saying that he would refuse to do so.

Mr. GONZALEZ. Mr. Chairman, if the gentleman will allow me to reclaim my time, as I understand the position taken by Mr. Snyder and his group, they are refusing to subscribe to the IRS regulation on the basis that they are not soliciting or accepting direct Federal funding.

I am well aware of the fact that they have solicited their funds nationwide for the purpose of carrying out their activities in their nonviolence committee program, but they would have to be held accountable, and they certainly would be subject to Internal Revenue scrutiny if any of those funds so derived were in any manner, shape or form used for other than nonprofit purposes.

Mr. WAXMAN. Mr. Chairman, will the gentleman yield to me?

Mr. GONZALEZ. Certainly, I yield to the gentleman from California.

Mr. WAXMAN. Mr. Chairman, the point I want to make is exactly the point the gentleman is making.

If we give money to a grantee under this legislation, the Federal Government would have to hold that grantee accountable for how that money is spent. I have never seen an amendment crafted like this. Originally it was so broad that it would knock out private doctors who were organized under a corporate structure from getting a subcontract with a grantee clinic to serve the homeless.

It is now designed for all practical purposes to say that Mitch Snyder cannot get Federal grant money to help the homeless. If he gets the money—and I do not know if he wants it or not—then we have to hold him accountable for how he uses that money.

I think it is incredible to pass on the House floor legislation singling out one potential grantee who has served the homeless and say that that potential grantee should not even come and apply until he restructures his organization to meet certain legal requirements that are not applicable to any other grantee.

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

Mr. GONZALEZ. Yes, certainly I yield to the gentleman from Texas.

Mr. DELAY. Mr. Chairman, I thank the gentleman for yielding.

I do not know of anybody in this House or in GAO or GSA or any other Government organization that has had any accountability from this particular organization, and yet we gave them a $5 million building.

Mr. GONZALEZ. Let me reply to the gentleman.

Mr. DELAY. This amendment says that that is the least we can do.

□ 1840

Mr. GONZALEZ. But that is exactly what is going to happen with any of the funded activities by virtue of this act.

For instance, in the accountability section or clause, if Mitch Snyder or his organization, for example, were in any manner, shape or form, and of course, they do, because if they have anything to do with that 2d Street operation in that building, they are on Federal premises. It says:

> The Secretary shall inspect each facility assisted pursuant to this section and, at least annually, the State or unit of local government in which the facility is located shall certify to the Secretary that—
>
> (A) the homeless are receiving the assistance specified in the application;
>
> (B) public buildings, property, and grant funds are being used in a cost-effective manner; and
>
> (C) the recipient of assistance under this section is complying with the terms of any lease or grant agreement entered into with the Secretary.
>
> (2) Each recipient of assistance under this section shall maintain such records as the Secretary requires taking into account the nature of the recipient (including the private voluntary organization implementing the program) and as may be reasonably necessary to disclose the amount and disposition of the proceeds of the assistance. For purposes of audit and examination, the Secretary shall have access to any records of the recipient that are related to assistance received under this section.

In others words, the gentleman's amendment really is kind of pouncing on one individual where, actually, it would have no relevancy to, it would have no relevancy to any of the expenditures of the funds by virtue of the acceptance of this act.

Mr. DELAY. If the gentleman will yield, the accountability that the gentleman is talking about only applies to one title of this bill. My amendment makes sure that all titles of this bill, all funds of this bill will be accounted for and that it does not cut Mitch Snyder off from funds if he wants to open his books, if he wants to take tax-exempt status and open his books so that we can find and see where this money goes——

Mr. GONZALEZ. Yes; the gentleman can request GAO audits by virtue of this and Mitch Snyder would have to be audited by virtue of this section.

Mr. DELAY. If the gentleman will yield, Mitch Snyder was not audited for turning over the $5 million building.

Mr. GONZALEZ. No, I know. But we are not talking about that. The gentleman's amendment is not addressing that funding, it is addressing the prospective funding if this legislation is approved.

Mr. LOWRY of Washington. Mr. Chairman, will the gentleman yield?

Mr. GONZALEZ. I yield to the gentleman from Washington.

Mr. LOWRY of Washington. I thank the gentleman.

Mr. Chairman, if that was so, that was because this legislation did not exist. The absence of having this homeless legislation which then requires this public accountability for recipients would take care of that problem. The amendment is absolutely not necessary.

Mr. GONZALEZ. Let me assure the gentleman that when he says that this particular section on accountability is in one section, yes, but it is a section that the gentleman's amendment is addressing to.

Mr. DELAY. If the gentleman will yield, my amendment addresses all sections of the bill.

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

Mr. Chairman, I will be brief, but I will say flately that this is another case where we are defining that somebody is above the law. All the gentleman is attemtping to do is to assure that where we have had testimony in this Congress that this gentleman refuses to comply with the Tax Code, we are now saying that he ought not get money unless he comes under the provisions of law that we require of every other citizen.

If you vote "no" on the gentleman's amendment what you are saying is this one hero of the Left ought to be above the law. I would suggest that that is wrong. No one in this country should be above the law. We ought to adopt the gentleman's amendment to assure that everybody obeys the law.

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

Mr. Chairman, I just want to reiterate in case anyone had any doubts that none of us have told the U.S. attorney or any other law enforcement official not to obey the law. Those who are worried about that should know that the appointees of this administration who are charged with enforcing the law in the District of Columbia have at no point been disbarred from doing so. So no one is asking that anybody be above the law. Anybody who has got the authority to prosecute anyone who violated the law ought to prosecute them.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. DELAY].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 183, noes 202, not voting 48, as follows:

[Roll No. 23]

AYES—183

Applegate
Archer
Armey
Ballenger
Barnard
Bartlett
Barton
Bateman
Bentley
Bereuter
Bilirakis
Bliley
Boulter
Broomfield
Brown (CO)
Bunning
Burton
Byron
Callahan
Carr
Chandler
Clinger
Coats
Coble
Combest
Courter
Crane
Daniel
Dannemeyer
Darden
Daub
Davis (IL)
DeLay
DeWine
DioGuardi
Dornan (CA)
Dreier
Duncan
Edwards (OK)
Emerson
English
Fawell
Fields
Frenzel
Gallegly
Gallo
Gaydos
Gekas
Gingrich
Goodling
Gradison
Grandy
Gregg
Gunderson
Hall (TX)
Hammerschmidt
Harris
Hastert
Hatcher
Hefley
Henry
Herger
Hiler
Holloway
Houghton
Huckaby
Hunter
Hutto
Hyde
Ireland
Jacobs
Jenkins
Johnson (CT)
Jones (TN)
Kasich
Kemp
Kolbe
Kolter
Konnyu
Kyl
Lagomarsino
Lancaster
Latta
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Lott
Lowery (CA)
Lujan
Lukens, Donald
Lungren
Mack
Madigan
Marlenee
Martin (IL)
Martin (NY)
Martinez
McCandless
McCollum
McDade
McMillan (NC)
Meyers
Michel
Miller (OH)
Molinari
Moorhead
Murphy
Myers
Nichols
Nielson
Oxley
Packard
Parris
Pashayan
Patterson
Petri
Pickett
Pickle
Porter
Price (NC)
Ravenel
Ray
Regula
Rhodes
Ridge
Rinaldo
Ritter
Roberts
Robinson
Rogers
Roth
Roukema
Rowland (CT)
Rowland (GA)
Saiki
Saxton
Schaefer
Schuette
Sensenbrenner
Shaw
Shumway
Shuster
Sisisky
Skeen
Slattery
Slaughter (VA)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Solomon
Spence
Stallings
Stangeland
Stenholm
Stratton
Stump
Sundquist
Sweeney
Swindall
Tallon
Tauke
Taylor
Thomas (CA)
Thomas (GA)
Traficant
Upton
Valentine
Vander Jagt
Volkmer
Vucanovich
Walker
Weber
Weldon
Whittaker
Wolf
Wortley
Yatron
Young (FL)

NOES—202

Ackerman
Alexander
Anderson
Andrews
Anthony
Aspin
Atkins
AuCoin
Bates
Bellenson
Bennett
Biaggi
Bilbray
Boehlert
Boggs
Boland
Boner (TN)
Bonior (MI)
Bonker
Borski
Bosco
Boxer
Brennan
Brooks
Bruce
Bryant
Bustamante
Campbell
Cardin
Carper
Chappell
Clarke
Clay
Coelho
Coleman (TX)
Collins
Conte
Conyers
Coughlin
Coyne
Crockett
Davis (MI)
de la Garza
DeFazio
Dellums
Derrick
Dicks
Dingell
Dixon
Dorgan (ND)
Downey
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Erdreich
Espy
Evans
Fascell
Fazio
Feighan
Fish
Flake
Flippo
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Frank
Frost
Garcia
Gejdenson
Gilman
Glickman
Gonzalez
Grant
Gray (IL)
Gray (PA)
Green
Guarini
Hall (OH)
Hamilton
Hawkins
Hayes (IL)
Hefner
Hertel
Hochbrueckner
Howard
Hoyer
Hughes
Jeffords
Johnson (SD)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kostmayer
LaFalce
Lantos
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lewis (GA)
Lowry (WA)
Manton
Markey
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McHugh
McKinney
McMillen (MD)
Mfume
Mica
Miller (CA)
Miller (WA)
Mineta
Mollohan
Moody
Morella
Morrison (CT)
Morrison (WA)
Mrazek
Murtha
Nagle
Natcher
Neal
Nelson
Nowak
Oakar
Oberstar
Obey
Olin
Ortiz
Owens (NY)
Owens (UT)
Panetta
Pease
Penny
Pepper
Perkins
Price (IL)
Pursell
Rahall
Rangel
Richardson
Rodino
Roe
Rose
Rostenkowski
Roybal
Russo
Sabo
Savage
Sawyer
Scheuer
Schroeder
Schumer
Sharp
Sikorski
Skaggs
Smith (FL)
Smith (IA)
Solarz
Spratt
St Germain
Staggers
Stark
Stokes
Studds
Swift
Synar
Torres
Torricelli
Towns
Udall
Vento
Visclosky
Walgren
Watkins
Waxman
Weiss
Wheat
Whitten
Williams
Wilson
Wise
Wolpe
Wyden
Yates

NOT VOTING—48

Akaka
Annunzio
Badham
Baker
Berman
Bevill
Boucher
Brown (CA)
Buechner
Chapman
Cheney
Coleman (MO)
Cooper
Craig
Dickinson
Donnelly
Dowdy
Dyson
Gephardt
Gibbons
Gordon
Hansen
Hayes (LA)
Hopkins
Horton
Hubbard
Inhofe
Leach (IA)
Leath (TX)
Lipinski
Livingston
Lloyd
Luken, Thomas
MacKay
McEwen
McGrath
Moakley
Montgomery
Quillen
Roemer
Schneider
Schulze
Skelton
Slaughter (NY)
Tauzin
Traxler
Wylie
Young (AK)

□ 1900

Mr. LANCASTER, Mr. PRICE of North Carolina, and Mrs. SAIKI changed their votes from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. KASICH

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

The Clerk read as follows:

Amendment offered by Mr. KASICH: After section 202, add the following new section:

"SEC. 203. REQUIREMENT OF CERTAIN HOMELESSNESS STUDIES

"(a) IN GENERAL.—The States shall—

"(1) Complete a study with respect to determining the extent to which the mental health deinstitutionalization policies of the State involved are contributing to the problem of homelessness; and

"(2) Submit to the Secretary of Health and Human Services a report describing the findings made as a result of such study.

"(b) REPORT TO SECRETARY OF HEALTH AND HUMAN SERVICES.—The Secretary of Health and Human Service shall summarize the reports submitted by the States pursuant to subsection (a) and submit to the Congress a report with respect to such State reports.".

Mr. KASICH [during the reading]. Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. KASICH. Mr. Chairman, in an effort to move the proceedings along, let me just briefly explain what the amendment does is require that the States do an internal investigation themselves to try to determine what the impact of deinstitutionalization has been on the problem of the homeless.

As many people know, the policies of the State, which have been liberal policies over the last decade, may have created some problems locally in terms of the problems of the homeless, and what we want to do is to try to determine how those policies have worked and what we can do to improve them so that we can take care of the people who need to be released from the institutions and not have them end up in shelters for homeless where we are not doing the kind of things that we ought to do to give them the kind of treatment that they deserve.

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

Mr. KASICH. I yield to the gentleman from California.

Mr. WAXMAN. Mr. Chairman, we have had a chance to review the amendment, and we accept the amendment on this side.

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

Mr. KASICH. I yield to the gentleman from Connecticut.

Mr. McKINNEY. Mr. Chairman, the gentleman from Ohio [Mr. KASICH] is right on the dime. I have been trying to do this for years. I congratulate the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. KASICH].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MADIGAN

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

The Clerk read as follows:

Amendment offered by Mr. MADIGAN: After section 202 of the bill, add the following new section:

SEC. 203. LEGAL FUND WITH RESPECT TO FAMILIES OF MENTALLY ILL HOMELESS INDIVIDUALS.

(a) IN GENERAL.—(1) The Secretary of Health and Human Services shall, to the extent approved in appropriation Acts, establish a fund for the purpose of providing, subject to paragraph (2) financial assistance to families and legal guardians of mentally ill homeless individuals in order that such families and legal guardians may commence and complete legal proceedings to place the mentally ill homeless family member involved in an appropriate institution for mental diseases.

(2) Such financial assistance may be provided only to such families and legal guardians that are at or below 100 percent of the Federal poverty level.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $10,000,000 for fiscal year 1987.

(c) REGULATIONS.—The Secretary of Health and Human Services shall, before the expiration of the 90-day period beginning on the date of the enactment of this Act, issue such regulations as may be necessary to carry out this section.

In section 101(a) of the bill, strike "$75,000,000" and insert "$65,000,000".

In section 201 of the bill: In section 340(o) of the Public Health Service Act (relating to funding, as proposed to be inserted by the bill), strike "$75,000,000" and insert "$65,000,000".

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

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

There was no objection.

Mr. MADIGAN. Mr. Chairman, this amendment is very important to me, but I know that a number of Members are in tight time constraints with their travel problems tonight.

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

Mr. MADIGAN, I yield to the gentleman from Connecticut.

Mr. McKINNEY. Mr. Chairman, I congratulate my good friend, the ranking minority member, and I promise to help him, because his idea is basically a very sound one.

Mr. MADIGAN. Mr. Chairman, on the assurance that I can offer this amendment later, to another bill, I ask unanimous consent to withdraw the amendment at this time.

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

There was no objection.

Mr. DYMALLY. Mr. Chairman, I rise in support of H.R. 558.

Mr. Chairman, there are many ways to measure a nation. One can measure the gross national product of the country to determine its wealth. One can look at the level of food production to see how self sufficient the country is. One can look at defense capabilities to see how formidable the country is. To see whether a nation has a heart you look to its streets. You look at the human condition displayed on those streets.

The United States has a gross national product measured in the trillions of dollars. Despite inadequate rewards, our farmers produce enough food to feed the world. We spend nearly $300 billion per year to defend ourselves against threats from other countries. And today in cities across this wealthy, well-fed, well-defended country it is a common sight to see ill-clad citizens eating their meals not at tables but from garbage cans. In the Nation's Capital where the average winter temperature is 37 degrees it is common to see citizens of this country sleeping not in apartments or houses but on the exhaust grates of the metro system. One can easily see such a sight no more than two blocks from the home of the President of the United States.

Some years ago the idea of outpatient treatment of the mentally ill seemed innovative, and perhaps in a select number of cases it has indeed been innovative. Too often, however, people in serious need of mental health care were sent not to community homes but to the streets, not to outpatient treatment centers but to nowhere. Many of these unfortunate souls are among the number of homeless who wander the streets of our urban centers today helpless in the truest sense of the word.

It is a national shame. And the assuaging of that shame will not come from city ordinances that, in effect, make it unlawful to be homeless. We will not erase our shame by blaming the victims. We will do it only through compassionate action. In the end, the measure of the greatness of a country is not so much its wealth as whether that wealth brings comfort to the citizens; it is not how much food the nation produces, but whether the citizens are properly fed; it is not how formidable a fighting force it has but whether the citizens are secure.

We have under our consideration a bill to authorize compassionate action on behalf of the homeless. It authorizes us to spend less than two ten thousandths of our gross national product, our wealth, on the most needy in this society. It does not appropriate; it just says that we might consider spending that 0.00016 of GNP. It is a gesture to say our hearts are in the right place. Let us make that gesture and resolve to give the gesture a degree of meaning by following it with an equally compassionate appropriation.

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

Mr. Chairman, I rise in support of the bill, because I have a deep concern about the homeless of this country, but one thing that I have a deep and sincere concern about is the homeless in the rural areas of this country who have not been brought to the attention of the American people and maybe to this Congress.

The poverty conditions and the shelter conditions in rural America off the highways and out of the urban areas many people have not seen and many people have not heard of, but some of us who only have a rural area many times have only seen those conditions in the rural areas and some here in Washington, DC. I think that it is only fair that I ask the chairman if I could to find what we can do to assure that we have adequate attention and fairness and equity for the homeless in rural America and throughout this country. Those who are silent, those who have not had a voice, and those who are not seen by TV cameras need to be assured that this body is trying to take care of them also.

Mr. Chairman, I would like to ask the chairman if we can be assured that in the bleakest poverty areas of this Nation in rural America that the homeless can be taken care of.

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

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

Mr. GONZALEZ. Mr. Chairman, the gentleman knows that he has been intimately involved, particularly in rural and Indian housing sections of our legislation since 1982. Every hearing that we have had since 1982 has indicated the extent and the insidiousness of the problem in the rural areas, even though it is not as easily perceived as in the denser urban areas.

In this legislation, in the allocation formulas, there is as ample provision for the rural sections as there is for the urban.

Mr. WATKINS. The gentleman is saying that the formula that exists there does provide equity in the formula for the homeless citizens in the rural areas of our Nation?

Mr. GONZALEZ. Yes. If the gentleman will yield further, it is found on page 56:

(h) ALLOCATION.—In selecting applications for grants under this section, the Secretary of Housing and Urban Development and the Secretary of Health and Human Services shall ensure that the funds are provided to the geographical areas of greatest need, taking into consideration the particular needs of different geographical regions, communities of different population sizes, and urban, suburban, and rural communities.

Mr. WATKINS. I appreciate the chairman's remarks, and I thank him very much. The chairman knows that these people do not have a voice unless we stand up for them.

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

Mr. Chairman, while I am pleased in most respect with the Regulations published by the Department of Housing and Urban Development, the regulations do not reflect the intent of Congress as it pertains to funding rehabilitation in facilities to assist the homeless which are owned or operated by religiously affiliated organizations. The emergency nature of this program clearly envisioned that assistance could be provided to those organizations which had been assisting the homeless. In many parts of this country, the only assistance provided to

the homeless was delivered through groups with a religious affiliation. In spite of the fact that the shelter and services provided by these groups had no religious content nor do they serve to promote religion, the HUD regulation can be used to preclude assisting these groups.

The committee report accompanying the bill clearly states under what conditions Federal funds may be used by these groups to provide shelter and services. I would encourage HUD to reexamine these regulations and publish new regulations consistent with the guidelines in the committee report.

Mr. Chairman, I would be remiss today if I did not recognize the work of a key staff aide that has worked with me on this issue the past 5 years. Steve Judge, my chief legislative assistant, has been a real wellspring of service and diligence from the start of my active involvement. The past 4 months have really been the formative period in which he has been involved in so many meetings and reporting back regularly to me and working to perfect this total work product. Steve Judge is one of the major reasons that this measure has been successful today. I am pleased to have had his able assistance on this and many other legislative duties as well as the entire staff on the Banking Subcommittee on Housing. They are truly talented and hard-working professionals.

Mr. FOLEY. Mr. Chairman, I wish to thank the gentleman from Texas [Mr. GONZALEZ] for his constant efforts and those of the other members of his committee and of the other committees which considered this bill. The prompt attention and extraordinary effort exhibited by all who have worked on this bill testifies to the seriousness of this problem.

Of course, the bill which Mr. MCKINNEY and I have introduced is an emergency bill. The moneys authorized there would be available for appropriation in this fiscal year. We realize, of course, that the problem of homelessness will not be solved overnight, but we cannot stand idly by while helpless people and poverty-stricken families lose the roof over their heads. The homeless are of every description and no one solution addresses the plight of all of them, but we will never solve this problem unless we begin now.

Mr. Chairman, there is disagreement on exactly how many homeless people there are in our country. I do not find this surprising in light of the substantial problems entailed in making any estimate of a transient, disparate population who, by definition, are without addresses. But there is substantial agreement that the numbers of homeless people are increasing, and increasing at an accelerated rate.

Three recent studies, including one by the U.S. Conference of Mayors, have found that the homeless population increased by an alarming 25 percent in 1986. The mayors' study, conducted by a task force headed by Raymond L. Flynn, the distinguished mayor of the city of Boston, found that in 70 percent of the 25 major cities surveyed homeless people were being turned away from shelters. In all they estimated that about one-quarter of all the homeless were being turned away.

Perhaps the most disturbing fact of all is that the fastest growing segment of the homeless population is families with children. Although the total proportion of the homeless represented by this group is still believed to be small, they illustrate that the problem has gone far beyond the conventional views of the homeless which many of us held in earlier years. No longer can anyone say that the homeless are merely those who could settle down but choose not to. They are now people who desperately need shelter but cannot get it.

The Salvation Army has found that large numbers of homeless people among the 60,000 it shelters each night actually have jobs but are beneath the poverty line. Over half of the homeless also suffer from either mental illness or substance abuse problems. They need our help, Mr. Speaker, and we have a moral obligation to extend a helping hand to the homeless and provide at least the bare minimum of shelter, food, and medical care that they need.

Mr. Chairman, H.R. 558 represents a serious effort to address this growing problem. It would authorize $20 million in addition to the $50 million which has just been signed into law for emergency food and shelter under the Federal Emergency Management Agency; an additional $100 million in grants to localities for extra shelter space and an additional $30 million for localities to provide transitional group homes for the homeless who can move out of emergency shelters; $100 million would finance 4,000 rental subsidy certificates, where the Federal Government agrees to subsidize rent for 5 years and the certificate can be used to help a succession of homeless families.

The bill also allows $100 million in health care for the homeless, one quarter through a competitive grant program and three-quarters through centers directed solely toward the homeless. $75 million would be used to identify underutilized Federal State, and local government buildings which could be used in various capacities as facilities to help the homeless. $25 million would fund residential long-term care facilities for the chronically mentally ill homeless.

In addition to these provisions the bill being considered adds some modest but very necessary improvements in our efforts to feed the homeless. These will extend the Temporary Emergency Food Assistance Program for the homeless at $50 million this year, and make it possible to count an extra $19 per month of shelter costs against income for purposes of determining food stamp eligibility. This will be a step toward preventing homelessness before it begins. The Agriculture Department is also directed to match State costs for the administration of outreach programs so that homeless people who qualify for assistance will learn that they are eligible.

Mr. Chairman, H.R. 558 does not attempt to assign blame or point fingers. It is an honest effort to do what we can, however little and however belatedly, to relieve the misery of homelessness for hundreds of thousands of Americans of both sexes and all races and ages, many of whom are ill, or not able to care for themselves; and all of whom deserve the minimum that human decency requires of those of us who are more fortunate.

Mr. RITTER. Mr. Chairman, I agree that giving food and shelter to the homeless is important. But we need not create a brandnew welfare program just to show compassion. It is always the American taxpayer who bears the burden for misguided efforts which don't solve the problem. That's exactly what we have with the homeless bill.

I question the new spending of $500 million for fiscal year 1987, plus $225 million extra for more food stamps. That is on top of $435 million in direct assistance since we first turned our attention to the homeless in fiscal year 1984.

This bill does not necessarily target the homeless. In among the funds for the homeless is food stamp funding for people who are already on welfare. We already have Federal funding in community health care centers and Medicaid which assist homeless people.

There are several other programs that provide food assistance to the needy, and the U.S. Department of Agriculture [USDA] alone accounts for over $20 billion in fiscal year 1987 spending—for food assistance for which the homeless qualify.

In this bill, the definition of homeless is so broad that low-income individuals, in general, are included as well as people sleeping on the streets. But the fact is these people already have programs to address their needs.

If this is a new national priority, we should be able to transfer funds from other areas that are now less of a priority. Although I have great reservations about spending this kind of added money, I voted for an amendment which would have taken these funds out of foreign aid.

Why increase the already vast Federal deficit when States are reaping revenue surpluses from the Tax Reform Act of 1986. We know that States are better able to target funding and we also know that they are in

better financial shape than the Federal Government. They haven't done it themselves because they just can't spend money they don't have, like Congress can, and they're not convinced it's that high a priority.

We are not even sure of what the causes of homelessness are.

Are the homeless alcoholics? Then let's address that.

Are the homeless drug abusers? Then let's address that.

Are the homeless unwed mothers? Then let's address that.

The causes of the problems of this group are so diverse that it is impossible to address them in one category—the homeless. Throwing money at a symptom, homelessness, rather than trying to eliminate the causes is an inefficient use of funds.

In fiscal year 1987 the Federal Government has already committed over $260 million, more than in any other previous year, on programs specifically targeted to the homeless. Now we're called to add another three-fourths of a billion dollars.

We need to more seriously consider the role of States, localities and the private sector, which do not have the debt burden that the Federal Government has. They're much closer to the issue as are churches, neighborhood centers, et cetera.

We also are responsible to ensure accountability for the way our constituents' tax dollars are spent. Congressman TOM DELAY, a Member from Texas, put forth an amendment to require individual organizations which who receive funds as a result of this bill to register as tax exempt, nonprofit organizations, under provisions of 501(c)3 of the IRS Code. That means they would have to open their books and tell the American people how they are spending their money.

It's incredible, but that amendment failed.

Another reason I object to this bill is that I fear the motivation of one of the major publicists of the measure, Mitch Snyder. Congressman DELAY's statement to Congress regarding his conversation with Mitch Snyder brings out the attitude of the Committee for Creative Non-Violence [CCNV]. Mr. DELAY, in a statement in the CONGRESSIONAL RECORD said:

One of the first things that struck me about the CCNV is that they are much more than a samaritan group looking to help the homeless. According to Mr. Snyder they are both a religious group and political activists, which he considers one and the same. When I asked Mr. Snyder if his organization was both a religious organization and a political activist organization he said, "In our opinion, the two are one." Since they are a religious nonprofit group I naturally assumed that they were a tax-exempt organization. To my surprise Mr. Snyder said that they had chosen not to apply for tax-exempt status. But they don't believe in taxes so they just don't pay. Let me quote Mr. Snyder again. "The letter we send the IRS every year explains we don't believe participatory democracy or democracy means the paying of 15 or 20 or 25 percent of one's income."

We have found that Mr. Snyder's feeling that he is above the law even predates his involvement with the CCNV. In a report detailing Mr. Snyder's criminal record provided to the subcommittee by the FBI, it is apparent that Mr. Snyder has had a pattern of lawlessness. Though he portrays himself as a successful Wall Street executive it seems in 1969 his time in New York was spent opening bank accounts under false names—such as Arthur Sanders and George J. Worts, issuing bad checks, and committing forgery.

In 1969 he was convicted of these crimes: with Arnold Paster, a friend with whom he committed these crimes—Mr. Snyder went West to Las Vegas, NV. There they used a stolen credit card to rent a car which was soon reported stolen. They were then arrested in California. At that point Mr. Snyder used the false name of Mitchell Peters to mask his identity. Does this sound like someone who just happened to be hitch-hiking and just happened to be picked up by someone who stole a car? Of course not. In fact Mr. Snyder was convicted in New York in July 1969 for attempting grand larceny of a car.

Another incident, which I feel is very important to our discussion here, happened in 1974. Mr. Snyder was one of four CCNV members arrested for entering the South Vietnamese overseas procurement office in Washington, DC. He poured a red substance resembling blood on the files, walls, and on other property in the office. They were found guilty of the destruction of property of a foreign government and Mr. Snyder was sentenced to 1 year's probation. This, in itself, is not significant, but the fact that the probation was revoked and he was ordered to serve 3 months is significant.

The probation revocation was due to a letter Mr. Snyder sent to the judge saying that he no longer considered himself on probation and he would no longer continue his commitments to that office. This sounds strangely similar to the letters he sends every year to the IRS saying he doesn't believe in taxes and won't pay. My question is: We are a nation of laws. What happens when everybody decides they are above the law?

When I go back to my district, I want to be able to look my constituents in the eye and let them know that I voted to make those who spend their money accountable.

My constituents in the Lehigh Valley don't want a brandnew welfare program coming out of Washington that adds to the Federal debt burden on the American people. They know when the politicians sense an opportunity to create new programs, with new constituencies, and to add to old programs that are being scaled back. They know when the politicians push new welfare schemes to add to the ranks of people who owe them for their generosity.

The CHAIRMAN. The question is on the amendment in the nature of a substitute, as modified, as amended.

The amendment in the nature of a substitute, as modified, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. COELHO] having assumed the chair, Mr. KILDEE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 558) to provide urgently needed assistance to protect and improve the lives and safety of the homeless, with special emphasis on families and children, pursuant to House Resolution 109, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

□ 1910

The SPEAKER pro tempore (Mr. COELHO). The question is on the passage of the bill.

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

Mr. GREGG. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 264, nays 121, not voting 48, as follows:

[Roll No. 24]

YEAS—264

Ackerman	Carr	English
Alexander	Chandler	Erdreich
Anderson	Chappell	Espy
Andrews	Clarke	Evans
Anthony	Clay	Fascell
Applegate	Coelho	Fazio
Aspin	Coleman (TX)	Feighan
Atkins	Collins	Fish
AuCoin	Conte	Flake
Barnard	Conyers	Flippo
Bartlett	Coughlin	Florio
Bates	Courter	Foglietta
Bennett	Coyne	Foley
Bentley	Crockett	Ford (MI)
Biaggi	Darden	Ford (TN)
Bilbray	Davis (MI)	Frank
Boehlert	de la Garza	Frost
Boggs	DeFazio	Gallo
Boland	Dellums	Garcia
Boner (TN)	Derrick	Gaydos
Bonior (MI)	Dicks	Gejdenson
Bonker	Dingell	Gilman
Borski	DioGuardi	Glickman
Boxer	Dixon	Gonzalez
Brennan	Dorgan (ND)	Grandy
Brooks	Downey	Grant
Bruce	Durbin	Gray (IL)
Bryant	Dwyer	Gray (PA)
Bustamante	Dymally	Green
Byron	Early	Guarini
Cardin	Eckart	Hall (OH)
Carper	Edwards (CA)	Hall (TX)

Hamilton
Harris
Hatcher
Hawkins
Hayes (IL)
Hayes (LA)
Hefner
Henry
Hertel
Hochbrueckner
Howard
Hoyer
Huckaby
Hughes
Hutto
Jacobs
Jeffords
Jenkins
Johnson (CT)
Johnson (SD)
Jones (NC)
Jones (TN)
Jontz
Kanjorski
Kaptur
Kasich
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kostmayer
LaFalce
Lancaster
Lantos
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lewis (GA)
Lowry (WA)
Lujan
Manton
Markey
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McDade
McHugh
McKinney
McMillan (NC)
McMillen (MD)
Meyers
Mfume
Mica
Miller (CA)
Miller (OH)
Miller (WA)
Mineta
Mollohan
Moody
Morella
Morrison (CT)
Morrison (WA)
Mrazek
Murphy
Murtha
Nagle
Natcher
Neal
Nelson
Nowak
Oakar
Oberstar
Obey
Ortiz
Owens (NY)
Owens (UT)
Panetta
Pashayan
Patterson
Pease
Penny
Pepper
Perkins
Pickett
Pickle
Price (IL)
Price (NC)
Rahall
Rangel
Ravenel
Ray
Regula
Richardson
Ridge
Rinaldo
Robinson
Rodino
Roe
Rogers
Rose
Rostenkowski
Roukema
Rowland (GA)
Roybal
Russo
Sabo
Saiki
Savage
Sawyer
Saxton
Scheuer
Schroeder
Schuette
Schumer
Sharp
Sikorski
Sisisky
Skaggs
Slattery
Smith (FL)
Smith (IA)
Smith (NJ)
Snowe
Solarz
Spratt
St Germain
Staggers
Stark
Stokes
Stratton
Studds
Swift
Synar
Tallon
Thomas (GA)
Torres
Torricelli
Towns
Traficant
Udall
Valentine
Vento
Visclosky
Volkmer
Walgren
Watkins
Waxman
Weiss
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Wolpe
Wortley
Wyden
Yates
Yatron

NAYS—121

Archer
Armey
Ballenger
Bateman
Beilenson
Bereuter
Bilirakis
Bliley
Bosco
Boulter
Broomfield
Brown (CO)
Bunning
Burton
Callahan
Campbell
Clinger
Coats
Coble
Combest
Crane
Daniel
Dannemeyer
Daub
Davis (IL)
DeLay
DeWine
Dornan (CA)
Dreier
Duncan
Edwards (OK)
Emerson
Fawell
Fields
Frenzel
Gallegly
Gekas
Gingrich
Goodling
Gradison
Gregg
Gunderson
Hammerschmidt
Hastert
Hefley
Herger
Hiler
Holloway
Houghton
Hunter
Hyde
Ireland
Kemp
Kolbe
Konnyu
Kyl
Lagomarsino
Latta
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Lott
Lowery (CA)
Lukens, Donald
Lungren
Mack
Madigan
Marlenee
Martin (IL)
McCandless
McCollum
Michel
Molinari
Moorhead
Myers
Nichols
Nielson
Olin
Oxley
Packard
Parris
Petri
Porter
Pursell
Rhodes
Ritter
Roberts
Roth
Rowland (CT)
Schaefer
Sensenbrenner
Shaw
Shumway
Shuster
Skeen
Slaughter (VA)
Smith (NE)
Smith (TX)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Solomon
Spence
Stallings
Stangeland
Stenholm
Stump
Sundquist
Sweeney
Swindall
Tauke
Taylor
Thomas (CA)
Upton
Vander Jagt
Vucanovich
Walker
Weber
Whittaker
Young (FL)

NOT VOTING—48

Akaka
Annunzio
Badham
Baker
Barton
Berman
Bevill
Boucher
Brown (CA)
Buechner
Chapman
Cheney
Coleman (MO)
Cooper
Craig
Dickinson
Donnelly
Dowdy
Dyson
Gephardt
Gibbons
Gordon
Hansen
Hopkins
Horton
Hubbard
Inhofe
Leach (IA)
Leath (TX)
Lipinski
Livingston
Lloyd
Luken, Thomas
MacKay
McEwen
McGrath
Moakley
Montgomery
Quillen
Roemer
Schneider
Schulze
Skelton
Slaughter (NY)
Tauzin
Traxler
Wylie
Young (AK)

□ 1920

The Clerk announced the following pairs:

On this vote:

Mr. Moakley for, with Mr. Craig against.

Mr. Leach of Iowa for, with Mr. Barton against.

Mr. McEwen for, with Mr. Hansen against.

Mr. Schulze for, with Mr. Cheney against.

So the bill was passed.

The result of the vote was announced as above recorded.

TITLE AMENDMENT OFFERED BY MR. GONZALEZ

Mr. GONZALEZ. Mr. Speaker, I offer an amendment to the title.

The Clerk read as follows:

Title amendment offered by Mr. GONZALEZ: amend the title so as to read: "A bill to provide urgently needed assistance to protect and improve the lives and safety of the homeless, with special emphasis on elderly persons, handicapped persons, and families with children.".

The title amendment was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 558, URGENT RELIEF FOR THE HOMELESS ACT

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that, in the engrossment of the bill H.R. 558, the Clerk be authorized to correct section numbers, cross references, punctuation, and indentation, and to make such other technical and conforming changes as may be necessary to reflect the actions of the House.

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

There was no objection.

GENERAL LEAVE

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and include extraneous matter, on H.R. 558, the bill just passed.

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

There was no objection.

□ 1930

REQUEST TO SPEAK OUT OF ORDER IMMEDIATELY FOLLOWING THE LEGISLATIVE PROGRAM

Mr. MICHEL. Mr. Speaker, I ask unanimous consent that I be permitted to address the House and speak out of order for 3 minutes immediately after an exchange with the majority leader on the program for next week.

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

There was no objection.

LEGISLATIVE PROGRAM

(Mr. MICHEL asked and received unanimous consent to speak out of order for 1 minute.)

Mr. MICHEL. Mr. Speaker, I ask for this 1 minute for the purpose of inquiring of the distinguished majority leader the program for the balance of this week and next week.

Mr. FOLEY. Mr. Speaker, will the Republican leader yield to me?

Mr. MICHEL. I will be happy to yield to the distinguished majority leader.

Mr. FOLEY. I thank the gentleman for yielding.

The business we have just concluded concludes the legislative program for this week. The House will not be in session tomorrow.

My intention will be to ask unanimous consent shortly that when the House adjourns tonight it adjourn to meet at noon on Monday next.

On Monday we will have a pro forma session. On Tuesday, March 10, the House will meet to consider eight bills under suspension of the rules:

H.R. 626, conveyance of public lands in Alabama;

H.R. 242, conveyance of public lands in Wisconsin;

H.R. 990, conveyance of a certain parcel of land near Ocotillo, CA;

H.R. 14, to designate certain river segments in New Jersey as study rivers under the National Wild and Scenic Rivers Act;

H.R. 191, to authorize a Peace Garden;

H.R. 240, to designate the Santa Fe Trail as a national historic trail;

H.R. 389, Boundary Waters Canoe Act amendments; and

H.R. 797, to authorize donation of certain lands for the Gettysburg National Military Park.

Mr. Speaker, on Wednesday, March 11, and March 12, Thursday, the House will meet at 2 p.m. on Wednesday and 11 a.m. on Thursday to con-

sider an unnumbered House joint resolution relating to a moratorium on Contra aid, subject to a rule being granted.

Friday, March 13, the House will not be in session.

These announcements are made subject to the usual consideration that further program may be announced later and conference reports may be brought up at any time.

Mr. MICHEL. Mr. Speaker, might I inquire of the distinguished majority leader whether the so-called moratorium on Contra aid, is that in any kind of bill form at this time?

Mr. FOLEY. No. I will advise the gentleman that it is anticipated that the bill will be introduced shortly, probably the first part of the week, Monday. We anticipate its being considered by the Committee on Rules on Tuesday.

Mr. MICHEL. I thank the gentleman.

MORATORIUM VOTE

The SPEAKER pro tempore. The gentleman from Illinois [Mr. MICHEL] may proceed with his previous consent request.

(By unanimous consent, Mr. MICHEL was allowed to speak out of turn for 3 minutes.)

Mr. MICHEL. Mr. Speaker, according to what we've just heard, the tentative schedule says that on next Wednesday, the Democratic leadership will bring to the floor a moratorium bill on Contra aid.

I heard a rumor to that effect and now it is confirmed.

We will be told that this is not a bill to stop the Contras from getting the funding. We will be told it is only a moratorium, a way of postponing the funding from getting to the Contras until certain conditions are met.

It is my further understanding that these conditions will deal with questions arising from the ongoing Iran arms deal inquiry. Until we find out where the money went and how much, if any, reached the Contras, we will hold back the $40 million already proposed to those brave fighters.

If the Democratic leadership wants to kill Contra funding, I say you should give us an up or down vote on disapproval. Yes or no. Up or down.

Apparently the Democratic leadership has decided to bring their measure to the floor without hearings, without debate, without even a modicum of consultation with the minority. I only learned about the possibility of this yesterday.

I think we need a negotiating track and a military track if we are to achieve a just peace in Central America. I'm all for the $300 million for the democracies. I'm all for the process of the Arias plan.

But none of that will work if we go back on our word to send the Contras the last $40 million of the original $100 million appropriated last year.

This moratorium is just a trick to let Members think they can get off the hook.

Well, history is not letting us off the hook that easily. We're either going to live up to our word or break our word. And if you vote for this bill, it is, in effect, going back on our word.

If the Democratic leadership wants to kill off the Contras by denying the funds, then I say do so in the full light of day and stop this political, partisan avoidance of the main issue.

Let me add one other point: Members might be told that to vote against the moratorium is to vote against investigation of the Iran arms deal.

That is so much hogwash.

In both Houses, we are pursuing the Iran arms deal, in all its ramifications, including real or alleged Contra connections. There is an independent counsel's investigation.

The President has not only pledged but shown his willingness to cooperate in getting out the facts.

This moratorium is a cover story for killing aid to the Contras. It is stonewalling by those who don't want to admit outright they want to destroy the Contras.

A moratorium on the last $40 million is the functional equivalent of saying to the Contras, to the Sandinistas, and to the Central American democracies:

Yes; we promised assistance to the Contras last year, but don't count on us to fulfill the promise this year.

We're welching on our word.

This moratorium idea is a disgrace. We want a yes or no vote. The honor of the House and the good word of the United States are at stake.

If the Democratic leadership is insistent on bringing up this moratorium next Wednesday, I will make every effort to make sure a disapproval resolution will be considered at the same time—even if I have to do it myself.

ADJOURNMENT TO MONDAY, MARCH 9, 1987

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12 noon on Monday next.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

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

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will now entertain 1-minute speech requests.

CABINET INITIATIVES SHAPE THE AGENDA OF THE 100TH CONGRESS

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

Mr. FISH. Mr. Speaker, our President and his administration deserve our commendation. While recent events have caused some to say the administration has ground to a halt, nothing could be further from the truth. This holds for the President and for his departments.

The Tower Commission has reported, and the President has endorsed all of its recommendations. Already he has taken corrective measures. I applaud him for these actions and for his appointments. Challenges bring out the best in our President. He acknowledges mistakes, accepts full responsibility, and vows changes. I, for one, am offended by those who rejoice over the President's troubles.

The country must move on. We cannot afford to allow, and the administration is not allowing, this affair to paralyze us. We are indeed fortunate to have a President committed to productively addressing in the final 2 years of his historic Presidency the many issues of national importance.

We need look no further than the Cabinet departments to realize that important issues are being addressed, and have been throughout these months of uncertainty. All we have to do is look at the bold and creative initiatives coming out of the Departments of Commerce, Treasury, Labor, and HHS. They quite clearly demonstrate that the Cabinet-level departments are not affected, much less paralyzed. These Cabinet departments are responsible for the creative thinking that is shaping the agenda of the 100th Congress.

Initiatives have been received in Congress from the Secretaries of the Departments I just mentioned, "the four B's," Baldrige, Baker, Brock, and Bowen. And I hasten to add the name of Clayton Yeutter, the U.S. Trade Representative, to the list of administration officials.

Catastrophic illness cripples elderly Americans physically, mentally and financially. In the President's words, "for too long, many of our Nation's

senior citizens have been faced with making an intolerable choice—a choice between bankruptcy and death."

The comprehensive catastrophic illness protection bill proposed by HHS Secretary Otis Bowen is yet another example of the administration's commitment to our Nation's well-being.

This bill addresses a fundamental gap in the health insurance protection of the elderly. Hospital coverage is limited under Medicare, and, even though about 13 percent of the elderly are also covered by Medicaid, many States limit the amount and kind of services they will pay under the program. One major advantage of this bill is that it will not add 1 cent to the Federal deficit.

This proposal is a sound beginning toward a comprehensive catastrophic illness coverage bill in the 100th Congress.

Competitiveness is the battle cry of all of us in Washington, as we continue to face record trade deficits. Many Cabinet actions and proposals bear on this issue—improving our comparative advantages in the global marketplace, while at the same time breaking down trade barriers to improve access to those markets, and ensuring that we do not adopt measures that would tend to reduce overall world trade and world growth. The necessity of taking part in the global economy is not a partisan issue—it is a fact of life and we cannot be parochial by region, spirit, or politics.

The laws of economics dictate that any program seeking to redress the trade imbalance and improve competitiveness must look closely at the national and global economy. Reducing the budget deficit is essential to improving our trade balance and restoring faith in the fiscal system. The value of the dollar, which many economists say has contributed to at least half of the trade deficit, must be kept within an acceptable range to allow U.S. products to be competitive abroad.

Treasury Secretary James Baker has already shown his good political and diplomatic skills in handling this task. The recent efforts of the Plaza Accord and the G-5 meeting in Paris show he is fostering the international economic and monetary cooperation necessary to control exchange rates and thus stimulate foreign demand for American goods. The Secretary's actions warrant bipartisan support, and trade legislation should endeavor to increase his effectiveness.

He will continue to press the LDC debt initiative to reignite growth and ensure that these countries meet their full potential.

The Commerce Department has conceived a comprehensive plan to address our Nation's trade deficit and competitiveness in the world market. On February 9, Secretary Baldrige announced a bold initiative, composed of a combination of legislative and administrative actions, to "improve both the level of U.S. competitiveness and the level of U.S. security."

Faced with the rapid global proliferation of high technology, we increasingly are presented with an export control dilemma. On the one hand, we must protect sensitive technology from flowing to our adversaries and contributing to their military strength. But on the other hand, we cannot inhibit legitimate commercial trade, which is so vital to our economic well being. We all know that exports mean jobs and that a sound, strong, and competitive economy is an important part of our national security. To be effective, our export control system must balance these two objectives.

It appears as if that delicate balance is not being maintained. Too many products which are not on the cutting edge of technology are being controlled. Too many products for which a foreign source of supply exists require a license for export from the United States. In some cases, these products require licenses for export or reexport even to our trading partners. Too often U.S. exporters are faced with delays in receiving export licenses which are out of line with the time it takes for a foreign competitor to receive a similar license. All of these factors place U.S. exporters at a comparative disadvantage in our global marketplace.

So that we can maintain our technological lead, we must carefully define what to control, how to control it, and how best to enforce those controls. Export controls must be streamlined to catch militarily critical goods and technology, while decontrolling the many products at the lower end of the technological scale which no longer make a significant contribution to the military potential of our adversaries.

The Commerce Department, along with the Department of Justice, proposes changes in antitrust laws that will enhance the vitality of American businesses and industries, allowing them to adjust to global competition while continuing to protect consumers and firms from price fixing and monopolies.

Another major commerce initiative is product liability and tort reform. Interstate commerce has been increasingly burdened by product liability law. American consumers suffer when beneficial products are removed from the market and skyrocketing liability insurance costs are passed on through higher prices.

The trade deficit hits U.S. workers hard. Loss of American jobs has a devastating economic and emotional effect on individual families and on the entire economy. Americans who lose their jobs to overseas competition or for whatever reason must be given the opportunity to move into other productive areas; their well-being and the well-being of our industries and economy are at stake. Secretary of Labor Bill Brock has formulated a $7 billion worker adjustment program that will help an estimated 700,000 dislocated workers each year. The proposal offers job search assistance, basic education, and job skill training, and provides training and adjustment opportunities to workers early—long before they exhaust unemployment benefits.

The President and the Nation are well served by his Cabinet. They are realists. They are aggressive and goal oriented. They are reaching out humanely to address the needs of our people and positively to ensure an economically strong America.

THE 35TH ANNUAL NATIONAL PRAYER BREAKFAST

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

Mr. COATS. Mr. Speaker, on February 5, 1987, I was honored to serve as chairman of the 35th Annual National Prayer Breakfast at the Washington Hilton. This event brought together more than 3,700 people from all of our 50 States, as well as representatives from more than 120 nations. We gathered to listen to God's word, sing His praises, share His love and to lift our thoughts to Him in prayer.

The success of this event is a tribute to the members of both the House and Senate Prayer breakfast groups, as well as the timeless efforts of many volunteers.

Mr. Speaker, I submit the transcript of the 35th National Prayer Breakfast for printing in the RECORD.

NATIONAL PRAYER BREAKFAST—FEBRUARY 5, 1987, 8 A.M.

Pre-breakfast prayer: The Honorable Albert Gore, Jr., U.S. Senator, Tennessee.

Opening Song: U.S. Naval Academy Chapel Choir, Dr. John B. Talley, Director.

Presiding: The Honorable Dan Coats, U.S. Representative, Indiana.

Opening prayer: Admiral Carlisle A. H. Trost, Chief of Naval Operations.

BREAKFAST

Welcome: The Honorable Dan Coats.

Message from the United States Senate: The Honorable Paul Simon, U.S. Senator, Illinois.

Old Testament reading: The Hon. George H. W. Bush, Vice President of the United States.

Solo: Mrs. Sharon Brumbaugh, Miss Robin Howard, accompanist.

Message from the United States House of Representatives: The Honorable Dan Daniel, U.S. Representative, Virginia.

New Testament reading: Coretta Scott King.

Prayer for national leaders: The Honorable John Ashcroft, Governor, Missouri.

Message: The Hon. Elizabeth H. Dole, Secretary of Transportation.

THE PRESIDENT OF THE UNITED STATES

Group song: The Honorable Danny K. Akaka, U.S. Representative, Hawaii.

Closing prayer: Dr. Billy Graham.

NATIONAL PRAYER BREAKFAST, WASHINGTON, DC, THURSDAY, FEBRUARY 5, 1987

Representative DAN COATS. We are honored to have the U.S. Naval Academy Chapel Choir, under the direction of their Director of Music, Dr. John Talley. They will present to us an opening number, which will be followed by our opening prayer.

The U.S. Naval Academy Chapel Choir.

[Musical Selection, "There is a Balm in Gilead," performed by the United States Naval Academy Chapel.]

Representative DAN COATS. Ladies and gentlemen, few know of the wonderful fellowship that exists among the chiefs of our armed forces. Prayer plays a very real part in the lives of these men.

Here to invoke God's blessing on our time together is Admiral Carlisle Trost, Chief of Staff of the U.S. Navy.

Please remain seated as Admiral Trost brings our opening prayer.

OPENING PRAYER

Admiral TROST. Historians tell us that throughout the Civil War there were many instances when Union and Confederate soldiers gathered together, usually to fight, but often by chance, as men of peace. These encounters usually took place when the opposing armies were camped on opposite banks of a river, and the men slipping down the banks to bathe would encounter, sometimes in the middle of the stream, men they had worked to kill just hours before.

From these chance encounters, there were often desultory, but not unfriendly, conversations, usually sparked by mutual interest, pride in themselves, pride in their country, even though separated, perhaps, by political consideration, and talk of home, talk of the harvest back home.

Now as you can imagine, such meetings were strictly forbidden, but they took place anyway, probably a recognition of the bond between these fine men.

We live today in a world of antipathy, degrading of human values. The motives of many people seem to us wrong, hateful, and even incomprehensible. So they must too, have been seen a century and a quarter ago across the gulf of our own Civil War.

I would ask you to join me now in a prayer to God that a new day will soon come, that peace and reconciliation will flourish in this world, and that all of God's children will learn to walk the river of life together, perhaps talking of home and harvest.

Please join me in prayer.

Heavenly Father, we sit at your table this morning, conscious that all we are and all that we have, comes from you. We thank you for the gifts of food, of good fellowship, of thought and speech. We thank you for our very lives.

Lord God, humbly we ask you to open our hearts to the messages we will hear at this gathering this morning.

Unite us in prayer and reflection, so that we may know your will.

Nourish in strength and purpose to go forth from this table to do your work.

Open our eyes to the wonders of your creation, making us conscious, not only of the suffering but also of the joy.

And finally, help us, Lord, help us to do what is right and to shun evil, until that long-hoped-for day, when overcoming our own weakness through your help, we may all meet in peace and love together as one people, with one shared humanity.

All this, we ask in your holy name, oh, Lord, amen.

Representative COATS. Thank you, Admiral Trost.

Please enjoy the rest of your breakfast.

[Thereafter, breakfast ensued.]

WELCOME

Representative COATS. We are delighted with the fellowship that is taking place and is so evident from your conversation.

Good morning, and a warm welcome to each and every one of you.

This 35th Annual National Prayer Breakfast has drawn together people from all 50 of our states and from more than 120 nations from around the world.

We are also joined today by members of our armed force nationwide and worldwide through the Armed Forces Communications Network.

We gather together this morning in the name of Jesus Christ, to listen to God's word, to sing His praises, to share with each other God's wondrous love, and to lift our thought to him in prayer.

The Scriptures say that where two or three are gathered together in prayer, Christ is in their midst. Surely He is with us today.

Last year the President shared with us some of the history of this event. For those who are not aware of how this Prayer Breakfast came to be, allow me to briefly restate the story.

For about ten years prior to the first breakfast in 1953, a handful of senators and congressmen would informally meet and discuss how they might be of greater personal and spiritual support to one another. They decided as a result, to begin to pray together. Two groups, one in the Senate and one in the House, met quietly like this for 10 years.

One night in 1952, General Eisenhower, who was then running for President of the United States, shared a story with Senator Frank Carlson, saying that he had undergone a vivid spiritual experience in the days preceding D-Day, and that spiritual experience had given him great comfort and great strength as he went forward in leading the Allied Forces in World War II. Senator Carlson shared with General Eisenhower that he too had found spiritual strength and comfort with a group of senators that he had been meeting with in the Senate, asking for God's guidance in their lives.

A few months later, the General, who was now the President, asked Senator Carlson over to the White House. And he told him that, "This is the loneliest house I have ever been in."

Carlson said, "Mr. President, I think this may be the right time for you to come and meet with our prayer group."

And Eisenhower did just that.

In 1953, the first National Prayer Breakfast was held, and President Eisenhower attended, as has every President since.

But this is just the visible part of the Prayer Breakfast movement. Each week, members of the House and Senate meet to share and pray. Other prayer groups have been formed in every branch of government, and other fellowships have spread throughout the legislatures of our states and throughout the legislatures and parliaments of the world.

In fact, at this very moment, many prayer groups are meeting and specifically praying for this event. In these prayer meetings, we share our joys and our sorrows, our victories and our defeats, our hopes and our fears. And we turn together to God to seek his presence and help in all that we do.

It is my hope and prayer that each person here this morning will leave with a better understanding of the importance of prayer and fellowship in our daily lives.

Perhaps some will leave with a renewed or strengthened commitment to the prayer and fellowship groups that they are already a part of. Hopefully, others will leave with a decision to begin to seek that wonderful strength that only fellowship and prayer can provide.

I would like to introduce to you this morning, those at the head table, who, while not having a formal part of the program, are a very real part of those of us that are here.

Please join me in welcoming our gracious and dedicated First Lady, Nancy Reagan.

[Extended applause.]

And the outstanding wife of our Vice President, Barbara Bush.

[Applause.]

When our Speaker needs advice on how to deal with the Senate, the man she turns to, the very able Senate Minority Leader, Senator Robert Dole.

[Applause.]

And now some special people, wives whose loyal support make carrying the burdens of our jobs much easier.

I will ask them to stand and remain standing, and please hold your applause until all have been introduced.

Tipper Gore, the wife of Senator Albert Gore, who delivered our prebreakfast prayer.

Jean Simon, wife of Senator Paul Simon.

Ruby Daniel, wife of Dan Daniel, Congressman from Virginia.

Pauline Trost, the First Lady of the Navy.

And my very best friend, and wife of 22 years, Marcia Coats.

Let's give them all a hand.

[Applause.]

Those who have had the privilege of serving in Congress with Senator Paul Simon, know of his integrity, his dedication and commitment.

This morning, he brings us a message from the Senate Prayer Breakfast Group.

Senator Simon.

[Applause.]

MESSAGE FROM THE UNITED STATES SENATE PRAYER BREAKFAST GROUP

Senator SIMON. Thank you, Dan. President and Mrs. Reagan and distinguished guests all.

It is an honor to represent my colleagues in the Senate Prayer Breakfast and bring you greetings.

We meet every Wednesday morning. In a sense, "prayer breakfast" may be the wrong term to describe it. We do have an opening and closing prayer, but it is a frank discussion, just among ourselves, no spouses, no staff, no reporters, about the problems and the potential, and we try and strengthen each other.

We hope that each of us is applying faith to life, just a little bit more because of these breakfasts, and we hope that we accommodate our political actions to our religious beliefs rather than the other way around. And the temptation is always to do the other.

I recall being in the Army, being stationed in Germany shortly after World War II, and I heard a story from many German people about a minister who, unfortunately, accommodated his religious practices to the politi-

cal realities. He got up at the beginning of the service, and he said, "Will anyone who is of the Jewish faith, please leave this service immediately."

There was silence in the church. Then he said a second time, "Will anyone here who is Jewish, please leave this service immediately."

And as he said it the second time, the Christ on the crucifix came down off the cross and walked out of the church.

It was not a true story, of course, but its lesson is true, true not only in Germany, but in the United States and everywhere. We judge others, when they do not apply their religious beliefs to their practices, but it is more difficult to judge ourselves. What we hope, speaking in behalf of my colleagues, is that you will find this occasion, not an occasion to come here and pat yourself on the back, but an occasion to reflect.

Maybe the real test for me this morning, for example, is not whether I am at the Prayer Breakfast, but whether I am helping those two homeless people who were sleeping on the street on 17th Street, as I drove here this morning.

Somehow, each of us, as a result, whether it is Wednesday morning prayer breakfast in the Senate or a Thursday morning in the House or this large prayer breakfast, some of us, somehow each of us ought to be able to apply faith to life just a little bit more.

Our Wednesday morning prayer breakfasts are a time for reflection, for self-examination and renewal.

We hope and pray this breakfast will be the same for you.

Thank you.

[Applause.]

Representative COATS. Our nation is truly indebted to the dedicated, faithful and very expert service of our Vice President, who brings to us God's word from the Old Testament.

Mr. Vice President.

[Applause.]

OLD TESTAMENT READING

Vice President BUSH. Mr. President.

A nation, like its people, can weaken without a firm spiritual base.

And Isaiah wrote of a universal prescription, which, of course, is faith in God, and so our Old Testament lesson comes from Chapter 40, Verses 28 though 31.

"Do you not know? Have you not heard? The everlasting God, the Lord, the Creator of the ends of the earth, does not become weary or tired.

His understanding is inscrutable. He gives strength to the weary. And to him who lacks might, he increases power. Though youths grow weary and tired, and vigorous young men stumble badly. Yet those who wait for the Lord will gain new strength. They will mount up with wings like eagles. They will run and not get tired. They will walk and not become weary."

Representative COATS. Thank you, Mr. Vice President.

My constituents in the Fourth Congressional District of Indiana have been blessed in the past few years with the talents of Sharon Brumbaugh Hoffman and her partner, accompanist, Robin Howard.

I am pleased that they are able to share with you these blessing this morning.

[Musical selection presented by Sharon Brumbaugh Hoffman, accompanied by Robin Howard.]

[Extended applause.]

Representative COATS. Sharon and Robin, thank you for a beautiful message.

I am thinking our speakers might think that it will be hard to top that message.

Representative Dan Daniel of Virginia is a faithful supporter of the House Prayer Breakfast. As its current vice president, he brings to us a message from the House of Representatives.

[Applause.]

A MESSAGE FROM THE HOUSE OF REPRESENTATIVES

Representative DANIEL. That music was inspiringly beautiful.

For the opportunity for which you have given me to share this occasion with you, Mr. President, I am sincerely and humbly grateful.

It is always uplifting and inspiring of soul and spirit to have the opportunity to attend these occasions, and especially when it gives one the opportunity to associate and break bread with those who labor in the vineyard of the Lord.

The message from the House of Representatives this morning, Mr. President, Mr. Vice President, there has not been a period in my lifetime when divine guidance was more needed. And because we believe that, on every Thursday morning some 50 of us visit, we pray together, we sing together, we fellowship together in our congressional prayer breakfast. It is an occasion to which I look forward perhaps to more than any other that occurs during a given week.

We not only pray together and sing together and eat together, but we share our concerns. And one of our concerns today is the moral degradation that is occurring among some segments of the American people. We are concerned that more and more of our teenagers are turning to narcotic addiction, that our college athletes, professional athletes are willing to barter their honor for a bribe, that some public officials would dishonor their public trust.

Indeed, one of the insidious dangers that constantly threaten the American people is that we shall give all of our time and resources to building a wall around the free world, forget the moral foundation of life and thus be defeated from within.

It is recalled that the Great Wall of China was a massive structure, and when completed, it gave outward evidence of maximum security. And yet within a short time of its building, it is breached three times by the enemy, not by direct assault but by bribing the gatekeeper. The collapse of the Wall did not imperil the country, but a failure in character brought about its downfall.

On the other hand in 4th century Greece, the ruler was approached by a visitor one day who asked, why, of all the city states of Greece, Sparta alone had erected no walls. And he turned to a group of young men standing nearby and said, "Sir, there are the walls of Sparta, and every man a brick."

So while recognizing the imperative need for maximum physical strength, we must all see anew that the ultimate security and all that we cherish and hold dear, lies in the moral fiber, the spiritual, dynamic strength of our people, especially the youth of our nation who must carry this country forward on their own shoulders.

And that is the message from the House.

[Applause.]

Representative COATS. Thank you, Dan. It is a privilege to introduce to you a leader whose courage and commitment have been an inspiration to millions.

The New Testament reading will be presented by Coretta Scott King.

[Applause.]

NEW TESTAMENT READING

Mrs. KING. The New Testament reading is from Paul's letter to Colossians, Chapter 1, verses 15 through 20, 29.

"Christ is the visible likeness of the invisible God. He is the first-born son, superior to all created things. Through him, God created everything in heaven and on earth, the seen and the unseen, including spiritual powers, lords, rulers and authorities. God created the whole universe through him, before him.

Christ existed before all things, And in union with him, all things have their proper place. He is the head of the body, the church. He is the source of the body's life. He is the first-born son, who was raised from death, in order that he alone might have the first place in all things.

For it was by God's own decision that the son has, in himself, the full nature of God. Through the son, then, God decided to bring the whole universe back to himself. God made peace through his son's sacrificial death on the cross, and so brought back to himself all things, both on earth and in heaven.

God's plan is made known to his secret, and his secret to his people. This rich and glorious secret which he has for all peoples.

And the secret is that Christ is in you, which means that you will share in the glory of God.

So we preach Christ to everyone with all possible wisdom to be won and teach them, in order to bring each one into God's presence as a mature individual in union with Christ.

To get this done, I toil and struggle, using the mighty strength which Christ supplies and which is at work in me."

And also, reading from the Gospel of Matthew, Chapter 25, verses 31 through 46.

"When the son of man comes in his glory and all the angels with him, he will sit on his throne in heavenly glory. All of the nations will be gathered before him.

Then he will divide them into two groups, just as a shepherd separates the sheep from the goats.

He will put the righteous people at his right and the others at his left. Then the king will say to the people on his right, 'Come you that are blessed by my father, come and possess the kingdom prepared for you ever since the creation of the world. I was hungry, and you fed me, thirsty and you gave me a drink. I was a stranger and you received me in your homes, naked, and you clothed me. I was sick, and you took care of me in prison, and you visited me.'

The righteous will then answer him, 'When, Lord, did we ever see you hungry and feed you? Or thirsty and give you a drink? When did we ever see you a stranger and welcome you in our homes, naked and clothe you? When did we ever see you sick or in prison and visit you?'

The king will reply, 'I tell you, whenever you did this to one of the least important of these brothers of mine, you did it for me."

And he will say to those on his left, 'Away to the eternal fire, which is prepared for the devil and his angels. I was hungry, but you would not feed me, thirsty, but you would not give me a drink. I was a stranger, but you would not welcome me in your homes, naked, but you would not clothe me. I was sick and in prison, but you would not take care of me.'

Then they will answer him, 'When, Lord, did we ever see you hungry or thirsty or a

stranger or naked or sick or in prison, and we would not help you?'

The king will reply, 'I tell you, whenever you refuse to help one these least important ones, you refuse to help me.' These then will be sent off to eternal punishment, but the righteous will go to eternal life.' "

Representative COATS. Thank you, Mrs. King.

We are honored to have Governor John Ashcroft, Governor of the State of Missouri, present to us our prayer for national leaders.

Governor Ashcroft.

[Applause.]

PRAYER FOR NATIONAL LEADERS

Governor ASHCROFT. You know, it was nearly 2000 years ago that Paul wrote to a friend of his, Timothy, and he said, "I exhort you, therefore, to pray one for another, for kings and for all who are in authority, that we might lead quiet and peaceable lives in all godliness and honesty."

That is good advice now, just as it was then. I can't think of a more noble aspiration than that we would lead quiet and peaceable lives in godliness and honesty.

I would like to ask you to stand with me and stand in prayer for the leaders of our country and leaders of nations around the world. And please join me in prayer as we petition God to bless those who lead us.

Father of the universe and creator of us all, we bear before you today those who minister to us and minister to you who are our leaders.

We thank you for leaders who are sensitive to your spirit. In particular, we lift up our President, Ronald Reagan and Nancy and the Reagan family. Together, we pray for them.

We pray for our Vice President, George Bush and Barbara and the Bush family.

Father, we covet your blessings for them. We ask you to bless them.

We pray for the members of the Cabinet, who have joined us here this morning, and who serve to translate policy into program for the people. We ask that you would inspire them.

For the members of the Congress, both the Senate and the House, Father, we express our gratitude and we invoke your blessing. Strengthen them, give them courage.

For the members of the Supreme Court and the Judiciary, we pray your blessing upon them, as they rightly settle disputes that come before us.

We know that blessed are the peacemakers.

Revive us again, all of us. Fill each heart with your love. May each soul be rekindled with fire from above.

Creator of us all, create us again, again in your image. We would do your will.

We pray that in all of us, your will be done.

In our leaders, we pray, thy will be done.

For our leaders and for the people, we pray for wisdom.

We know that when Solomon prayed for wisdom, you blessed him and the nation richly. We pause to pray for wisdom.

For our leaders and for ourselves, we pray for righteousness, for we know that righteousness exalts a nation but sin is a reproach to any people.

For our leaders and for ourselves, we pray for vision. Help us to see ourselves for what we are, help us to see you for who you are, help us to see ourselves through your eyes for what we ought to be and what we can be.

We pray for vision, because we know that where there is no vision, the people perish.

Father, endow us with vision, a vision of your truth. For as long as he sought the Lord, God made us to prosper. Make us to prosper.

Father, we pray for our leaders that they be listeners as well as leaders, and that we, as well, listen.

Help us all, amid our responsibilities, to lead, to listen, to listen to your voice, the still, small voice of justice, within us.

This morning we pray for peace. Peace among nations, peace in ourselves, peace with you, peace in our families.

Father, give us all your peace today.

Father, help us to participate and our leaders to participate in your redemptive mission of forgiveness in the world. Through forgiveness, free us from the past, that we might face a future of opportunity and service.

Father, endow us all with memory. May we and our leaders remember, now and forever, that "thine is the kingdom, the power and the glory forever."

Amen.

Representative COATS. Governor Ashcroft, we thank you for that inspiring prayer.

Our speaker this morning is a woman who has distinguished herself in many ways.

Elizabeth Hanford Dole is an honors graduate of Duke University, where she served as student body president. She also received a master's degree in education from Harvard and a doctorate in law from Harvard Law School.

Mrs. Dole has served in several important government positions and currently serves in the President's Cabinet as Secretary of Transportation.

But more important than these achievements, Elizabeth Dole is a woman whose personal convictions and strong faith serve as an example for us all.

Please welcome our speaker this morning, the Honorable Elizabeth Dole, Secretary of Transportation.

[Extended applause.]

ADDRESS OF THE HONORABLE ELIZABETH H. DOLE, SECRETARY OF TRANSPORTATION

Secretary DOLE. Thank you very much. Thank you, Dan.

Mr. President, Mrs. Reagan, Mr. Vice President, Mrs. Bush, Mrs. King, Dr. Graham, distinguished colleagues and guests.

I consider it one of the greatest possible privileges to be invited to share this morning a little of my own spiritual journey with fellow travelers. Like most of us, I'm just one person struggling to relate faith to life, but I am grateful that members of the congressional prayer groups have asked me to speak from the heart about the difference that Jesus Christ has made in my life.

But first, I must mention a political crisis, a crisis from which I have learned some very important lessons.

Now this is a political crisis involving high stakes, intrigue, behind-the-scenes negotiations, influence in high places, and even a little romance.

Where have I learned of this crisis? On the front page of the newspapers?

No, the newspapers haven't carried this story.

No, the political crisis I'm talking about occurred around 2,450 years ago.

And we learn about it in the Bible, in the Book of Esther.

Esther is the saga of a woman forced to make a decision concerning the total commitment of her life, a decision she was reluctant to make. She had to be vigorously challenged. And it is this part of her story to which I can so easily relate in my own spiritual journey. For while the particulars of her challenge may differ greatly from the challenges that you and I face, the forces at work are as real as the moral is relevant. The basic lessons Esther had to learn are lessons I needed to learn. Thus, the story of Esther, over the years, has taken on great significance for me. Indeed, it reflects an individual's discovery of the true meaning of life.

The story takes place in the ancient kingdom of Persia, where there lived a particularly faithful man of God named Mordecai. Now Mordecai, a Jew, had a young cousin named Esther, whom he had adopted after the death of her parents and raised as if she were his own daughter. In fact, Mordecai had raised a young woman literally fit for a king, for Esther grew into a woman of extraordinary grace and beauty.

Then one day Xerxes, the King of Persia, commanded that a search be made throughout all the provinces for the most beautiful women, so that he could choose a new queen—a sort of "Miss Persia pageant."

[Laughter.]

Esther, above all others, found favor in the eyes of the king, and this young orphan girl was crowned Queen of Persia.

The king was so delighted with his new queen that he threw a magnificent banquet and even went so far as to lower all the taxes.

Mr. President——

[Laughter.]

I thought you would particularly like that part of the story.

[Laughter.]

Meanwhile, Mordecai, out amongst the people, learned to his horror, that one of the top men in government had developed a very careful plan to put to death all of God's people, the Jews, throughout the entire kingdom.

Of course, Mordecai immediately thought of Esther, and he sent an urgent message saying, "Esther, you must do something. You may be the only person who can persuade the king to call off this terrible plan."

But Esther wants no part of this. Her response to Mordecai: "All the king's officials and the people of the royal provinces know that for any man or woman who approaches the king in the inner court without being summoned, the king has set but one law, that he be put to death. The only exception to this is for the king to extend the golden sceptor to him and spare his life. But 30 days have passed since I was called to go to the king."

In other words, Esther is saying, "Mordecai, you don't understand protocol. I have to follow standard operating procedures. Chances are that if I go to the king, I just might lose my head!" Well, Mordecai has no sympathy with Esther's refusal to help. Tens of thousands of her own people stand to lose their heads. Mordecai feels compelled to send a second message to Esther.

I once heard a very insightful pastor, Gordon MacDonald, highlight three distinct parts to this second appeal, three profound challenges which strike at the heart of Esther's reluctance.

First. Esther think not that you'll escape this predicament any more than other Jews. You'll lose everything you have if this plan is carried out, all the comforts, all the fringe benefits. It seems that Mordecai is saying: if the thing that stops you from being a servant to thousands of people is your comfort

and security, forget it, lady, for you are no more secure in there than we are out here. Esther shares the predicament.

The second theme is privilege. If you keep silent, Esther, at a time like this, deliverance and relief will arise from some other place.

God has given you, Esther, the privilege to perform. If you don't use that privilege, he may permit you to be pushed aside and give your role to someone else.

The third theme is providence. Mordecai says, Esther, who knows, but that God had placed you where you are for such a time as this.

Finally, Mordecai's appeal struck home. Esther's response: "Go, gather up all the Jews and fast for me. Do not eat or drink for three days, night or day. I and my maids will fast as you do. When this is done, I will go to the king, even though it is against the law. And if perish, I perish."

That's total commitment. Indeed, the story of Esther is for me a very challenging and humbling one. For there came a time in my life when I had to confront what commitment to God is all about.

My witness contains no road to Damascus experience.

My spiritual journey began many years ago in a Carolina home, where Sunday was the Lord's day, reserved for acts of mercy and necessity, and this was as much a part of our lives as fried chicken and azaleas in the spring.

My grandmother, Mom Cathey, who lived within two weeks of her 100th birthday, was my role model.

I remember many Sunday afternoons with other neighborhood children in her home—the lemonade and cookies—I think that's what enticed us—the Bible games, listening to Mom Cathey as she read from this Bible, which is now one of my most cherished possessions.

She practiced what she preached and lived her life for others. In a tragic accident, Mom Cathey lost a son at the hands of a drunk driver. The insurance policy on his life built a hospital wing in a far-off church mission in Pakistan. Although Mom was not at all a wealthy woman, almost anything she could spare went to ministers at home and missions abroad. When it became necessary, in her 90s, to go into a nursing home, she welcomed the opportunity. I can still hear her saying, "Elizabeth, there might be some people there who don't know the Lord, and I can read the Bible to them."

I love to find the notes in the margin of her Bible, notes written in the middle of the night when she couldn't sleep. For example, I find by Psalm 139, this notation. "May 22, 1952, 1:00 a.m.—my prayer 'Search me, O God, and know my heart—try me, and know my thoughts and see if there be any wicked way in me and lead me in the way everlasting.'"

I can't remember an unkind word escaping Mom's lips in all the years I knew her or an ungracious deed marring her path. My grandmother was an almost perfect role model.

And I wanted to be like her. From an early age, I had an active church life. But as we move along, how often in our busy lives something becomes a barrier to total commitment of one's life to the Lord! In some cases, it may be money, power, prestige.

In my case, my career became of paramount importance. I worked very hard, to excel, to achieve. My goal was to do my best, which is all fine and well. But I'm inclined to be a perfectionist. And it's very hard, you know, to try to control everything, surmount every difficulty, foresee every problem, realize every opportunity. That can be pretty tough on your family, your friends, your fellow workers and on yourself. In my case, it began crowding out what Mom Cathey had taught me were life's most important priorities.

I was blessed with a beautiful marriage, a challenging career, and yet, only gradually over many years did I realize what was missing. My life was threatened with spiritual starvation.

I prayed about this, and I believe, no faster than I was ready, God led me to people and circumstances that made a real difference in my life.

I found Ed Bauman of Foundry Methodist Church, a tremendously sensitive, caring pastor, who helped me see what joy there can be when God is the center of life and all else flows from that center.

A spiritual growth group gave me renewed strength, as I began to meet each Monday night with others who shared my need to stretch and grow spiritually, and I was strengthened through Bible study with other Senate wives. I learned that Sundays can be set aside for spiritual and personal rejuvenation without disastrous effects on one's work week.

And suddenly, the story of Esther took on new meaning.

I finally realized I needed to hear and to heed those challenges Mordecai so clearly stated.

Mordecai's first challenge: Predicament. "Don't think your life will be spared from the slaughter, Esther. If you try to save your life, you'll lose it all!"

It's a call to total commitment, to literally lay her life on the line.

But I can sympathize with Esther's dilemma. She had all the comforts, a cushy life. And when you get all those things around you, it can build up a resistance to anything which might threaten that comfort and security they seem to provide.

I know all too well how she felt. Perhaps you do too. I enjoy the comfortable life. I had built up my own little self-sufficient world. I had God neatly compartmentalized, crammed into a crowded file drawer of my life, somewhere between "gardening" and "government."

That is, until it dawned on me that I share the predicament, that the call to commitment Mordecai gave to Esther is like the call which Jesus Christ presents to me.

"If anyone would come after me," Jesus tells us, "He must deny himself and take up his cross and follow me. For whoever wants to save his life will lose it, but whoever loses his life for me and for the gospel will save it. What good is it for a man to gain the whole world, yet forfeit his soul?"

Hard words to swallow, when you are busy doing your own thing, but the most compelling logic I've ever heard. For if Christ is who he says he is—our savior, the central figure in all of history, who gives meaning to a world of confusing, conflicting priorities, then I had to realize Christ could not be compartmentalized.

It would be different if I had believed that Christ was just a man, as some do. Then I could easily have compartmentalized him, or if I had believed he was just a good teacher of morals, then perhaps I could have just put his book away on my shelf, or if I had thought he was just a prophet, even then, I might have been tempted to file him away.

But I knew that Jesus Christ was my Lord and savior, the risen Lord who lives today, sovereign over all. And I knew it was time to cease living life backwards, time to strive to put Christ first, preeminent, with no competition, at the very center of my life. It was time to submit my resignation as master of my own little universe.

And God accepted my resignation.

Mordecai's second challenge was privilege. "If you don't take this privilege seriously, Esther, God will give it to another."

This too was a challenge I needed to hear.

What God had to teach me was this. It is not what I do that matters, but what a sovereign God chooses to do through me. God doesn't want worldly successes. He wants me. He wants my heart in submission to him. Life is not just a few years to spend on self-indulgence and career advancement. It is a privilege, responsibility, a stewardship, to be lived according to a much higher calling.

This alone gives true meaning to life.

Mordecai's warning to Esther is sobering. God forbid that someday I look back and realize that I was too distracted by things of this world, too busy, too driven, and my work was given to another.

The third challenge: providence. "Esther, who knows, but that God in his providence has brought you to such a times as this."

What Mordecai's words say to me that each one of us has a unique assignment in this world given to us by a sovereign God, to love and to serve those within our own sphere of influence.

We have been blessed to be a blessing; we've received that we might give.

The challenges Esther needed to hear were challenges I needed to hear and continually need to hear: the call to total commitment.

But there is one last lesson I had to learn from Esther—the way in which her heart responded.

Esther called on her fellow believers to pray and to fast, and then she cast herself—indeed, her very life—upon God in dependence on him: "If I perish, I perish."

And how did God work in this situation? What was the outcome of Esther's commitment and dependence on God? Scripture tells us that the king extended the golden sceptor, sparing Esther's life, that his heart went out to her cause and that God's people were gloriously rescued!

Esther could have played it on her own wits and charm and just left God out of the picture, but she knew her cause would only succeed if God were with her, and she rallied others to join her in a spirit of humble dependence through prayer.

It has struck me that this is really our purpose in gathering together this morning at this, the annual National Prayer Breakfast. We have come to humbly acknowledge our dependence on God. We have come, as our invitations to this event state, to seek the Lord's guidance and strength in our individual lives and in the governing of our nation, with the hope that the power of Christ may deepen our fellowship with one another.

But in this city accustomed to giving directions, it's not easy to seek them instead. Dependence on God is not an easy thing for Washington type achievers, and it has not been easy for me.

Often, I find myself faced with tasks demanding wisdom and courage beyond my own, and not just on the big decisions. I am constantly in need of God's grace to perform life's routine duties with the love for others, the peace, the joy inherent in God's call.

I've had to learn that dependence is a good thing, that when I have used up my own resources, when I can't control things and make them come out my way, when I'm willing to trust God with the outcome, when I'm weak—then, I'm strong. Then I'm in the best position to feel the power of Christ rest upon me, encourage me, replenish my energy and deepen my faith.

Power from God, not from me.

Yes, the story of Esther is actually a story of dependence. It's not a story about the triumph of a man or a woman, but the triumph of God. He is the real hero of this story.

And in the same way, I've come to realize there can be only one hero in my story, too: God in Jesus Christ.

Total commitment to Christ is a high and difficult calling. And one I will struggle with the rest of my days. But I know that for me, it's the only life worthy of our Lord.

The world is ripe and ready, I believe, for men and women who will accept this calling, men and women who recognize they are not immune from the predicaments of the day, men and women who are willing to accept the privilege of serving, and who are ready to see that the providence of God may have brought them to such a time as this.

Thank you, and God bless you.

[Extended applause.]

Representative COATS. Secretary Dole, thank you for a most inspiring personal testimony.

Ladies and gentlemen, it is a great honor for me to present to you someone who is deeply loved and respected, the President of the United States.

[Extended applause.]

REMARKS OF THE HONORABLE RONALD W. REAGAN, THE PRESIDENT OF THE UNITED STATES

President REAGAN. Thank you. Thank you very much.

[Applause continued.]

Thank you. Thank you all very much.

Distinguished clergy and Senators and Congressmen, guests, all our good friends, Nancy and I are delighted to be here with you today.

It gives one a very good feeling to see so many of our national leaders here and so many representatives of other countries, gathering together in a community of faith.

200 years ago, another group of statesmen gathered together in Philadelphia to revise the Articles of Confederation and bring forth our Constitution. They often found themselves at odds, their purpose lost in acrimony and self-interest, until Benjamin Franklin stood up and said:

"I have lived a long time, and the longer I live, the more convincing proofs I see of this truth, that God governs in the affairs of men. And if a sparrow cannot fall to the ground without his notice, is it probable that an empire could rise without his aid?"

And then he called upon the Convention to open each day with prayer.

How, with so much against them, could our Founding Fathers have dared so much to declare for all the world and all future generations the rights of man, the dignity of the individual, the hopes of all humanity?

Was it because they believed that God was on their side, or was it because they prayed to discover how they might be on God's side?

Our Founding Fathers knew that their hope was in prayer, and that is why our Declaration of Independence begins with an affirmation of faith and why our Congress opens every day with prayer.

It is why the first Congress of the fledgling United States in the Northwest Ordinance, provided for schools that would teach "religion, morality and knowledge," because they knew that no man, no nation could grow in freedom without divine guidance.

If I might be allowed a personal note here, when I attended the commencement ceremonies at the Air Force Academy, I was surprised at how many of the graduating cadets came up to me, hand extended, 930, in all, and told me they were praying for me.

When I mentioned this to the commanding general, he told me that every morning, you could find several hundred cadets in the chapel beginning their day with prayer. Hardly a day goes by that I am not told, sometimes in letters and sometimes by people I meet, that they are praying for me.

It is a warm but humbling feeling. Sometimes I answer when someone says that, I feel I have to say something, and I tell them that if they ever get a busy signal, it is because I am in there ahead of them.

[Laughter.]

I grew up in a home where I was taught to believe in intercessory prayer. I know it is those prayers and millions like them that are building high and strong this cathedral of freedom that we call America. It is those prayers and millions like them that will always keep our country secure and make her a force for good in these too troubled times.

That is why, as a nation, we must embrace our faith for as long as we can endeavor to do good, and we must believe that will be always. We will find our strength, our hope and our true happiness in prayer and in the Lord's will.

I would like to conclude with a story that is told by Dr. Paul Brand, the noted leprosy specialist, in his book, "Fearfully and Wonderfully made."

Dr. Brand tells us of how after World War II, a group of German students, young people, volunteered to help rebuild a cathedral in England that had been a casualty of the Luftwaffe bombings, and as the work progressed, debate broke our on how best to restore a large statue of Jesus with his arms outstretched and bearing the familiar inscription, "Come unto me."

Careful patching could repair all damage to the statue except for Christ's hands, which had been destroyed by bomb fragments. Should they attempt the delicate task of reshaping those hands?

And finally, the young workers reached a decision that still stands today. The statue of Jesus has no hands, but the inscription now reads "Christ has no hands but ours."

Isn't that really what he was always trying to tell us? Trying to tell us that we must be the hands, as we have heard so eloquently here by so many already today.

Well, thank you all.

God bless you all.

[Extended applause.]

Representative COATS. Thank you, Mr. President.

I often wonder what visitors to the Capitol must think when they pass by the door of the House of Representatives Prayer Breakfast and hear 50 or so Republicans and Democrats singing that wonderful old hymn, "Blest be the Tie that Binds."

Our song leader in those breakfasts is the Honorable Danny Akaka of Hawaii.

Will you please stand and join him in singing another well-known hymn, the words of which are printed in your program, "Amazing Grace."

Remain standing after the song for prayer.

Representative AKAKA. Let us express our faith and our commitment in this song.

We will sing the second verse without accompaniment, and we will modulate into a higher key for the third verse.

Let's sing together, "Amazing Grace."

[Group Song, "Amazing Grace," led by the Honorable Danny K. Akaka, United States Representative, Hawaii.]

Representative COATS. Ladies and gentlemen, we close this time of fellowship with a prayer by a man whose entire life has been devoted to a single cause, preaching the gospel of Jesus Christ. No one has done it with greater dedication or greater impact.

After the prayer, please remain in your places, till the President and Mrs. Reagan and Vice President and Mrs. Bush have had an opportunity to leave.

For our closing prayer, Dr. Billy Graham.

CLOSING PRAYER

Dr. GRAHAM. Thank you, Dan. President Reagan, Mrs. Reagan, Vice President Bush, Mrs. Bush, distinguished guests.

Patrick Henry wrote in his will: "I have now disposed of all my property to my family. There is one thing more I wish I could give them, and that is faith in Jesus Christ. If they had that, and I had not given them one shilling, they would be rich. And if had not given them that, and I had given them all the world, they would be poor, indeed."

Our faith has been encouraged this morning. I have been to every one of these prayer breakfasts since the first one, except two, and I believe this is one of the most moving that I have attended in all these years.

We are grateful for all of those that have participated and led us, and we leave here, the richer for it.

I am going to ask that we have a moment of silent prayer, and let us pray, not only for the leaders of the nation and the world, but let us pray for those that are hostages, our friend, Terry Waite, and others that are trying to do something, and for all of those that are in need of prayer today that may be in prisons or wherever and pray for ourselves and our families, in just one moment of silent prayer, then I will say just a brief benediction.

[A moment of silent prayer.]

Dr. GRAHAM. The Lord bless thee and keep thee. The Lord make his face to shine upon thee and be gracious unto thee. The Lord lift up his countenance unto thee and give thee peace.

Let us go in peace.

Representative COATS. This has been a great morning. Mr. President and Mrs. Reagan, Mr. Vice President and Mrs. Bush, we thank you for being with us. And we thank all of you for your participation here this morning.

May each of us leave here with joy in our hearts and a renewed commitment to serve the God who made us and who loves us.

Mr. President, thank you.

[Extended applause.]

[Whereupon, the National Prayer Breakfast was concluded.]

EXPRESSING THE SENSE OF CONGRESS REGARDING INABILITY OF AMERICAN CITIZENS TO MAINTAIN REGULAR CONTACT WITH RELATIVES IN THE SOVIET UNION

(Mr. SMITH of New Jersey asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. SMITH of New Jersey. Mr. Speaker, today I am introducing a resolution which focuses on one of the most basic forms of contact and exchange between the United States and the Soviet Union, the unfettered right of families to visit one another.

Although explicitly guaranteed in the 1975 Helsinki accords, the U.N. International Covenant on Civil and Political Rights and the U.N. Universal Declaration of Human Rights, the right of Soviet citizens to travel freely and visit family members outside their country, and the right of American citizens to stay with relatives in the Soviet Union have been severely restricted by official Soviet policy.

The need to reform this tragic policy is compelling. Many of the approximately 5 million Americans who trace their origin to lands now part of the Soviet Union maintain strong family ties. Tens of thousands have tried—and failed repeatedly—to visit family in the U.S.S.R. In 1986, the number of Soviet citizens allowed to visit their relatives in our country was a meager 1,500. In addition, less than 1,000 of the many thousands of Americans who visited the Soviet Union last year as tourists were able to obtain the so-called private visas necessary to stay with relatives in their homes.

Moreover, many families become so discouraged and frustrated by the delays or denials in obtaining private visas which allow individuals to visit in the homes of family members in the Soviet Union that the effort is abandoned.

Others such as the celebrated director of the National Symphony, Mstislav Rostropovich, have had to resort to extraordinary channels to seek approval. The maestro was granted his request to see his sister and brother-in-law only once the case was raised by President Reagan with Mr. Gorbachev in Iceland.

Mr. Speaker, I believe family visitation rights are basic human rights and Soviet reforms have the potential to improve the atmosphere between the two superpowers. Relaxing familial contacts seem particularly propitious at this time in light of Mr. Gorbachev's much publicized Glasnost initiative. I would suggest that proponents of any authentic policy of openness and candor in the Soviet Union have nothing to fear from families visiting their kin. I urge support for the resolution and submit it at this point in the RECORD.

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Whereas millions of United States citizens, including members of national and ethnic groups such as Armenians, Byelorussians, Estonians, Germans, Jews, Latvians, Lithuanians, Poles, Russians, and Ukrainians, have relatives in the Soviet Union;

Whereas the Soviet Union, as a signatory of the 1975 Final Act of the Conference on Security and Cooperation in Europe, commonly known as the Helsinki Accords, committed itself to "favourably consider applications for travel with the purpose of allowing persons to enter or leave their territory temporarily, and on a regular basis if desired, in order to visit members of their families.";

Whereas in that same document the Soviet Union pledged that "applications for temporary visits to meet members of . . . families will be dealt with without distinction as to country of origin or destination . . .; cases of urgent necessity—such as serious illness or death—will be given priority treatment.";

Whereas the Soviet Union has ratified the United Nations Charter and signed other international human rights documents such as the International Covenant on Civil and Political Rights, documents which clearly protect the right to leave one's country and return thereto;

Whereas in anticipation of the Geneva Summit Conference of November 1985, President Reagan stated, ". . . the cause of peace would be served if more individuals and families . . . could come to know each other in a personal way.";

Whereas home visits would immeasurably aid our understanding of the Soviet people and improve relations with the Soviet Union, since family visitation is one of the most basic forms of cultural exchange;

Whereas it is not proper for governments to decide which relationships constitute close family ties for the purpose of determining which relatives should be allowed to visit each other;

Whereas the present policies of the Soviet Union make it virtually impossible for the millions of relatives in the two countries to exchange visits in their homes, and relatives who have used other forms of communication, such as mail, telephone, telegraph, and gift parcels have experienced enormous difficulties;

Whereas because of restrictive Soviet policies, less than 1,000 of the many thousands of Americans who visited the Soviet Union in 1986 were allowed a private visa to stay with relatives in their homes, and only about 1,500 Soviet citizens were allowed to visit their relatives in the United States;

Whereas many Americans who have been frustrated by delay or denial in obtaining private visas to visit family members in their homes in the Soviet Union have resorted to joining package tours to the Soviet Union as a means of seeing their family members;

Whereas relatives should be able to comfort and assist each other in the event of medical emergencies such as those which resulted from the Chernobyl disaster, or when specialized medical treatment is not available in a particular country;

Whereas in the case of serious illness or death the victim's relatives should be guaranteed expeditious determination of their visa applications;

Whereas family visitation is an issue which transcends political differences, and governments which permit normal and regular family visitation demonstrate a commitment to basic values of decency and fairness which are shared by all mankind; and

Whereas at the Vienna Conference on Security and Cooperation in Europe Follow-up Meeting, the United States delegation enumerated the inappropriate restrictions placed by Soviet authorities on Soviet citizens who wish to travel abroad and on United States citizens who wish to visit family members in the Soviet Union: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that—

(1) the promotion of unrestricted family visits between related people of the United States and the Soviet Union is an essential part of American policy toward the Soviet Union; and

(2) the President, the Secretary of State, and other members of the administration should raise the issue of family visitation at all appropriate opportunities in discussions with the leadership of the Communist Party and the Government of the Soviet Union.

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STOP TORTURING SMALL ANIMALS IN THIS COUNTRY

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

Mr. DORNAN of California. Mr. Speaker, before I address the House on a piece of legislation that I introduced today, I would just like to make an observation that I believe most Members in this body share: Was not the President's speech great last night? He is definitely back in the saddle. Onward, Mr. President, the best is yet to come.

Mr. Speaker, today would have been my father's 95th birthday. He was the finest man I ever knew. He lived a full, rich life of 83 years having passed on to his eternal reward in 1975. This is a fitting day for me to introduce a bill to protect small and helpless animals in this country from a reprehensible and horrible practice always resulting in a painful, violent death. My dad loved all animals and passed on this love to his sons.

My dad raised me, along with my mother, as most parents do in this country, to respect all life including wildlife. Our home was always filled with pets: goldfish, canaries, dogs, cats, and my dad particularly loved horses, and owned harness horses, trotters and pacers, some he drove and raced himself.

He did not want to pay jockeys to race, as with thoroughbreds, so he raised us around harness horses. I hope I always live up to his great tradition of loving and protecting animals.

Today I introduced H.R. 1433, to stop one of the most brutal practices resulting in the torture and death of small animals in many of our States to

further another type of racing, greyhounds. There are a lot of decent, fine sportsmen in dog racing, I'm sure, but not all. There has been an ugly practice throughout our Nation, which also involves interstate commerce, where they take little puppies, kittens, piglets, guinea pigs, rabbits, and even chickens and tie them to what's called a whirl-a-gig in a practice called coursing, where they then run these little animals around a racetrack, in secret of course away from the publics' eyes, to train greyhound racing dogs to chase the fake rabbit on the whirl-a-gig on race day. The animals are always ripped to pieces by the dogs, to "bloody"—a cruel term—the race hounds. The tragedy is, it accomplishes nothing. The dogs will chase by instinct. This foul abuse of some of God's litlest animals is rejected as vicious and idiotic in Ireland, Great Britain, and Australia as in most civilized nations, where it would bring severe legal punishment. It must stop.

I ask all of my colleagues to join me in cosponsoring H.R. 1433 and put a rapid end to this unspeakable cruelty.

Mr. Speaker, let me add in conclusion; my statement to the press today as I announced the introduction of H.R. 1433. It follows:

WASHINGTON.—Today, at a press conference, Congressman Robert K. Dornan introduced the Anti-Live Animal Lure Act of 1987, which will stop the reprehensible practice of training racing dogs with live small animals—an event known as coursing. This bill will ban the interstate commercial sale and transportation of animals to be used as lures as well as the training of racing dogs with live lures.

Congressman Dornan was joined at the press conference by several colleagues and representatives of the Humane Society of the U.S., the National Alliance for Animal Legislation, the Friends of Animals, and the Animal Protection Institute.

For every racing dog trained, countless numbers of small animals are cruelly sacrificed. The animal trainers dangle small animals such as rabbits from a device known as a whirl-a-gig and allow the dogs to chase after the animal, which is kept just out of reach. At some point the device is slowed down and the dogs are rewarded by ripping into the soft underbelly of the animal. Although ripped and bleeding, the small animal is often kept on the whirl-a-gig and used again until lifeless.

"It makes me sick to think that hundreds of thousands of these poor animals are cruelly murdered every year in the name of sport," Dornan said. "All decent Americans should be outraged.

"There is absolutely no need to use live animals. Empirical, independent evidence has shown that mechanical devices, like the ones used in actual racing conditions, provide the same training as the use of live lures," Dornan added, "I have introduced this legislation to put an end to this brutal and vicious form of animal abuse. Coursing will only stop when trainers are forced to by law."

GENERAL LEAVE

Mr. KONNYU. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of the special order today by the gentleman from California [Mr. SHUMWAY].

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

There was no objection.

THIRD WORLD DEBT CRISIS: THE URGENT NEED TO CONFRONT REALITY

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

Mr. LAFALCE. Mr. Speaker, for almost 5 years, the term "crisis" has been applied to the issue of Third World debt. This debt was contracted principally during the 1970's when real interest rates were low; when commodity prices were rising; and when American foreign policy encouraged developing countries to borrow foreign capital to supplement domestic investment and help finance the purchase of capital goods and energy imports.

At the time, this extensive borrowing was considered sound financial practice. In general, Latin American countries borrowed heavily from commercial banks; African countries borrowed from official sources; and Asian countries blended the two. Beginning in 1980, however, worldwide recession, skyrocketing interest rates, an appreciating American dollar; and declining commodity prices all came together to severely curtail the ability of borrowers to service their international debt.

A full-blown crisis emerged when Mexico announced in the summer of 1982 that it was unable to meet its debt service payments. But the problem went far beyond Mexico. For example, Latin American debtors as a group owed $318 billion, with annual interest payments totaling $38.5 billion. Latin America's 1982 trade surplus, however, was only $8.5 billion, or roughly $30 billion less than what was needed to service its external debt.

By the end of 1982 it was equally apparent that the deteriorating financial situation was not only a crisis for the debtor nations, but also for their creditors—and particularly for several American money-center banks which found themselves dangerously exposed with inadequate capital to cover potential losses. For example, Latin American loans from the nine largest U.S. banks totaled 175 percent of their combined capital in 1982. Under such circumstances, any significant default on outstanding debt by Latin American countries would have constituted a serious threat to the U.S. banking system—and the American economy. In short, debtor and creditor nations alike were linked together in crisis.

Three things were done in response. First, new private lending to most developing countries dried up almost immediately. Second, the Reagan administration reversed its previous policy, and became actively engaged—with the Federal Reserve Board—in leading a coordinated international effort to help manage the situation. Third, on a case-by-case basis, debtor countries received short-term balance-of-payments financing from the International Monetary Fund [IMF], and commercial banks were strongly encouraged to reschedule outstanding loans. In return, debtor countries agreed to undertake domestic and adjustment programs designed to reduce inflation and imports, while promoting exports to earn foreign exchange to meet interest payments.

I welcomed the administration's change of policy; I supported the efforts of the Federal Reserve Board; and I voted for a substantial increase in IMF resources. Everyone involved held their collective breath, and hoped that within a few years, developing countries would regain their creditworthiness; the risk to the world financial system would be reduced; capital would again flow "south;" and economic growth could return.

Unfortunately, it did not happen. After some promising signals, and a lot of wishful thinking, the situation has not improved meaningfully—indeed, living standards in several debtor countries have fallen precipitously, resulting in political instability in a number of newly emerging democracies.

Herculean efforts were made by a number of debtor countries to earn foreign exchange. For example, Latin American imports were slashed by 40 percent; while the volume of Latin exports doubled. But commodity prices continued to fall, and trade surpluses still failed to match interest payments. Domestic savings were tapped to pay external debt, resulting in a 35-percent drop in domestic investment. Yet, international commercial loan windows still remained essentially shut tight to new lending. From 1971 to 1981, there was a net transfer of capital resources into Latin America of almost $100 billion. Since 1982, that net transfer has been totally obliterated, with a net drain of capital averaging about $30 billion annually.

By the middle of 1985, it was apparent that the short-term plan was neither working financially nor was it sustainable politically in the debtor countries. Additionally, it was becoming clear that the impact of the debt burden now extended well beyond the debtor countries and their private creditors. The problem was "moving north" to American manufacturers and farmers who saw their Latin American markets closed and new international competition arise. In October of 1985, Secretary of the Treasury, James Baker unveiled a "new plan" focused on growth and additional lending. Specifically, over a 3-year period, commercial banks would lend $20 billion in new money, the World Bank would increase lending by $9 billion, and debtor nations would continue making structural economic adjustments.

Once again, I applauded the administration's recognition of reality—however delayed in coming. The initial international reaction to the Baker plan was favorable, but it soon became apparent that there was little beyond the rhetoric of the initial speech. Even on its own terms, the proposed new lending program of the Baker plan would fall far short of promoting growth in the 15 major debtor

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countries that were targeted for assistance. But the program has failed to reach even its own modest goals.

The essence of the Baker plan is to induce private banks to increase their exposure to heavily indebted countries. This program was tested in mid-1986 with protracted and difficult negotiations to provide additional resources to Mexico. Even with extraordinary pressure bought to bear by the Reagan administration and the Federal Reserve Board, and the "carrot" of substantial new official lending, American commercial banks resisted throwing "good money after bad." Finally, agreement was reached in principle, but it has taken an additional 6 months to line up the $7 billion in private lending incorporated into the Mexico package. The most recent pronouncement is that the final agreement will not be officially signed until March 20, with close to 75 smaller banks—mosty American—still refusing to participate. Under such circumstances, I believe that the Mexico package may characterize not the beginning of the Baker plan, but its demise.

As we approach the official fifth anniversary of the debt crisis, the issue is now moving again to the front pages; and we may be reaching a new breaking point.

After 5 years, most American bankers are simply refusing to add to an already unserviceable mountain of debt—not an irrational position. After 5 years of austerity, debtor countries are simply refusing to continue to have their economies—and political stability—held hostage to the inexorable demands of debt servicing when there is apparently little chance that new financing will be forthcoming. After 5 years, official sources of lending are actually contracting. American bilateral programs are being reduced due to budget constraints, while multilateral institutions are actually providing a "negative cash flow" to many debtors. For example, IMF reflows during 1986 exceeded disbursements by about $1 billion, while the World Bank may see its reflows exceed new lending for the next few years unless disbursements on existing loan commitments can be accelerated. And after 5 years, the U.S. trade deficit has grown from almost $40 billion in 1982 to $170 billion in 1986, with the rapid deterioration of our terms of trade with Third World debtors contributing significantly to these problems.

As we approach the fifth anniversary of the debt crisis, we have an increasing number of countries which are, in effect, declaring bankruptcy; we have an administration policy which is not coming to grips with this problem; we have a world financial and trading system whose stability continues to be threatened; and perhaps most ominously, we have a pervading and dangerous sense of weariness with the whole situation. Debtor countries and their creditors are increasingly locked into a series of protracted rescheduling negotiations in which nothing is really resolved, but the mountain of debt is simply pushed forward into the future.

At this point, instead of throwing up our hands, and hoping that the whole intractable problem will somehow disappear, we need to step back, take a fresh look, and develop a new approach. Today, I am introducing legislation in the Congress to help focus debate on the need for such a new approach, and what some of its elements might be. Before I outline the provisions of that legislation, however, let me suggest a framework for analyzing the current situation, and general principles for moving the debate forward.

THE BURDEN OF EXISTING DEBT MUST BE REDUCED BEFORE NEW PRIVATE CAPITAL FLOWS WILL OR SHOULD TAKE PLACE

Everyone understands that debtor countries need additional external finance to foster economic growth, improve their living standards, and maintain political stability. Everyone also understands that the world economy needs growth in the developing world in order to provide additional markets for goods and services from industrialized countries. However, growth of imports in developing countries must be financed by capital flows from abroad. Ideally, this new finance would come from private market sources, through repatriated flight capital, new direct equity investment, and voluntary lending by commerical banks.

But that is not happening—and it is not realistic to expect that it will happen until and unless there is a concerted and effective program to reduce the burden of existing debt. Commerical banks are not making new voluntary loans because they understand better than anyone that developing countries are already overextended financially. Private investors will put equity capital into a country only if they expect adequate domestic market growth, and the current debt servicing requirements ensure that this will not occur. The goal of any effort to reduce the existing debt burden should be to return debtor countries to private creditworthiness as soon as possible. That does not mean reducing the debt to zero—or even close to it—but rather to make debt/export ratios and interest payment/export ratios much more manageable than at present. It is not an impossible task.

THE COSTS OF DEALING WITH EXISTING DEBT BURDENS SHOULD BE SHARED EQUITABLY AMONG PRIVATE CREDITORS, DEBTOR COUNTRIES, AND THE INDUSTRIALIZED WORLD

Up to this point, most of the burden of dealing with the debt crisis has been borne by the debtor countries—as it should be. They contracted for the loans, and they are responsible for the repayment. Over the long term, it is in their best interests to do whatever is necessary to meet those obligations, including difficult adjustments in economic policies.

But the leaders of developing countries will understandably draw the line on adjustment programs which would destabilize their societies. Additionally, creditors need to recognize that meaningful structural adjustment policies may take decades before positive results are realized. A proper balance must be found between the desires of creditors for full payment on schedule, and the reality that debtors cannot always meet that schedule. Historically, we learned that lesson after World War I, when Germany was forced to pay reparations; after World War II, we saw the wisdom of the Marshall plan. Now, in dealing with Third World debt, we need similar vision, and instinct.

This is not to imply that somehow the commercial bankers are the villains in this scenario. I do not think that the private banking system deserves to be criticized for having made Third World loans during the 1970's; and I certainly want to promote public policies which will lead to a resumption of commercial lending to developing countries in the 1990's. The position of the major banks is rather simple, and the direct—they made the loans at market rates, and they expect to be repaid. Period. But sometimes, risk analysis is faulty; and loans go bad. Sometimes, payments must not only be stretched out; but profits have to suffer. And sometimes, debtors default when they simply can not make the payments.

That is the nature of the banking business, and I believe that the private creditors—after 5 years—simply must show a greater willingness to make the adjustments necessary to put this crisis behind us, rather than to prolong it indefinitely for the sake of continued short-term profits. One measure which I think the banks should seriously consider was made recently by the former president of the New York Federal Reserve Bank, Anthony Solomon, who suggested that a "reference point interest rate" be set. For example, if world market interest rates rise beyond that point, the difference would be deferred for payment until the end of the maturity period.

Finally, industrialized countries need to do more, both bilaterally, and through multilateral institutions. Over the past 5 years, Third World exports have risen principally because the U.S. has kept its markets open to such goods. Japan, Germany, and the rest of the OECD countries have not done nearly enough to help Third World countries meet their export requirements; and now that the American trade deficit has reached unsustainable levels, Germany and Japan will have to pick up the slack. Moreover, the role of the World Bank and other multilateral institutions needs to be substantially expanded. However, because of budgetary constraints, it is clear that any significant increase in direct lending programs is politically unfeasible at the present time. Creative mechanisms, therefore, must be found to do more with existing resources in order to allow the multilateral institutions to play a positive intermediary role between debtor countries and their creditors, and to facilitate the transformation of fixed debt obligations into equity interests, or long-term securities.

THERE IS NO ONE SOLUTION—THERE IS NO SHORT-TERM FIX

In 1982, we hoped the short term IMF lending program would do the job—it did not. By 1985 we hoped a new lending program with emphasis on growth would work—it has not. The Institute of International Economics has suggested a massive new World Bank lending program—it's a good idea in theory, but not politically feasible. Others have focused exclusively on debt-for-equity swaps, or the repayment of some portion of interest in local currencies. Again, these are good ideas; but there are severe limits on the amount of debt a country can convert to equity, or the amount of local currencies that can be profitably used. Other proposals call for short-term moratoriums on official debt repayments or the unilateral write down of principal or interest by the banks. The fact is that no one program will get the job done; what is needed is the long-term commitment to use a number of mechanisms to remove the debt overhang.

The legislation I am introducing today in Congress is designed to deal with this problem on a number of fronts, and to stick with the problem until it becomes manageable.

LEGISLATIVE INITIATIVE

First, I want to make it clear that these legislative proposals are just that—proposals. I expect them to be revised, refined and improved. Some of them may not survive closer scrutiny, and should be rejected. But it is critically important, particularly with the apparent absence of any new ideas from the administration, to fully explore these issues now. The events of the past month, only confirm this view.

I. REGULATORY PRACTICES

My legislation calls upon the U.S. bank regulatory authorities to provide maximum flexibility to commercial banks in negotiating any principal and/or interest reductions with respect to Third World loans, including the application of "FASB 15" standards of accounting to restructured loans; requires the Federal Reserve Board, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation to undertake studies to identify current regulatory or statutory obstacles, if any, to commercial banks negotiating interest reductions, or selling their Third World loans at a discount; and mandates a comparative analysis of American regulatory practices and those of other OECD countries in dealing with loan loss reserves and capital adequacy standards regarding high-risk loans to foreign borrowers.

II. ESTABLISHMENT OF AN INTERNATIONAL DEBT ADJUSTMENT FACILITY

In the 1970's, the IMF sponsored a special facility to help developing countries deal with problems associated with the first oil shock. It is now time for a multilateral special facility to be created to deal with Third World debt over the long term. My legislation proposes that the Secretary of the Treasury should immediately open negotiations for the creation of a special debt adjustment facility which would be specifically authorized to:

First, assist creditor banks in the voluntary disposition, in the private sector, of loans to heavily indebted sovereign borrowers;

Second, encourage countries with strong capital surpluses to apply these surpluses to investments in heavily indebted countries;

Third, purchase bank loans to debtor countries at a discount; and

Fourth, establish mechanisms for passing along the benefit of any such discount or other action of the facility to the debtor country, including mechanisms which would allow the facility to—

Hold the discounted debt as the creditor of the borrowing nation;

Arrange debt-for-equity swaps with private investors; and

Transform fixed obligations into long-term securities which create a contingent claim on the export performance of the borrowing country.

III. HOW THE FACILITY WOULD WORK

The activities of the facility would be initiated by a request from a debtor country to have a certain portion of its debt purchased by the facility. Such a request involves a formal recognition that the country is unable to meet its contracted debt service payments on commercial terms and is in need of specific multilateral assistance in managing its external accounts. The request would need to be accompanied by a detailed plan for future economic management of the country, to guarantee that assistance granted by the facility would be used to improve the performance of the debtor economy. Because such a petition may be viewed as to an acknowledgment of bankruptcy by the debtor country, it is assumed that not all heavily indebted countries would choose to avail themselves of this option.

If the facility deems the request meritorious, and the country's management plan effective, the next step would be to determine both the amount of the country's outstanding debt to be purchased, and the depth of the discount appropriate to any such purchases. It is not likely that any country would be able to have the full amount of its outstanding debt purchased by the facility; and whatever portion is sold would probably need to be spread over a number of years. From the point of view of maintaining international surveillance of economic policies of the debtor countries, a rapid buyout of outstanding commercial loans would also not be appropriate. For most countries, then, the plan would involve a multiyear purchase agreement, calling for the facility to attempt to acquire a portion of the outstanding debt in each year. But after a few years, the total amount of debt relief would be substantial.

Once the size of the purchase and the depth of the discount were determined, the facility would make public offers to the commercial banks to purchase the specified amount of loans at the specified discount. Any private holder of the specified country's debt would be able to sell, but the sale would involve a capital loss for the bank by the amount of the discount from face value which the facility had established. I personally believe that the market for these sales would begin with regional American banks, and Japanese, European, and Canadian banks which have already "written-down" some of their Third World debt. Large U.S. money center banks would probably wait to see how the operation works before choosing to restructure any major portion of their current loan portfolio.

The facility would purchase the specified amount of debt by using funds which the facility itself had raised in private credit markets. The precise details of facility capitalization would be negotiated among the major industrialized governments, but it is anticipated that the facility would be able to borrow freely at attractive rates because its borrowings would be backed either by the commitments from industrialized nations or by collateral such as IMF gold reserves—as outlined below. The facility's capitalization would also be independently established to assure that the credit rating of any other multilateral organization would not be affected.

Once the facility purchased loans at the specified discount, it would become a new creditor for the debtor nation involved. But unlike other creditors, it would not attempt to collect the full face amount of the debt which it had purchased, but would instead only seek to recover the discounted value of the loan. A $1 million bank loan, purchased at 80 percent of face value, would become an $800,000 new obligation of the debtor to the facility. This process would both reduce the total amount of debt outstanding in a given country, and produce a reduction in interest payments on the discounted portion of the debt.

The facility would also seek to lower the debtor's interest burden still further on the now-discounted debt through a number of different strategies. First, the facility would seek out private buyers who were interested in purchasing a nation's debt in order to convert it into equity investment in the debtor country. Resale of the discounted debt to such private investors would reduce the annual interest outflow associated with that asset. Second, the facility would seek to package the loans into innovative long-term securities which would prove attractive to investors at lower interest rates than those presently charged by the banks on their sovereign debt. As an example, such a security might carry a specified below-market interest rate, and an option to purchase some key debtor export; for example, oil, at a specified price. Investors would, in effect, be trading lower current interest rates for the hope of future price movements in the Nation's basic exports.

It would probably be neither desirable nor prudent for the facility to quickly dispose of all of its loans to private investors, since a major function of the facility is to maintain a creditor relationship—and the economic policy surveillance which that relationship entails—with the debtor country. But loans held by the facility would still involve a lower debt service burden than similar assets held by commercial banks, since the facility would be able to lend to debtors at rates very close to the facility's own cost of funds. The "spread" between the facility's cost of funds and the loan rate would be lower than commercial banks, since the facility was under no obligation to make a profit on the lending. In addition, if the facility were backed by the governments of major capital-surplus countries, the lower interest rates which generally prevail in these countries would be the facility's reference rate for its own lending.

The new relationship between the facility and the debtor would be expected to persist for a number of years. Assuming satisfactory performance by the debtor, subsequent years would see additional purchasing of debt and the additional discounting. If the activities of the facility are successful, the need for facility assistance should decline steadily in future years, with the need for facility discounting disappearing altogether within 5 to 10 years. At that point, the debtor nation would still have a substantial external debt, perhaps much of it to the new facility, but that debt would involve an annual interest burden which was manageable by the debtor's exports. At that point, the debtor nation would be a candidate once again for new private lending at commercial rates.

IV. THEORETICAL OPPOSITION TO THE IDEA

The cornerstone of opposition to any proposals for debt relief, be it interest concessions or a discounting of principal, is that accepting such "damage" to existing assets might prevent commercial banks from extending credit on a voluntary basis in the future. There are several responses to this concern.

First, one might ask "what voluntary lending?" Since 1982, private banks have sought to reduce rather than increase their exposure to problem debtors, and all the net new lending which has taken place has been "involuntary." Threats to withhold voluntary lending are real only if there is some credible expectation that voluntary lending is likely, and until the debt/export ratio of these countries is reduced, such new voluntary lending is simply not credible.

Second, one can argue from analogy to American corporate bankruptcy law, that banks will make good loans to a customer no matter what the past history of that customer may be. Chapter 11 bankruptcy law makes a clear distinction between "old" debt—prefiling—and "new debt"—postfiling—and companies which have been successfully restructured through the chapter 11 process have generally not had trouble obtaining new loans from banks.

Third, one can argue that the willingness of banks to make loans in the future depends on the manner in which losses on old loans are recognized. If the losses are recognized through sale at a discount, the loan is removed from the bank's books and the bank "exposure" to that particular country declines by the full value of the loan sold. If the losses are recognized through the forced write-downs on loans held by the banks, their "exposure" declines only by the size of the write-down. Under the second proposal, banks would have a higher exposure to a given debtor in the future, and would be in possession of loans to that country which had once been "damaged" by a forced write-down. It is probable that banks would be more willing to extend new loans in the future, if they had been able to reduce exposure and sell the old loans.

V. HOW TO FUND THE NEW FACILITY

In order to facilitate the rapid creation of the special adjustment facility, my legislation would explore the possibility of using existing resources at the World Bank and especially the IMF as collateral to obtain the necessary financial backing to issue the new facility's debt instruments.

I understand that the IMF possesses over 100 million ounces of gold—worth approximately $40 billion—which is not presently used for any purposes other than as a reserve against "a rainy day." Well, that day has arrived—although I hasten to point out that the actual sale of such gold assets is not currently contemplated to be necessary. I would also point out that in the late 1970's a portion of IMF gold was actually sold, and the proceeds were used for loans to the poorest countries of the world, principally to help cope with the impact of higher oil prices. Repayments of those loans are now being "recycled" by the IMF's "structural adjustment facility." What I am suggesting is that the present situation certainly indicates that it would be more than appropriate to set aside a relatively small portion—probably no more than 10 to 15 percent—of the remaining IMF gold reserves to be pledged as collateral for the operations of this new facility.

VI. MORE RAPID LOAN DISBURSEMENTS AND INCREASE IN STRUCTURAL ADJUSTMENT LENDING BY THE WORLD BANK

Even though additional lending resources for the World Bank may be politically difficult to come by in the short term, that institution could still move more aggressively to deal with the debt crisis by disbursing loans more quickly whenever feasible and appropriate, and by increasing the current mix of lending directed toward structural adjustment purposes.

VII. CONDITIONALITY

Finally, the legislation comes full circle by returning to the notion that the debtor countries themselves have to confront the issues that have turned the repayment of their loans into a crisis. First and foremost among those responsibilities is the necessity to adopt policies which will stem the flight of capital, and lead to its eventual return. It is unreasonable to expect foreign banks to start to lend again to debtor countries, if their own nationals largely seek investments elsewhere. I would, however, suggest that the "resting places" for such flight capital—such as the United States—might do more to help debtor countries at least identify the source of this drain on their economies. For example, it might be appropriate to devise a system to provide relevant information to debtor countries concerning bank deposits held by their nationals in U.S. banks, just as financial institutions currently pass on "1099 forms" to the IRS, listing interest payments to American depositors.

Second, I want to reiterate again that the proposed new debt adjustment facility would only be available to those countries whose policies were conducive to their regaining creditworthiness with private lenders. This special facility would in no way provide "an easy way out," or reward debtor countries which had consistently mismanaged their domestic economic affairs.

Over the next month, as we work on the House trade bill, I hope that the ideas put forward in this legislation will serve to generate interest concerning how to deal with this terribly important problem. Over the longer term, I look forward to working closely with my colleagues on the House Banking Committee, other Members of the House and Senate, and administration officials to help fashion a pragmatic new public policy approach to the Third World debt crisis.

Mr. Speaker, the full text of the legislation, H.R. 1423, which I have introduced today follows:

H.R. 1423

A bill to promote a stable international financial system, expand world trade, and alleviate the Third World debt crisis

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 "International Debt Policy Act".

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress hereby finds that—

(1) the international trade and finance system is now in the fifth year of trying to manage the Third World debt crisis which emerged in August 1982;

(2) since 1982, debt service requirements and the virtual cessation of new commercial bank lending to developing countries have resulted in massive net transfers of capital from such countries to creditor banks;

(3) while developing countries have significantly improved their current account balances since the beginning of the debt crisis, such improvements have contributed to negative economic growth, declining standards of living, and increased political instability in emerging democracies;

(4) the current levels of developing country debt servicing requirements also erode the trading position and the economic well-being of the United States, place downward pressure on commodity prices, and continue to threaten the stability of the commercial financial system;

(5) the international debt crisis forces debtor countries to reduce their consumption of products from the United States and to increase exports competing with American products, thereby causing injury to the United States economy and job dislocation for its workers;

(6) adjustments by the world economy to the declining United States trade deficit requires substantial market growth abroad, including in the developing countries;

(7) growth in imports in the developing world must be financed by capital flows from abroad; and

(8) current policies and existing mechanisms for resolving the debt crisis have failed to produce adequate new capital flows because of the constraints imposed by the old debt.

(b) PURPOSES.—The purposes of this Act are—

(1) to increase the stability of the world financial system and promote the safety and soundness of United States banking institutions;

(2) to alleviate the current external debt burdens of heavily indebted developing countries and to encourage the resumption of sustained economic growth in these countries;

(3) to expand the world trading system and raise the level of exports from the United States to the less developed countries in order to reduce the United States trade deficit and promote economic expansion in the developing countries; and

(4) to provide directions to the President and the Secretary of the Treasury regarding the initiatives which should be undertaken by the United States to resolve the debt crisis and achieve the goals of enhancing the stability of the world financial system and expanding international trade and development.

SEC. 3. PROVISIONS RELATING TO THE REGULATION OF DEPOSITORY INSTITUTIONS.

(a) REGULATORY OBJECTIVES.—It is the sense of the Congress that regulations prescribed by Federal banking regulatory agencies which affect the international assets of United States commercial banks should grant the widest possible latitude to the banks for negotiating principal and interest reductions with respect to obligations of heavily indebted sovereign borrowers.

(b) FLEXIBILITY IN DEBT RESTRUCTURING.—It is the intent of the Congress that Federal agencies which regulate and oversee the operations of depository institutions (within the meaning given to such term by clauses (i) through (vi) of section 19(b)(1)(A) of the Federal Reserve Act) allow such institutions maximum flexibility in determining the asset value of restructured loans to heavily

indebted sovereign borrowers and in accounting for the effects of such restructuring prospectively.

(c) REGULATORY STUDY.—

(1) STUDY REQUIRED.—The Comptroller of the Currency, the Board of Governors of the Federal Reserve System, and the Federal Deposit Insurance Corporation shall each conduct a study to determine the extent of any regulatory obstacle to negotiated reductions in the debt service obligations associated with sovereign debt.

(2) SPECIFIC FACTORS TO BE STUDIED.—The study required under paragraph (1) shall include the following:

(A) An analysis of regulatory obstacles to negotiated interest reduction.

(B) An analysis of regulatory obstacles to the sale of loans at discount.

(C) An analysis of the statutory and regulatory changes which would be required to allow banks to sell some sovereign debt at a discount without decreasing the asset value of other loans to the same borrower, to the extent that—

(i) the borrower receives the full benefit of any discount recognized on such sale; and

(ii) the quality of any other outstanding loan of such borrower is enhanced by the sale.

(D) An analysis of—

(i) the manner in which and the extent to which other member nations of the Organization for Economic Cooperation and Development engage in country risk analysis with respect to loans to heavily indebted sovereign borrowers; and

(ii) the extent to which statutory or regulatory provisions or prevailing banking practices in such countries require banks in such countries to allocate specific amounts to reserves against losses on loans to heavily indebted sovereign borrowers on the basis of such country risk analysis or on any other country-by-country basis.

(E) An analysis of—

(i) the prevailing banking practices in the United States with respect to allocations to reserves against losses on loans to heavily indebted sovereign borrowers and the basis on which any such allocation is made; and

(ii) the extent to which the prevailing banking practices in the United States would warrant a statutory or regulatory requirement that domestic banks make specific allocations to reserves against losses on loans to heavily indebted sovereign borrowers on the basis of country risk analysis or on such other country-by-country basis as may be determined to be appropriate.

(3) REPORT REQUIRED.—Before the end of the 6-month period beginning on the date of the enactment of this Act, the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, and the Federal Deposit Insurance Corporation shall each transmit a report to the Congress containing the findings and conclusions of each agency with respect to the study required under paragraph (1), together with any recommendations concerning legislation which such agency determines to be necessary or appropriate to remove regulatory obstacles to negotiated reductions in the debt service obligations associated with sovereign debt.

SEC. 4. INTERNATIONAL NEGOTIATING OBJECTIVES.

(a) PROPOSAL TO ESTABLISH INTERNATIONAL ADJUSTMENT FACILITY.—The Secretary of the Treasury shall immediately seek to open negotiations with representatives of other countries to propose the establishment of an international debt adjustment facility to help manage the debt problem.

(b) PURPOSE OF PROPOSED FACILITY.—In any negotiations described in subsection (a), the Secretary shall propose that the international debt adjustment facility, at the request of a heavily indebted sovereign borrower and subject to the approval by the facility of an economic management plan submitted by such borrower, be authorized to—

(1) assist creditor banks in the voluntary disposition, in the private sector, of loans to the heavily indebted sovereign borrower;

(2) encourage countries with strong capital surpluses to apply those surpluses to investments in heavily indebted countries;

(3) purchase bank loans at a discount; and

(4) establish mechanisms for passing along the benefit of any such discount or other action of the facility to the sovereign borrower, including mechanisms which would allow the facility to—

(A) hold the discounted debt as the creditor of the borrowing country;

(B) arrange debt-for-equity swaps with private investors; and

(C) transform fixed obligations into long-term securities which create a contingent claim on the export performance of the borrowing country.

SEC. 5. ACTION BY MULTILATERAL INSTITUTIONS.

In order to facilitate the rapid creation of the international debt adjustment facility described in section 4, the Secretary shall direct—

(1) the United States, Executive Director of the International Bank for Reconstruction and Development to—

(A) determine the amount of liquid assets controlled by such Bank and not currently committed to any loan program which, subject to action by its Board of Governors, could be pledged as collateral to obtain financing for the activities of the facility described in section 4; and

(B) report the results of such determination to the Secretary before the end of the 60-day period beginning on the date of the enactment of this Act; and

(2) the United States Executive Director of the International Monetary Fund to—

(A) determine the amount of gold stock of the Fund which, subject to action by its Board of Governors, could be pledged as collateral to obtain financing for the activities of the facility described in section 4; and

(B) report the results of such determination to the Secretary before the end of the 60-year period beginning on the date of the enactment of this Act.

SEC. 6. RAPID LOAN DISBURSEMENTS.

In order to provide a rapid infusion of needed capital into developing countries—

(1) FULL RELEASE OF COMMITTED LOAN FUNDS AT BEGINNING OF PROJECT PERIOD.—The Secretary of the Treasury shall instruct the United States Executive Director of the World Bank to initiate discussions with other directors of such Bank and to propose that a temporary adjustment be made in the current disbursement practices of such Bank so as to permit, for a period of not more than 4 years, full release of committed loan funds to the central bank of any recipient country at the beginning of a project period, when such action is appropriate and is requested by the recipient country, to the extent that—

(A) adequate accounting safeguards can be maintained to ensure that the terms of the respective loan agreements are honored; and

(B) the recipient country adequately describes how the accelerated disbursement of such funds will contribute to long-term economic growth.

(2) INCREASES IN MULTILATERAL DEVELOPMENT BANKS' SHARES OF PROJECT LOANS.—The Secretary of the Treasury shall instruct the United States Executive Directors of the multilateral development banks to initiate discussions with other directors of their respective banks and to propose that each bank's share of any project loan already approved and awaiting disbursement should be immediately increased by such amount as the directors of each such bank determine to be appropriate, taking into account the current ability of the recipient country to meet its counterpart funding requirements.

SEC. 7. STRUCTURAL ADJUSTMENT LENDING.

(a) DIRECTIONS TO UNITED STATES EXECUTIVE DIRECTOR OF THE WORLD BANK.—In order to promote the economic policy adjustments which are needed to assist development countries, the Secretary of the Treasury shall instruct the United States Executive Director of the World Bank to initiate discussions with other directors of the Bank and to propose that—

(1) an increase be made in the amount of structural adjustment lending by the World Bank and any percentage limitation on the number of structural adjustment loans in the World Bank's lending portfolio be removed, except that such Director shall make it clearly understood that United States policy does not favor the displacement or replacement of project lending by structural adjustment lending but the addition of structural adjustment lending to the Bank's loan mix;

(2) appropriate action be taken by the Bank to ensure that the aims of structural adjustment lending can be achieved;

(3) the conditionality of structural adjustment lending should include innovative requirements designed to minimize any adverse impact of such lending on the lowest income groups in the developing countries, including a requirement that each country receiving such lending establish a fund to be used for guaranteeing private loans to microenterprise borrowers within such country; and

(4) appropriate action be taken by the Bank to ensure that structural adjustment lending is consistent with environmentally sound and responsible development practices that lead to sustainable long-term management of the natural resources of these countries.

(b) REPORT BY THE SECRETARY OF THE TREASURY.—

(1) REPORT REQUIRED.—The Secretary of the Treasury shall, before the end of the 6-month period beginning on the date of the enactment of this Act and in conjunction with and consultation with the United States Executive Director of the World Bank, prepare and transmit a report to the Committee on Banking, Finance and Urban Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate, on the effectiveness of increased reliance on structural adjustment lending as a means of achieving economic reforms.

(2) CONTENTS OF REPORT.—The report prepared under paragraph (1) shall include—

(A) information about the extent to which structural adjustment lending has increased domestic savings rates, liberalized trade, encouraged direct investment in developing countries, and reduced capital flight; and

(B) economic and demographic data on the impact of structural adjustment lending on various income groups within the recipient countries, particularly the impact of such lending on the provision of resources

to meet the basic human needs of the lowest income groups, including the need for adequate nutrition and basic health care.

SEC. 8. REDUCING CAPITAL FLIGHT.

It is the sense of the Congress that—

(1) past and continuing transfers of capital from developing countries pose a problem of great importance for which a solution must be found before the international debt crisis can be resolved and economic growth in developing countries can be enhanced and sustained; and

(2) the United States Executive Director of the International Bank for Reconstruction and Development should—

(A) initiate discussions with other directors of the Bank for the purpose of developing policy proposals for both developed countries and developing countries, respectively, which, if implemented, would reduce the level of capital transfers from the developing countries by enhancing incentives to invest in developing countries and thereby reduce the impact of such capital flight on the economics of such countries; and

(B) report any such proposal which is applicable with respect to the United States to the Secretary of the Treasury and the Chairman of the Board of Governors of the Federal Reserve System.

SEC. 9. DEFINITIONS.

For purposes of this Act—

(1) HEAVILY INDEBTED SOVEREIGN BORROWER.—The term "heavily indebted sovereign borrower" means a sovereign borrower whose debt obligations have been classified by the appropriate Federal banking agency in the category of Other Transfer Risk Problems or in a category of greater risk of nonperformance.

(2) MULTILATERAL DEVELOPMENT BANK.—The term "multilateral development bank" means the International Bank for Reconstruction and Development, the Inter-American Development Bank, the African Development Bank, and the Asian Development Bank.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Treasury.

(4) SOVEREIGN DEBT.—The term "sovereign debt" means any debt obligation of a sovereign borrower.

(5) WORLD BANK.—The term "World Bank" means the International Bank for Reconstruction and Development.

THE FALL OF THE MINIMUM WAGE

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

Mr. KLECZKA. Mr. Speaker, for several months interest in the minimum wage has been building, and it now appears likely that the Congress will increase the wage this fall. The article I am submitting to the CONGRESSIONAL RECORD today clearly documents the need to raise the minimum wage.

This study reports that in 1985, 7.4 million workers earned the minimum wage, and 2 million of these workers labored full time, year round but lived in poverty. This is grossly unfair. In order to reinforce the work ethic and to help millions of American workers pull themselves out of poverty, we should raise the minimum wage.

Mr. Sar Levitan and Mr. Isaac Shapiro, who authored this study, should be complimented for their fine work, and I hope that the report will prove useful to all those who are interested in the minimum wage.

THE FALL OF THE MINIMUM WAGE

(By Sar A. Levitan and Isaac Shapiro) [1]

After six years of inaction, the minimum wage now provides less support than it has since 1955. In 1985, 1.9 million salaried and 5.5 million hourly workers earned the minimum wage. Two million workers labored full-time year-round but they and their dependents lived in poverty. Only 30 percent of minimum wage workers were teenagers. According to the latest available statistics, nearly 3 of every 10 minimum wage workers are heads of households. The earnings of many minimum wage workers make vital contributions to their families' standard of living.

A SINKING FLOOR

The minimum wage has remained at $3.35 an hour since January 1981. Because the minimum wage is not indexed, it has been raised in fits and starts since its establishment in 1938, with Congress passing legislation to lift the wage on six occasions, sometimes providing, as it did in 1977, for a series of increases. The minimum wage generally rose in real terms until 1968, stabilized in the 1970s, before falling sharply in the 1980s.

The minimum wage, when adjusted for inflationary effects, is now over 20 percent less than it averaged in the 1970s and a third less than its peak in 1968. Prices have increased 27 percent since Congress last raised the minimum wage (Figure 1).

[Charts not printed in the RECORD].

The traditional target of many minimum wage advocates has been a standard equal to half the average wage for nonsupervisory private workers. This goal reflects the belief that the minimum wage should keep pace with the standard of living of the average worker. In the 1960s the minimum wage averaged just above this target and in the 1970s it averaged 4.2 percentage points below this target, but its level has now dropped to 38 percent of the average hourly rate in private industry.

Minimum wage income is only enough to raise a worker living alone above the poverty threshold. A full-time year-round minimum wage worker earns $6,968 in a year—$1,800 less than the 1986 poverty threshold of $8,741 for a family of three and $4,200 less than the poverty threshold of $11,209 for a family of four. In contrast, throughout most of the 1960s and the 1970s, the minimum wage was sufficient to bring a family of three out of poverty (Figure 2).

EFFECTS

The minimum wage is a statement by society that work conditions below a given standard are unacceptable. The standard applies to low wage labor markets where unions are absent, where workers lack skills and political clout, and where employers are unlikely to adopt beneficient labor practices.

Many individuals and families benefit from the higher wages that result from the mandated minimum. Four-fifths of all minimum wage workers are not poor but a majority of poor workers have earnings clustered around the minimum wage. The wage floor helps some escape poverty and lessen its impact for others. It encourages individuals to work rather than rely on welfare. For minimum wage earners who are not poor, the income is often essential. A teenager can save more money for schooling or a multiearner family may earn enough money to purchase more than the bare necessities.

Statutory increases in the minimum wage do result in some job losses, although the extent of employment dislocation is often overstated. The task for Congress is to strike the right balance and provide a wage high enough to provide meaningful income support without pricing a significant number of workers out of the labor market.

RECOMMENDATIONS

Through a gradual series of increases, Congress should raise the minimum wage until it is equal to half the value of the average hourly pay for nonsupervisory workers in private industry. In order to prevent future deterioration in the standard, the minimum wage should thereupon be indexed at this level of support. If the minimum wage were already indexed at this level, its value in January 1987 would have been $4.42 per hour.

[1] Sar A. Levitan is director of and Isaac Shapiro is a research associate at George Washington University's Center for Social Policy Studies.

DEPARTMENT OF THE INTERIOR'S 5-YEAR OFFSHORE DEVELOPMENT PLAN FOR CALIFORNIA

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

Mr. PANETTA. Mr. Speaker, I would like to call my colleagues' attention to the response prepared by a majority of the California delegation to the Interior Department's 5-year offshore development plan in California. As many Members know, the issue of oil and gas development offshore California has been a contentious one for several years. The submission of this plan, and the delegation's response to it, is only the latest exchange in what has become a protracted battle over the scope and pace of leasing Federal lands offshore California.

Unfortunately, the plan prepared by Interior Secretary Hodel serves only to escalate this conflict rather than to diminish it. After 22 months of extensive negotiations with Members of Congress, the Secretary has chosen to ignore virtually every recommendation offered by congressional negotiators empaneled to resolve this issue. The plan submitted to this group on February 2 is so clearly driven by the desires of the oil industry that it is almost totally lacking in credibility. While the negotiations focused on a relatively limited number of tracts, Secretary Hodel's plan proposes to offer fully 82 percent of the areas identified as being of high interest to the oil industry, as well as over 500 tracts of medium and low interest.

In addition, the Secretary's Draft Program ignores recommended stipulations designed to: Protect onshore air quality; limit conflicts with the State's valuable fishing industry; require sufficient oil spill response and cleanup capability; protect rural coastal areas from industrial development; and regulate toxic discharges from exploration and development activities. Nor does the plan offer meaningful subarea deferrals which might limit some of the adverse effects of offshore development. The concept of long-term protection for par-

ticularly sensitive areas—a concept which has been accepted as a key to any compromise on this issue—is also ignored. The failure of the Draft Program to incorporate even the most basic principles which emerged during the course of the negotiations is of grave concern to a large majority of the California delegation.

Finally, this proposal was delivered to Congress in the form of a threat. We were told by the Secretary that unless this plan were embraced by the delegation and by the Congress, the minimal protections offered would be withdrawn. Despite the Secretary's ill-advised decision to abandon the effort to reach a consensus, we remain committed to resolving this issue in a manner which serves the best interests of the Nation as well as the best interests of the State of California. For this reason, I believe I speak for a majority of the members of my delegation when I state our willingness to continue to work to achieve a balanced resolution of this difficult issue.

Mr. Speaker, I would like to include for the RECORD a copy of the letter to Secretary Hodel signed by 28 Members expressing the hope that the Secretary will return to the basic principles which have been arrived at through the deliberations to date. The letter follows:

CONGRESS OF THE UNITED STATES,
Washington, DC, March 4, 1987.

Hon. DONALD P. HODEL,
Secretary, U.S. Department of the Interior, 18th and C Streets, NW., Washington, DC.

DEAR MR. SECRETARY: Twenty-two months ago we undertook a process aimed at achieving a balanced resolution to the question of where, when, and under what conditions offshore drilling is to occur on the California Outer Continental Shelf. The goal was to establish a consensus and reach a compromise in the ongoing dispute which has characterized this issue for several years. Since Congess had established the unique precedent of repeatedly providing year-by-year protection for key coastal areas, you rightly stated that the national interest would require a balance between development and protection. Unfortunately, our review of this plan makes it explicitly clear that you have abandoned the effort to achieve consensus on this divisive issue.

The failure of the Draft Proposed OCS Program to incorporate even the most basic principles which have emerged during this extensive dialogue is of grave concern. For this reason we again reiterate our willingness to continue to work with you directly in a further attempt to achieve resolution on this issue. Our comments at this time on the draft proposed OCS program are a reflection of the efforts to date to build consensus. These comments are also intended to convey our disppointment that so few of the points of agreement produced by these discussions have been utilized by the Department in formulating the present draft Proposed Program. It is our hope that, in considering these comments, you will return to the basic principles which have been arrived at through the deliberations to date.

Pursuant to P.L. 99-591, we are submitting the following comments in an effort to bring about a more balanced approach than that embodied in the draft Proposed Program. It is our intent to assist your agency in adopting a Program which provides protection for the environmental resources at risk, while enhancing the already considerable contribution to domestic petroleum production provided by the California OCS at the present time—a contribution expected to increase by 500 to 700 percent over the next few years as a result of federal OCS leases already let. The desired balance can only come about by incorporating the primary principles established by the negotiations into the Proposed Program. Rejection of these principles by the Department, as has occurred in the draft Proposed Program, only moves this issue toward further controversy and underscores the need for continued Congressional oversight of the OCS Program.

The question before us cannot appropriately be characterized, as it was in our press release accompanying the draft Proposed Program, was a challenge to the Congress to decide "whether we are to have a federal offshore program or a program limited essentially to the Gulf of Mexico." Your statement ignores the major contribution to domestic energy supply presently made by offshore development on federal tracts on the California OCS, as well as the major increases in California OCS production which will be coming on line in the next few years as a result of recent leasing and exploration activities. The real task of our deliberations must be to determine how best to provide increases in that current level of petroleum production from the California OCS while providing maximum protection to sensitive environmental resources on the California coast. Specific areas of the California OCS have repeatedly been identified by the Congress to be of national significance and have therefore been granted special protection on a year-by-year basis. To ignore this Congressional mandate, as the draft Proposed Program has once again done, does nothing to resolve the question at hand.

We have reached the unavoidable conclusion that your draft Proposed OCS Program fails to meet the requirements of P.L. 99-591 as it directed your agency to evaluate and incorporate the proposals originating with the eighteen-member Congressional negotiating team and Governor Deukmejian. The draft Proposed Program also fails to meet several requirements of the OCS Lands Act and Amendments. Proposals submitted to your agency by Governor Deukmejian, Congressman Panetta and Congresssman Regula all contained important provisions which have been rejected by you in preparing the draft Proposed OCS Leasing Program. The Program does not adequately justify your decision to reject these provisions, and also fails to explain your obvious departure from the consensus-building approach which has characterized our efforts to date.

Specific elements of the draft Proposed OCS Program which we find to be inconsistent with the directive provided by P.L. 99-591 to consider the incorporation of these measures in the Program include the following:

The Draft Program proposes an exponential increase in the number of OCS tracts to be offered for lease offshore California, and increases the number of tracts to be offered well beyond the range discussed during congressional negotiations with the Department: We note with concern that the Program now proposes to make available 1120 tracts, including 82 percent of the tracts identified as being of high interest to the oil industry. This represents only a 3 percent change from the Draft Program proposed in February 1986 and a vast departure from the preliminary agreement of July 1985, subsequently rejected by you, which focused on the offering of 150 tracts for lease.

Negotiations conducted subsequent to the release of the February 1986 Draft Program focused on a discussion of a significantly smaller number of high interest tracts. Your retreat from the more limited focus of the discussions to date to an essentially area-wide leasing methodololgy which the draft Proposed Program characterizes as "focus on promising acreage" serves only to further undermine your credibility and repolarize this issue.

The number of actual lease sales offshore California remains at five within the designated five year period, the same number of sales proposed in the Watt Five-Year Program. This number of sales within a five year period ignores the need for a "phased" approach to OCS leasing which would permit a rational planning process to take place.

No long-term protection for sensitive offshore areas: A lengthy negotiating process has endorsed long-term protection for specific key areas as a cornerstone of our efforts to achieve consensus. In spite of requests to incorporate this approach in the Program which were set forth in the proposals of Congressman Regula and Panetta, the draft Proposed Five-Year Program provides no long-term protection whatsoever. Despite the uncertainty of hydrocarbon prospectivity there are areas that, because of the environmental costs of leasing, exploration and development, have been temporarily deferred by the Department. We believe that the Department's failure to endorse the concept of long-term protection is a major departure from the entire context of the discussions to date.

No criteria are set forth for sub-area deferrals: The draft Proposed Program has set forth an intermittent system of minimal shoreline buffer zones within federal waters. These proposed sub-area deferrals range from two to three miles in width and propose only a five year delay for leasing within these areas. While the underlying concept of providing shoreline protection through buffer zones is a sound one, the buffers in the draft Proposed Program are too small and are too short in duration to provide meaningful protection.

With respect to the deferrals which have been applied to the draft Five-Year Program, no criteria are set forth by the Department for the rationale behind these deferrals. While the quasi-buffer zones represented by these five year deferrals provide little in the way of even temporary protection for valuable environmental resources, some criteria for their application must be set forth in the Program. A buffer zone three miles in width does nothing to provide significantly increased oil spill response time. In addition, a three mile buffer does nothing to protect onshore air quality due to the well-documented reactive photochemical process which converts OCS air emissions into smog as they are transported in the atmosphere.

Larger buffer areas need to be incorporated in the Five-Year Programs, as proposed by Congressmen Regula and Panetta. The sub-area deferrals contained in the draft Proposed Program appear to be primarily comprised of extreme deep water tracts which lie outside the boundaries of geologic basins, and therefore beyond the present limits of drilling technology. No protection for marine or coastal resources can be legitimately claimed by the Department for deferral of these areas from the Program since

they are unlikely to be leased in any event. Likewise, the two National Marine Sanctuaries offshore California, the Point Reyes OCS Exclusionary Zone, and the Santa Barbara Ecological Preserve and Buffer Zone are each already subject to pre-existing regulations which prohibit OCS leasing activities and can hardly be characterized by the Department as voluntary sub-area deferrals.

Lack of protection for onshore air quality: A majority of the designated negotiators have reached consensus on the need for the inclusion of air quality stipulations at the Program stage. Unfortunately, this mandate to prevent OCS-generated air emissions from causing violations of air quality standards in onshore communities is rejected by the Proposed Program. While we believe that your personal assurance that individual lease sales will include stipulations at least as stringent as those negotiated for Lease Sales 73 and 80 is a step in the right direction, this commitment must be formally reflected in the Program document. The written assurance contained in the document that stipulations will be "similar" to those negotiated for previous sales is simply inadequate.

Lack of reasonable oil spill prevention and response measures: Common sense and past experience with OCS-originated oil spills has indicated the clear need for a programmatic stipulation requiring a demonstrated ability to cope with oil spills in the prevailing meteorological and oceanographic conditions a precondition for OCS operations. The draft Proposed Program rejects this premise and includes no such stipulated preventive and protective measures. This failure to incorporate reasonable safeguards at the Program stage does little to instill confidence in the Department's commitment to clean and safe OCS activities. Likewise, while Congressional proposals for pipeline transportation of any produced petroleum could somewhat lessen the degree of oil spill risk and result in a significant reduction in the release of OCS emissions which lead to onshore air pollution, the draft Proposed Program rejects any stipulation requiring pipelines. No reason is given for omitting this important stipulation.

No adequate protection for commercial fisheries: At a time when the commercial fishing industry is requesting a stipulation protecting livelihoods based on the harvest of renewable fishery resources which provide the basis for regional economies, the draft proposed Program provides no such protection. Displacement of the commercial fishing industry from historically productive fishing grounds, disturbance of large areas of the sea floor through OCS construction activities, and conflicts between OCS operations and fishing gear are real problems being experienced in areas of OCS development. The concerns of the fishing industry, embodied in the Congressional proposals, are not adequately addressed through stipulations in the Proposed Program. Again, no reason is given for this omission.

No mitigation measures for ocean discharge of drilling wastes: While scientific data points to the potential hazards of large-scale discharges of drilling wastes to fragile marine ecosystems in nearshore waters, the draft Proposed Program provides no stipulation controlling these discharges as discussed extensively during the negotiating process.

The program significantly understates the economic value of environmental resources on the California coast: The cost-benefit analysis which is the basis for leasing decisions in the draft Proposed Program is flawed by a significant undervaluation of the affected environmental resources. The social and environmental costs associated with OCS development are thus understated and the resulting cost-benefit analysis is skewed in favor of development. A recent technical analysis which documents the economic value of the environmental resources of much of the California coast is attached (Tinney, et al, 1987) and incorporated herein by reference. This study indicates dollar values for environmental resources which far exceed the values assumed in the documentation for the draft Proposed Program.

Likewise, if social costs, such as those associated with the anticipated degradation of onshore air quality, were objectively evaluated in the Program, significant changes in the cost-benefit analysis would occur. In light of this new information on the economic implications of air quality impacts and the evaluation of environmental resources, a complete revision of the cost-benefit analysis and underlying assumptions in the draft Proposed Five-Year OCS Program should be undertaken by the Department and leasing decisions revised accordingly. The draft Proposed Program also does not address the implications of onshore facilities associated with OCS development which introduce risk factors of their own and further contribute to onshore air quality degradation. Finally, the economic analysis associated with the draft Proposed Program does not adequately deal with the low end scenario in evaluating the effect of depressd petroleum prices in the cost-benefit analysis.

The program ignores alternatives to OCS leasing such as conservation strategies: Several energy conservation strategies have received the support of Congress in recent months but have been vetoed or otherwise rejected by the Administration. These conservation strategies include improved automobile fuel efficiency standards, appliance efficiency standards, and incentive programs for building retrofit. Individually, or in combination, strategies such as these could readily "produce" an amount of domestic energy security equivalent to or exceeding the contemplated major expansion of OCS activities offshore California. These energy conservation strategies could proceed without the risk to environmental resources and regional economies which is inherent in the OCS activities which would likely occur as a result of the draft Proposed Program.

An objective analysis of these conservation alternatives to expanded OCS leasing offshore California must be included at the Programmatic stage. These conservation measures need to be objectively weighed and evaluated in context of the additional sub-area deferrals recommended by the Governor, by Representative Regula, and by Representative Panetta.

Additional unscheduled "supplemental" sales as proposed by the draft Program should not include tracts on the California OCS: The draft Proposed Program contains a discussion of "Supplemental" lease sales which may be held periodically in addition to scheduled sales under certain criteria set forth in the Program. The discussions in the draft Proposed Program appear to indicate that the Department may be planning for an early Supplemental sale of this nature, possibly prior to 1989, to focus on an offering of additional tracts within the Santa Maria Basin, in the Santa Barbara Channel, and within other portions of the California OCS Planning Areas.

Onshore infrastructure and planning capabilities in these areas are already stretched to the limit and a Supplemental sale at this time would disrupt the careful planning process which must accompany the development phase of existing leases. It should further be noted that any such early Supplemental sale on the California OCS would be in violation of the Department's own criteria for such Supplemental sales as delineated in the draft Proposed Program.

The draft Proposed 5-year OCS Program has been submitted to the Congress in the form of a threat: In conclusion, we are shocked to find your draft Proposed Program accompanied by your clearly-stated threat to the Congress that you may retreat from your present minimal sub-area deferrals and propose an even more aggressive OCS Program for California unless Congress goes along with your agenda.

Not once, Mr. Secretary, has the Congress resorted to threats in working with your agency to seek a reasonable resolution to the California offshore drilling dilemma. We find your statements accompanying this draft Proposed Program wholly inconsistent with the spirit and intent of good-faith negotiation which has characterized the efforts in the Congress to bring this to a constructive resolution. Such public statements as those accompanying the draft Proposed Program call into question the credibility of your stated desire to reach consensus. Further, in light of this threat we must question the ability of your agency to objectively balance the need to protect environmental resources on the California coast which are clearly of national significance in and of themselves.

Because the substance of your draft Proposed Program represents such a radical departure from the principles of consensus which have characterized the intergovernmental dialogue over this issue, we must formally request that you revise the Program in such a way as to bring it into conformance with the letter and intent of P.L. 99-951 and the OCS Lands Act and amendments, particularly as the Act relates to providing a balance between development and protection of resources.

Your revision of this Program should reflect the principles outlined above, and should state clearly the criteria under which specific sub-area deferrals and necessary stipulations are selected by your agency. We trust that the forthcoming version of your draft Proposed Program will reflect these changes prior to submission of the full Program to the President and the Congress for review.

Pursuant to P.L. 99-951, we hereby incorporate in our comments to you by reference each of the attached resolutions, responses, and technical comments submitted by local governments, relevant state agencies, and other interest groups. We request a specific written response to each of the individual issues raised in these comments and attachments within the next thirty days, as specified by law, prior to your submission of the national Proposed Five-Year OCS Program to the President and Congress.

Thank you for your cooperation in accepting, incorporating, and responding to these recommendations pursuant to P.L. 99-951.

Sincerely,

Pete Wilson, U.S. Senate; Leon E. Panetta, Member of Congress; Alan Cranston, U.S. Senate; Bill Lowery; Robert

T. Matsui; Henry A. Waxman; Robert E. Badham; Vic Fazio; Julian C. Dixon; Don Edwards; Edward R. Roybal; and George Miller.

Douglas H. Bosco, Matthew G. Martinez; Esteban Edward Torres; Norman Y. Mineta; Ronald V. Dellums; Tom Lantos; Jim Bates; Richard H. Lehman; Anthony C. Beilenson; Howard L. Berman; Ron Packard; George E. Brown, Jr.; Tony Coelho; Mel Levine; Mike Lowry; and Duncan Hunter.

GREAT LAKES EMERGENCY SHORELINE PROTECTION ACT

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

Mr. ECKART. Mr. Speaker, I address this body today on behalf of the thousands of private property owners along the great north coast of the United States.

The erosion problem that has been eating away at the dreams of thousands of property owners all along the Great Lakes has been well documented and discussed at length across the nation in recent years. Contrary to what many might believe, it is a rather recent phenomenon. Families who purchased homes along the Great Lakes 20 years ago did so with no knowledge that the seventies and eighties would bring rise to unprecedented high lake levels. Many people chose to settle on the Lakes' scenic shore at a time when this was not a high-risk area and those risks they face today were not well known in advance.

Scientists and engineers have been studying the record high lake levels of this past decade searching for answers and possible signs of the water's retreat. Recently, a Government scientist with the Great Lakes Environmental Research Laboratory reported that if the present trend continues, shoreline cities will be forced to build barriers to halt the damage already estimated in the millions of dollars. Just last week, an article in the Washington Post quoted this same scientist saying that Lake Michigan could rise another 1½ feet in 4 years.

Statistics tell us that record lake levels have been set every month since October 1985 on Lake Erie, averaging about 4½ feet higher than in 1934 when the lakes were at their lowest levels of the century. The causes of this vary from natural occurrences such as heavier-than-normal precipitation and modest climate changes to substantial increases in development. Whatever the causes, the result is indisputable—property owners are losing their beaches, their yards, and their homes.

It is hard to believe now, but as recently as the 1960's, the Federal and State governments were considering methods to increase the levels of the Great Lakes. Existing erosion control structures were being torn down, being called unsightly. Today, just 20 years later, these structures cannot be put up fast enough to halt the damaging forces of the ever-rising lakes.

Unlike the swift and dramatic devastation brought about by tornadoes, severe storm flooding, or earthquakes, shoreline erosion disasters strike slowly, daily, under the cloak of time. The need for help, however, is no less urgent than in other situations for which our Government and communities have ready and willing assistance.

This problem demands solutions rather than mere sympathy because the personal loss of property owners is equally matched by the loss our communities suffer in terms of real estate devaluation and infrastructure damages. As our shoreline erodes, so does the tax base which keeps our communities thriving.

One county in my district has estimated that the potential tax losses due to erosion could be as high as $100,000 each year if the present situation continues. Other hidden costs are incurred by the cities and the counties because of the damage to the utility infrastructure and roads. Local governments, fortunately have the opportunity to overcome these cost burdens while private homeowners are often left virtually helpless.

The legislation I introduced does not propose that the Federal Government simply sweep in and provide handouts to those property owners. It would be unwise and unfair to ask American taxpayers to bear the burden of these costs given our present budget deficit crisis. Instead, my plan offers a balanced and financially responsible approach which allows homeowners to work with their local lending institutions to finance needed erosion control devices and save their property investments.

Ninety percent of the loan value would be backed by the Federal Government. A three to five percent subsidy of the interest rate would be provided by the States. Under those terms, everyone bears a portion of the risk, although the bulk of the burden rests with the individual homeowner who must repay the loans.

Additionally, the States may elect to recapture all the loan subsidy to the borrower upon sale or other disposition of the property. They also may collect an administrative fee to defray the costs of administering the program. Eligibility for these loans would be based on certain criteria, taking into account the immediate need for property improvement, the acceptability of the erosin control device to be used, and the financial status of the borrower as well as other standards.

My bill certainly is not a cure all. It does offer some relief for a problem which the Federal and State governments can—and should—address. This type of program is historically and appropriately within their realm of action.

The devastating erosion problem taking the shore of the Great Lakes is a matter which merits the attention of more than just the beleagured property owner. The long-term benefits gain from our lakefront must be protected and preserved as part of the larger vision of prosperity for our region.

MY ADVICE TO THE PRIVILEGED ORDERS

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

Mr. GONZALEZ. Mr. Speaker, I rise for the simple reason that today I have introduced a resolution, H. Res. 111, that consists of six articles of impeachment of Ronald W. Reagan, President of the United States.

The first five articles are specific acts that are clearly violations of the law. In the conduct of the Office of the President of the United States, Ronald W. Reagan, in violation of his constitutional oath to faithfully execute the Office of the President of the United States, and to the best of his ability preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has approved and acquiesced in shipment of arms from Israel to Iran in violation of the Arms Exports Control Act, in that, and then I have a recital of specific dates and occurrences, each consisting of a separate and unequivocal violation of the law.

Article 2, in November of 1985, the Central Intelligence Agency provided an agency proprietary aircraft and other assistance in connection with a shipment of United States made Hawk missiles to Iran without a Presidential intelligence finding required by 22 U.S.C. 2422, and so on.

Article 3. On January 6 and 17, 1986, Ronald W. Reagan executed and thereafter failed to notify and review intelligence findings ordering that the Congress not be notified of arms transactions involving Iran that continued from August 1985 to October 1986.

Article 4. I allege that the President in all of this has acted in a manner contrary to his trust as President and subversive of constitutional government.

□ 1950

And in the final Article VI I enumerate in general terms the specifics involving the bill of particulars that would justify impeachment. And I do so at this time because the President clearly—and his leadership in the

House today has confirmed it—has demonstrated his intention, inexorable from the beginning, to conduct war in Central America, to the greatest detriment of the national interest.

We have seen his flawed judgment, as clearly brought out lately in the Tower Commission report, but as more clearly and sadly and tragically demonstrated in the case of the deaths of 214 marines in Beirut in 1983.

Those are clear instances of an impaired judgment on the part of the Chief Executive of our country, who is headed for war and is not about to relent from what I consider to be his inexorable and fatal course of invasion in Nicaragua, which I believe will be disastrous and will be costly in lives and treasure to our country and contrary to the long-range future destiny of our country, our children, our grandchildren, and our great-grandchildren, and for that reason I feel that the Congress must stop a President who has, in heedless disregard for the constitutional responsibility of the Congress, continue on this course because the Congress has failed to call him to the bar of the Congress to account for the actions that have violated the statutes that this very Congress has passed.

I have introduced three different resolutions since 1982 specifically alleging that the President has violated the War Powers Limitation Act, and finally, in 1984, there was a half-hearted attempt, on the part of the House at least, to go into that, but it ended up in being a vote on whether or not one was loyal to the President or not. It was not a question of whether he was in violation of the War Powers Limitation Act, which he has clearly demonstrated by his actions since 1982.

Mr. Chairman, the text of the resolution I have introduced is as follows:

H. RES. 111

A resolution impeaching Ronald W. Reagan, President of the United States, of high crimes and misdemeanors

Resolved, That Ronald W. Reagan, President of the United States, is impeached for high crimes and misdemeanors, and that the following articles of impeachment be exhibited to the Senate:

Articles of impeachment exhibited by the House of Representatives of the United States of America in the name of itself and of all of the people of the United States of America, against Ronald W. Reagan, President of the United States of America, in maintenance and support of its impeachment against him for high crimes and misdemeanors.

ARTICLE I

In the conduct of the office of President of the United States, Ronald W. Reagan, in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has approved and acquiesced in shipments of arms from Israel to Iran in violation of the Arms Export Control Act, in that:

(1) On or about August 6, 1985, Ronald W. Reagan orally approved the transfer of certain U.S.-made TOW missiles from Israel to Iran;

(2) On or about late August and early September 1985, Israel made shipments of 508 U.S.-made TOW missiles to Iran;

(3) No commitment in writing was obtained from Iran against unauthorized retransfer of such weapons as required by 22 U.S.C. 2753; and

(4) No valid written consent for the arms transfer was executed by Ronald W. Reagan, as required by 22 U.S.C. 2753.

In all of this Ronald W. Reagan has acted in a manner contrary to his trust as President and subversive of constitutional government, to the great prejudice of the cause of law and justice and to the manifest injury of the people of the United States.

Wherefore Ronald W. Reagan, by such conduct, warrants impeachment and trial, and removal from office.

ARTICLE II

In the conduct of the office of President of the United States, Ronald W. Reagan, in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has approved and acquiesced in covert actions by the Central Intelligence Agency in violation of the Foreign Assistance Act, in that:

In November 1985 the Central Intelligence Agency provided an agency proprietary aircraft and other assistance in connection with a shipment of U.S.-made HAWK missiles to Iran without a Presidential intelligence finding required by 22 U.S.C. 2422.

In all of this Ronald W. Reagan has acted in a manner contrary to his trust as President and subversive of constitutional government, to the great prejudice of the cause of law and justice and to the manifest injury of the people of the United States.

Wherefore Ronald W. Reagan, by such conduct, warrants impeachment and trial, and removal from office.

ARTICLE III

In the conduct of the office of President of the United States, Ronald W. Reagan, in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has ordered that the Congress of the United States not be notified of continuing arms transfers and covert actions in violation to the National Security Act and the Arms Export Control Act, in that:

(1) On January 6 and January 17, 1986, Ronald W. Reagan executed, and thereafter failed to modify or review, intelligence findings ordering that Congress not be notified of arms transactions involving Iran that continued from August 1985 through October 1986; and

(2) Such failure to notify Congress was in violation of the National Security Act, 50 U.S.C. 413, and the Arms Export Control Act, 22 U.S.C. 2753.

In all of this Ronald W. Reagan has acted in a manner contrary to his trust as President and subversive of constitutional government, to the great prejudice of the cause of law and justice and to the manifest injury of the people of the United States.

Wherefore Ronald W. Reagan, by such conduct, warrants impeachment and trial, and removal from office.

ARTICLE IV

In the conduct of the office of President of the United States, Ronald W. Reagan, in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has during February through September of 1986 approved, acquiesced in or recklessly failed to prevent the diversion of proceeds from Iran arms transactions to forces fighting the government of Nicaragua, in violation of the Boland Amendment (Public Law 99-169, section 105).

In all of this Ronald W. Reagan has acted in a manner contrary to his trust as President and subversive of constitutional government, to the great prejudice of the cause of law and justice and to the manifest injury of the people of the United States.

Wherefore Ronald W. Reagan, by such conduct, warrants impeachment and trial, and removal from office.

ARTICLE V

In the conduct of the office of President of the United States, Ronald W. Reagan, in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has approved or acquiesced in the shipment of 500 U.S.-made TOW missiles from Israel to Iran on or about October 29, 1986, in violation of the prohibition contained in section 509 of Public Law 99-399 against arms transfers to nations, such as Iran, that support terrorism.

In all of this Ronald W. Reagan has acted in a manner contrary to his trust as President and subversive of constitutional government, to the great prejudice of the cause of law and justice and to the manifest injury of the people of the United States.

Wherefore Ronald W. Reagan, by such conduct, warrants impeachment and trial, and removal from office.

ARTICLE VI

In the conduct of the office of President of the United States, Ronald W. Reagan, in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has presided over a pattern of Executive actions in disregard of the laws of the United States and a pattern of casual and irresponsible Executive decision-making, including:

(1) The sale of arms to Iran in direct conflict with stated Executive policy against terrorism and stated Executive procedures for covert actions;

(2) The illegal diversion of funds to resistance forces in Nicaragua;

(3) The ill-prepared October 1986 Iceland arms control summit; and

(4) The abuse of the U.S. press in perpetrating a disinformation campaign against

Col. Qaddafi of Libya during the summer of 1986.

In all of this Ronald W. Reagan has acted in a manner contrary to his trust as President and subversive of constitutional government, to the great prejudice of the cause of law and justice and to the manifest injury of the people of the United States.

Wherefore Ronald W. Reagan, by such conduct, warrants impeachment and trial, and removal from office.

FAMILY PLANNING PROGRAMS IN DEVELOPING COUNTRIES HAVE LOST A KEY LEADER

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

Mr. MOODY. Mr. Speaker, many Members will be saddened to learn of the unexpected death yesterday of Mr. Rafael Salas, Executive Director of the United Nations Fund for Population Activities, UNFPA. The population community will miss his dedication and determination.

Mr. Salas died while he was here in Washington trying to reverse congressional action that led to the cutoff of U.S. support for family planning in developing countries through UNFPA. He wanted to alleviate starvation and unnecessary child and maternal sickness and death. He realized that family planning promotes family health and saves lives.

Mr. Salas joined the UNFPA 17 years ago as its first Executive Director. Under Mr. Salas UNFPA has become the largest international source of aid to population studies and voluntary family planning programs, growing from a budget of several million dollars and a handful of donor nations in 1969 to a budget of $136 million from 100 countries. Over 130 developing countries have become recipients of UNFPA assistance.

Before joining UNFPA, Mr. Salas served as the Executive Secretary, the highest cabinet position in the Philippine Republic. Before that he had been a leader in the "green revolution" which brought the Philippines to self-sufficiency in rice. Prior to government service, he had been a newspaper publisher and a business executive. Mr. Salas received more than 30 honorary degrees from around the world to acknowledge his important work in population.

The United States was instrumental in founding the UNFPA and was traditionally its leading supporter. However, the United States suddenly reversed its policy and sharply reduced its support to the UNFPA in 1985 and completely ended its support in 1986 because of AID's assertion—unsubstantiated, in my judgment—that UNFPA participates in the "management" of China's population program, and further that the China program officially includes coercive practices.

Rafael Salas' message to Congress at the time of his death was simple: The UNFPA does not participate in the management of any abortion programs; nor does UNFPA—directly or indirectly—fund any abortion programs. It does fund voluntary family planning, maternal and child health care, demographic studies, contraceptive research, and training of medical workers—all programs that in fact reduce the incidence of abortion.

Many of us hope that the present administration will reconsider its recent retreat from supporting voluntary family planning in economically distressed countries.

All of us hope that Rafael Salas' great work to relieve suffering, starvation and distress, and enhance the dignity and role of women in developing nations, will not have been in vain.

We mourn his passing. There would be no greater memorial to the ideals of Rafael Salas than to redouble our support for family health care and family planning in the economically developing countries of the world.

CHILD CARE: A TIME FOR ACTION

The SPEAKER pro tempore (Mr. GONZALEZ). Under a previous order of the House, the gentlewoman from Illinois [Mrs. COLLINS] is recognized for 60 minutes.

Mrs. COLLINS. Mr. Speaker, I have called the special order today so that Members could have an opportunity to speak on the need for safe, affordable, and accessible child care. As the author of H.R. 95, the Child and Family Development Act, legislation which would establish a comprehensive Federal child care policy, it is my firm belief that this Nation must begin to address the most pressing needs of children and their families: the lack of adequate day care facilities.

For the overwhelming number of working families and single-headed housholds in America, there is a compelling and drastic need for child care services. The statistics speak for themselves:

Over 55 percent of all women work outside the home, and a whopping 62 percent of them have children under 18 years of age;

Nearly 50 percent—half—of all American mothers return to work before their baby's first birthday, and more than half of mothers with children under age 3 are in the labor force;

Seven out of ten mothers of school age children are working or looking for work; and

If current trends continue to 1995, three out of every four school age children and two out of every three preschool children will have mothers in the work force.

Regrettably, the quantity and quality of child care facilities available to meet this demand is sorely lacking. Worse, even if child care is available, it often costs more than most low-income or middle-income families can afford. As a direct result, as many as 8 million children under age 13 spend time at home alone until a parent or parents return from work. With the large numbers of working families, the term "latch key child" has taken on real meaning.

To add insult to injury, the lack of adequate child care is having an impact on the productivity of American workers. According to a February 16, 1987 issue of Fortune magazine which did a survey, "in some cases child care is as strong an influence on a worker's performance as the number of hours worked, the relationship with a supervisor—and even job security. Corporations are beginning to discover that more and more of their most valued employees are willing to sacrifice work time, productivity and even careers to devote themselves to family matters. Fortune also commissioned a survey on this issue which found "that problems with child care are the most significant predictors of absenteeism and unproductive time at work."

Just what types of child care arrangements are there? Generally, there are six types of child care situations: First, use of a family day care service. This is provided in a caregiver's home with five to six other children. Second, children are placed in a child care center. Third, use of babysitters. Fourth, a smaller percentage are latchkey children. Fifth, others rely on relatives to stay with the children, in their home perhaps where a parent works at home, or last, an employer provides on-site day care services.

It must be noted that day care costs are expensive. According to a child care fact sheet prepared by the Caucus for Women's Issues, home care costs for one child range from $1,500 to $10,000 a year. Most parents pay an average of $3,000 per child per year for day care. The younger the child, the more expensive the care. Indeed, child care often ranks fourth in overall family expenses following immediately after housing, food, and taxes.

The average working family can expect to spend 10 percent of its take-home income on child care. For some women who head households, child care costs can mean the difference between working and staying at home on public assistance. According to a 1982 Census Bureau survey, 45 percent of nonworking single mothers with preschool children would work if child care were available at a reasonable cost.

What has the Federal Government's response to the need for child care

been? Not enough. In the first place, child care funding has been cut 21 percent since 1981; $200 million has been eliminated in funding targeted for Federal child care; child nutrition programs have been reduced 30 percent; a program to provide staffing for day care centers has been dropped and the list goes on.

Because of these cutbacks, low-income families earning $10,000 or less must now pay 30 percent of their earnings for child care if they can find it. And for middle-income families, the picture is not much better. The child care tax credit, for example, only reimburses families $9 a day for child care. It is virtually impossible to find day care for that amount.

On a more positive note, Congress in the 99th session, enacted several day care provisions.

These include: Expanded child care opportunities for low-income college students seeking to complete their education. (This was authorized at $10 million, but no funding yet); new programs to provide temporary child care for handicapped and chronically ill children, and lastly, established crisis nurseries for children at high risk of abuse or neglect.

In addition, according to the House Select Committee on Children, Youth and Families, Congress created a special scholarship fund to assist child care providers seeking professional certification, and enacted grants to higher education institutions to prepare students for careers in preschool and early childhood education.

Child care policy in the United States can best be described as "laissez-faire." There is no comprehensive national policy governing the provision of child care services in the United States. Federal funding is fragmented among a hodgepodge of programs. [The four largest Federal day care programs which provide support for child care services are: Social Services Block Grant, under title XX of the Social Security Act, the Head Start Program, the Child Care Food Program and the Child Care Tax Credit under the Internal Revenue Code.] In most cases, day care is only one component of a program that also provides funding for other services.

It has been my belief that we need a coordinated system of safe, affordable, and accessible child care. We, in the Congress, must assume the responsibility of taking the necessary steps to protect our children. Coordination and an accurate assessment of our needs is crucial if we are to move into action.

I have risen to accept this challenge by introducing H.R. 95, the Child and Family Development Act. My bill directs the Secretary of Health and Human Services to evaluate the Nation's child care needs, and to develop a comprehensive program to address that need. It also provides additional Federal funds to develop new child care facilities and to renovate existing ones. Lastly, it would establish training programs for child care personnel, provide technical assistance to States to enable them to upgrade their licensing requirements and coordinate State day care activities.

□ 2000

The facts clearly show that children and families have a tremendous need for decent and affordable day care. I thank my colleagues for joining me today and I encourage all Members to cosponsor H.R. 95, a comprehensive approach to the needs of children and families.

Among those colleagues that I wish to thank are Mrs. MORELLA, Mr. DYMALLY, Mr. GRAY, Mr. TOWNS, Mrs. BOGGS, Mrs. KENNELLY, Ms. OAKAR, Mr. MFUME, Mr. DIXON, Mr. RANGEL, and Mrs. SCHROEDER for joining me today.

Mrs. MORELLA. Mr. Speaker, I would first like to thank the gentlelady from Illinois for scheduling this special order on child care. I believe the need for affordable and accessible day care is one of the key issues of this decade.

As two-wage-earner families and single heads of households make up a greater and greater percentage of the work force, the demand for day care services will continue to expand. As a Representative from Montgomery County, MD, I represent a district in which 61 percent of the work force are women. It is estimated that out of 78,000 children under 10, there are 43,000 who have need of day care. Yet, as of August 1986, Montgomery County had only 19,000 registered and licensed child care spaces. Nearly 10,000 additional requests are made each year—one-half of which are for infants.

Clearly, there is a strong need for greatly expanded child care services in my district, and the national statistics indicate a similar need nationwide. The Federal Government should provide incentives for day care providers, as well as assistance to families who cannot afford day care services.

I have been encouraged by the current debate over welfare; almost every proposal has included day care services for participants who are registered in education and training programs. We must acknowledge the need for day care services and its relationship to the large percentage of single women with children on public assistance. This factor must be an integral part of any welfare reform package.

Further positive action has been taken at different levels of government to provide child care centers. Montgomery County has announced plans for the first county owned modular child care center, the Shady Grove Child Care Center, to be opened at the Shady Grove Life Sciences Center in the Rockville/Gaithersburg area in April. This center will serve 40 children, and the county plans to open 4 more centers this year, with a goal of 17 centers over a 5-year period.

At the Federal level in Montgomery County, a child care center is planned as part of the consolidation of the National Oceanic and Atmospheric Administration in Silver Spring. Child care services should be encouraged at the Federal, State, and local government levels.

As a new member of the executive board of the congressional caucus on women's issues, I am pleased to be involved in the planning for the Economic Equity Act, which will be introduced in the next month. This package of bills to improve economic equity for women will include several day care proposals, and I am hopeful that day care legislation will be a congressional priority during the 100th Congress. I look forward to working with the gentlelady from Illinois and the other Members speaking here today.

Mr. EDWARDS of California. It is time for the Federal Government to enter the modern world and realize that the 1950's are gone. The nuclear family is no longer the norm of the American family.

Look around you. Today most families are composed of two-income families, and one in six American families is headed by a single woman. Women are continuing to enter the labor force at phenomenal rates, and they are doing so because they have to. In today's world it takes two incomes to live the American dream. Two-thirds of the women in the work force are either sole providers or have husbands who earn less than $15,000. There may have been a time when a woman chose not to remain at home with her kids, but today she has no choice.

So what about the children? Speak with the families in your districts and hear what they have to say. They are worried because there are no available slots in the day care centers in their city, and they are worried because they don't know what their kids are doing in the afternoons when school is out and no one is home to watch them. It is a big problem. The children's defense fund estimates that as many as 6 to 7 million children under the age of 13 are probably left to fend for themselves for a large part of their day.

Even if we wanted to we would not be able to return to the days of a single-earner family. The economy is now too dependent upon this larger labor force. We have to reexamine our aged policies and bring them up to date with the 1980's, and child care should be one of the first policies we address.

We cannot even begin to talk about competitiveness when we are not willing to help our own labor force handle all of the stresses and strains modern society has placed on them.

Lately there has also been a lot of talk about workfare, and what we are finding is it is difficult for a single woman to attend to a job and her children.

Only 4 percent of all American families fit the stereotype of the traditional family—wife at home, husband as breadwinner, and a couple of children. They may have no problem with child care, but don't you think it is time to address the needs of the other 96 percent of our Nation's families?

National child care is a policy this country desperately needs. Our children should not be the victims of our changing economy, and we cannot afford to let this happen for the sake of the future of our country. Let's start ad-

dressing the needs of our economy by addressing the needs of our families. We need a national child care policy.

Mr. MARTINEZ. Mr. Speaker, it is common knowledge that our Nation's work force and families are undergoing rapid change. Women, particularly working mothers, are entering the labor force at a rate unsurpassed in our history. Nearly 60 percent of married mothers with children under 5 are now working, compared to only 37 percent in 1970. Almost 6 million families with children were maintained by a single mother in 1984. In addition, it is projected that the growth of single parent as well as duo parent households with absent, working parents will continue far into the next decade.

This is a crucial family issue. As more and more families are forced to join the labor market, even in two-parent households, the need for assistance in maintaining the care and health of the child becomes critical. We know that absence from home can create major strains on working parents, their employers, and their children. This is expressed in the work place in absenteeism, high turnover rates, and a loss of morale and motivation. Forward-thinking companies have recognized this, and have instituted child care programs that have been very successful in reversing these negative trends. Unfortunately, relatively few have followed their lead.

Mr. Speaker, a child care program does not have to be elaborate or expensive in order to be cost beneficial. It may take the form of anything from a simple referral or informational exchange system to an actual onsite daycare center. What is important, whatever the company chooses to do, is that the employer recognizes that its employees benefit from responsible corporate policies, which in turn enhances productivity. Employee and employer both benefit. Morale and productivity increases, and the company's public image is also enhanced.

Mr. Speaker, we here in the Congress have a similar opportunity. We can show the American family that we are indeed aware of their evergrowing need for quality child care. We can take the lead and develop child care initiatives that will be a positive investment in those who hold the future of our country in their hands—our children. Mr. Speaker, that is what I intend to do, and I urge all of my colleagues to support our efforts.

Mr. TOWNS. Mr. Speaker, we in the Congressional Black Caucus have designated 1987 as the "Year of the Child." I am delighted to participate with my colleagues in this special order recognizing the importance of child care.

Certainly, we all recognize the vital role which child care plays in our society. Not only does it offer a strong educational foundation for thousands of young children, but it also allows parents the opportunity and option of working outside of the home.

With child care providing such an integral service to our communities, it becomes absolutely essential that we in Congress put forth maximum efffort to ensure that the child care which our Nation's children receive is of the highest quality.

I am proud to lend my support to legislation—the Child and Family Development Act—introduced by my colleague, Representative CARDISS COLLINS, which seeks to address this pressing need. With its passage we will be making a statement which says that the future of our children, their positive growth and development, is one of our highest priorities.

Mr. DYMALLY. Mr. Speaker, this is a country that places a high value on hard work. We expect it of ourselves. And we believe every adult should be gainfully employed. During World War II a substantial number of women worked outside their homes. In the 1940's and 1950's the opportunity for a woman to work outside the home was often just that, an opportunity. It was a choice that could be made. But it was still expected within our society that the male would provide the primary income for the family while the female would be the primary care giver within the home.

Our society has changed. Most adults, men and women, have jobs outside the home. It is no longer an opportunity a woman may choose; it is a necessity for the economic well-being of the family. It costs a lot of money to live comfortably in the United States today. The cost of living requires most men and women to work outside the home.

While we place a high value on hard work, we pay much less attention to the sociological stress that has been created by the necessity of having all adults in a family work outside the home. We have not provided for the young children in any organized way. Perhaps we still hold to the belief that the woman of the house should be finding the time to maintain the role of primary care giver. It is a false belief today. We have a society in which the demands of work force us to seek a number of care givers. We are becoming a society without primary care givers. Perhaps it would be more accurate to think of our society as one in which there are care managers, namely parents, but in which the care of the young is distributed among a variety of care providers.

There is a serious conflict between our outmoded belief in the primary care giver and the reality of our daily work lives. It is a conflict that will adversely alter our society if it is not dealt with intelligently. It will alter society because we will raise cohorts of children who have been inadequately cared for. We know that many who do not receive proper care never learn to give proper care. In the long term our failure to meet the challenge of making quality child care generally available and generally accessible will be the dissolution of the very thing that is the essence of the family: care.

Our Federal Government exists for the benefit of the people. When a national problem arises that has the potential to undermine as fundamental an element of the society as care, the Federal Government bears some responsibility in resolving the problem. Quite properly the Federal Government has resisted pressure to dictate decisions that should be made by the adult member or members of a family. Some would see the laying out of a Federal child care policy as such an unwarranted intrusion. There was a time when it would have been an uwarranted intrusion. But the circumstances of daily life in this country have changed to such an extent that not to establish a national policy in this area is improper. The families of our country need some help. And I think they have spoken clearly in this respect.

Our esteemed colleague CARDISS COLLINS has provided a blueprint by which we might begin to construct a national child care policy. I think that blueprint, H.R. 95, strikes the delicate balance between the rights of the family and the responsibility of the Government. Under the Collins bill, parents retain their decisionmaking role with respect to child care. The role of the Government will be to provide options. Significantly, Congresswoman COLLINS has recognized that the families with the fewest options now are those whose income is just above the cutoff level for Head Start eligibility. These families cannot afford the cost of private day care and cannot meet the requirements to obtain publicly financed day care.

Wisely, Congresswoman COLLINS does not try to lay out the details of the needed policy. Rather, she defines those boundaries within which a national child care policy must be housed. Her bill allows qualified analysts at the Department of Health and Human Services a finite amount of time to assess the details of the problem and to suggest policies which will address those problems. I think the Congresswoman has done the country a great service by showing the way toward solution to a problem that cries out for a solution. Her work deserves a thorough hearing, and it deserves to be passed into law. I commend her for her leadership and pledge my support to this timely legislation.

Mr. DIXON. Mr. Speaker, I commend my colleague, Representative COLLINS, for her dedication to resolving the critical problem of child care. The issue that she speaks to is urgent. Fifty-five million women, more than ever before, are part of the American workforce. Of these, 60 percent have minor children. Half of all mothers return to work within a year of the birth of their child. Perhaps 8 million children under the age of 13 go without supervision at home every working day.

Despite gains made in recent years, child care is still unaffordable or simply unavailable for many. There are about 3,000 child care providers in this country, and 23 million children in need of such care. With the cost of child care ranging from $1,500 to $10,000 per year, many parents simply go without. For single women who head households, the situation is nearly impossible; with a median annual income of $13,660 even the least expensive forms of child care are often out of reach. With so much need still going unmet despite the efforts of parents, State governments, and the private sector, clearly the time has come to focus Federal attention and resources on the problem in a comprehensive, coherent fashion.

Accordingly, I am very pleased to be a cosponsor of the Family and Child Development Act, Representative COLLINS, farsighted bill to increase the access of low- and middle-income parents to quality child care. It would provide an accurate assessment of the child care shortage in this country by requiring the Secretary of Health and Human Services to study child care needs. It would assure that resources are deployed in an efficient manner by requiring the Secretary to coordinate Fed-

eral child care policy. It would provide incentives, like low-cost loans and grants, for the construction of new day care centers and the renovation of existing ones. It would enhance the ability of the neediest families to afford child care by targeting benefits according to family size and income. By addressing this range of problems—assessment, coordination, availability and affordability—I believe this bill provides a sound approach to a critical problem.

I encourage my colleagues to likewise lend their support to this piece of legislation. At a time when Congress is devoting great attention to problems of welfare reform and employability, it is incumbent upon us to address all aspects of these issues. A 1982 Census Bureau study concluded that nearly half of nonworking single mothers would work if affordable child care was available. By approaching these issues in a comprehensive and insightful manner, we will address them more effectively. Representative COLLINS' bill is just such an insightful piece of legislation.

GENERAL LEAVE

Mrs. COLLINS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on this particular special order.

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

There was no objection.

THE REPRESSION OF CASTRO'S CUBA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. SHUMWAY] is recognized for 60 minutes.

Mr. SHUMWAY. Mr. Speaker, less than 90 miles from the coast of Florida lies one of the world's most brutal regimes. The Castro brothers came to power promising "individual rights that will be fully practiced in real life" and "a representative government based on the genuine expression of the general will." For nearly three decades the Cuban people have endured a very different reality.

In the words of Armando Valladares, a Cuban poet who spent 22 years in Castro's prisons,

> Someday, when the whole truth is known in detail, mankind will feel the revulsion it felt when the crimes of Stalin were brought to light.

Every aspect of life in Cuba is strictly controlled by the Communist Party and monitored by block committees known as Committees for the Defense of the Revolution. These committees report any unusual activities such as unauthorized meetings with foreigners or reception of foreign radio broadcasts. Cubans have reportedly been fined for criticizing Castro in their homes. While many churches have been closed, the ones that remain open are closely monitored by the block committees. Persons who maintain religious beliefs are denied educational and employment opportunities.

The overwhelming repression was described by a young novelist who was persecuted for "ideological diversion."

> It would be almost naive to analyze the repression only in terms of the people the system has decided to sentence to prison or shoot. More subtle, more sinister, more immoral, more impossible to verify and more terrible, is the repression of silence, of compulsion, of threats, of daily extortions, the unceasing official menace, the fear unleashed through the perfect mechanisms that make of man not only a repressed person, but also a self-repressed one, not only a censored person, but a self-censored one, not only one watched over, but one who watches over himself, since he knows * * * that the censorship, the vigilance, the repression, are not simple psychological manias or fantasies of persecution, but rather sinister apparatuses, ready to silently strike us without the free world * * * even managing to know for certain what happened to us.

The Cuban Government maintains a vast network of prisons and concentration camps to enforce the dictates of the Communist Party through arbitrary arrests, torture, and secret executions. Cuba has the highest number of political prisoners, per capita, in the world. Persons are often arrested without warrants, held incommunicado for long periods of time without judicial hearings and without notification of their families.

Since 1977, as a result of legislation passed by the Congress, the State Department has prepared an annual report on human rights practices in countries around the world. In summarizing the situation in Cuba, the 1986 report states that:

> Repression of basic rights today is so pervasive that Cuba holds the dubious distinction of being the Western Hemisphere's most serious violator of human rights and fundamental freedoms.

I would like to share with you some of the highlights of this report which is a sad tribute to the inhumanities of the Cuban Government.

RESPECT FOR THE INTEGRITY OF THE PERSON

The first section of this report focuses on respect for the integrity of the person. It discusses political killing, disappearance, torture, arbitrary arrest, denial of a fair public trial, and arbitrary interference with privacy and the family.

POLITICAL KILLING

Since the Castro regime came to power in 1959, it has frequently resorted to summary execution of its opponents. In 1986, secret executions remained an instrument of policy with the victims being denied any semblance of due process in terms of a trial with minimum guarantees of fairness and justice.

In 1983, 200 farmers refused to sell their crops to the Government below cost. The farmers who protested by burning some of their crops in front of a Government warehouse were arrested. Eleven were executed.

Last August, Antonio Frias Sosa, a 17-year-old student reportedly working with the Cuban Committee on Human Rights, was arrested for having a copy of the Universal Declaration of Human Rights. According to police, he committed suicide a few hours after his arrest.

At the end of 1986, nine persons imprisoned in Combinado del Este prison for religious activities were reportedly awaiting execution.

Disappearance

While there are no clear reports of disappearances, persons arrested for political offenses are often held incommunicado for long periods of time without notification of their families. In fact, friends and relatives risk retribution for merely inquiring about their fate.

Torture

Long-term prisoners released in 1986 confirmed previous reports of the inhuman conditions in Cuban jails, including: torture by prison medical staff and others; beatings by prison officials; inadequate diet; withholding medical care, fresh air, and exercise; denying family visits and mail for years; solitary confinement; physical injury caused by electronic noise machines; and medical experiments on unsuspecting prisoners.

In his book, "Against All Hope," Armando Valladares gives a detailed account based on 22 years of personal experience of the particularly brutal treatment which is reserved for the plantodas, which means steadfast or rooted. This term, which has become a badge of honor in Cuba, refers to those political prisoners who refuse to wear the uniform of the common criminal or to submit to political rehabilitation. Some of the plantados have spent years in solitary confinement and been subjected to the most degrading torture and inhumane treatment.

Arbitrary arrest, detention, or exile

Under article 61 of the Cuban Constitution, the state security forces can secretly arrest without a warrant any person considered to be harmful to the "decision of the Cuban people to build socialism and communism." These persons can be held incommunicado for long periods of time without judicial hearings. Even if a hearing is held, they are not always allowed to have the assistance of a lawyer. Persons arrested for practicing certain religious or criticizing the Government can be charged with counterrevolutionary activities. There is no bail for those who are charged with state security crimes.

Political prisoners are routinely held beyond the term of their lengthy sentence without any new charges or judicial process. Their freedom depends on

a personal decision of Fidel Castro who often waits to release them to obtain favor with visiting foreigners. Pastor Macuran Gonzalez was released in 1986 after serving 28 years in prison, though he was sentenced to only 10 years.

Even when they are released, former political prisoners are often subject to constant surveillance and official harassment, including the denial of ration cards, identification documents, and employment. When Ricardo Bofill Pages, president of the Cuban Committee for Human Rights, was released from his second prison term in 1985 he was placed under virtual house arrest, denied the means of earning a living, and denied permission to join his wife and son in the United States.

Denial of fair public trial

In Cuba there is no right to habeas corpus or a judicial determination of the legality of detention. In civil cases the Government exercises effective control over the five-person panel which decides these cases through the presence of two workers' representatives who ensure that the interests of the revolution are protected. Persons charged with counterrevolutionary crimes are often tried and sentenced by secret military tribunals.

Defendants are entitled to legal representation, at least in theory. However, lawyers who are too energetic in the defense of political defendants may find themselves facing lengthy prison terms. In 1983, the Government sought the death penalty for five workers who talked to their colleagues about the need for an independent union. When the first judge sentenced them to imprisonment, Castro demanded a second trial which resulted in death sentences. The first judge and four of the defense lawyers were imprisoned and sentenced to death. Three other lawyers involved in the case received 30-year sentences. As a result of international outcry, all of the death sentences were commuted to lengthy prison terms.

In the words of Dr. Bofill, who was imprisoned for his activities as president of the Cuban Committee for Human Rights:

> Over the past 25 years there have been massive and systematic executions after illegal trials presided over by special tribunals that provide no legal guarantees. * * * The country has been under a virtual state of Martial Law since 1959; Anyone can be arrested without a legal trial or hearing, accused of * * * any * * * charge fabricated by the Cuban Security Police, without evidence of any kind, or solely on the basis of known "confessions" obtained by violent means, and then condemned to death by firing squad.

Arbitrary interference with privacy and family

As I mentioned earlier, block committees are expected to report any unusual activities, including conspicuous consumption or criticism of the Government. There is no privacy in Cuba where homes are routinely searched without a warrant, telephones are tapped and mail is opened.

There is a conscious effort to drive a wedge between parents and their children who are taught that the state's interests have priority over family ties. Children are required to volunteer 75 days a year in remote work camps. Children, even as young as 11 years old, are subjected to prison-like discipline and harsh conditions of forced labor, often working as much as 16 hours a day, 6 days a week. The Government takes advantage of this opportunity to engage in intensive party indoctrination.

RESPECT FOR CIVIL LIBERTIES

The report then turns to civil liberties, including freedom of speech and press, freedom of association, freedom of religion, and freedom of movement.

Freedom of speech and press

It should come as no surprise that a Communist regime such as Cuba controls the media which can only publish or broadcast the party line. The Government jams all foreign radio and television broadcasts, including Voice of America's Cuba Service known as Radio Marti.

Freedom of association

Which membership in the Communist Party is a prerequisite to higher education and many job opportunities, the right of association does not extend beyond the Government-sponsored associations. The Government controls all associations and meetings are monitored by the block committees.

Cuba's repression of freedom of association is clearly demonstrated in the reported arrest, disappearance or death of all of the members of the Committee for Human Rights in Cuba, with the exception of its president Dr. Ricardo Bofill Pages who sought refuge in the French Embassy in Havana where he remains today.

Freedom of religion

Many churches have been closed and some desecrated. Those that remain open are monitored by the block committees. Persons who practice their religion in Cuba are subject to various forms of discrimination, including denial of educational and employment opportunities. Parents who share their religious beliefs with their children can be arrested for the crime of ideological deviationism.

It is illegal to celebrate Christmas, and Holy Week has been replaced by a celebration of the failure of the Bay of Pigs invasion. The Government refuses to recognize the Jehovah's Witnesses Church or to respect the beliefs of the Seventh Day Adventists who object to compulsory work on Saturday. The Jewish community is without a permanent rabbi. The overwhelming discrimination against all religions is reflected in the fact that most persons who practice a religious faith are over 50 years of age.

Freedom of movement

The State Department estimates that there are probably several thousand Cubans in prison for attempting to leave the country, which is a political crime in Cuba. Persons who ask to emigrate risk losing their jobs, homes, and ration books. Their children may be refused further education. Those who are granted permission to leave are often required to pay exorbitant fees for travel documents and thousands of dollars to reimburse the Government for eductional expenses.

The inhumanities of the Castro regime are no secret. It has driven 15 percent of the Cuban population into exile, with 1 million persons seeking refuge in the United States. Yet the international community has been silent. In the words of our U.N. Ambassador Vernan Walters: "For nearly 3 decades, this regime has abused the Cuban people with impunity without even a cursory investigation by the United Nations." It is this silence which allows the atrocities to continue.

Next week the U.N. Human Rights Commission will have an opportunity to vote on a resolution introduced by the United States which calls for an investigation of human rights in Cuba. I am pleased to join with over 40 of my colleagues in introducing a resolution which condemns Castro's tragic record and calls upon the United Nations to place Cuba among the highest priorities of its human rights agenda. I hope you will join me in breaking the silence and sending a message of hope to 15,000 political prisoners who languish in Cuban prisons.

Mr. BADHAM. Mr. Speaker, nowhere in the Western Hemisphere is there a more cruel, repressive and systematic abuser of human rights than in Cuba. Basic rights and freedoms which we in America take for granted—freedom of speech, freedom of religion, and freedom of movement—are denied to the Cuban people. Short-term detention or indefinite incarceration in the notorious prisons and concentration camps of Cuba await those who courageously risk both their own and their families lives to fight for individual freedoms.

These brave Cubans are subject to untold hardships while under detention. Forced labor is common in the Cuban prison system. In fact, a senior official in the Cuban prison system once stated, "prisoners are a primary workforce." In addition, the prisons are also the home for many Cuban children, whose formative years are a mixture of backbreaking labor, poor food, inadequate medical attention, and widespread sexual abuse by common criminals. Systematic torture is still rampant in Cuban camps, and many recently released prisoners have testified that torture practices closely resemble those of Nazi concentration camps.

The plight of Cuba's approximately 15,000 political prisoners is particularly repugnant. In his book, Against All Hope, Armando Valladares chronicles his 22 years in this horrific environment. Political prisoners who refuse indoctrination and brainwashing under the guise of political rehabilitation are often kept naked in sealed cells and are refused medical care, even after prolonged beatings and other tortures. The hopelessness of this situation for the prisoners is exacerbated by knowledge that he or she may be subject to summary execution at any time. Worse yet, the living hell endured by these valiant people is usually indefinite in length, and, in truth, can only be ended by a personal decision by Castro. The fitting choice of a title for Mr. Valledares book is clear when these deplorable conditions are examined.

We cannot, and must not let these atrocities go unnoticed. More important, we cannot, and indeed, must not let these noble aspirations, sacrifices, and sufferings for the cause of freedom be forgotten. As Thomas Paine once said, "He that would make his own liberty secure must guard even his enemy from oppression; for if he violates this duty, he establishes a principle that will reach himself." I urge you to join with Congressman SHUMWAY and me and fulfull our responsibility to make these egregious violations of freedom and liberty known.

Mr. HUNTER. Mr. Speaker, I would like to commend my good friend from California, Mr. SHUMWAY, for the introduction of this most important concurrent resolution. It is tragic that the promises of freedom made to the Cuban people in 1959 were pushed aside in favor of a severely repressive, Communist state.

In its early years, the Cuban revolution had an eager audience in this country and elsewhere in the West. Intellectuals viewed it as a model for the future of Latin America. It is interesting to see how few would make such a recommendation today.

Castro chose communism as the solution to Cuba's economic woes. Cuba, which was one of the wealthiest and best-fed nations in Latin America, found itself dependent on Moscow to keep itself afloat.

Religion has been all but extinguished by the Cuban regime. The Catholic Church, the chosen faith of a large majority of Cubans before 1959, finds itself with fewer priests and smaller congregations. Cubans know that regular attendance at mass could cost them their jobs, social status, or their children's future.

Cuba's Jewish community, once one of the most vibrant in the hemisphere, has been bludgeoned into exile and silence. The number of Jews in Cuba has dwindled, as many have fled to other countries where they can worship in peace. Special attention has been given to smaller sects and Protestant groups. In short, Castro has followed the Moscow line, by keeping religious life in Cuba at an absolute minimum.

There are no political freedoms in Castro's Cuba. Cuba is unquestionably a dictatorship, with no checks and no balances. A brutal secret police insures conformity and order. For those who dare to challenge the status quo, Castro has built his people prisons. Armando Valladares has written eloquently of his tragic imprisonment in Castro's gulags. Against all international standards, political prisoners are detained in deplorable conditions, with torture being an accepted policy.

Mr. Speaker, our country has been immeasurably enriched by the hundreds of thousands of Cubans who have fled their homeland and become Americans. Many of them, however, have friends and relatives left behind. We share their yearning for a Cuba which is free.

Until that day, we must use all leverage to insure that Cuba's Government respects the rights and human dignity of Cuba's people. The resolution introduced by Mr. SHUMWAY is an important step in this direction. I commend him and urge my colleagues to support this measure.

SUBMISSION OF RULES OF THE COMMITTEE ON SMALL BUSINESS OF THE HOUSE OF REPRESENTATIVES FOR THE 100TH CONGRESS

(Mr. LAFALCE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. LAFALCE. Mr. Speaker, as chairman of the Committee on Small Business, pursuant to rule XI of the Rules of the U.S. House of Representatives, I submit the Rules of the Committee on Small Business for printing in the CONGRESSIONAL RECORD. The rules were approved in committee last week.

RULES OF PROCEDURE OF THE COMMITTEE ON SMALL BUSINESS, HOUSE OF REPRESENTATIVES, 100TH CONGRESS

1. GENERAL PROVISIONS

The Rules of the House, and in particular the committee rules enumerated in clause 2 of rule XI, are the rules of the Committee on Small Business to the extent applicable and by this reference are incorporated, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are nondebatable motions of high privilege in committees and subcommittees. Each subcommittee of the Committee on Small Business (hereinafter referred to as the "committee") is a part of the committee and is subject to the authority and direction of the committee, and to its rules to the extent applicable.

2. REFERRAL OF BILLS BY CHAIRMAN

Unless retained for consideration by the full committee, all legislation and other matters referred to the committee shall be referred by the chairman to the subcommittee of appropriate jurisdiction within 2 weeks. Where the subject matter of the referral involves the jurisdiction of more than one subcommittee or does not fall within any previously assigned jurisdictions, the chairman shall refer the matter as he may deem advisable. Bills, resolutions, and other matters referred to subcommittees may be reassigned by the chairman when, in his judgment, the subcommittee is not able to complete its work or cannot reach agreement thereon.

3. DATE OF MEETING

The regular meeting date of the Committee on Small Business shall be the first Tuesday of every month when the House is in session. Additional meetings may be called by the chairman as he may deem necessary or at the request of a majority of the members of the committee in accordance with clause 2(c) of rule XI of the House of Representatives.

At least three days notice of such additional meetings shall be given unless the chairman determines that there is good cause to call the meeting on less notice.

The determination of the business to be considered at each meeting shall be made by the chairman subject to clause 2(c) of rule XI of the House of Representatives.

A regularly scheduled meeting need not be held if there is no business to be considered or, upon at least three days notice, it may be set for a different date.

4. ANNOUNCEMENT OF HEARINGS

Unless the chairman, or the committee by majority vote, determines that there is good cause to begin a hearing at an earlier date, public announcement shall be made of the date, place, and subject matter of any hearing to be conducted by the committee at least one week before the commencement of that hearing.

5. MEETINGS AND HEARINGS OPEN TO THE PUBLIC

(A) Meetings

Each meeting for the transaction of business, including the markup of legislation, of the committee or its subcommittees, shall be open to the public except when the committee or subcommittee, in open session and with a majority present, determines by rollcall vote that all or part of the remainder of the meeting on that day shall be closed to the public: *Provided, however,* That no person other than members of the committee, and such congressional staff and such departmental representatives as they may authorize, shall be present in any business or markup session which has been closed to the public.

This provision does not apply to any meeting that relates solely to internal budget or personnel matters.

(B) Hearings

Each hearing conducted by the committee or its subcommittees shall be open to the public except when the committee or subcommittee, in open session and with a majority present, determines by rollcall vote that all or part of the remainder of that hearing on that day shall be closed to the public because disclosure of testimony, evidence, or other matters to be considered would endanger the national security or would violate any law or rule of the House of Representatives: *Provided, however,* That the committee or subcommittee may by the same procedure vote to close one subsequent day of hearings.

No member may be excluded from nonparticipatory attendance at any hearing of the committee or subcommittee, unless the House of Representatives shall by majority vote authorize the committee or subcommittee, for purposes of a particular series of hearings on a particular article of legislation or on a particular subject of investigation, to close its hearings to members by the same procedures designated for closing hearings to the public.

6. WITNESSES

(A) Interrogation of witness

The right to interrogate witnesses before the committee of any of its subcommittees shall alternate between the majority members and the minority members. In recognizing members to question witnesses, the chairman may take into consideration the

ratio of majority and minority party members present and may recognize two majority party members for each minority party member recognized. Each member shall be limited to 5 minutes in the interrogation of witnesses until such time as each member of the committee who so desires has had an opportunity to question the witness.

(B) Statement of witnesses

Each witness shall file with the committee, 48 hours in advance of his appearance, 100 copies of his proposed testimony and shall make a brief oral summary of his views.

7. SUBPENAS

A subpena may be authorized and issued by the chairman of the committee in the conduct of any investigation or series of investigations or activities to require the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers and documents as he deems necessary. The ranking minority member shall be promptly notified of the issuance of such a subpena.

Such a subpena may be authorized and issued by the chairman of a subcommittee with the approval of a majority of the members of the subcommittee and the approval of the chairman of the committee or a majority of the members of the committee.

8. QUORUM

No measure or recommendations shall be reported unless a majority of the committee is actually present; for purposes of taking testimony or receiving evidence, two members shall constitute a quorum; and for all other purposes one-third of the members shall constitute a quorum.

9. AMENDMENTS DURING COMMITTEE MARKUP

Any amendment offered to any pending legislation before the committee must be made available in written form when requested by any member of the committee. If such amendment is not available in written form when requested, the chairman shall allow an appropriate period of time for the provision thereof.

10. PROXIES

A vote by any member of the committee or any of its subcommittees by proxy is permitted, provided that such proxy shall be in writing, and delivered to the clerk of the committee, shall assert that the member so voting by proxy is absent on official business or is otherwise unable to be present at the meeting of the committee or its subcommittee, shall designate the person who is to execute the proxy authorization, and shall be limited to a specific measure or matter and any amendments or motions pertaining thereto; except that a member may authorize a general proxy only for motions to recess, adjourn, or other procedural matters. Each proxy shall be signed by the member assigning his or her vote and shall contain the date and time of day that the proxy is signed. Proxies may not be counted for a quorum.

11. NUMBER AND JURISDICTION OF SUBCOMMITTEES

There will be six subcommittees as follows:

SBA, and the General Economy (nine Democrats and six Republicans).

Exports, Tourism and Special Problems (six Democrats and four Republicans).

Procurement, Innovation and Minority Enterprise Development (nine Democrats and six Republicans).

Energy and Agriculture (five Democrats and three Republicans).

Regulation and Business Opportunities (nine Democrats and six Republicans).

Antitrust, Impact of Deregulation and Privatization (five Democrats and three Republicans).

During the 100th Congress, the chairman and ranking minority member shall be ex officio members of all subcommittees, without vote, and the full committee shall conduct oversight of all areas of the Committee's jurisdiction.

In addition to conducting oversight in the area of their respective jurisdiction, each subcommittee shall have the following jurisdiction:

SBA, and the General Economy

Access to capital.
General economic problems.
Impact of tax policies.
Job creation.
SBA and SBIC authorizations.

Exports, Tourism and Special Problems

Export opportunities.
Foreign business practices.
Travel and tourism.
Regulatory Flexibility Act and Paperwork Reduction Act.
Special problems not elsewhere assigned.

Procurement, Innovation and Minority Enterprise Development

Participation of small business enterprises in Federal procurement and Government contracts.
Programs to promote minority enterprise development.
Promotion of women-owned business.
Research and development generally.
Small Business Innovation Development Act.

Energy and Agriculture

Agriculture generally.
Energy allocations, marketing, etc.
Rural development.

Regulation and Business Opportunities

Responsibility for, and investigative authority over, the regulatory policies of Federal departments and agencies.
General promotion of business opportunities.

Antitrust, Impact of Deregulation and Privatization

Anticompetitive and unfair activities affecting small business.
Antitrust and monopolies.
Impact of deregulation of common carriers and other industries.
Proposals to privatize Federal assistance.
Securities, acquisitions and mergers.

12. POWERS AND DUTIES OF SUBCOMMITTEES

Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the full committee on all matters referred to it. Subcommittee chairman shall set meeting dates after consultation with the chairman of the full committee and other subcommittee chairmen, with a view toward avoiding simultaneous scheduling of committee and subcommittee meetings or hearings wherever possible. Meetings of subcommittees shall not be scheduled to occur simultaneously with meetings of the full committee.

13. SUBCOMMITTEE REPORTS ON INVESTIGATIVE HEARINGS

The report of any subcommittee on a matter which was the topic of a study or investigation shall include a statement concerning the subject of the study or investigation, the findings and conclusions, and recommendations for corrective action, if any, together with such other material as the subcommittee deems appropriate.

Such proposed report shall first be approved by a majority of the subcommittee members. After such approval has been secured, the proposed report shall be sent to each member of the full committee for his supplemental, minority or additional views.

Any such views shall be in writing and signed by the member and filed with the clerk of the committee within 5 calendar days (excluding Saturdays, Sundays, and legal holidays) from the date of the transmittal of the proposed report to the members.

After the expiration of such 5 calendar days, the report may be filed as a House report.

14. COMMITTEE STAFF

The staff of the Committee on Small Business shall be as follows:

(A) The professional and clerical employees of the committee, except those assigned to the minority or to a subcommittee chairman or ranking minority members as provided below, shall be appointed and assigned, and may be removed, by the chairman. Their remuneration shall be fixed by the chairman and they shall be under the general supervision and direction of the chairman.

(B) The professional and clerical staff assigned to the minority shall be appointed and their remuneration determined as the minority members of the committee shall determine; *Provided, however,* That no minority staff person shall be compensated at a rate which exceeds that paid his or her majority staff counterpart. Such staff shall be under the general supervision and direction of the minority members of the committee who may delegate such authority as they deem appropriate.

(C) Each subcommittee chairperson and each ranking minority member on not more than six subcommittees shall have the right to appoint and assign one person to work on subcommittee business at a salary commensurate with the responsibilities prescribed but at a rate not to exceed 75 percent of the maximum established rate for the employees on the professional staff of the committee. Such staff members shall perform services in facilities assigned to the committee and to the extent that they are not occupied during regular working hours with tasks assigned by the subcommittee chairperson or ranking minority member who appointed them, they shall perform other tasks as assigned by the chairman or the staff director.

15. RECORDS

The committee shall keep a complete record of all actions which shall include a record of the votes on any question on which a rollcall vote is demanded. The result of each subcommittee rollcall vote, together with a description of the matter voted upon, shall be promptly made available to the full committee and such votes shall be available for inspection by the public at reasonable times in the offices of the committee.

16. ACCESS TO CLASSIFIED OR SENSITIVE INFORMATION

Access to classified information supplied to the committee and attendance at closed sessions of the committee or its subcommittees shall be limited to members, and to members of the committee staff and stenographic reporters who have appropriate security clearance when the chairman determines that such access or such attendance is

essential to the functioning of the committee.

The procedure to be followed in granting access to those hearings, records, data, charts, and files of the committee which involve classified intelligence information or information deemed by a subcommittee to be sensitive shall be as follows:

(a) Only Members of the House of Representatives may have access to such information.

(b) Members who desire to read materials that are in the possession of the committee should notify the clerk of the committee or the subcommittee possessing the materials.

(c) The clerk will maintain an accurate access log which identifies without revealing the material examined, the staff member involved, and the time of arrival and departure of all members having access to the information.

(d) If the material desired is material which the committee or subcommittee deems to be sensitive enough to require special handling, before receiving access to such information, Members of the House will be required to identify the information they desire to read and sign an access information sheet acknowledging such access and that the Member has read these procedures.

(e) Such material shall not be removed from the room.

(f) A staff representative shall insure that the documents used by the Member are returned to the proper custodian or to original safekeeping as appropriate.

(g) No notes, reproductions or recordings may be made of any portion of such information.

(h) The contents of such information shall not be divulged to any person in any way, form, shape, or manner and shall not be discussed with any person who has not received the information in an authorized manner either under these rules or the laws or rules in effect for officials and employees of the executive branch.

(i) When not being examined in the manner described herein, such information will be kept in secure safes in the committee rooms.

(j) These procedures only address access to information the committee or a subcommittee deems to be sensitive enough to require special treatment.

(k) If a Member believes the material should not be classified or considered restricted as to dissemination or use, the Member may ask the committee or subcommittee to so rule; however, as far as material and information in the custody of the Small Business Committee is concerned, the classification of materials as determined by the executive branch shall prevail unless affirmatively changed by the committee or the subcommittee involved, after consultation with the appropriate executive agencies.

(l) Other materials in the possession of the committee are to be handled in accordance with the normal practices and traditions of the committee and its subcommittees.

17. BROADCASTING OF COMMITTEE HEARINGS AND MEETINGS

Upon approval by the committee or its subcommittees, all committee and subcommittee hearings which are open to the public may be covered, in whole or in part, by television broadcast, radio broadcast, and still photography or by any such methods of coverage.

The chairman of the full committee or the chairmen of the subcommittees are authorized to determine on behalf of the full committee or its subcommittees, respectively, whether hearings which are open may be broadcast, unless the committtee or its subcommittees respectively by majority vote determine otherwise.

Permission for such coverage shall be granted only under the following conditions:

(1) Live coverage by radio or television shall be without commercial sponsorship.

(2) No witness served with a subpena by the committee shall be required against his or her will to be photographed at any hearing or to give evidence or testimony while the broadcasting of that hearing, by radio or television, is being conducted. At the request of any witness who does not wish to be subjected to radio, television, or still photography coverage, all lenses shall be covered and all microphones used for coverage turned off.

(3) Each committee or subcommittee chairman shall determine, in his discretion, the number of television and still cameras to be permitted in the room. The allocation among the television media of the positions of television cameras permited by a committee or subcommittee chairman in the room shall be in accordance with fair and equitable procedures as devised by the Executive Committee of the Radio and Television Correspondents' Galleries.

(4) Television cameras shall be placed so as not to obstruct in any way the space between any witness giving evidence or testimony and any member of the committee or the visibility of that witness and that member to each other.

(5) Television cameras shall operate from fixed positions but shall not be placed in positions which obstruct unnecessarily the coverage of the hearing or meeting by the other media.

(6) Television and radio media equipment shall not be installed in, or removed from, the room while the committee is in session.

(7) Floodlights, spotlights, strobelights, and flashguns shall not be used, except that the television media may install additional lighting in the room, without cost to the Government, in order to raise the ambient lighting level to the lowest level necessary to provide adequate television coverage at the then current state of the art.

(8) In the allocation of the number of still photographers permitted by a committee or subcommittee chairman in a hearing or meeting room, preference shall be given to photographers from Associated Press Photos and United Press International Newspictures. If requests are made by more of the media than will be permitted by a committee or subcommittee chairman for coverage of the hearing or meeting by still photography, that coverage shall be made on the basis of a fair and equitable pool arrangement devised by the Standing Committee of Press Photographers.

(9) Photographers shall not position themselves, at any time during the course of the hearing or meeting, between the witness table and the members of the committee.

(10) Photographers shall not place themselves in positions which obstruct unnecessarily the coverage by the other media.

(11) Television and radio media personnel shall be then currently accredited to the Radio and Television Correspondents' Galleries.

(12) Still photography personnel shall be then currently accredited to the Press Photographers' Gallery.

(13) Personnel providing coverage by the television and radio media and by still photography shall conduct themselves and their coverage activities in an orderly and unobtrusive manner.

18. OTHER PROCEDURES AND REGULATIONS

The chairman of the full committee may establish such other procedures and take such actions as may be necessary to carry out the foregoing rules or to facilitate the effective operation of the committee.

The committee may not be committed to any expense whatever without the prior approval of the chairman of the full committee.

19. AMENDMENTS TO COMMITTEE RULES

The rules of the committee may be modified, amended, or repealed by a majority vote of its members, but only if written notice of the proposed change has been provided to each such member at least 48 hours before the time of the meeting at which the vote on the change occurs.

EXCERPT FROM THE RULES OF THE HOUSE OF REPRESENTATIVES, 100TH CONGRESS

Prepared by Donnald K. Anderson, Clerk of the House of Representatives

RULE XI

RULES OF PROCEDURE FOR COMMITTEES

In General

1. (a)(1) The Rules of the House are the rules of its committees and subcommittees so far as applicable, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are nondebatable motions of high privilege in committees and subcommittees.

(2) Each subcommittee of a committee is a part of that committee, and is subject to the authority and direction of that committee and to its rules so far as applicable.

(b) Each committee is authorized at any time to conduct such investigations and studies as it may consider necessary or appropriate in the exercise of its responsibilities under Rule X, and (subject to the adoption of expense resolutions as required by clause 5) to incur expenses (including travel expenses) in connection therewith.

(c) Each committee is authorized to have printed and bound testimony and other data presented at hearings held by the committee. All costs of stenographic services and transcripts in connection with any meeting or hearing of a committee shall be paid from the contingent fund of the House.

(d) Each committee shall submit to the House, not later than January 2 of each odd-numbered year, a report on the activities of that committee under this rule and Rule X during the Congress ending at noon on January 3 of such year.

Committee Rules

Adoption of written rules

2. (a) Each standing committee of the House shall adopt written rules governing its procedure. Such rules—

(1) shall be adopted in a meeting which is open to the public unless the committee, in open session and with a quorum present, determined by rollcall vote that all or part of the meeting on that day is to be closed to the public:

(2) shall be not inconsistent with the Rules of the House or with those provisions of law having the force and effect of Rules of the House: and

(3) shall in any event incorporate all of the succeeding provisions of this clause to the extent applicable.

Each committee's rule specifying its regular meeting days, and any other rules of a committee which are in addition to the provisions of this clause, shall be published in the Congressional Record not later than thirty days after the Congress convenes in each odd-numbered year. Each select or joint committee shall comply with the provisions of this paragraph unless specifically prohibited by law.

Regular meeting days

(b) Each standing committee of the House shall adopt regular meeting days, which shall be not less frequent than monthly, for the conduct of its business. Each such committee shall meet, for the consideration of any bill or resolution pending before the committee or for the transaction of other committee business, on all regular meeting days fixed by the committee, unless otherwise provided by written rule adopted by the committee.

Additional and special meetings

(c)(1) The Chairman of each standing committee may call and convene, as he or she considers necessary, additional meetings of the committee for the consideration of any bill or resolution pending before the committee or for the conduct of other committee business. The committee shall meet for such purpose pursuant to that call of the chairman.

(2) If at least three members of any standing committee desire that a special meeting of the committee be called by the chairman, those members may file in the offices of the committee their written request to the chairman for that special meeting. Such request shall specify the measure or matter to be considered. Immediately upon the filing of the request, the clerk of the committee shall notify the chairman of the filing of the request. If, within three calendar days after the filing of the request, the chairman does not call the requested special meeting, to be held within seven calendar days after the filing of the request, a majority of the members of the committee may file in the offices of the committee their written notice that a special meeting of the committee will be held, specifying the date and hour of, and the measure or matter, to be considered at, that special meeting. The committee shall meet on that date and hour. Immediately upon the filing of the notice, the clerk of the committee shall notify all members of the committee that such special meeting will be held and inform them of its date and hour and the measure or matter to be considered: and only the measure or matter specified in that notice may be considered at that special meeting.

Ranking majority member to preside in absence of chairman

(d) If the chairman of any standing committee is not present at any meeting of the committee, the ranking member of the majority party on the committee who is present shall preside at that meeting.

Committee records

(e)(1) Each committee shall keep a complete record of all committee action which shall include a record of the votes on any question on which a rollcall vote is demanded. The result of each such rollcall vote shall be made available by the committee for inspection by the public at reasonable times in the offices of the committee. Information so available for public inspection shall include a description of the amendment, motion, order, or other proposition and the name of each Member voting for and each Member voting against such amendment, motion, order, or proposition, and whether by proxy or in person, and the names of those Members present but not voting.

(2) All committee hearings, records data, charts, and files shall be kept separate and distinct from the congressional office records of the Member serving as chairman of the committee; and such records shall be the property of the House and all Members of the House shall have access thereto, except that in the case of records in the Committee on Standards of Official Conduct respecting the conduct of any Member officer, or employee of the House, no Member of the House (other than a member of such committee) shall have access thereto without the specific, prior approval of the committee.

Proxies

(f) No vote by any member of any committee or subcommittee with respect to any measure or matter may be cast by proxy unless such committee, by written rule adopted by the committee, permits voting by proxy and requires that the proxy authorization shall be in writing, shall assert that the member is absent on official business or is otherwise unable to be present at the meeting of the committee, shall designate the person who is to execute the proxy authorization, and shall be limited to a specific measure or matter and any amendments or motions pertaining thereto; except that a member may authorize a general proxy only for motions to recess, adjourn or other procedural matters. Each proxy to be effective shall be signed by the member assigning his or her vote and shall contain the date and time of day that the proxy is signed. Proxies may not be counted for a quorum.

Open meetings and hearings

(g)(1) Each meeting for the transaction of business, including the markup of legislation, of each standing committee or subcommittee thereof shall be open to the public except when the committee or subcommittee, in open session and with a majority present, determines by rollcall vote that all or part of the remainder of the meeting on that day shall be closed to the public: *Provided, however,* That no person other than members of the committee and such congressional staff and such departmental representatives as they may authorize shall be present at any business or markup session which has been closed to the public. This paragraph does not apply to open committee hearings which are provided for by clause 4(a)(1) of Rule X or by subparagraph (2) of this paragraph, or to any meeting that relates solely to internal budget or personnel matters.

(2) Each hearing conducted by each committee or subcommittee thereof shall be open to the public except when the committee or subcommittee, in open session and with a majority present, determines by rollcall vote that all or part of the remainder of that hearing on that day shall be closed to the public because disclosure of testimony, evidence, or other matters to be considered would endanger the national security or would violate any law or rule of the House of Representatives. Notwithstanding the requirements of the preceding sentence, a majority of those present, there being in attendance the requisite number required under the rules of the committee to be present for the purpose of taking testimony,

(A) may vote to close the hearing for the sole purpose of discussing whether testimony or evidence to be received would endanger the national security or violate clause 2(k)(5) of Rule XI; or

(B) may vote to close the hearing, as provided in clause 2(k)(5) of Rule XI. No Member may be excluded from nonparticipatory attendance at any hearing of any committee or subcommittee, with the exception of the Committee on Standards of Official Conduct, unless the House of Representatives shall be majority vote authorize a particular committee or subcommittee, for purposes of a particular series of hearings on a particular article of legislation or on a particular subject of investigation, to close its hearings to Members by the same procedures designated in this subparagraph for closing hearings to the public: *Provided, however,* That the committee or subcommittee may be the same procedure vote to close one subsequent day of hearing except that the Committee on Appropriations, the Committee on Armed Services, and the Permanent Select Committee on Intelligence and the subcommittees therein may, by the same procedure, vote to close up to five additional consecutive days of hearings.

(3) Each committee of the House (except the Committee on Rules) shall make public announcement of the date, place and subject matter of any committee hearing at least one week before the commencement of the hearing. If the committee determines that there is good cause to begin the hearing sooner, it shall make the announcement at the earliest possible date. Any announcement made under this subparagraph shall be promptly published in the Daily Digest and promptly entered into the committee scheduling service of the House Information Systems.

(4) Each committee shall, insofar as is practicable, require each witness who is to appear before it to file with the committee (in advance of his or her appearance) a written statement of the proposed testimony and to limit the oral presentation at such appearance to a brief summary of his or her argument.

(5) No point of order shall lie with respect to any measure reported by any committee on the ground that hearings on such measure were not conducted in accordance with the provisions of this clause; except that a point of order on that ground may be made by any member of the committee which reported the measure if, in the committee, such point of order was (A) timely made and (B) improperly overruled or not properly considered.

(6) The preceding provisions of this paragraph do not apply to the committee hearings which are provided for by clause 4(a)(1) of Rule X.

Quorum for taking testimony and certain other action

(h)(1) Each committee may fix the number of its members to constitute a quorum for taking testimony and receiving evidence which shall be not less than two.

(2) Each committee (except the Committee on Appropriations, the Committee on the Budget, and the Committee on Ways and Means) may fix the number of its members to constitute a quorum for taking any action other than the reporting of a measure or recommendations which shall be not less than one-third of the members.

Prohibition against committee meetings during five-minute rule

(i) No committee of the House (except the Committee on Appropriations, the Committee on the Budget, the Committee on Rules,

the Committee on Standards of Official Conduct, and the Committee on Ways and Means) may sit, without, special leave, while the House is reading a measure for amendment under the five-minute rule. For purposes of this paragraph special leave will be granted unless 10 or more Members object.

Calling and interrogation of witnesses

(j)(1) Whenever any hearing is conducted by any committee upon any measure or matter, the minority party members on the committee shall be entitled, upon request to the chairman by a majority of them before the completion of the hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least one day of hearing thereon.

(2) Each committee shall apply the five-minute rule in the interrogation of witnesses in any hearing until such time as each member of the committee who so desires has had an opportunity to question each witness.

Investigative hearing procedures

(k)(1) The chairman at an investigative hearing shall announce in an opening statement the subject of the investigation.

(2) A copy of the committee rules and this clause shall be made available to each witness.

(3) Witnesses at investigative hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

(4) The chairman may punish breaches of order and decorum, and of professional ethics on the part of counsel, by censure and exclusion from the hearings; and the committee may cite the offender to the House for contempt.

(5) Whenever it is asserted that the evidence or testimony at an investigatory hearing may tend to defame, degrade, or incriminate any person,

(A) such testimony or evidence shall be presented in executive session, notwithstanding the provisions of clause 2(g)(2) of this Rule, if by a majority of those present, there being in attendance the requisite number required under the rules of the committee to be present for the purpose of taking testimony, the committee determines that such evidence or testimony may tend to defame, degrade, or incriminate any person; and

(B) the committee shall proceed to receive such testimony in open session only if a majority of the members of the committee, a majority being present, determine that such evidence or testimony will not tend to defame, degrade, or incriminate any person.

In either case the committee shall afford such person an opportunity voluntarily to appear as a witness, and receive and dispose of requests from such person to subpoena additional witnesses.

(6) Except as provided in subparagraph (5), the chairman shall receive and the committe shall dispose of requests to subpoena additional witnesses.

(7) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the committee.

(8) In the discretion of the committee, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The committee is the sole judge of the pertinency of testimony and evidence adduced at its hearing.

(9) A witness may obtain a transcript copy of his testimony given at a public session or, if given at an executive session, when authorized by the committee.

Committee procedures for reporting bills and resolutions

(l)(1)(A) It shall be the duty of the chairman of each committee to report or cause to be reported promptly to the House any measure approved by the committee and to take or cause to be taken necesary steps to bring a matter to a vote.

(B) In any event, the report of any committee on a measure which has been approved by the committee shall be filed within seven calendar days (exclusive of days on which the House is not in session) after the day on which there has been filed with the clerk of the committee a written request, signed by a majority of the members of the committee, for the reporting of that measure. Upon the filing of any such request, the clerk of the committee shall transmit immediately to the chairman of the committee notice of the filing of that request. This subdivision does not apply to the reporting of a regular appropriation bill by the Committee on Appropriations prior to compliance with subdivision (C) and does not apply to a report of the Committee on Rules with respect to the rules, joint rules, or order of business of the House or to the reporting of a resolution of inquiry addressed to the head of an executive department.

(2)(A) No measure or recommendation shall be reported from any committee unless a majority of the committee was actually present.

(B) With respect to each rollcall vote on a motion to report any bill or resolution of a public character, the total number of votes cast for, and the total number of votes cast against, the reporting of such bill or resolution shall be included in the committee report.

(3) The report of any committee on a measure which has been approved by the committee (A) shall include the oversight findings and recommendations required pursuant to clause 2(b)(1) of Rule X separately set out and clearly identified; (B) the statement required by section 308(a)(1) of the Congressional Budget Act of 1974, separately set out and clearly identified, if the measure provides new budget authority (other than continuing appropriations), new spending authority described in section 401(c)(2) of such Act, new credit authority, or an increase or decrease in revenues or tax expenditures; (C) the estimate and comparison prepared by the Director of the Congressional Budget Office under section 403 of such Act, separately set out and clearly identified, whenever the Director (if timely submitted prior to the filing of the report) has submitted with such estimate and comparison to the committee; and (D) a summary of the oversight findings and recommendations made by the Committee on Government Operations under clause 4(c)(2) of Rule X separately set out and clearly identified whenever such findings and recommendations have been submitted to the legislative committee in a timely fashion to allow an opportunity to consider such findings and recommendations during the committee's deliberations on the measure.

(4) Each report of a committee on each bill or joint resolution of a public character reported by such committee shall contain a detailed analytical statement as to whether the enactment of such bill or joint resolution into law may have an inflationary impact on prices and costs in the operation of the national economy.

(5) If, at the time of approval of any measure or matter by any committee, other than the Committee on Rules, any member of the committee gives notice of intention to file supplemental, minority, or additional views, that member shall be entitled to not less than three calendar days (excluding Saturdays, Sundays, and legal holidays) in which to file such views, in writing and signed by that member, with the clerk of the committee. All such views so filed by one or more members of the committee shall be included within, and shall be a part of, the report filed by the committee with respect to that measure or matter. The report of the committee upon that measure or matter shall be printed in a single volume which—

(A) shall include all supplemental, minority, or additional views which have been submitted by the time of the filing of the report, and

(B) shall bear upon its cover a recital that any such supplemental, minority, or additional views (and any material submitted under subdivisions (C) and (D) of subparagraph (3)) are included as part of the report.

This subparagraph does not preclude—

(i) the immediate filing or printing of a committee print unless timely request for the opportunity to file supplemental, minority, or additional views has been made as provided by this subparagraph; or

(ii) the filing by any such committee of any supplemental report upon any measure or matter which may be required for the correction of any technical error in a previous report made by that committee upon that measure or matter.

(6) A measure or matter reported by any committee (except the Committee on Rules in the case of a resolution making in order the consideration of a bill, resolution, or other order of business), shall not be considered in the House until the third calendar day (or the tenth calendar day in the case of a concurrent redolution on the budget), excluding Saturdays, Sundays, and legal holidays, on which the report of that committee upon that measure or matter has been available to the Members of the House. Nor shall it be in order to consider any measure or matter reported by any committee (except the Committee on Rules in the case of a resolution making in order the consideration of a bill, resolution, or other order of business, or any other committee in the case of a privileged resolution), unless copies of such report and the reported measure or matter have been available to the Members for at least three calendar days, excluding Saturday, Sundays, and legal holidays during which the House is not in session before the beginning of such consideration: *Provided, however,* That it shall always be in order to call up for consideration, notwithstanding the provisions of clause 4(b), Rule XI, a report from the Committee on Rules specifically providing for the consideration of a reported measure or matter notwithstanding this restriction. If hearings have been held on any such measure or matter shall make every reasonable effort to have such hearings printed and available for distribution to the Members of the House prior to the consideration of such measure or matter in the House. This subparagraph shall not apply to—

(A) any measure for the declaration of war, or the declaration of a national emergency, by the Congress; or

(B) any decision, determination, or action by a Government agency which would

become or continue to be, effective unless disapproved or otherwise invalidated by one or both Houses of Congress.

For the purposes of the preceding sentence, a Government agency includes any department, agency, establishment, wholly owned Government corporation, or instrumentality of the Federal Government or the government of the District of Columbia.

(7) If, within several calendar days after a measure has, by resolution, been made in order for consideration by the House, no motion has been offered that the House consider that measure, any member of the committee which reported that measure may be recognized in the discretion of the Speaker to offer a motion that the House shall consider that measure, if that committee has duly authorized that member to offer that motion.

Power to sit and act; subpoena power

(m)(1) For the purpose of carrying out any of its functions and duties under this rule and Rule X (including any matters referrred to it under clause 5 of Rule X), any committee, or any subcommittee thereof, is authorized (subject to subparagraph (2)(A) of this paragraph)—

(A) to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, and to hold such hearings, and

(B) to require, by subpoena—or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents.

as it deems necessary. The chairman of the committee, or any member designated by such chairman, may administer oaths to any witness.

(2)(A) A subpoena may be authorized and issued by a committee or subcommittee under subparagraph (1)(B) in the conduct of any investigation or series of investigations or activities, only when authorized by a majority of the members voting, a majority being present. The power to authorize and issue subpoenas under subparagraph (1)(B) may be delegated to the chairman of the committee pursuant to such rules and under such limitations as the committee may prescribe. Authorized subpoenas shall be signed by the chairman of the committee or by any member designated by the committee.

(B) Compliance with any subpoena issued by a committee or subcommittee under subparagraph (1)(B) may be enforced only as authorized or directed by the House.

Use of committee funds for travel

(n)(1) Funds authorized for a committee under clause 5 are for expenses incurred in the committee's activities; however, local currencies owned by the United States shall be made available to the committee and its employees engaged in carrying out their official duties outside the United States, its territories or possessions. No appropriated funds, including those authorized under clause 5, shall be expended for the purpose of defraying expenses of members of the committee or its employees in any country where local currencies are available for this purpose; and the following conditions shall apply with respect to travel outside the United States or its territories or possessions.

(A) No member or employee of the committee shall receive or expend local currencies for subsistence in any country for any day at a rate in excess of the maximum per diem set forth in applicable Federal law, or if the Member or employee is reimbursed for any expenses for such day, then the lesser of the per diem or the actual, unreimbursed expenses (other than for transportation) incurred by the Member or employee during that day.

(B) Each member or employee of the committee shall make to the chairman of the committee an itemized report showing the dates each country was visited, the amount of per diem furnished, the cost of transportation furnished, any funds expended for any other official purpose and shall summarize in these categories the total foreign currencies and/or appropriated funds expended. All such individual reports shall be filed no later than sixty days following the completion of travel with the chairman of the committee for use in complying with reporting requirements in applicable Federal law and shall be open for public inspection.

(2) In carrying out the committee's activities outside of the United States in any country where local currencies are unavailable, a member or employee of the committee may not receive reimbursement for expenses (other than for transportation) in excess of the maximum per diem set forth in applicable Federal law, or if the member or employee is reimbursed for any expenses for such day, then the lesser of the per diem or the actual unreimbursed expenses (other than for transportation) incurred, by the member or employee during any day.

(3) A member or employee of a committee may not receive reimbursement for the cost of any transportation in connnection with travel outside of the United States unless the member or employee has actually paid for the transportation.

(4) The restrictions respecting travel outside of the United States set forth in subparagraphs (2) and (3) shall also apply to travel outside of the United States by Members, officers, and employees of the House authorized under clause 8 of Rule I, clause 1(b) of this rule, or any other provision of these Rules of the House of Representatives.

(5) No local currencies owned by the United States may be made available under this paragraph for the use outside of the United States for defraying the expenses of a member of any committee after—

(A) the date of the general election of Members in which the Member has not been elected to the succeeding Congress; or

(B) in the case of a Member who is not a candidate in such general election, the earlier of the date of such general election or the adjournment sine die of the last regular session of the Congress.

Broadcasting of Committee Hearings

3. (a) It is the purpose of this clause to provide a means, in conformity with acceptable standards of dignity, propriety, and decorum, by which committee hearings, or committee meetings, which are open to the public may be covered, by television broadcast, radio broadcast, and still photography, or by any of such methods of coverage—

(1) for the education, enlightenment, and information of the general public, on the basis of accurate and impartial news coverage, regarding the operations, procedures, and practices of the House as a legislative and representative body and regarding the measures, public issues, and other matters before the House and its committees, the consideration thereof, and the action taken thereon; and

(2) for the development of the perspective and understanding of the general public with respect to the role and function of the House under the Constitution of the United States as an organ of the Federal Government.

(b) In addition, it is the intent of this clause that radio and television tapes and television film of any coverage under this clause shall not be used, or made available for use, as partisan political campaign material to promote or oppose the candidacy of any person for elective public office.

(c) It is, further, the intent of this clause that the general conduct of each meeting (whether of a hearing or otherwise) covered, under authority of this clause, by television broadcast, radio broadcast, and still photography, or by any of such methods of coverage, and the personal behavior of the committee members and staff, other Government officials and personnel, witnesses, television, radio, and press media personnel, and the general public at the hearing or other meeting shall be in strict conformity with and observance of the acceptable standards of dignity, propriety, courtesy, and decorum traditionally observed by the House in its operations and shall not be such as to—

(1) distort the objects and purposes of the hearing or other meeting or the activities of committee members in connection with that hearing or meeting or in connection with the general work of the committee or of the House; or

(2) cast discredit or dishonor on the House, the committee, or any Member or bring the House, the committee, or any Member into disrepute.

(d) The coverage of committee hearings and meetings by television broadcast, radio broadcast, or still photography is a privilege made available by the House and shall be permitted and conducted only in strict conformity with the purposes, provisions, and requirements of this clause.

(e) Whenever any hearing or meeting conducted by any committee of the House is open to the public, that committee may permit, by majority vote of the committee, that hearing or meeting to be covered, in whole or in part, by television broadcast, radio broadcast, and still photography, or by any of such methods of coverage, but only under such written rules as the committee may adopt in accordance with the purposes, provisions, and requirements of this clause: *Provided, however,* Each committee or subcommittee chairman shall determine, in his discretion, the number of television and still cameras permitted in a hearing or meeting room.

(f) The written rules which may be adopted by a committee under paragraph (e) of this clause shall contain provisions to the following effect:

(1) If the television or radio coverage of the hearing or meeting is to be presented to the public as live coverage, that coverage shall be conducted and presented without commercial sponsorship.

(2) No witness served with a subpoena by the committee shall be required against his or her will to be photographed at any hearing or to give evidence or testimony while the broadcasting of that hearing, by radio or television, is being conducted. At the request of any such witness who does not wish to be subjected to radio, television, or still photography coverage, all lenses shall be covered and all microphones used for coverage turned off. This subparagraph is supplementary to clause 2(k)(5) of this rule, relating to the protection of the rights of witnesses.

(3) The allocation among the television media of the positions of the number of tel-

evision cameras permitted by a committee or subcommittee chairman in a hearing or meeting room shall be in accordance with fair and equitable procedures devised by the Executive Committee of the Radio and Television Correspodents' Galleries.

(4) Television cameras shall be placed so as not to obstruct in any way the space between any witness giving evidence or testimony and any member of the committee or the visibility of that witness and that member to each other.

(5) Television cameras shall operate from fixed positions but shall not be placed in positions which obstruct unnecessarily the coverage of the hearing or meeting by the other media.

(6) Equipment necessary for coverage by the television and radio media shall not be installed in, or removed from, the hearing or meeting room while the committee is in session.

(7) Floodlights, spotlights, strobelights, and flashguns shall not be used in providing any method of coverage of the hearing or meeting, except that the television media may install additional lighting in the hearing or meeting room, without cost to the Government, in order to raise the ambient lighting level in the hearing or meeting room to the lowest level necessary to provide adequate television coverage of the hearing or meeting at the then current state of the art of television coverage.

(8) In the allocation of the number of still photographers permitted by a committee or subcommittee chairman in a hearing or meeting room, preference shall be given to photographers from Associated Press Photos and United Press International Newspictures. If requests are made by more of the media than will be permitted by a committee or subcommittee chairman for coverage of the hearing or meeting by still photography, that coverage shall be made on the basis of a fair and equitable pool arrangement devised by the Standing Committee of Press Photographers.

(9) Photographers shall not position themselves, at any time during the course of the hearing or meeting, between the witness table and the members of the committee.

(10) Photographers shall not place themselves in positions which obstruct unnecessarily the coverage of the hearing by the other media.

(11) Personnel providing coverage by the television and radio media shall be then currently accredited to the Radio and Television Correspondents' Galleries.

(12) Personnel providing coverage by still photography shall be then currently accredited to the Press Photographers' Gallery.

(13) Personnel providing coverage by the television and radio media and by still photography shall conduct themselves and their coverage activities in an orderly and unobtrusive manner.

Privileged Reports and Amendments

4. (a) The following committees shall have leave to report at any time on the matters herein stated, namely: The Committee on Appropriations—on general appropriation bills and on joint resolutions continuing appropriations for a fiscal year if reported after September 15 preceding the beginning of such fiscal year; the Committee on the Budget—on the matters required to be reported by such committee under Titles III and IV of the Congressional Budget Act of 1974; the Committee on House Administration—on enrolled bills, contested election, and all matters referred to it of printing for the use of the House or the two Houses, and on all matters of expenditure of the contingent fund of the House; the Committee on Rules—on rules, joint rules, and the order of business; and the Committee on Standards of Official Conduct—on resolutions recommending action by the House of Representatives with respect to an individual Member, officer, or employee of the House of Representatives as a result of any investigation by the committee relating to the official conduct of such Member, officer, or employee of the House of Representatives.

(b) It shall always be in order to call up for consideration a report from the Committee on Rules on a rule, joint rule, or the order of business (except it shall not be called up for consideration on the same day it is presented to the House, unless so determined by a vote of not less than two-thirds of the Members voting, but this provision shall not apply during the last three days of the session), and pending the consideration thereof, the Speaker may entertain one motion that the House adjourn; but after the result is announced the Speaker shall not entertain any other dilatory motion until the report shall have been fully disposed of. The Committee on Rules shall not report any rule or order which provides that business under clause 7 of Rule XXIV shall be set aside by a vote of less than two-thirds of the Members present; nor shall it report any rule or order which would prevent the motion to recommit from being made as provided in clause 4 of Rule XVI.

(c) The Committee on rules shall present to the House reports concerning rules, joint rules, and order of business, within three legislative days of the time when the bill or resolution involved is ordered reported by the committee. If any such rule or order is not considered immediately, it shall be referred to the calendar and, if not called up by the Member making the report within seven legislative days thereafter, any member of the Rules Committee may call it up as a question of privilege (but only on the day after the calendar day on which such Member announces to the House his intention to do so) and the Speaker shall recognize any member of the Rules Committee seeking recognition for that purpose. If the Committee on Rules makes an adverse report on any resolution pending before the committee, providing for an order of business for the consideration by the House of any public bill or joint resolution, on days when it shall be in order to call up motions to discharge committees it shall be in order for any Member of the House to call up for consideration by the House such adverse report, and it shall be in order to move the adoption by the House of such resolution adversely reported notwithstanding the adverse report of the Committee on Rules, and the Speaker shall recognize the member seeking recognition for that purpose as a question of the highest privilege.

(d) Whenever the Committee on Rules reports a resolution repealing or amending any of the Rules of the House of Representatives or part thereof it shall include in its report or in an accompanying document—

(1) the text of any part of the Rules of the House of Representatives which is proposed to be repealed; and

(2) a comparative print of any part of the resolution making such an amendment and any part of the rules of the House of Representatives to be amended, showing by an appropriate typographical device the omissions and insertions proposed to be made.

Committee Expenses

5. (a) Whenever any committee, commission or other entity (except the Committee on Appropriations and the Committee on the Budget) is to be granted authorization for the payment, from the contingent fund of the House, of its expenses in any year, other than those expenses to be paid from appropriations provided by statute, such authorization initially shall be procured by one primary expense resolution for the committee, commission or other entity providing funds for the payment of the expenses of the committee, commission or other entity for that year from the contingent fund of the House. Any such primary expense resolution reported to the House shall not be considered in the House unless a printed report on that resolution has been available to the Members of the House for at least one calendar day prior to the consideration of that resolution in the House. Such report shall, for the information of the House—

(1) state the total amount of the funds to be provided to the committee, commission or other entity under the primary expense resolution for all anticipated activities and programs of the committee, commission or other entity; and

(2) to the extent practicable, contain such general statements regarding the estimated foreseeable expenditures for the respective anticipated activities and programs of the committee, commission or other entity as may be appropriate to provide the House with basic estimates with respect to the expenditure generally of the funds to be provided to the committee, commission or other entity under the primary expense resolution.

(b) After the date of adoption by the House of any such primary expense resolution for any such committee, commission or other entity for any year, authorization for the payment from the contingent fund of additional expenses of such committee, commission or other entity in that year, other than those expenses to be paid from appropriations provided by statute, may be procured by one or more supplemental expense resolutions for that committee, commission or other entity as necessary. Any such supplemental expense resolution reported to the House shall not be considered in the House unless a printed report on that resolution has been made available to the Members of the House for at least one calendar day prior to the consideration of that resolution in the House. Such report shall, for the information of the House—

(1) state the total amount of additional funds to be provided to the committee, commission or other entity under the supplemental expense resolution and the purpose or purposes for which those additional funds are to be used by the committee, commission or other entity; and

(2) state the reason or reasons for the failure to procure the additional funds for the committee, commission or other entity by means of the primary expense resolution.

(c) The preceding provisions of this clause do not apply to—

(1) any resolution providing for the payment from the contingent fund of the House of sums necessary to pay compensation for staff services performed for, or to pay other expenses of, any committee, commission or other entity at any time from and after the beginning of any year and before the date of adoption by the House of the primary expense resolution providing

funds to pay the expenses of that committee, commission or other entity for that year; or

(2) any resolution providing in any Congress, for all of the standing committees of the House, additional office equipment, airmail and special delivery postage stamps, supplies, staff personnel, or any other specific item for the operation of the standing committees, and containing an authorization for the payment from the contingent fund of the House of the expenses of any of the foregoing items provided by that resolution, subject to and until enactment of the provisions of the resolution as permanent law.

(d) From the funds provided for the appointment of committee staff pursuant to primary and additional expense resolutions—

(1) The chairman of each standing subcommittee of a standing committee of the House is authorized to appoint one staff member who shall serve at the pleasure of the subcommittee chairman.

(2) The ranking minority party member of each standing subcommittee on each standing committee of the House is authorized to appoint one staff person who shall serve at the pleasure of the ranking minority party member.

(3) The staff members appointed pursuant to the provisions of subparagraphs (1) and (2) shall be compensated at a rate determined by the subcommittee chairman not to exceed (A) 75 per centum of the maximum established in paragraph (c) of clause 6 or (B) the rate paid the staff member appointed pursuant to subparagraph (1) of this paragraph.

(4) For the purpose of this paragraph, (A) there shall be no more than six standing subcommittees of each standing committee of the House, except for the Committee on Appropriations, and (B) no member shall appoint more than one person pursuant to the above provisions.

(5) The staff positions made available to the subcommittee chairman and ranking minority party members pursuant to subparagraphs (1) and (2) of this paragraph shall be made available from the staff positions provided under clause 6 of Rule XI unless such staff positions are made available pursuant to a primary or additional expense resolution.

(e) No primary expense resolution or additional expense resolution of a committee may provide for the payment or reimbursement of expenses incurred by any member of the committee for travel by the member after the date of the general election of Members in which the Member is not elected to the succeeding Congress, or in the case of a Member who is not a candidate in such general election, the earlier of the date of such general election or the adjournment sine die of the last regular session of the Congress.

(f)(1) For continuance of necessary investigations and studies by—

(A) each standing committee and select committee established by these rules; and

(B) except as provided in subparagraph (2), each select committee established by resolution; there shall be paid out of the contingent fund of the House such amounts as may be necessary for the period begining at noon on January 3 and ending at midnight on March 31 of each year.

(2) In the case of the first session of a Congress, amounts shall be made available under this paragraph for a select committee established by resolution in the preceding Congress only if—

(A) a reestablishing resolution for such select committee is introduced in the present Congress; and

(B) no resolution of the preceding Congress provided for termination of funding of investigations and studies by such select committee at or before the end of the preceding Congress.

(3) Each committee receiving amounts under this paragraph shall be entitled, for each month in the period specified in subparagraph (1), to 9 per centum (or such lesser percentum as may be determined by the Committee on House Administration) of the total annualized amount made available under expense resolutions for such committee in the preceding session of Congress.

(4) Payments under this paragraph shall be made on vouchers authorized by the committee involved, signed by the chairman of such committee, except as provided in subparagraph (5), and approved by the Committee on House Administration.

(5) Notwithstanding any provision of law, rule of the House, or other authority, from noon on January 3 of the first session of a Congress, until the election of the House of the committee involved in that Congress, payments under this paragraph shall be made on vouchers signed by—

(A) the chairman of such committee as constituted at the close of the preceding Congress; or

(B) if such chairman is not a Member in the present Congress, the ranking majority party member of such committee as constituted at the close of the preceding Congress who is a Member in the present Congress.

(6)(A) The authority of a committee to incur expenses under this paragraph shall expire upon agreement by the House to a primary expenses resolution for such committee.

(B) Amounts made available under this paragraph shall be expended in accordance with regulations prescribed by the Committee on House Administration.

(C) The provisions of this paragraph shall be effective only insofar as not inconsistent with any resolution, reported by the Committee on House Administration and adopted after the date of adoption of these rules.

Committee Staffs

6. (a)(1) Subject to subparagraph (2) of this paragraph and paragraph (f) of this clause, each standing committee may appoint, by majority vote of the committee, not more than eighteen professional staff members. Each professional staff member appointed under this subparagraph shall be assigned to the chairman and the ranking minority party member of such committee, as the committee considers advisable.

(2) Subject to paragraph (f) of this clause, whenever a majority of the minority party members of a standing committee (except the Committee on Standards of Official Conduct and the Permanent Select Committee on Intelligence) so request, not more than six persons may be selected, by majority vote of the minority party members, for appointment by the committee as professional staff members from among the number authorized by subparagraph (1) of this paragraph. The committee shall appoint any persons so selected whose character and qualifications are acceptable to a majority of the committee. If the committee determines that the character and qualifications of any person so selected are unacceptable to the committee, a majority of the minority party members may select other persons for appointment by the committee to the professional staff until such appointment is made. Each professional staff member appointed under this subparagraph shall be assigned to such committee business as the minority party members of the committee consider advisable.

(3) The professional staff members of each standing committee—

(A) shall be appointed on a permanent basis, without regard to race, creed, sex, or age, and solely on the basis of fitness to perform the duties of their respective positions;

(B) shall not engage in any work other than committee business; and

(C) shall not be assigned any duties other than those pertaining to committee business.

(4) Services of the professional staff members of each standing committee may be terminated by majority vote of the committee.

(5) The foregoing provisions of this paragraph do not apply to the Committee on Appropriations and to the Committee on the Budget.

(b)(1) The clerical staff of each standing committee shall consist of not more than twelve clerks, to be attached to the office of the chairman, to the ranking minority party members, and to the professional staff, as the committee considers advisable. Subject to subparagraph (2) of this paragraph and paragraph (f) of this clause, the clerical staff shall be appointed by majority vote of the committee, without regard to race, creed, sex, or age. Except as provided by subparagraph (2) of this paragraph the clerical staff shall handle committee correspondence and stenographic work both for the committee staff and for the chairman and the ranking minority party member on matters related to committee work.

(2) Subject to paragraph (f) of this clause, whenever a majority of the minority party members of a standing committee (except the Committee on Standards of Official Conduct and the Permanent Select Committee on Intelligence) so request, four persons may be selected, by majority vote of the minority members, for appointment by the committee to positions on the clerical staff from among the number of clerks authorized by subparagraph (1) of this paragraph. The committee shall appoint to those positions any person so selected whose character and qualifications are acceptable to a majority of the committee. If the committee determines that the character and qualifications of any person so selected are unacceptable to the committee, a majority of the minority party members, may select other persons for appointment by the committee to the position involved on the clerical staff until such appointment is made. Each clerk appointed under this subparagraph shall handle committee correspondence and stenographic work for the minority party members of the committee and for any members of the professional staff appointed under subparagraph (2) of paragraph (a) of this clause on matters related to committee work.

(3) Services of the clerical staff members of each standing committee may be terminated by majority vote of the committee.

(4) The foregoing provisions of this paragraph do not apply to the Committee on Appropriations and the Committee on the Budget.

(c) Each employee on the professional staff, and each employee on the clerical staff, of each standing committee, is entitled to pay at a single per annum gross rate, to be fixed by the chairman, which does not

exceed the highest rate of basic pay, as in effect from time to time, of level V of the Executive Schedule in section 5316 of title 5, United States Code, except that two professional staff members of each standing committee shall be entitled to pay at a single per annum gross rate to be fixed by the chairman, which does not exceed the highest rate of basic pay, as in effect from time to time, of level IV of the Executive Schedule in section 5315 of title 5, United States Code.

(d) Subject to appropriations hereby authorized, the Committee on Appropriations and the Committee on the Budget may appoint such staff, in addition to the clerk thereof and assistants for the minority, as it determines by majority vote to be necessary, such personnel, other than minority assistants, to possess such qualifications as the committee may prescribe.

(e) No committee shall appoint to its staff any experts or other personnel detailed or assigned from any department or agency of the Government, except with the written permission of the Committee on House Administration.

(f) If a request for the appointment of a minority professional staff member under paragraph (a), or a minority clerical staff member under paragraph (b), is made when no vacancy exists to which that appointment may be made, the committee nevertheless shall appoint, under paragraph (a) or paragraph (b), as applicable, the person selected by the minority and acceptable to the committee. The person so appointed shall serve as an additional member of the professional staff or the clerical staff, as the case may be, of the committee, and shall be paid from the contingent fund, until such a vacancy (other than a vacancy in the position of head of the professional staff, by whatever title designated) occurs, at which time that person shall be deemed to have been appointed to that vacancy. If such vacancy occurs on the professional staff when seven or more persons have been so appointed who are eligible to fill that vacancy, a majority of the minority party members shall designate which of those persons shall fill that vacancy.

(g) Each staff member appointed pursuant to a request by minority party members under paragraph (a) or (b) of this clause, and each staff member appointed to assist minority party members of a committee pursuant to an expense resolution described in paragraph (a) or (b) of clause 5, shall be accorded equitable treatment with respect to the fixing of his or her rate of pay, the assignment to him or her of work facilities, and the accessibility to him or her of committee records.

(h) Paragraphs (a) and (b) of this clause shall not be construed to authorize the appointment of additional professional or clerical staff members of a committee pursuant to a request under either of such paragraphs by the minority party members of that committee if six or more professional staff members or four or more clerical staff members, provided for in paragraph (a)(1) or paragraph (b)(1) of this clause, as the case may be, who are satisfactory to a majority of the minority party members, are otherwise assigned to assist the minority party members.

(i) Notwithstanding paragraphs (a)(2) and (b)(2), a committee may employ nonpartisan staff, in lieu of or in addition to committee staff designated exclusively for the majority or minority party, upon an affirmative vote of a majority of the members of the majority party and a majority of the members of the minority party.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. SLAUGHTER of New York (at the request of Mr. FOLEY), for today, on account of illness in the family.

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. KONNYU) to revise and extend their remarks and include extraneous material:)

Mr. SHUMWAY, for 60 minutes, March 10 and March 11.

Mrs. BENTLEY, for 60 minutes, March 10 and March 11.

Mr. SOLOMON, for 5 minutes, today.

Mr. BROWN of Colorado, for 5 minutes, today.

(The following Members (at the request of Mr. GONZALEZ) to revise and extend their remarks and include extraneous material:)

Mr. KLECZKA, for 5 minutes, today.

Mr. PANETTA, for 5 minutes, today.

Mr. ECKART, for 5 minutes, today.

Mr. LOWRY of Washington, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. STOKES, for 60 minutes, on March 11.

Mr. HAYES of Illinois, for 60 minutes, on March 12.

Mr. HAYES of Louisiana, for 60 minutes, on March 12.

(The following Member (at the request of Mrs. COLLINS) to revise and extend his remarks and include extraneous material:)

Mr. CONYERS, for 15 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. FOLEY, today, prior to the vote on final passage of H.R. 558.

(The following Members (at the request of Mr. KONNYU) and to include extraneous matter:)

Mr. JEFFORDS.
Mr. FAWELL.
Mr. BEREUTER.
Mr. BROOMFIELD in two instances.
Mr. LAGOMARSINO in four instances.
Mr. SCHULZE.
Mr. DREIER of California.
Mr. MILLER of Washington.
Mr. GRADISON.
Mr. GILMAN in two instances.
Mr. SOLOMON in two instances.
Mr. HUNTER.
Mr. DORNAN of California.
Mr. BILIRAKIS.
Mr. HOUGHTON.
Mr. WELDON.
Mr. KEMP in two instances.
Mr. FIELDS.
Mr. CHENEY.
Mr. BLILEY.
Mr. LUJAN.
Mr. SMITH of New Jersey.

(The following Members (at the request of Mr. GONZALEZ) and to include extraneous matter:)

Mr. KOSTMAYER.
Mr. LEATH of Texas.
Mr. HOYER.
Mr. JENKINS.
Mr. AUCOIN in three instances.
Mr. TALLON in two instances.
Mr. FASCELL.
Mr. BROWN of California.
Mr. KILDEE.
Mrs. BOXER.
Mr. MORRISON of Connecticut.
Mr. SKELTON.
Mr. MILLER of California.
Mrs. LLOYD.
Mr. CLAY.
Mr. LIPINSKI.
Mr. ROYBAL.
Mr. SOLARZ.
Mr. LANCASTER.
Mr. BONKER.
Mr. TOWNS in two instances.
Mr. DORGAN of North Dakota.
Mr. DYMALLY.
Mr. BUSTAMANTE.
Mr. WEISS.
Mr. WAXMAN.
Mr. MAVROULES.
Mr. JONTZ.
Mr. LEVINE of California.
Mr. WILLIAMS.
Mr. STARK.
Mr. FLAKE.
Mr. WOLPE.
Mr. WYDEN.
Mr. PANETTA.

SENATE ENROLLED BILL AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled bill and joint resolution of the Senate of the following titles:

S. 83. An act to amend the Energy Policy and Conservation Act with respect to energy conservation standards for appliances, and

S.J. Res. 20. Joint resolution to designate the month of March 1987, as "Women's History Month."

ADJOURNMENT

Mrs. COLLINS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 4 minutes p.m.) under its previous order, the House adjourned until Monday, March 9, 1987, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from

the Speaker's table and referred as follows:

759. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to provide for the amendment of the Agricultural Act of 1949; to the Committee on Agriculture.

760. A communication from the President of the United States, transmitting a request for supplemental appropriations for fiscal year 1987 and amendments to the request for appropriations for fiscal year 1988, pursuant to 31 U.S.C. 1107 (H. Rept. No. 100-44); to the Committee on Appropriations and ordered to be printed.

761. A letter from the Military Executive, Reserve Forces Policy Board, Office of the Secretary of Defense, transmitting the fiscal year 1986 annual report of the Reserve Forces Policy Board, pursuant to 10 U.S.C. 113(c); to the Committee on Armed Services.

762. A letter from the Principal Deputy Assistant Secretary of Defense (Force Management and Personnel), transmitting a report containing a plan for establishing a needs-based survivor annuity program for surviving spouses of the Uniformed Services who died before September 30, 1978, pursuant to 10 U.S.C. 1447 nt.; to the Committee on Armed Services.

763. A letter from the Commissioner for Rehabilitation Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting a report on the comprehensive evaluation of the client assistance program, pursuant to 29 U.S.C. 732(h)(1) (Pub. L. 93-112, sec. 112(h)(1) (98 Stat. 22)); to the Committee on Education and Labor.

764. A letter from the LIRR Congressional Advisory Board, National Mediation Board, transmitting a report concerning the progress of negotiations in a labor dispute between the Long Island Rail Road Co. and certain of its employees represented by several labor organizations, pursuant to Public Law 100-2; to the Committee on Energy and Commerce.

765. A communication from the President of the United States, transmitting a report prepared by the Department of State concerning international agreements transmitted to the Congress after expiration of the 60-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b(b); to the Committee on Foreign Affairs.

766. A letter from the Assistant Secretary of State for Legislative and Intergovernmental Affairs, transmitting notification of terrorism related travel advisories for U.S. citizens in Suriname, pursuant to 22 U.S.C. 2656e; to the Committee on Foreign Affairs.

767. A letter from the Assistant Secretary of State, Legislative and Intergovernmental Affairs, transmitting a report of political contributions by Robert H. Pelletreau, Jr., of Connecticut, Ambassador Extraordinary and Plenipotentiary of the United States-designate to the Republic of Tunisia; and Daryl Arnold of California, Ambassador Extraordinary and Plenipotentiary-designate to the Republic of Singapore, and members of their families, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

768. A letter from the Director, Defense Security Assistance Agency, transmitting a report of those Foreign Military Sales customers with approved cash flow financing in excess of $100 million as of October 1, 1986, pursuant to AECA, section 25(a), paragraph (5)(B); to the Committee on Foreign Affairs.

769. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting the Bank's 1986 Freedom of Information Act Report, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

770. A letter from the Chairman, Federal Communications Commission, transmitting a report of the Commission's compliance with the competition advocacy program during fiscal year 1986, pursuant to 41 U.S.C. 419; to the Committee on Government Operations.

771. A letter from the Executive Director, National Mediation Board, transmitting the Board's 1986 Freedom of Information Act Report, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

772. A letter from the Assistant Vice President, Government and Public Affairs, National Railroad Passenger Corporation, transmitting the Corporation's 1986 Freedom of Information Act Report, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

773. A letter from the Secretary of Labor, transmitting the Department's 1986 Freedom of Information Act Report, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

774. A letter from the Deputy Administrator, U.S. Small Business Administration, transmitting the Administration's 1986 Freedom of Information Act Report, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

775. A letter from the Administrator, Veterans' Administration, transmitting the agency's 1986 Freedom of Information Act Report, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

776. A letter from the Assistant Secretary for Water and Science, Department of the Interior, transmitting notification that the Bureau of Reclamation has approved a deferment of the 1986 Small Reclamation Projects Act loan payment due the United States from the West Bench Irrigation District, Dillon, MT, pursuant to the act of September 21, 1959 (73 Stat. 584); to the Committee on Interior and Insular Affairs.

777. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to authorize appropriations for the fiscal years 1988 and 1989 for certain maritime programs of the Department of Transportation, and for other purposes; to the Committee on Merchant Marine and Fisheries.

778. A letter from the Special Counsel, Merit Systems Protection Board, transmitting a report on activities of the Office of the Special Counsel for fiscal year 1986, pursuant to 5 U.S.C. 1206(m); to the Committee on Post Office and Civil Service.

779. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to improve the Commodity Credit Corporation's export programs; jointly, to the Committee on Agriculture and Foreign Affairs.

780. A letter from the Deputy Assistant Secretary (Administration), Department of Defense, transmitting the annual report on NATO acquisition and cross-servicing agreements, pursuant to 10 U.S.C. 2349; jointly, to the Committees on Armed Services and Foreign Affairs.

781. A letter from the Assistant Secretary, Conservation and Renewable Energy, Department of Energy, transmitting notification that the final report on the effectiveness of including electric vehicles in the calculation of average fuel economy standards is currently being prepared, pursuant to 15 U.S.C. 2512(c)(3); jointly, to the Committees on Energy and Commerce and Banking, Finance and Urban Affairs.

782. A letter from the Under Secretary of State for Management, transmitting the classified annex containing information on personnel serving above and below grade in the six departments and agencies which are the primary users of the Foreign Service personnel systems, for use in conjunction with the unclassified report previously transmitted (Ex. Com. No. 728), pursuant to 22 U.S.C. 4173; jointly, to the Committees on Foreign Affairs and Post Office and Civil Service.

783. A letter from the Assistant Secretary of the Army (Manpower and Reserve Affairs), transmitting a draft of proposed legislation to authorize the Director of the United States Information Agency to make available to the Department of Defense and the military departments photographs of military activities in the Republic of Vietnam for the purpose of developing and publishing military histories; jointly, to the Committees on Foreign Affairs and Armed Services.

784. A letter from the Comptroller General, U.S. General Accounting Office, transmitting a report of the characteristics and outcomes of Job Training Partnership Act title III dislocated worker projects operating nationwide (GAO/HRD-87-41; March 1987) jointly, to the Committees on Government Operations and Education and Labor.

785. A letter from the Secretary of Health and Human Services, transmitting a report on Medicare information transfer which describes what actions have resulted from the examination of ways to coordinate an information transfer and the intent of the exchange of data between intermediaries and carriers; jointly, to the Committees on Ways and Means and Energy and Commerce.

786. A letter from the Chairman, National Commission on Agricultural Trade and Export Policy, transmitting a copy of the Commission's Final Report, pursuant to 7 U.S.C. 1691 nt, jointly, to the Committees on Agriculture, Ways and Means, and Foreign Affairs.

787. A letter from the Administrator, U.S. Environmental Protection Agency, transmitting a draft of proposed legislation to provide for the deposit and retention of certain fees and charges collected by the U.S. Environmental Protection Agency; jointly, to the Committees on Agriculture, Energy and Commerce, Public Works and Transportation, and Merchant Marine and Fisheries.

788. A letter from the Assistant Secretary of State, Legislative and Intergovernmental Affairs, transmitting a copy of Presidential Determination No. 87-10, with a report on Nicaragua, pursuant to sections 211(e) and 214 of the Military Construction Act, 1987 as contained in Public Law 99-500 (H. Rept. No. 100-45); jointly, to the Committees on Appropriations, Foreign Affairs, the Permanent Select Committee on Intelligence, and Armed Services and ordered to be printed.

789. A letter from the Assistant Secretary of State, Legislative and Intergovernmental Affairs, transmitting on behalf of the President, the annual report on the Panama Canal Treaties of 1977 for the period October 1, 1985, through September 30, 1986, pursuant to 22 U.S.C. 3871; jointly, to the Committees on Merchant Marine and Fisheries, Foreign Affairs, the Judiciary, and Post Office and Civil Service.

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. UDALL: Committee on Interior and Insular Affairs. H.R. 626. A bill to provide for the conveyance of certain public lands in Cherokee, De Kalb, and Etowah Counties, AL, and for other purposes; with an amendment (Rept. 100-13). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 389. A bill to amend the Boundary Waters Canoe Area Wilderness law to change the authorizations of appropriations for resource management review and grants (Rept. 100-14). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 242. A bill to provide for the conveyance of certain public lands in Oconto and Marinette Counties, WI (Rept. 100-15). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 240. A bill to amend the National Trails System Act to designate the Santa Fe Trail as a National Historic Trail (Rept. 100-16). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 191. A bill to authorize the establishment of a Peace Garden on a site to be selected by the Secretary of the Interior (Rept. 100-17). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 14. A bill to designate certain river segments in New Jersey as study rivers for potential inclusion in the national wild and scenic river system (Rept. 100-18). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 797. A bill to authorize the donation of certain non-Federal lands to Gettysburg National Military Park and to require a study and report on the final development of the park (Rept. 100-19). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 990. A bill to direct the Secretary of the Interior to convey a certain parcel of land located near Ocotillo, CA (Rept. 100-20). Referred to the Committee of the Whole House on the State of the Union.

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. LAFALCE (for himself, Mr. TORRES, and Mr. MFUME):

H.R. 1423. A bill to promote a stable international financial system, expand world trade, and alleviate the Third World debt crisis; to the Committee on Banking, Finance and Urban Affairs.

By Mr. HOYER:

H.R. 1424. A bill to provide that certain regulations issued by the Department of Transportation which exempt commercial motor vehicles operating in commercial zones from Federal motor carrier safety regulation shall have no effect; to the Committee on Public Works and Transportation.

By Mr. GEPHARDT (for himself, Mr. KASTENMEIER, Mr. EVANS, Mr. TOWNS, Mr. LELAND, Mr. FROST, Mr. OBERSTAR, Mr. OBEY, Mr. MOODY, Mr. JONTZ, Mr. WILLIAMS, Mr. BRYANT, Mr. KOLTER, Mr. ALEXANDER, Mr. WATKINS, Mr. MURPHY, Mr. SABO, Mr. SAVAGE, Mr. CONYERS, Mr. DELLUMS, Mr. SIKORSKI, Mr. OWENS of New York, Mr. HAYES of Illinois, Mr. LIPINSKI, Mr. CLAY, Mr. FORD of Michigan, Mr. MOAKLEY, and Mr. PERKINS):

H.R. 1425. A bill to provide price and income protection to family farmers through the management of the supply of the 1988 through 2000 crops of certain agricultural commodities, to enhance the ability of eligible farm borrowers of qualifying States and the farm creditors of such borrowers to restructure farm loans, to provide grants to States to assist persons leaving farming, and for other purposes: jointly, to the Committees on Agriculture; Ways and Means; Education and Labor; Science, Space, and Technology; Banking, Finance and Urban Affairs; and Foreign Affairs.

By Mr. AKAKA:

H.R. 1426. A bill relating to the tariff treatment of salted and dried plums; to the Committee on Ways and Means.

By Mr. APPLEGATE (for himself, Mr. MONTGOMERY, Mr. SOLOMON, and Mr. MCEWEN):

H.R. 1427. A bill to amend title 38, United States Code, to recodify certain provisions relating to benefits for surviving spouses and children of veterans; to the Committee on Veterans' Affairs.

By Mr. ARMEY (for himself, Mr. WEBER, Mr. DELAY, Mr. CRAIG, Mr. GINGRICH, Mr. DENNY SMITH, Mr. SMITH of New Hampshire, Mr. DORNAN of California, Mr. SCHULZE, and Mr. HUNTER):

H.R. 1428. A bill to authorize tax incentives for urban enterprise zones, youth employment opportunity wages, a program of urban homesteading, and to improve equal educational opportunity; jointly, to the Committee on Ways and Means; Education and Labor; Banking, Finance and Urban Affairs; and the Judiciary.

By Mr. AUCOIN:

H.R. 1429. A bill to authorize any State to withdraw, without penalty, from a certain agreement entered into with the Federal Emergency Management Agency; to the Committee on Armed Services.

By Mr. BIAGGI (for himself, Mr. JONES of North Carolina, Mr. LENT, and Mr. DAVIS of Michigan):

H.R. 1430. A bill to authorize decorations, medals, and other recognition for service in the United States merchant marine, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BONKER (for himself, Mr. ROTH, and Mr. BEREUTER):

H.R. 1431. A bill to amend the Export Trading Company Act of 1982, the Bank Holding Company Act of 1956, and the Federal Reserve Act with respect to export trading companies; jointly, to the Committees on Banking, Finance and Urban Affairs; the Judiciary; and Foreign Affairs.

By Mr. BORSKI:

H.R. 1432. A bill to amend the National Trails System Act to designate the Kosciuszko Trail as a study trail; to the Committee on Interior and Insular Affairs.

By Mr. DORNAN of California (for himself, Mr. WEBER, Mr. DANIEL, Mr. WILSON, Mr. MRAZEK, Mr. HUTTO, Mr. MCKINNEY, Mr. ATKINS, Mr. TOWNS, Mr. DONALD E. LUKENS, Mr. RODINO, Mr. NEAL, Mr. SMITH of New Hampshire, Mr. LAGOMARSINO, Mr. DELLUMS, Mr. STALLINGS, Mr. RAHALL, Mr. FRANK, Mr. JACOBS, Mr. ANDERSON, Mrs. MEYERS of Kansas, Mr. PICKETT, Mrs. BENTLEY, Mr. HOWARD, Mr. WORTLEY, Mr. FISH, Mr. SAXTON, Mr. LANTOS, Mr. SCHUMER, Mr. WELDON, Mr. NIELSON of Utah, and Mr. RAVENEL):

H.R. 1433. A bill to amend the Animal Welfare Act to prohibit dog racing and dog training involving the use of live animals as visual lures and to make such act applicable to facilities that are used for dog racing or dog race training; to the Committee on Agriculture.

By Mr. CHENEY:

H.R. 1434. A bill to amend section 402 of the Surface Mining Control and Reclamation Act of 1977 to permit States to set aside in a special trust fund up to 10 percent of the annual State allocation from the Abandoned Mine Land Reclamation fund for expenditure in the future for purposes of abandoned mine reclamation; to the Committee on Interior and Insular Affairs.

By Mr. DE LA GARZA (for himself and Mr. MADIGAN):

H.R. 1435. A bill to consolidate and expand the statutory authority for the National Agricultural Library in the Department of Agriculture; to the Committee on Agriculture.

By Mr. DORGAN of North Dakota (for himself, Mr. ROSE, Mr. MOODY, Mr. KASTENMEIER, Mr. SWIFT, Mr. ECKART, Mr. OBEY, Mr. JOHNSON of South Dakota, Mr. VOLKMER, Mr. GUNDERSON, Mr. CHAPMAN, and Mr. JEFFORDS):

H.R. 1436. A bill to amend the Agricultural Act of 1949 to limit the quantity of milk protein products that may be imported into the United States; to the Committee on Ways and Means.

By Mr. DORNAN of California (for himself, Mr. STENHOLM, Mr. DANIEL, Mr. FAWELL, Mr. DENNY SMITH, Mr. MACK, Mr. HUNTER, Mr. TOWNS, Mr. BURTON of Indiana, Mr. STALLINGS, Mr. BARTON of Texas, Mrs. BENTLEY, Mr. GRAY of Illinois, Mr. LEATH of Texas, Mr. DARDEN, Mr. EMERSON, Mr. MONTGOMERY, Mr. PENNY, Mr. BOULTER, Mr. SMITH of New Hampshire, Mr. WHITTAKER, Mr. FROST, Mrs. BOGGS, Mr. NIELSON of Utah, Mr. DAVIS of Illinois, Mr. WORTLEY, Mr. BRYANT, Mr. GUNDERSON, Mr. BLILEY, Mr. SWINDALL, Mr. ARMEY, Mr. LEWIS of Florida, Mr. DEWINE, Mr. WALKER, Mr. VALENTINE, Mr. DOWDY of Mississippi, Mr. DELAY, Mr. ECKART, Mr. NICHOLS, Mr. HEFNER, and Mr. HERGER):

H.R. 1437. A bill to protect the rights of victims of child abuse; to the Committee on the Judiciary.

By Mr. DORNAN of California (for himself, Mr. STENHOLM, Mr. DANIEL, Mr. FAWELL, Mr. DENNY SMITH, Mr. MACK, Mr. HUNTER, Mr. BURTON of Indiana, Mr. IRELAND, Mr. HUTTO,

Mr. OXLEY, Mr. DIOGUARDI, Mr. LAGOMARSINO, Mr. PORTER, Mr. LIVINGSTON, Mr. DAUB, Mrs. BENTLEY, Mr. GRAY of Illinois, Mr. LEATH of Texas, Mr. DARDEN, Mr. EMERSON, Mr. MONTGOMERY, Mr. PENNY, Mr. BOULTER, Mr. SMITH of New Hampshire, Mr. LEWIS of Florida, Mr. DEWINE, and Mr. DANNEMEYER):

H.R. 1438. A bill to amend title 18, United States Code, to protect family decency, and for other purposes; jointly, to the Committees on the Judiciary, Education and Labor, and Energy and Commerce.

By Mr. ERDREICH:

H.R. 1439. A bill to establish a Department of Trade as an Executive department of the Government of the United States, and for other purposes; to the Committee on Government Operations.

By Mr. FRENZEL:

H.R. 1440. A bill to eliminate an exception in section 313 of the Federal Election Campaign Act of 1971 that permits certain Members of Congress to use excess campaign funds for personal purposes; to the Committee on House Administration.

H.R. 1441. A bill to provide a 1-year extension for individuals of the waiver of estimated tax penalties for underpayments of tax which are attributable to the Tax Reform Act of 1986; to the Committee on Ways and Means.

By Mr. GEJDENSON:

H.R. 1442. A bill to promote safety by amending chapter 4 of title 23, United States Code, to provide for a uniform system for handicapped parking; to the Committee on Public Works and Transportation.

By Mr. GEJDENSON (for himself, Mr. KILDEE, Mr. SHARP, Mr. PETRI, Mr. EVANS, Mr. TAUKE, Mr. CONYERS, Mr. ATKINS, Mr. GREEN, Mr. JEFFORDS, Mr. WOLPE, Mrs. JOHNSON of Connecticut, Mr. PENNY, Mr. KOSTMAYER, Mr. HENRY, Mr. OWENS of New York, Mr. BATES, Mr. MORRISON of Connecticut, Mr. HORTON, Mr. ECKART, Mr. VOLKMER, and Miss SCHNEIDER):

H.R. 1443. A bill to amend the Reclamation Projects Act of 1939 to require the Secretary of the Interior to charge full cost for water delivered from any reclamation or irrigation project for the production of any surplus crop of an agricultural commodity; to the Committee on Interior and Insular Affairs.

By Mr. GRADISON (for himself, Mr. WYDEN, Mr. STARK, Mr. WAXMAN, Mr. MADIGAN, Mr. PEPPER, Mr. MILLER of California, Mr. ANDREWS, Mr. ANTHONY, Mr. BATES, Mr. BILIRAKIS, Mr. BLILEY, Mr. BRUCE, Mr. CHANDLER, Mrs. COLLINS, Mr. COYNE, Mr. DAUB, Mr. DONNELLY, Mr. DOWDY of Mississippi, Mr. FORD of Tennessee, Mr. GEPHARDT, Mr. GIBBONS, Mr. GREGG, Mr. HALL of Texas, Mr. JACOBS, Ms. KAPTUR, Mrs. KENNELLY, Mr. LELAND, Mr. LEVIN of Michigan, Mr. MATSUI, Mr. MCGRATH, Mr. MOODY, Mrs. MORELLA, Mr. PICKLE, Mr. RANGEL, Mr. SCHEUER, Mr. SCHULZE, Mr. SIKORSKI, Mr. TAUKE, Mr. THOMAS of California, Mr. VANDER JAGT, Mr. WALGREN, and Mr. WHITTAKER):

H.R. 1444. A bill to amend titles XI, XVIII, and XIX of the Social Security Act to protect beneficiaries under the health care programs of that act from unfit health care practitioners, and otherwise to improve the antifraud provisions relating to those programs; jointly, to the Committees on Ways and Means, and Energy and Commerce.

By Mr. HALL of Texas (for himself, Mr. STENHOLM, and Mr. BOULTER):

H.R. 1445. A bill to amend title XI of the Social Security Act to ensure physicians hearing and judicial review rights before exclusion from the medicare program; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. HENRY:

H.R. 1446. A bill relating to the treatment of environmental protection and natural resource conservation as aspects of open and fair international trade; to the Committee on Ways and Means.

By Mr. HUGHES (for himself and Mr. HYDE):

H.R. 1447. A bill to amend the Congressional Budget Act to limit the growth of Federal spending and to achieve balanced budgets, and for other purposes; jointly, to the Committees on Government Operations and Rules.

By Mr. JEFFORDS (for himself, Mr. GOODLING, and Mr. FAWELL):

H.R. 1448. A bill to amend the Bilingual Education Act to make Federal financial assistance available for children of limited English proficiency without mandating a specific method of instruction, to encourage innovation at the State and local level through greater administrative flexibility, to improve program operations at the Federal level, and for other purposes; to the Committee on Education and Labor.

By Mr. JENKINS:

H.R. 1449. A bill to amend the Internal Revenue Code of 1954 to deny an employer a deduction for group health plan expenses unless such plan includes first-dollar coverage for pediatric preventive health care; to the Committee on Ways and Means.

By Mrs. JOHNSON of Connecticut:

H.R. 1450. A bill to amend the Tax Reform Act of 1986 to provide for the deductibility of State and local income and sales taxes exceeding 1 percent of adjusted gross income; to the Committee on Ways and Means.

By Mr. KILDEE (for himself, Mr. ROYBAL, and Mr. BIAGGI):

H.R. 1451. A bill to amend the Older Americans Act of 1965 to authorize appropriations for the fiscal years 1988, 1989, 1990, and 1991, and for other purposes; to the Committee on Education and Labor.

By Mr. LEATH of Texas:

H.R. 1452. A bill to amend Chapter 37 of title 38, United States Code, with respect to the refinancing of housing loans guaranteed, insured, or made under such chapter; to the Committee on Veterans' Affairs.

By Mr. MORRISON of Connecticut (for himself and Mr. LEVIN of Michigan):

H.R. 1453. A bill to direct the Secretary of the Treasury to seek negotiations to establish a multilateral financial intermediary between heavily indebted, less developed countries and their creditors to reduce the amount of total debt of such countries through innovative financial practices in order to provide each such country with a more manageable current debt service, foster economic growth in such countries, and reduce the amount of such debt held by such creditors; to the Committee on Banking, Finance and Urban Affairs.

By Mr. PARRIS:

H.R. 1454. A bill to amend Public Law 99-572 to authorize the Secretary of the Treasury to invest private funds contributed to the American Battle Monuments Commission for the construction of the Korean War Veterans Memorial in public debt securities; to the Committee on House Administration.

H.R. 1455. A bill to amend title 38, United States Code, to initiate a direct appraisal program for the Veterans' Administration Home Loan Guarantee Program; to the Committee on Veterans' Affairs.

By Mr. RICHARDSON (for himself, Mr. YOUNG of Alaska, Mrs. SCHROEDER, Mr. NIELSON of Utah, Mr. CAMPBELL, and Mr. RAHALL):

H.R. 1456. A bill to provide for the energy security of the United States; to the Committee on Interior and Insular Affairs.

By Mr. RINALDO (for himself, Mr. LENT, Mr. FLORIO, Mr. MOORHEAD, Mr. LELAND, Mr. TAUKE, Mr. ECKART, Mr. COATS, Mr. RICHARDSON, Mr. FIELDS, Mr. OXLEY, and Mr. NIELSON of Utah):

H.R. 1457. A bill to require the Securities and Exchange Commission to establish a panels of experts to conduct a study and investigation of the adequacy, in the public interest and for the protection of investors, of Federal securities laws, rules, and regulations, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ROWLAND of Connecticut (for himself, Mrs. JOHNSON of Connecticut, and Mr. REGULA):

H.R. 1458. A bill to limit the authority of the Secretary of Energy and the Federal Energy Regulatory Commission to use any procedure of expedited consideration in determining whether or not to issue a certificate of public convenience and necessity for construction of certain natural gas pipelines; to the Committee on Energy and Commerce.

By Mr. SCHULZE:

H.R. 1459. A bill to remedy market disruption caused by imports of products from nonmarket economy countries; to the Committee on Ways and Means.

H.R. 1460. A bill to extend the temporary suspension of duty on certain textile machines; to the Committee on Ways and Means.

H.R. 1461. A bill to amend the Trade Act of 1974 to provide for financial assistance for supplemental worker training programs, and for other purposes; to the Committee on Ways and Means.

By Mr. SCHULZE (for himself, Mr. YATRON, Mr. BALLENGER, and Mr. GALLO):

H.R. 1462. A bill to temporarily suspend the duty on certain benzenoid dye intermediates; to the Committee on Ways and Means.

By Mr. SCHUMER:

H.R. 1463. A bill to prohibit the Board of Governors of the Federal Reserve System and the Federal Reserve Bank of New York from designating, or continuing the designation of, any person of a foreign country as a primary dealer in government debt instruments if such foreign country does not allow United States companies equal access in acquiring government debt instruments issued by such country; to the Committee on Banking, Finance and Urban Affairs.

H.R. 1464. A bill to establish State pension investment units, a secondary market for industrial mortgages, State venture capital and royalty finance corporations; and a national loan loss reserve fund; to the Committee on Banking, Finance and Urban Affairs.

By Mrs. SMITH of Nebraska:

H.R. 1465. A bill to amend the Internal Revenue Code of 1986 to clarify the treatment of grain storage and similar structures for purposes of depreciation and the investment tax credit; to the Committee on Ways and Means.

By Mr. SOLARZ:

H.R. 1466. A bill to establish the position of Assistant Secretary of State for South Asian Affairs; to the Committee on Foreign Affairs.

By Mr. STUDDS (for himself, Mr. JONES of North Carolina, Mr. DAVIS of Michigan, and Mr. YOUNG of Alaska):

H.R. 1467. A bill to authorize appropriations to carry out the Endangered Species Act of 1973 during fiscal years 1988, 1989, 1990, 1991, and 1992; to the Committee on Merchant Marine and Fisheries.

By Mr. TORRICELLI (for himself, Mr. PANETTA, Mr. BUSTAMANTE, Mr. KOLTER, Mrs. BOXER, Mr. BERMAN, and Mr. LEVINE of California):

H.R. 1468. A bill to establish a commission to examine the issues associated with national service; to the Committee on Education and Labor.

By Mr. VOLKMER (for himself, Mr. DORGAN of North Dakota, Mr. VANDER JAGT, Mr. DAUB, Mr. JOHNSON of South Dakota, and Mr. NAGLE):

H.R. 1469. A bill to amend the Tariff Act of 1930 with respect to the definitions of industry in antidumping and countervailing duty investigations involving certain processed agricultural products; to the Committee on Ways and Means.

By Mr. WAXMAN (for himself, Mr. HUGHES, Mr. WALGREN, Mr. AKAKA, Mr. FORD of Michigan, Mr. GUNDERSON, Mr. LEVINE of California, Mr. MARTINEZ, Mr. MCKINNEY, Mr. MINETA, Mr. OBEY, Mr. SMITH of Florida, Mr. SMITH of New Hampshire, Mr. WEISS, and Mr. UDALL):

H.R. 1470. A bill to establish a temporary program under which heroin will be made available for the relief of intractable pain due to terminal cancer; to the Committee on Energy and Commerce.

By Mr. WILLIAMS:

H.R. 1471. A bill imposing certain restrictions on the sale of main transcontinental rail lines; to the Committee on Energy and Commerce.

By Mr. WILSON:

H.R. 1472. A bill to designate the post office building being constructed in West Liberty, TX, as the "M.P. Daniel and Thomas F. Calhoon, Sr., Post Office Building"; to the Committee on Post Office and Civil Service.

H.R. 1473. A bill to designate the building which will house the Federal Court for the Eastern District of Texas in Lufkin, TX, as the "Ward R. Burke Federal Court Building"; to the Committee on Public Works and Transportation.

By Mr. BURTON of Indiana (for himself, Mr. SWINDALL, Mr. LAGOMARSINO, Mr. LIVINGSTON, Mr. RITTER, Mr. SCHAEFER, Mr. DORNAN of California, Mr. HUNTER, and Mr. DEWINE):

H.J. Res. 172. Joint resolution to express congressional commitment to aid all nations and peoples in Latin America in their efforts to halt the spread of communism; to the Committee on Foreign Affairs.

By Mr. McCOLLUM (for himself, Mr. GRAY, of Illinois, Mr. BUNNING, Mr. FAZIO, Mr. MACK, Mr. DANIEL, Mr. BOLAND, Mr. LAGOMARSINO, Mr. BONER of Tennessee, Mr. BRYANT, Mr. SUNIA, Mr. WORTLEY, Mr. YATRON, Mr. WOLF, Mr. IRELAND, Mr. HENRY, Mr. SMITH of Florida, Mr. DAUB, Mrs. COLLINS, Mrs. JOHNSON of Connecticut, Mr. MCHUGH, Mr. MRAZEK, Mr. LEWIS of Florida, Mr. BEVILL, Mr. ANNUNZIO, Mr. DYSON, Mr. LEVINE of California, Mr. HAYES of Louisiana, Mr. YOUNG of Florida, Mr. BLILEY, Mr. MARTINEZ, Mr. YOUNG of Alaska, Mr. PARRIS, Mr. REGULA, Mr. SAXTON, Mr. WYLIE, Mr. TAUKE, Mr. BILIRAKIS, Mr. LIVINGSTON, Ms. KAPTUR, Mr. COATS, Mr. NIELSON of Utah, Mr. WILSON, Mr. DEFAZIO, Mr. MCGRATH, Mr. KASTENMEIER, Mr. BENNETT, Mr. THOMAS of Georgia, Mrs. BENTLEY, Mr. MATSUI, Mr. MOORHEAD, Mr. MURPHY, Mr. PEPPER, Mr. MOAKLEY, Mr. BIAGGI, Mr. DONNELLY, Mr. LEVIN of Michigan, Mr. DYMALLY, Mr. OBERSTAR, Mr. HORTON, Mr. KOLBE, Mr. CROCKETT, Mr. MAVROULES, Mr. CHAPMAN, Mr. WELDON, Mr. WATKINS, Mr. HATCHER, Mr. HAYES of Illinois, Mrs. PATTERSON, Mr. TOWNS, Mr. ORTIZ, Mr. MCEWEN, Mr. MICHEL, Mr. JENKINS, Mr. KASICH, Mr. WAXMAN, Mr. CHAPPELL, Mr. MARTIN of New York, Mr. STUDDS, Mr. MANTON, Mr. LELAND, Mr. TRAFICANT, Mr. MURTHA, Mr. LEHMAN of Florida, Mr. MACKAY, Mr. LIPINSKI, Mr. CAMPBELL, Mr. RAHALL, Mrs. BYRON, Mr. VOLKMER, Mr. NELSON of Florida, Mr. MORRISON of Connecticut, Mrs. LLOYD, Mr. GUNDERSON, Mr. SCHUMER, Mr. KOLTER, Mr. LEWIS of California, Mr. WEBER, Mr. HOWARD, Mr. ROE, Mr. CLINGER, Mr. FUSTER, Mr. RODINO, Mr. SHUMWAY, Mr. VANDER JAGT, Mr. DARDEN, Mr. ROYBAL, Mr. ROTH, Mr. BERMAN, Mr. TRAXLER, Mr. GRANT, Mr. FASCELL, Mr. WEISS, Mr. FRENZEL, Mr. SWINDALL, Mr. JEFFORDS, Mr. APPLEGATE, Mr. DWYER of New Jersey, Mr. SCHAEFER, Mr. GUARINI, Mr. BUSTAMANTE, Mr. BORSKI, Mr. LIGHTFOOT, Mr. LAFALCE, Mr. SHAW, Mr. KILDEE, Mr. FEIGHAN, Mr. PURSELL, Mr. VALENTINE, Mr. SCHEUER, Mrs. ROUKEMA, Mr. GILMAN, Mr. STALLINGS, Mr. WYDEN, Mr. TORRICELLI, Mr. HALL of Texas, Mr. LEHMAN of California, Mr. NEAL, Mr. HYDE, Mr. PASHAYAN, Mr. MOODY, Mr. STOKES, Mr. ACKERMAN, Mr. CARPER, Mr. MADIGAN, Mr. HERTEL, Mr. FISH, Mr. NATCHER, Mr. PICKLE, Mr. OWENS of New York, Mr. SISISKY, Mr. RANGEL, Mr. FROST, Mr. ROBERTS, Mr. HUGHES, Mr. QUILLEN, Mr. EVANS, Mr. FIELDS, and Mr. DEWINE):

H.J. Res. 173. Joint resolution designating May 1987 as "Older Americans Month"; to the Committee on Post Office and Civil Service.

By Mr. MICHEL (by request):

H.J. Res. 174. Joint resolution disapproving the additional assistance to the Nicaraguan democratic resistance; jointly, to the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, Armed Services, and Appropriations.

By Mr. BURTON of Indiana (for himself, Mr. SWINDALL, Mr. LAGOMARSINO, Mr. LIVINGSTON, Mr. WEBER, Mr. RITTER, Mr. DAUB, Mr. DORNAN of California, Mr. HUNTER, and Mr. DeWine):

H. Con. Res. 64. Concurrent resolution to implement the 1979 resolution of the Organization of American States on democracy in Nicaragua; to the Committee on Foreign Affairs.

By Mr. PANETTA:

H. Con. Res. 65. Concurrent resolution to express the sense of the Congress that a cooperative effort to improve the foreign language skills and international awareness of the American people will help the United States compete economically; to the Committee on Education and Labor.

By Mr. SAXTON:

H. Con. Res. 66. Concurrent resolution expressing the sense of Congress that each State should develop a curriculm for instructing school children in the history of the Holocaust; to the Committee on Education and Labor.

By Mr. SHUMWAY (for himself, Mr. PEPPER, Mr. MACK, Mr. HUNTER, Mr. BADHAM, Mr. FRANK, Mr. HYDE, Mr. WOLF, Mr. LAGOMARSINO, Mr. LOWERY of California, Mr. RITTER, Mr. MCCOLLUM, Mr. FEIGHAN, Mr. DANNEMEYER, Mr. PETRI, Mr. INHOFE, Mr. SMITH of New Jersey, Mr. SMITH of Florida, Mr. BURTON of Indiana, Mr. KONNYU, Mr. DIOGUARDI, Mr. WORTLEY, Mr. DORNAN of California, Mr. CONTE, Mr. SKEEN, Mr. PACKARD, Mr. PASHAYAN, Mr. LIPINSKI, Mr. WILSON, Mr. BATEMAN, Mr. SWEENEY, Mr. UPTON, Mr. NELSON of Florida, Mr. HILER, Mr. HERGER, Mr. LEWIS of Florida, Mr. DEWINE, Mr. DWYER of New Jersey, Mr. STUMP, Mr. DREIER of California, Mr. LIVINGSTON, Mr. PORTER, and Mr. FAWELL):

H. Con. Res. 67. Concurrent resolution expressing the sense of Congress regarding the continuing disregard and systematic abuse of the most fundamental rights by the Government of Cuba and the failure of the United Nations Human Rights Commission to address the human rights situation in Cuba; to the Committee on Foreign Affairs.

By Mr. SMITH of New Jersey:

H. Con. Res. 68. Concurrent resolution expressing the sense of Congress regarding the inability of American citizens to maintain regular contact with relatives in the Soviet Union; to the Committee on Foreign Affairs.

By Mr. GONZALEZ:

H. Res. 111. Resolution impeaching Ronald W. Reagan, President of the United States, of high crimes and misdemeanors; to the Committee on the Judiciary.

By Mr. BURTON of Indiana (for himself, Mr. SWINDALL, Mr. LIVINGSTON, Mr. RITTER, Mr. DORNAN of California, Mr. HUNTER, Mr. DEWINE, and Mr. LAGOMARSINO):

H. Res. 112. Resolution expressing the sense of the House of Representatives that Fidel Castro's actions in limiting the free flow of information, and in limiting the right of Cubans to travel in and out of their country freely, are both a violation of the Cuban people's internationally recognized human rights and a major obstacle to improved United States-Cuban relations; to the Committee on Foreign Affairs.

By Mr. HUGHES:

H. Res. 113. Resolution to amend the Rules of the House of Representatives to establish additional conditions with respect to official travel of members and employees of committees; to the Committee on Rules.

By Mr. SOLOMON (for himself, Mr. STUMP, Mr. STRATTON, Mr. LAGOMAR-

SINO, Mr. MCCOLLUM, Mr. MOORHEAD, Mr. BATES, Mr. INHOFE, Mr. LIPINSKI, Mr. WORTLEY, Mr. WOLF, and Mrs. BENTLEY):

H. Res. 114. Resolution establishing the House of Representatives Classified Information Security Office; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. EMERSON:

H.R. 1474. A bill for the relief of Oscar H. McCormack; to the Committee on the Judiciary.

By Mr. GRANT:

H.R. 1475. A bill for the relief of Maj. Ralph Edwards, United States Air Force, retired; to the Committee on the Judiciary.

By Mr. LAFALCE:

H.R. 1476. A bill for the relief of Pedro De La Rosa, Jr.; also known as Dom Lorenzo; to the Committee on the Judiciary.

By Mr. SLAUGHTER of Virginia:

H.R. 1477. A bill for the relief of Beulah C. Shifflett; to the Committee on the Judiciary.

By Mr. WILLIAMS:

H.R. 1478. A bill for the relief of Jon Engen; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 12: Ms. SLAUGHTER of New York, Mr. LANTOS, Mr. MANTON, Mr. SMITH of Iowa, Mr. RANGEL, and Mr. MATSUI.

H.R. 45: Mr. CRANE.

H.R. 50: Mr. CARPER and Mr. MCEWEN.

H.R. 67: Mr. WILSON, Mr. DEFAZIO, Mr. MARTINEZ, and Mr. EDWARDS of California.

H.R. 76: Mr. BURTON of Indiana, Mr. SENSENBRENNER, Mr. HAMMERSCHMIDT, Mr. SAXTON, Mr. LEWIS of Florida, Mr. NIELSON of Utah, Mr. ARMEY, Mr. GAYDOS, Mr. FIELDS, Mr. MARTINEZ, and Mr. DELAY.

H.R. 78: Mr. MRAZEK.

H.R. 79: Mr. TRAFICANT.

H.R. 80: Mr. BILBRAY, Mr. YATRON, Mr. DWYER, of New Jersey, and Mr. FOGLIETTA.

H.R. 84: Mr. DANNEMEYER, Mr. FAUNTROY, Mr. HOWARD, Mr. GARCIA, Mr. FOGLIETTA, Mr. TORRES, Mr. RINALDO, Mr. PORTER, Mrs. BOXER, Mr. MARTINEZ, and Mr. RANGEL.

H.R. 90: Mr. BEILENSON, Mr. BERMAN, Mr. BIAGGI, Mr. BUSTAMANTE, Mr. CLAY, Mr. DWYER of New Jersey, Mr. EDWARDS of California, Mr. ENGLISH, Mr. FAZIO, Mr. FLORIO, Mr. FOGLIETTA, Mr. FUSTER, Mr. GARCIA, Mr. GRAY of Illinois, Mr. HAYES of Illinois, Mr. HERTEL, Mr. HOWARD, Mr. JONTZ, Mr. KASTENMEIER, Mr. KILDEE, Mr. KOLTER, Mr. LANCASTER, Mr. LEHMAN of Florida, Mr. LEVIN of Michigan, Mr. LEVINE of California, Mrs. LLOYD, Mr. MARTINEZ, Mr. MOAKLEY, Mr. MURPHY, Mr. OWENS of New York, Mr. PERKINS, Mr. RAHALL, Mr. RICHARDSON, Mr. ROBINSON, Mr. RODINO, Mr. ROE, Mr. SAVAGE, Mr. SAWYER, Mr. SOLARZ, Mr. STAGGERS, Mr. STARK, Mr. TOWNS, Mr. VENTO, Mr. WEISS, and Mr. WISE.

H.R. 130: Mr. DICKS.

H.R. 137: Mrs. BENTLEY, Mr. ROE, Mr. MACKAY, Mr. HENRY, Mr. ATKINS, Mr. LELAND, Mr. LANCASTER, Mr. BATES, Mr. WORTLEY, Mr. COLEMAN of Texas, Mr. TOWNS, Mr. HASTERT, Mr. FAZIO, Mr. HOWARD, Ms. KAPTUR, Mr. PERKINS, Ms. OAKAR, Mr. WOLPE, Miss. SCHNEIDER, Mr. WALGREN, and Mr. LAFALCE.

H.R. 185: Mr. HAYES of Illinois, Mr. TALLON, Mr. BARNARD, and Mr. SLATTERY.

H.R. 241: Mr. TRAFICANT, Mr. KASTENMEIER, Mr. SCHUMER, Mr. GUNDERSON, and Mr. ARMEY.

H.R. 243: Mr. STALLINGS and Mr. SCHUETTE.

H.R. 245: Mr. BEILENSON, Mrs. BENTLEY, Mr. BROWN of California, Mr. BROWN of Colorado, Mr. CARPER, Mr. GEKAS, Mr. GLICKMAN, Mr. HEFNER, Mr. HOUGHTON, Mr. KOSTMAYER, Mr. LEACH of Iowa, Mr. MORRISON of Connecticut, Mr. MORRISON of Washington, Mr. NOWAK, Mr. PACKARD, Mr. PICKETT, Mr. ROBERTS, Mr. ROWLAND of Connecticut, Mr. SAWYER, Mr. SWIFT, Mr. SWINDALL, and Mr. WEBER.

H.R. 280: Mr. LELAND, Mr. SOLARZ, Mr. MRAZEK, Mr. VENTO, and Mr. CONYERS.

H.R. 298: Mr. FUSTER, Mr. PARRIS, and Mr. QUILLEN.

H.R. 299: Mr. SCHUETTE and Mr. WEBER.

H.R. 308: Mr. HUCKABY, Mr. WILSON, Mr. CHAPMAN, Mr. BUSTAMANTE, Mr. DE LA GARZA, Mr. FIELDS, Mr. GARCIA, Mr. ANDREWS, and Mr. DOWDY of Mississippi.

H.R. 309: Mr. MONTGOMERY, Mr. CHAPMAN, Mr. BUSTAMANTE, Mr. FIELDS, Mr. MACKAY, Mr. ECKART, and Mr. ARMEY.

H.R. 310: Mr. WILSON, Mr. CHAPMAN, Mr. BUSTAMANTE, Mr. DELAY, Mr. DOWDY of Mississippi, and Mr. ARMEY.

H.R. 372: Mr. TALLON and Mr. DENNY SMITH.

H.R. 430: Mrs. BENTLEY and Mr. LAGOMARSINO.

H.R. 442: Mr. SAXTON, Mr. MADIGAN, Mr. EVANS, Mrs. SAIKI, Mr. MFUME, Mr. DEWINE, and Mr. MILLER of Washington.

H.R. 459: Mr. HAYES of Illinois.

H.R. 461: Mr. OWENS of New York, Mr. HAWKINS, Mr. KILDEE, and Mr. HAYES of Illinois.

H.R. 535: Mr. STUMP.

H.R. 543: Mr. LEHMAN of Florida and Mr. COLEMAN of Missouri.

H.R. 544: Mr. ARCHER, Mr. CHAPPELL, Mr. COELHO, Mr. GLICKMAN, Mr. HALL of Ohio, Mr. LEVINE of California, Mr. MACKAY, Mr. MOAKLEY, Mr. SIKORSKI, Mrs. SMITH of Nebraska, Mr. SWIFT, Mr. WELDON, Mr. WYLIE, Mr. BARTON of Texas, Mr. COURTER, Mr. LOWERY of California, Mr. BROWN of Colorado, Mr. LATTA, Mr. HOYER, Mr. MCDADE, Mr. FASCELL, Mrs. BOXER, Mr. LEWIS of Florida, Mr. DORNAN of California, Mr. GEKAS, Mr. LEHMAN of California, Mr. CARR, Mr. SOLARZ, Mr. HOWARD, Mr. SWINDALL, Mr. DOWDY of Mississippi, Mr. TORRES, Mr. BILBRAY, Mr. VOLKMER, Mr. COLEMAN of Missouri, and Mr. BUNNING.

H.R. 559: Mr. PENNY.

H.R. 567: Mr. COELHO, Mr. ARCHER, Mr. BROWN of Colorado, Mr. LAFALCE, Mr. GREGG, Mr. WOLPE, Mr. KILDEE, Mr. PURSELL, Mr. SLATTERY, Mr. QUILLEN, Mr. FOGLIETTA, Mr. BONER of Tennessee, Mr. COBLE, Mr. MCMILLAN of North Carolina, Mrs. JOHNSON of Connecticut, Mr. LENT, Mr. ANDERSON, Mr. BALLENGER, Mr. SUNDQUIST, Mr. TALLON, Mr. NEAL, Mr. LAGOMARSINO, Mr. DOWDY of Mississippi, Mr. STUDDS, Mr. STUMP, Mr. WILLIAMS, Mr. COOPER, Mrs. LLOYD, Mr. SWIFT, Mr. MARTINEZ, Mr. HEFNER, Mr. NIELSON of Utah, Mr. SPRATT, Mr. WOLF, Mr. BARTON of Texas, Mr. DARDEN, Mr. LEHMAN of California, Mr. ROSE, Mr. BARNARD, Mr. EVANS, Mr. DANIEL, Mr. ROBINSON, Mr. LANCASTER, Mr. BILIRAKIS, Mr. DAVIS of Michigan, Mr. NICHOLS, Mr. ARMEY, Mr. MACKAY, and Mr. VANDER JAGT.

H.R. 575: Mr. FRANK.

H.R. 593: Mr. PRICE of Illinois, Mr. LEHMAN of Florida, Mr. BATES, and Mr. SLATTERY.

H.R. 596: Mr. FAWELL.

H.R. 606: Mr. GRAY of Illinois and Mr. BRYANT.

H.R. 618: Mr. DE LA GARZA, Mr. OBEY, Miss SCHNEIDER, Mr. JONTZ, and Mr. NAGLE.

H.R. 627: Mr. HAYES of Illinois.

H.R. 683: Mr. MFUME, Mr. SOLARZ, Mr. BATES, Mr. FAUNTROY, and Mr. TOWNS.

H.R. 738: Mr. ATKINS, Mr. DARDEN, Mr. DE LA GARZA, Mr. DE LUGO, Mr. ESPY, Mr. EVANS, Mr. FORD of Michigan, Mr. HUCKABY, Mr. KOLTER, Mr. LEWIS of Georgia, Mr. RANGEL, Mr. RAY, Mr. SAWYER, Mr. SOLARZ, Mr. SUNIA, Mr. WEISS, Mr. HERTEL, and Mrs. BENTLEY.

H.R. 758: Mr. MRAZEK, Mr. MICHEL, Mr. THOMAS of California, and Mr. TRAXLER.

H.R. 759: Mr. ROEMER, Mr. GALLO, Mr. BROWN of California, Mr. WORTLEY, Mr. ARMEY, Mr. COMBEST, Mr. BALLENGER, Mr. HOPKINS, and Mr. PENNY.

H.R. 762: Mr. BIAGGI, Mr. HOWARD, and Mr. EVANS.

H.R. 785: Mr. SMITH of Florida, Mr. TOWNS, Mr. ACKERMAN, and Mr. DWYER of New Jersey.

H.R. 786: Mr. BALLENGER, Mr. CRANE, and Mr. COLEMAN of Missouri.

H.R. 788: Mr. RHODES and Mr. DORNAN of California.

H.R. 789: Mr. EMERSON.

H.R. 791: Mr. CONYERS, Mr. HOCHBRUECKNER, Mr. TORRICELLI, and Mr. GREGG.

H.R. 792: Mr. HYDE.

H.R. 809: Mr. MADIGAN, Mr. STANGELAND, Mr. WEBER, and Mr. PENNY.

H.R. 817: Mr. HASTERT, Mr. SHUMWAY, Mr. BUECHNER, Mr. HERGER, Mr. FORD of Tennessee, Mr. DANIEL, and Mr. DORNAN of California.

H.R. 820: Mr. RHODES, Mr. DORNAN of California, and Mr. ARMEY.

H.R. 919: Mr. KOLTER, Mr. MCCURDY, Mr. LAGOMARSINO, Mr. DIOGUARDI, Mr. GARCIA, Mr. FIELDS, and Mr. ARMEY.

H.R. 920: Mr. GONZALEZ and Mr. MARTINEZ.

H.R. 949: Mr. LAGOMARSINO and Mr. DORNAN of California.

H.R. 954: Mr. MFUME.

H.R. 955: Mr. BLILEY, Mr. ARMEY, Mr. KOLBE, Mr. BADHAM, Mr. SHUMWAY, Mr. PACKARD, Mr. BURTON of Indiana, Mr. DANIEL, Mr. SCHUETTE, Mr. DELAY, Mr. LAGOMARSINO, Mr. DYSON, Mr. SOLOMON, Mr. APPLEGATE, and Mr. PORTER.

H.R. 956: Mr. FLORIO, Mr. SMITH of New Jersey, Mr. MAVROULES, Mr. TRAFICANT, Mr. CONTE, Mr. BERMAN, Mr. COURTER, Mrs. ROUKEMA, Mrs. SCHROEDER, Mr. ATKINS, Mr. SAXTON, Mr. KENNEDY, Mr. MARKEY, and Mr. CROCKETT.

H.R. 958: Mr. DAVIS of Illinois and Mr. RAVENEL.

H.R. 966: Mr. BRUCE.

H.R. 967: Mr. WEISS.

H.R. 977: Mr. COURTER, Mr. BATEMAN, and Mr. ARMEY.

H.R. 980: Mr. FROST, Mr. GARCIA, Mr. ARMEY, and Mrs. KENNELLY.

H.R. 1014: Mr. MCEWEN, Mr. TOWNS, Mr. DYSON, Mr. OWENS of New York, and Mr. MARTINEZ.

H.R. 1016: Mr. ACKERMAN, Mr. BENNETT, Mr. BOLAND, Mr. BONER of Tennessee, Mrs. BOXER, Mr. CARR, Mr. DANIEL, Mr. DARDEN, Mr. DAVIS of Michigan, Mr. DE LA GARZA, Mr. DIOGUARDI, Mr. DORNAN of California, Mr. DWYER of New Jersey, Mr. DYMALLY, Mr. EARLY, Mr. EVANS, Mr. FRANK, Mr. GRAY of

Illinois, Mr. HAYES of Illinois, Mr. HERTEL, Mr. HORTON, Mr. HOWARD, Mr. JACOBS, Mrs. JOHNSON of Connecticut, Mr. JONES of North Carolina, Mr. KOSTMAYER, Mr. MARTINEZ, Mr. MFUME, Mr. MRAZEK, Mr. NATCHER, Mr. NEAL, Mr. NICHOLS, Mr. OWENS of New York, Mr. OXLEY, Mr. ROE, Mr. SCHUETTE, Mr. SOLARZ, Mr. STARK, Mr. TRAFICANT, Mr. VENTO, Mr. VOLKMER, and Mr. YATRON.

H.R. 1028: Mr. ROEMER, Mr. BOULTER, Mr. BARTLETT, Mr. STENHOLM, Mr. DORNAN of California, Mr. FAWELL, Mr. MILLER of Washington, Mr. BARNARD, Mr. GUNDERSON, Mr. HENRY, Mr. JACOBS, Mr. DAUB, Mr. ROWLAND of Connecticut, Mr. WYLIE, Mr. WORTLEY, Mr. SHUMWAY, Mr. DELAY, Mr. ARMEY, and Mr. MCMILLAN of North Carolina.

H.R. 1029: Mr. LIVINGSTON, Mr. FIELDS, and Mr. BARTON of Texas.

H.R. 1032: Mr. ESPY, Mr. TOWNS, Mr. PETRI, Mr. MILLER of Washington, Mr. BILBRAY, Mr. KOSTMAYER, Mr. MCDADE, Mr. ATKINS, Mr. CONTE, Mr. EVANS, Mr. HAYES of Illinois, Mr. DORNAN of California, and Mr. MFUME.

H.R. 1042: Mr. LAGOMARSINO, Mrs. VUCANOVICH, Mr. ESPY, Mr. HERGER, and Mr. HANSEN.

H.R. 1069: Mr. LIPINSKI, Mr. HERGER, and Mr. ARMEY.

H.R. 1086: Mr. WORTLEY.

H.R. 1090: Mr. BUSTAMANTE, Mr. FOGLIETTA, Ms. SNOWE, Mr. SOLARZ, Mrs. JOHNSON of Connecticut, and Mr. FUSTER.

H.R. 1105: Mr. GARCIA and Mr. MRAZEK.

H.R. 1108: Mrs. BYRON.

H.R. 1140: Mr. SLATTERY, Mr. QUILLEN, Mr. COYNE, Mr. MURPHY, Mr. GORDON, Mr. PENNY, Mr. NIELSON of Utah, Mr. COATS, Mr. GINGRICH, Mr. SCHAEFER, Mr. FIELDS, Mr. KOLTER, Mr. HUCKABY, Mr. VOLKMER, Mr. CLINGER, Mr. STANGELAND, Mr. DAVIS of Illinois, Mr. KLECZKA, Mr. YOUNG of Alaska, Mr. STALLINGS, Mr. GUNDERSON, Mr. BEREUTER, Mr. KANJORSKI, Mr. MURTHA, Mr. HILER, Mr. MOORHEAD, Mr. ROGERS, Mr. SUNDQUIST, Mr. LIGHTFOOT, Mr. MYERS of Indiana, Mr. OXLEY, Mr. PETRI, Mr. WISE, Mr. SHARP, Mr. ROBERTS, Mr. APPLEGATE, Mr. ROBINSON, Mr. WEBER, Mr. DARDEN, and Mr. HAMMERSCHMIDT.

H.R. 1143: Mr. DOWNEY of New York.

H.R. 1153: Mr. EVANS.

H.R. 1170: Mr. GARCIA, Mr. FAZIO, Mr. HUGHES, Mr. LEHMAN of California, Mr. OWENS of New York, and Mrs. MARTIN of Illinois.

H.R. 1178: Mr. DANIEL and Mr. HENRY.

H.R. 1211: Mr. FORD of Tennessee, Mr. BATES, Mr. DURBIN, Mr. HAWKINS, Mr. WEISS, Mr. MCKINNEY, Mr. MFUME, Mr. GONZALEZ, Mr. KOSTMAYER, Mr. MRAZEK, Mr. CONYERS, Mrs. KENNELLY, Mr. ACKERMAN, Mr. ATKINS, Mr. BEILENSON, Mr. MORRISON of Connecticut, Mr. DELLUMS, Mr. SOLARZ, Mr. ROBINSON, and Mr. OWENS of New York.

H.R. 1212: Mr. WYDEN, Mrs. KENNELLY, Mr. MOAKLEY, Mr. MAVROULES, Mr. MURTHA, Mr. MOODY, Mr. FOLEY, Mr. MOLLOHAN, Mr. KEMP, Mr. VOLKMER, Mr. ESPY, Mr. TRAXLER, Mr. RITTER, and Mr. SOLARZ.

H.R. 1213: Mr. DANIEL, Mr. SOLARZ, Mr. BOLAND, Mr. DAUB, Mr. YATRON, Mr. WELDON, Mr. GARCIA, Mr. MORRISON of Connecticut, Mr. KLECZKA, Mr. KOLTER, Mr. BEREUTER, and Mr. LAGOMARSINO.

H.R. 1259: Mr. DOWNEY of New York, Mr. FUSTER, Mr. HEFNER, Mr. ORTIZ, Mr. BOULTER, Mr. ROBERT F. SMITH, Mr. TORRICELLI, Mr. HENRY, Mr. VENTO, Mr. STENHOLM, Mr. STUMP, Mr. HUCKABY, Mr. GORDON, Mr. PENNY, Mr. BROOKS, Mr. ROE, Mr. NICHOLS, Mr. MCCURDY, Mr. SISISKY, Mr. LOWRY of Washington, Mr. MANTON, Mr. TORRES, Mr. BUSTAMANTE, Mr. WEBER, Mr. BEREUTER, Mr. OBERSTAR, Mr. WOLF, Mr. SMITH of Florida, Mr. HERTEL, Mr. HOPKINS, Mr. HALL of Texas, Mr. FLIPPO, Mr. DARDEN, Mr. HORTON, Mr. RAY, and Mr. WISE.

H.R. 1279: Mr. LAGOMARSINO.

H.R. 1293: Mr. DAUB, Mr. RANGEL, and Mr. GARCIA.

H.R. 1337: Mr. DANIEL, Mr. NICHOLS, Mr. MCDADE, Mr. MURPHY, Mr. WOLF, Mr. BUSTAMANTE, Mr. LIVINGSTON, Mr. LIPINSKI, Mr. DELAY, and Mr. DAVIS of Illinois.

H.R. 1398: Mr. DIXON, Mr. LEHMAN of Florida, Mr. KOLTER, Mr. RANGEL, and Mr. GONZALEZ.

H.R. 1412: Mr. MURPHY.

H.J. Res. 7: Mrs. JOHNSON of Connecticut.

H.J. Res. 8: Mr. HOPKINS.

H.J. Res. 32: Mr. BUECHNER, Mr. YOUNG of Florida, Mr. ORTIZ, Mr. LIPINSKI, Mr. BLILEY, Mr. FEIGHAN, Mr. LUNGREN, Mr. WELDON, Mr. SIKORSKI, Mr. DORNAN of California, and Mr. HATCHER.

H.J. Res. 37: Mr. BAKER, Mrs. BENTLEY, Mr. BUECHNER, and Mrs. VUCANOVICH.

H.J. Res. 48: Mr. HORTON, Mr. MCMILLAN of North Carolina, Mr. MCDADE, Mr. BROOMFIELD, and Mr. MCCANDLESS.

H.J. Res. 55: Mr. NIELSON of Utah, Mr. BONIOR of Michigan, and Mr. HORTON.

H.J. Res. 60: Mr. SWINDALL.

H.J. Res. 62: Mr. ROWLAND of Georgia and Mr. DENNY SMITH.

H.J. Res. 111: Mr. OWENS of New York, Mr. BRENNAN, Mr. NEAL, Mr. GARCIA, Mr. MCGRATH, Mr. HUTTO, and Mr. KASICH.

H.J. Res. 114: Mr. SUNDQUIST, Mr. SMITH of Florida, Mr. FRANK, Mr. STARK, Mrs. KENNELLY, Mr. ST GERMAIN, Mr. MOLLOHAN, Mr. DORGAN of North Dakota, Mr. HUTTO, Mr. LEHMAN of Florida, Mr. MOAKLEY, Mr. JONTZ, Mr. ROSE, Mrs. BOXER, Mr. JONES of Tennessee, Mr. HUBBARD, Mr. CARDIN, Mr. YOUNG of Alaska, Mr. VOLKMER, Mr. JACOBS, Mr. GORDON, Mr. BURTON of Indiana, Ms. OAKAR, Mr. MONTGOMERY, Mr. BUNNING, Mr. ROBERTS, Mr. NELSON of Florida, Mr. BOUCHER, Mr. DAUB, Mr. COBLE, Mr. BLILEY, Mr. DUNCAN, Mr. CLAY, Mr. QUILLEN, Mr. RAVENEL, and Mr. BUECHNER.

H.J. Res. 122: Mr. TORRES, Mr. BATES, Mr. SHUMWAY, Mr. KONNYU, Mr. LEHMAN of California, Mr. DOWDY of Mississippi, Mr. LIPINSKI, Mr. OBERSTAR, Mr. HAMMERSCHMIDT, Mr. MORRISON of Washington, Mr. BONIOR of Michigan, Mr. ROBERTS, Mr. WELDON, Mr. MRAZEK, Mr. THOMAS of California, Mr. EDWARDS of California, Mr. GALLEGLY, Mr. LEWIS of California, Mr. LOWERY of California, Mr. LUNGREN, Mr. PACKARD, Mr. ATKINS, Mr. LANTOS, Mr. PASHAYAN, Mr. LEWIS of Florida, Mr. SMITH of Florida, Mr. ANDERSON, Mr. BARTON of Texas, Mr. DWYER of New Jersey, Mr. IRELAND, Mr. GILMAN, Mr. GREEN, Mr. MACK, Mr. BARTLETT, Mr. PARRIS, Mr. QUILLEN, Mr. GEKAS, Mr. DEWINE, Mr. TAUKE, Mr. YOUNG of Florida, Mr. LELAND, Mr. SHAW, Mr. BLILEY, Mr. MILLER of Washington, Mr. MORRISON of Connecticut, Mr. PETRI, Mr. WHITTAKER, Mr. DAVIS of Illinois, Mr. LOTT, Mr. SLAUGHTER of Virginia, Mr. MCCANDLESS, Mr. RINALDO, Mr. KASTENMEIER, Mrs. MARTIN of Illinois, Mr. TAYLOR, Mr. BROOKS, Mr. MCDADE, Mr. NICHOLS, Mr. NATCHER, Mr. RICHARDSON, Mr. WEBER, Mr. BENNETT, Mr. DINGELL, Mr. CRAIG, Mr. HANSEN, Mr. WORTLEY, Ms. SNOWE, Mr. SPENCE, Mr. SHUSTER, Mr. LEATH of Texas, Mr. MCCOLLUM, Mr. OXLEY, Mr. MARKEY, Mr. DUNCAN, Mr. UDALL, Mr. WYLIE, Mr. CRANE, Mrs. SAIKI, and Mr. AKAKA.

H.J. Res. 132: Mr. MCKINNEY, Mr. ROE, Mr. GEKAS, Mr. GALLO, Miss SCHNEIDER, Mr. MCDADE, Mr. WORTLEY, Mr. RODINO, Mr. SIKORSKI, Mr. GEJDENSON, and Mr. FLAKE.

H.J. Res. 137: Mr. HENRY and Mr. PURSELL.

H.J. Res. 154: Mr. IRELAND, Mr. BILBRAY, Mr. SIKORSKI, Mr. HAMMERSCHMIDT, Mr. BEVILL, Mr. HAYES of Illinois, Mr. OWENS of New York, Mr. LUNGREN, Mr. DEFAZIO, Mr. GOODLING, Mr. GARCIA, Mr. APPLEGATE, Mr. WISE, Mr. SKEEN, Mr. COBLE, Mr. VANDER JAGT, Mr. BRENNAN, Mr. BOUCHER, Mr. LENT, Mr. MARTINEZ, Mr. ERDREICH, Mr. MCMILLEN of Maryland, Mr. HEFNER, Mr. HOWARD, and Mr. FLIPPO.

H.J. Res. 155: Mr. MCCLOSKEY, Mr. ROEMER, Mr. SUNIA, Mr. SMITH of New Hampshire, Mr. BONER of Tennessee, Mr. ROE, and Mr. REGULA.

H.J. Res. 163: Mr. HENRY, Mr. MARTINEZ, Mr. OWENS of New York, Mr. MURPHY, Mr. SAXTON, Mr. KASICH, Mr. WALGREN, Mr. MILLER of Ohio, Mr. PERKINS, Mr. LANTOS, and Mr. HORTON.

H. Con. Res. 30: Mr. YOUNG of Alaska, Mr. RICHARDSON, Mr. MURPHY, Mr. SPRATT, Mr. MCMILLAN of North Carolina, Mr. WALKER, Mr. BOUCHER, Mr. HARRIS, Mr. HUTTO, Mr. WORTLEY, Mr. MRAZEK, Mr. BOULTER, Mr. LEATH of Texas, Mrs. PATTERSON, Mr. LANCASTER, Mr. LIGHTFOOT, Mr. COLEMAN of Texas, Mr. CLARKE, Mr. BUSTAMANTE, Mr. COBLE, Mr. GALLO, Mr. DAVIS of Michigan, Mr. COMBEST, Mr. LEWIS of Florida, Mr. ROBINSON, Mrs. BENTLEY, Mr. MOLLOHAN, Mr. MYERS of Indiana, Mr. WATKINS, and Mrs. LLOYD.

H. Con. Res. 47: Mr. TOWNS, Mr. STARK, Mr. DELLUMS, Mr. DIXON, Mr. PANETTA, Mr. WILLIAMS, Mr. MOAKLEY, Mr. DONNELLY, Mr. BOSCO, Mr. LEVIN of Michigan, Mr. EVANS, Mr. DAVIS of Michigan, Mr. CARR, Mr. DICKS, Mr. ECKART, Mr. BOUCHER, Mr. SLATTERY, Mr. SCHUMER, Mr. LOWRY of Washington, Mr. ROBERTS, Mr. SOLARZ, Mr. BILIRAKIS, Mr. COOPER, Mr. MOORHEAD, Mr. TORRES, Mr. LEVINE of California, Mr. DWYER of New Jersey, Mr. LIPINSKI, Mrs. COLLINS, Mr. LEHMAN of California, Mr. MORRISON of Connecticut, Mr. ASPIN, Mr. HALL of Ohio, Mr. MCMILLEN of Maryland, and Mr. COELHO.

H. Con. Res. 50: Mr. FLORIO, Mr. GORDON, Mr. LELAND, Mr. LIPINSKI, Mr. ATKINS, Mr. HENRY, Mr. DWYER of New Jersey, Mr. HORTON, Mr. TALLON, Mr. DARDEN, Mr. CONTE, Mr. PETRI, Mr. THOMAS A. LUKEN, Mr. MRAZEK, and Mr. ECKART.

H. Con. Res. 51: Mr. JONES of North Carolina, Mrs. MARTIN of Illinois, Mr. DINGELL, Mr. LOTT, Mr. GEPHARDT, Mr. BEVILL, Mr. DORGAN of North Dakota, Mr. JACOBS, Mr. ANTHONY, Mr. DANIEL, Mr. HARRIS, Mr. YATRON, Mr. DYSON, Mr. BALLENGER, Mr. DURBIN, Mr. NICHOLS, Mr. TOWNS, Mr. SPENCE, Mr. SUNDQUIST, Mr. FRANK, Mr. SPRATT, Mr. MCDADE, Mr. LANCASTER, Ms. KAPTUR, Mr. GRANT, Mr. ROWLAND of Georgia, Mr. COBLE, and Mr. SAVAGE.

H. Res. 18: Mr. CRANE.

H. Res. 53: Mr. KOLTER, Mr. MADIGAN, Mr. SCHUETTE, and Mr. WEBER.

H. Res. 68: Mr. LANCASTER, Mr. CARDIN, and Mr. HAYES of Illinois.

PETITIONS, ETC.

Under clause 1 of rule XXII,

25. The SPEAKER presented a petition of Mr. Peter J. Cojanis, Washington, DC, relative to jurisdictions concerning foreign military and economic policy; which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

AN INNOCENT VICTIM OF THE IRAN SCANDAL

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. LAGOMARSINO. Mr. Speaker, in the course of reporting on the activities of Lt. Col. Oliver North, the New York Times, February 15, published a report wrongly stating that the National Endowment for Democracy was "the public arm of project democracy," an alleged covert project of Lieutenant Colonel North. The National Endowment for Democracy is, in fact, an independent, nongovernmental organization governed by a bipartisan board of directors. It operates openly and is responsive to the needs of private groups abroad working peacefully to foster democratic institutions.

A commentary by Walter Mondale and Frank Fahrenkopf in the February 23 edition of the New York Times makes clear the open, bipartisan character of the National Endowment for Democracy. I urge my colleagues to read this commentary and use its information to respond to any unfounded charges about the nature of the endowment.

[From the New York Times, Feb. 23, 1987]

AN INNOCENT VICTIM OF THE IRAN SCANDAL

(By Walter F. Mondale and Frank J. Fahrenkopf, Jr.)

WASHINGTON.—Because so much remains unknown about the Iran-contra scandal, information frequently comes out in the form of revelations that may contain only part of the truth and can be badly misleading. If we are not careful, many good and innocent people doing very worthwhile things could be harmed.

A case in point is the recent disclosure that the White House, under the direction of Lieut. Col. Oliver L. North, was carrying out secret activities under something called Project Democracy. According to the report, the project's "public arm" is the National Endowment for Democracy, a private, bipartisan organization established to strengthen democratic institutions in the world.

The allegation that the Endowment has any relationship whatsoever to Colonel North's activities, whatever they were, is entirely unfounded. Even the suggestion that the Endowment is an "arm" of Project Democracy is wrong and clearly at odds with legislative history.

In early 1983, Congress was presented with two separate legislative proposals to foster democratic political and social institutions abroad. The first was Project Democracy, an Administration request for $65 million to fund a range of programs through the United States Information Agency, the Agency for International Development; and the State Department. The second proposal was to authorize funding for the National Endowment for Democracy.

The Endowment idea was inspired by the success that private foundations associated with West Germany's political parties have had in strengthening democratic institutions in the developing world. As envisioned, the Endowment would be a private, nonprofit entity that would openly fund democracy-building programs carried out by institutes associated with labor, business, our two major political parties and other private-sector organizations.

Believing that the work of promoting democracy could most effectively be carried out by the private sector, Congress authorized funding for the Endowment and not the package of programs called Project Democracy. This approach gained the Administration's full support.

This history is important because it shows that from the very beginning Congress placed a high value on the private, bipartisan character of the Endowment and its independence from the current or any future Administration.

Under the leadership of a broadly representative board of distinguished Americans, the Endowment has made great progress. It has developed strong oversight procedures pertaining to the selection, monitoring and evaluation of all grants. It reports fully to Congress on its activities and, as required by statute, keeps the State Department informed as well. The commitment to openness has always been fundamental to the concept and actual operation of the Endowment.

In all cases, the Endowment has been responsive to the democratic needs and initiatives of its partners abroad, in the belief that internally generated change is preferable to change that is artificially imposed from the outside.

The Endowment's work covers a wide range of countries. In the Philippines, Haiti, Taiwan, Guatemala, South Korea, Chile and Paraguay, its programs have supported or are helping to stimulate a process of democratic transition. In developing democracies such as Argentina, Peru and Colombia, as well as in the Caribbean and Central America it provides aid to groups seeking to consolidate democratic institutions and procedures and to strengthen the commitment to democratic values.

The Endowment is also engaged in the difficult job of encouraging pluralist trends in the closed societies of the Communist world. Even in societies wracked by conflict, such as South Africa, Afghanistan, Northern Ireland and Nicaragua, it supports those who are working peacefully to sustain democratic possibilities and values.

The present controversy only heightens the importance of such open support for our friends abroad. We must not allow totally unrelated activities alleged to have been carried out under the rubric of an otherwise defunct "Project Democracy" to discredit the efforts of the National Endowment for Democracy.

BERLIN

HON. LES AuCOIN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. AuCOIN. Mr. Speaker, I'd like to include for my colleagues attention today an extremely thoughtful and reflective article on Berlin written by a man I am proud to count as a very special friend. Shepard Stone is the director of the Aspen Institute in Berlin, and is one of only four non-Germans to have been made honorary citizen to the city. It's been my great pleasure to have participated with him in several high-level meetings with our European allies, and his reflections on the city that was, and is, Berlin, are well worth reading. I commend them to my friends here on the floor, especially now, in the year in which Berlin celebrates its 750th anniversary. I think we have much to learn from Shep Stone, and from his understanding and appreciation for this vital and thriving city. And since this marks his final year as director of the institute, let me take this opportunity to thank him for his many contributions and to wish him well in his future endeavors.

BERLIN: A DOUBLE CELEBRATION—LOOKING BACK ON THE PLACE WHERE EVERYTHING HAPPENED

(By Shepard Stone)

BERLIN.—For almost 60 years I have had an affair with Berlin. Like all affairs, it has had its ups and downs. Not long ago, Alan Bullock, the English historian whose biography of Hitler remains the standard, suggested that the history of the 20th century should be written from Berlin.

For good or evil, in peace and war, in industry, science, arts and culture, as an example for the melancholy and the potential richness of life in a metropolis, few cities have had a larger role in shaping the climate and events of our century. And for many of these years, as a student, journalist, in the army, in government and in a private capacity, I have been, off and on, a part of it.

It started in May 1929, when a Dartmouth professor, knowing of my urge to do graduate work in Europe, said "Go to Berlin."

Why Berlin—my German was fragile to nonexistent and I had not been especially attracted to the photographs in history books of Kaiser Wilhelm II, Von Tirpitz, Hindenburg and Ludendorff and the others in St. Petersburg, Vienna, Paris and London, all of whom stumbled into World War I. (Shortly after its outbreak, a former German foreign minister asked his successor, "How did it happen?" The melancholy answer was, "I wish I only knew"—an exchange worth remembering when we look at our world today.)

My professor gave me two reasons for Berlin. "It has one of the greatest universities in the world (it was the time of Einstein, Planck and other Nobel laureates) and Berlin is the place where everything is going to happen."

I went to Berlin and by the time I left three and a half years later, a few weeks before Hitler came to power, everything was happening.

Soon after arriving in Berlin, I bought a first edition of Hitler's "Mein Kampf," written around 1923-1924. Friends said, "Why do you read that trash? He is mad and he will never come to power." It was all mad, but he came to power, put the criminal policies he had outlined into effect, launched World War II and helped to break the world apart and Germany and Berlin in the doing. During the first years of success, a majority of Germans applauded. I saw too many cheering in the streets while the Nazi banners went by.

In the last years of the Weimar Republic, before Hitler took over, Berlin was the avant-garde city of the world. It was the time of the world depression, with millions unemployed in New York, Paris, London, Berlin, everywhere. In Berlin, sallow men and women, without work and without support, stood disturbed, angry on the street corners or in the courtyards of broken down buildings, without hope, in despair. They provided the kindling for the Nazis and Communists, who fought each other, killed each other.

And yet there was another Berlin—to which many of the creative artists, writers, poets, producers, actors, painters, academics, and scientists from northern, southern, eastern and western Europe were drawn. It was slightly off balance, every new idea had its chance, every absurdity its day. It was vibrant, energetic, dazzling.

Of that Berlin, Carl Zuckmayer wrote, "You had to be in Berlin to smell the future." And a Berlin rabbi, who had the luck to emigrate from Hitler's Reich, later wrote, "If one chose a city and a time where one wanted to live, it would be the Berlin of the 1920s."

That was the Berlin I came to, an innocent out of New Hampshire, by way of a two-day stand in New York. Within a few weeks I heard the Berlin Philharmonic, under Furtwängler, and in concert halls and at the opera there were also Bruno Walter, Otto Klemperer and Erich Kleiber. There was Max-Reinhardt in the theater. I heard Marlene Dietrich and have been tormented ever since. I sat in the cafes next to artists, bankers, philosophers, fanatics of the Right and the Left. I lived in the area that Liza Minnelli and "Cabaret" made famous years later. Down below on the street corners were strange ladies and even stranger men. I am glad to report they were resisted.

The university was exciting. The intellectual and social climate was intensive. Many of the students were more interested in politics than in studies. There seemed to be a Nobel laureate in every other seminar. No wonder that Johnny van Neumann, Leo Szilard, Edmund Teller, Raymond Aron and others came out of Prague, Budapest, Paris and everywhere else to study in Berlin.

One night our forlorn foreign students club staged its "annual" dinner—we had never held one before—in a seedy Berlin restaurant. As a lark, we had invited Einstein. He never answered, but that night, while drinking beer, in walked the great man and spent two hours with us. We were so overcome that none of us remembered what he said.

The Berlin girls, or some of them, turned one's head. I am glad to say that for more than 50 years one has been with me, proving that Berlin-American friendship did not start with the blockade and airlift in 1948.

In the U.S. Army, shortly after the end of World War II, one stood among the ruins of Alexanderplatz, Unter den Linden and Kurfurstendamn, shaken by memories, and I thought that the city would never be rebuilt. It was.

Women began to stack the bricks and stones (somehow historians seem to overlook the influence of women in history) and under such leaders as Ernst Reuter, a new, determined free West Berlin began to emerge.

The Berliners had learned the lessons of Hitler and they resisted a new totalitarianism from the East. It was their stand during the 1948-1949 blockade that softened feelings in Western Europe and in the United States about the Germans and led to the Atlantic Alliance.

West Berlin today is larger than one thinks—25 miles (40.5 kilometers) across and long. Thirty-five percent of the city comprises lakes, rivers and forest. It is not New York, Paris, London or Rome, but there is something about the place, a spirit or atmosphere that takes hold and doesn't let go.

There is the point where two world systems, divided by a brutal wall, built by the Communists, meet at Checkpoint Charlie. The wall, unfortunately, symbolizes the realities of our world. Here is Germany's most international and stimulating city, with more than 120,000 Turks, men, women and children from everywhere, a mixture of people, culture, ideas, architecture, ways of life.

Today, the city is a high-tech center with energetic young investors and entrepreneurs, backed up by more than a hundred scientific and other institutes and 90,000 university students from all parts of Germany and the world. Some of the industrial and scientific activity is in the tradition of the early part of the century, when Siemens, AEG and others were showing innovative leadership in electronics, automobiles and other industries.

In one of those institutes in the 1930s, Otto Hahn carried out, as he put it, "a nice little experiment" in which he split the nucleus of the atom (he was later surprised by the implications) and the word raced to Lisa Meitner, Niels Bohr, Einstein and finally President Roosevelt, who launched the Manhattan Project.

The city remains slightly mad, open to experiments, some promising, some absurd. It is a hotbed of ideas where social, intellectual and other universal problems are anticipated, tried out, carried through or abandoned. Occasionally, the young like to demonstrate in the streets, sometimes for causes that are not always convincing. The avant-garde is comfortable here, anything goes and nobody seems to care. The situation is balanced by the Berlin Philharmonic, opera, museums, theaters and *Kneipen*. One wonders sometimes if the Berliners ever eat at home.

The Berliner is cynical, flippant, tolerant, sometimes abrasive but he can take and make a joke and he can be neighborly. The city has seen too much violence and breakage in the past for the Berliner to be romantic.

Next year, Berlin—the two Berlins—celebrate the 750th anniversary of the city's founding. Unfortunately, East Berlin will not open up the Brandenburg Gate and Potsdamer Platz to allow a free flow of people in both directions. Someday the wall will come down because East and West will learn, as they must, to live more tolerantly next to each other. It is a pity that I will not be around.

Berlin, for me, has been an adventure. Apart from the brutal Nazi years, I am grateful to it. The place, notwithstanding its problems, has a future. There is hope in the air.

PROBLEMS WITH THE U.S. EMBASSY IN MOSCOW: LET THE BUYER BEWARE

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. BROOMFIELD. Mr. Speaker, while Mr. Gorbachev is telling the world that he is ready to deal with the United States on a medium-range arms accord, I want to share with my colleagues a classic story which illustrates the downside of dealing with the Soviets. We all know about the serious difficulties which our Government has encountered in building the new U.S. Embassy in Moscow. Many of these problems are directly attributable to the Soviet contractor and the Soviet Government.

The American Embassy in Moscow project has been plagued by lengthy construction delays and construction flaws. In addition the project has experienced a cost overrun that may total $100 million as well as reported technical security problems. Given all of these obvious shortcomings of that project, there are serious concerns about the fate of that Embassy.

I commend the Secretary of State for addressing this problem in a practical and effective way. He recently announced the appointment of former Secretary of Defense James R. Schlesinger to undertake a review of the Moscow project in order to determine if that building can be salvaged. I am confident that Mr. Schlesinger will employ his many talents to conduct a thorough and objective study of the options which our Government has regarding the future of that building.

As an expression of my deep concerns about this troublesome project, I recently introduced House Concurrent Resolution 3, which condemns the Soviet Union for the reported penetration of the American Embassy in Moscow and supports the President's position of not allowing the Soviets to occupy their chancery in Washington until all problems associated with the Embassy are resolved.

When it comes to dealing with the Kremlin on getting a new Embassy, I continue to say "Buyer beware!"

With these concerns in mind, I commend the following Washington Post article on this Embassy project to my colleagues in the House:

[From The Washington Post, March 4, 1987]

STATE DEPARTMENT, CONGRESS IN EMBASSY ROW: EX-DEFENSE SECRETARY TO JUDGE WHETHER NEW CHANCERY BUILDING IN MOSCOW CAN BE SAVED

(By David B. Ottaway)

The controversy surrounding the unfinished new U.S. Embassy in Moscow has taken a new turn with the appointment last week of former secretary of defense James

R. Schlesinger to make a recommendation to the State Department on whether the Soviet-built main chancery building can be salvaged.

In taking on the assignment, Schlesinger is stepping into heavy cross fire between the State Department and Congress over who is at fault for an enterprise that has resulted in major security flaws, a five-year delay in completion and a cost overrun that a congressional study estimated at $100 million.

The choice of Schlesinger, who served as secretary of defense and later as secretary of energy in the Carter administration, and who also served briefly as CIA director under Nixon, seems to confirm that security is the major concern of those deciding the building's fate. U.S. inspectors discovered two years ago that the Soviet contractor that built the chancery planted "bugs" in the floors and walls.

Seven of the eight buildings comprising the embassy complex are finished and occupied. But all work on the main, eight-story chancery building stopped abruptly Aug. 17, 1985, when Soviet workers were locked out of the site because of what a State Department report calls a combination of "security concerns, congressional pressure [and] Soviet construction delays."

Schlesinger's assignment, according to State Department spokeswoman Phyllis Oakley, is to conduct a comprehensive review and then "develop and evaluate options for ensuring the secure operating environment for our mission in Moscow."

Schlesinger will travel to Moscow to inspect the building himself and is expected to present his recommendations to Secretary of State George P. Shultz in late May or early June.

"We're at a critical juncture where we have to decide what we're going to do," said one State Department official.

Debate over the status of the chancery broke out last September when The Washington Post made public a Senate Foreign Relations Committee report sharply critical of the State Department, both for its management of the project and for the construction terms it agreed to in accords reached with Moscow in 1972 and 1977.

The report, hotly contested by the State Department's Foreign Buildings Office, charged that the terms were "guarantees" that serious problems would rise in the construction of the U.S. Embassy, and that its security would be compromised, primarily because the accords allowed a Soviet contractor to fabricate building components off site and without U.S. supervision.

It listed flaws in the chancery construction that included water leaks from the roof, cracks in the mortar on the exterior, gaps, between interior walls and ceilings, and defective cement- and brickwork. Altogether, it said, the problems would cost $100 million to repair, more than doubling the original estimated cost of $89 million.

The report did not detail the security problems, which are reported to include the discovery of electronic eavesdropping devices in some floor planks and walls.

"Common sense," said the report, "would tell the average American citizen, without benefit of security or diplomatic training, that it would be foolish to allow a United States Embassy to be designed and constructed by Soviets."

The Soviets experienced similar "security" problems here. During construction of housing at the Soviet Embassy complex at Mount Alto, "bugs" were found, one in a toilet partition, according to John C. Warnecke, whose company served as the associate architect and construction supervisor for the complex. After that, 10 to 12 Soviet security inspectors examined every piece of material, disassembled windows and window frames to check for bugs, X-rayed every inch of steel and all the exterior walls and insisted that all building materials be fabricated on site, Warnecke said.

The State Department's Foreign Buildings Office last November drew up a point-by-point rebuttal of the Senate report, blaming many of the construction problems on the sudden "lockout" of Soviet workers in 1985 that brought all work on the chancery to a halt.

"Portions of the roof, requiring considerable structural steel and concrete, as well as waterproofing, were left undone by the Soviet contractor when it was suddenly locked out," it said.

On the other hand, cracks in the mortar after three of four years of exposure to the Moscow climate might be considered "normal," the buildings office said. It said the concrete came from the Moscow central mixing plant used on all construction in the capital and that walls "hundreds of years old" constructed with the same ingredients still stand today.

The report admitted, however, that the Soviets had no capacity for pouring cement for large areas because "precast concrete is the norm." It also said that "much Soviet work requires redo before it is approved," a problem the buildings office called "endemic," though not "critical."

The buildings office said that the original $89 million cost estimate had never included U.S. construction of the interior "secure area" of the embassy, furnishings, transport or $37 million in supplemental appropriations for "enhanced security requirements." Its own estimate of cost overrun—$20 million—is a subject of legal dispute with the Soviets, the office said.

According to an unclassified State Department report on the history of the U.S.-Soviet negotiations on the two embassies, the issue of whether an American or Soviet contractor would build the U.S. complex in Moscow was settled by two agreements reached in 1972 and 1977. Those agreements were the culmination of talks dating to 1934, when William C. Bullitt, the first U.S. ambassador to the Soviet Union, raised the issue of a new embassy with Stalin.

From the start, the question of the contractor bedeviled the negotiations, which broke down in 1939. They were resumed, and linked to a new site for the Soviet Embassy here, in the mid-1960s after Soviet efforts to build in Chevy Chase were blocked by the local community.

An agreement on sites for the two embassies was reached in 1969. (Ironically, the Soviets were not initially enthusiastic about the Mount Alto site on Wisconsin Avenue "because of its distance from the center of the city and from government buildings," the State Department's report says. Conservatives have been particularly critical of the U.S.-Soviet agreement on the embassy sites because the State Department agreed to an elevated site for the Soviet Embassy, facilitating its monitoring of U.S. government communications.)

But construction terms remained to be negotiated in a process the State Department report said "was like building a house of cards during a windstorm.

"The haggling over conditions grew so acrimonious that both sides at times considered giving up the negotiations," it said.

President Nixon and the spirit of detente finally brought an end to the haggling over construction terms. On Oct. 3, 1972, Nixon told the State Department he wanted an agreement signed before Andrei Gromyko, the visiting Soviet foreign minister, left the next day.

The deadline passed without an accord. But it was finally signed on Dec. 4, after then-Secretary of State William P. Rogers intervened to force the issue and received Nixon's congratulations for doing so. Still, it took five more years to reach a final protocol on construction terms, which was signed in Moscow in March 1977.

The department report defended the final decision to allow a Soviet contractor to do "all basic structural work" on the U.S. Embassy, noting that all other foreign embassies in Moscow were built by the Soviets and that the French had tried and failed to construct their own.

It said the United States also did not want to face the "counterintelligence challenge" of monitoring a large number of Soviet construction workers coming here to build the Soviet Embassy or the cost of sending 150 to 200 American workers to build the U.S. complex in Moscow.

GESTURES AND THE HOMELESS

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. BEREUTER. Mr. Speaker, in its lead editorial yesterday, titled, "Gestures and the Homeless," the Washington Post comments upon H.R. 588, Urgent Relief for the Homeless Act, which this body will very shortly consider. That legislation, hurriedly prepared, will pass by an overwhelming vote today, but the concluding comments in that editorial ought to be enunciated here today. In speaking about the effort to push this legislative initiative to passage the Post concludes:

If the government can help them with some emergency funds it should. But there is a side to this stampede toward the T.V. cameras that does no one credit and will not help the homeless. It is much more help for the helpers, at best an impulse without clear content, aid of the kind we should all have learned long ago to distrust.

If the problem of the homeless is worth addressing—and it is—it is worth addressing carefully and well. Most or all of the objectives of this legislative initiative are highly commendable, but the product is a hodgepodge of ill-considered authorized actions that together only constitute an effort to throw one-half billion dollars in one year, at a problem hoping that it might have some impact commensurate with that sum. It is an outrageously large sum to authorize for such a legislative product. We can do better and should.

I enclose a more complete version of the Washington Post editorial for the attention of my colleagues.

[From the Washington Post, Mar. 4, 1987]

GESTURES AND THE HOMELESS

Several members of Congress, the mayor and a few movie stars were scheduled to spend last night on a grate to demonstrate their concern for the homeless. The gesture

continues the strange glamorization of this issue that no one fully understands yet so many want to use.

The problem of the homeless has arrived in our midst with what has to be called unnatural speed. Five years ago, if headlines are the measure, it hardly existed. Now it pervades the society. To what extent has reality changed, to what extent is this a genuine public discovery of wretchedness previously ignored, to what extent is it a media artifact? No one quite knows, and at a certain level it does not matter. The people are there, and plainly wretched. * * *

A bill is fine, and some of the funds for emergency measures are needed. But the issue is more complex than this hasty solution suggests. Who are the homeless? Why are they suddenly in evidence when they were not before? What are their problems and what are the solutions? Are they mainly deinstitutionalized mental patients? Or are they victims of the weak economy of recent years?

It isn't a tidy world, but no program can be meaningful for long without a better sense than anyone seems to have of what its purposes and dimensions are. The bill in Congress would create an Interagency Office on Homelessness. Do the homeless really need a separate agency to champion their cause within the government? Or do they not need stronger support from agencies along the way to becoming homeless, better help in their lives before they end up on the grates and in the makeshift shelters?

The limited amount the bill would provide cannot solve the problem of the homeless, whatever that is; it is a token amount. The bill would give an additional $70 million to the Federal Emergency Management Agency to distribute food; $100 million to cities, states or other intercessors to renovate buildings for use as shelters; $30 million for transitional housing; extra funds for outpatient mental health care. Calling a halt to the emptying of mental hospitals until the necessary community mental health programs are in place is a better idea. The bill skips on the surface.

The homeless, we say again, are wretched people who need help. If the government can help them with some emergency funds, it should. But there is a side to this stampede toward the TV cameras that does no one credit and will not help the homeless. It is much more help for the helpers, at best an impulse without clear content, aid of the kind we should all have learned long ago to distrust.

SUPPORT OF THE CONTRAS

HON. DONALD E. LUKENS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. DONALD E. LUKENS. Mr. Speaker, I rise today to share with my colleagues an editorial from the February 23, 1987, issue of U.S. News & World Report.

This editorial succinctly outlines the issues surrounding the situation in Nicaragua and America's role in helping the Contras to end the violent Communist totalitarian government which has been imposed on the people of Nicaragua by the Sandinistas. The editorial effectively refutes the arguments of the opponents of aid to the freedom fighters. I urge my colleagues to read this piece before urging a cutoff of aid to the Contras.

The article follows:

[From the U.S. News & World Report, Feb. 23, 1987]

THE PRESIDENT'S PASSION

Finding the guilty in the laundering of the Iranian millions for the Contras preoccupies Congress and the press. Colonel North, General Secord and others reappear in the headlines. But one name is missing in all the furor—Daniel Ortega, President of Nicaragua. It is right to pursue our American scandal. But it will be tragic if the primary issue is sidetracked. That primary issue is the outrageous subversion of the Nicaraguan revolution by the Sandinistas. It presents the U.S. with moral and strategic issues that will outlast the current furor and the Reagan Presidency.

President Reagan has been wrong about Iran, but he has been right in his personal commitment to the Nicaraguan Contras. He did not invent them. The Sandinistas did. There were no Contras until the Sandinistas imposed a totalitarian state on the people's hopes of freedom after the Somoza dictatorship. What would happen if we didn't support the Contras and their effect were minimized? The Sandinistas would then be free to do what they tried to do before they were Contras—namely to expand the revolution. Even in 1979, when they were hanging on by their fingernails, the Sandinistas were supporting insurrections in Honduras, El Salvador and Guatemala. Today, they have an Army 10 times the size of and more powerfully armed than Somoza's. The Sandinistas are very explicit about their revolution as Marxist and a "revolution without boundaries." They say they want a Marxist paradise in Nicaragua and in all countries around Nicaragua. Nothing short of force will contain the Sandinistas, and it is clearly better if that force were exerted by Nicaraguan fighters rather than American.

Let's deal with the questions that are raised.

1. Why don't Nicaragua's neighbors feel strongly about this? They do. But they are influenced by our own vacillations. In private, these governments are much more hostile for they understand how vulnerable their own countries are to Nicaraguan subversion should the Contras collapse.

2. Wouldn't the arms money be better spent eliminating the causes of Communism in our hemisphere? We know all too well how long and how difficult it is to rid injustice and poverty from weak local economies. Meanwhile, what is to be done about Sandinista military action and subversion? To defend our southern flank would cost the U.S. vastly more than the $100 million in Contra aid.

3. Won't America be drawn into military action to rescue the rebels or rescue Honduras or rescue U.S. prestige? Reagan's opponents raised the same argument and were wrong about the military-aid program for El Salvador. Had military aid not been given, the U.S. might well have had a major crisis following a Communist takeover in El Salvador.

4. Are not the Contras a collection of Somocistas? No. There are about as many ex-Sandinistas in the command and staff positions as there are ex-Somocistas—both about 25 percent. Of 14 Contra regional commanders, 3 are ex-Somocistas and 6 are ex-Sandinistas. The three top leaders have unambiguous anti-Somoza credentials. But Contra human-rights abuses have occurred. Congress, as it has done on El Salvador, is wise to raise the issue to limit these violations.

5. Aren't the Contras ineffective? Again, no. If the U.S. had 3,000 advisers in El Salvador and the guerrilla forces doubled in size over 18 months, this would be seen as a failure. Yet Cuba has 3,000 advisers in Nicaragua, and the insurgency forces there have doubled over the last 18 months. In five years, the Contras have built up an effective force five times the size of the one the Sandinistas built up over 15 years. Success for guerrilla armies cannot be measured by body counts or by territory held. The Sandinistas engaged in guerrilla operations for years before they ever held an inch of territory, and we do not make such demands for territorial gain on the Afghan resistance.

The real questions: Are we committed to our own hemisphere? Is it important? The Contras are central to the stability and future of this hemisphere, because it is Nicaragua that is challenging that stability and the Contras are the only effective counterforce we have. To reverse our support would advertise an unreliability that would undermine our friends and tempt our foes in the region and perhaps beyond. It would cost us dearly.

WE MUST CONTINUE TO ASSIST NICARAGUANS

HON. DAVID DREIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. DREIER of California. Mr. Speaker, last night the President took a bold step toward putting the Iran arms issue behind us. Yes, many questions remain but we must proceed and resolve those as expeditiously as possible. A byproduct of the Iran-Contra issue is a proposal here in Congress to block assistance to the Nicaraguan Freedom Fighters. Mr. Speaker, I commend to my colleagues a brief but very important editorial by Mortimer B. Zuckerman of U.S. News & World Report. It underscores the importance of ensuring that we continue to assist the Nicaraguans fighting for freedom so that we will never have to send United States military troops to the region:

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ADMINISTRATION MOUNTS ASSAULT ON TITLE X FAMILY PLANNING/PLANNED PARENTHOOD PROGRAMS

HON. PETER H. KOSTMAYER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. KOSTMAYER. Mr. Speaker, in recent weeks, the National Family Planning Program—title X of the Public Health Service Act—has come under severe attack by officials in the Reagan administration and by those outside the administration opposed to family planning.

These attacks, in the form of executive branch orders and newly proposed legislation, represent a determined effort to destroy an effective and widely supported nationwide community-based health program.

In January, an official in the Department of Health and Human Services, Jo Ann Gasper, issued an order to deny all title X funding to Planned Parenthood affiliates throughout the Nation. Mrs. Gasper's order was immediately rescinded by her superiors at HHS, including Secretary Otis R. Bowen who subsequently issued a memorandum stating the administration's intention to advance its policies—cripple domestic family planning through legislative means—the only way such policies can legally be put into effect.

Mrs. Gasper's rescinded order singled out Planned Parenthood for attack despite that organization's scrupulous adherence to the law stipulating no Federal funding for abortions. She and her allies in and out of the administration want to go far beyond the scope of current law and decide what organizations ought to receive Federal funding on the basis of what those organizations do with non-Federal funds. The effect of the Gasper directive and the newly proposed antifamily planning legislation, if enacted, would be to deny increasingly scarce Federal health funding to State and local governments, hospitals, HMO programs, and other health-service providers in almost every congressional district in the country.

Last week, 82 of my colleagues joined me in sending the following letter to the President expressing our concern about these illegal attacks by the administration on our domestic family planning program. I also commend to my colleagues an editorial from the February 16 Washington Post concerning this important matter.

HOUSE OF REPRESENTATIVES,
Washington, DC, February 24, 1987.

Hon. RONALD W. REAGAN,
President of the United States, the White House, Washington, DC.

DEAR MR. PRESIDENT: We are deeply disturbed by recent attacks on the Title X family planning program by individuals in your Administration, including the person charged with administering the program, the Deputy Assistant Secretary for Population Affairs at the Department of Health and Human Services, Jo Ann Gasper.

The recent memorandum by Ms. Gasper to regional administrators attacking Planned Parenthood is an unfair and irresponsible action for which there is no basis in law. The Title X program has been law since 1970, and has traditionally enjoyed broad and bipartisan support. Congress has re-examined the program several times since then and reauthorized it without significant change. As recently as last fall, the Congressional conferees on the omnibus continuing resolution wrote report language aimed at insuring that the program was unchanged in the absence of new legislation.

We are pleased that Secretary Bowen has taken steps to limit the damage done by the Gasper memo, which was quickly rescinded. We urge you to send a clear signal to the Secretary and his employees that the Title X program is to be managed in an even-handed way, free from political pressures and attacks by special interest groups and their allies in your Administration.

Finally, we note that the Administration has announced plans to submit legislation amending the Title X program. While we do not support the changes you are seeking, we commend you for recognizing that only through Congressional action—not administrative fiat—can changes of this type be properly made.

Sincerely,

Sam Gejdenson, Peter H. Kostmayer, Henry A. Waxman, James H. Scheuer, Jim Moody, Peter J. Visclosky, Kweisi Mfume, Stephen J. Solarz, Barney Frank, Daniel K. Akaka, Thomas C. Carper, Mel Levine, Major R. Owens, Martin Olav Sabo, Nick Joe Rahall II, Matthew G. Martinez, Thomas C. Sawyer, Edolphus Towns, Robert J. Mrazek, Patricia Schroeder, Cardiss Collins, Andrew Jacobs, Jr., Mickey Leland, Mike Lowry, Louise M. Slaughter, Rick Boucher, Anthony C. Beilenson, Steny H. Hoyer, Howard Wolpe, George Miller, John Lewis, William H. Gray III, Bruce A. Morrison, Ted Weiss, Gerry E. Studds, Albert G. Bustamante, Norman Y. Mineta, William J. Hughes, Howard L. Berman, Vic Fazio, Charles B. Rangel, Robert G. Torricelli, Constance A. Morella, Sander M. Levin, C. Thomas McMillen, Lane Evans, Dave McCurdy, Gary L. Ackerman, Les AuCoin, Charles A. Hayes, Don Edwards, Robert T. Matsui, Jim Bates, Barbara Boxer, Ronald V. Dellums, Richard H. Lehman, Edward F. Feighan, Augustus F. Hawkins, George W. Crockett, Jr., Leon H. Panetta, Bill Frenzel, Marcy Kaptur, Robert Garcia, Edward R. Roybal, Charles E. Schumer, Benjamin L. Cardin, James J. Florio, Tom Lantos, Fortney H. Stark, Julian C. Dixon, Douglas H. Bosco, Lawrence J. Smith, George E. Brown, Jr., Mervyn M. Dymally, Esteban E. Torres, Sherwood L. Boehlert, Olympia J. Snowe, Tony Coelho, Glenn M. Anderson, Les Aspin, Morris K. Udall, Claudine Schneider, and Stephen L. Neal.

HARASSING PLANNED PARENTHOOD

Family planning advocates are confused. Until last month the law seemed clear enough. The federal government, under the authority of the 1970 Family Planning Act, provides supporting grants to birth-control clinics across the country. None of this money can be used to perform or even advocate abortions, and the recipient clinics have been careful not to do either. Some, though, do provide abortion services with their own money and at locations separate from the federally funded clinics. As recently as three months ago, the Supreme Court

upheld this kind of arrangement and specifically declared that any government restrictions imposed on an agency's use of its own money for a constitutionally protected purpose would be unconstitutional.

Last month, on the anniversary of the Supreme Court decision in *Roe v. Wade*, Deputy Assistant Secretary of Health and Human Services Jo Ann Gasper, who is personally opposed to abortion, sent a notice to department field offices directing that all grants to Planned Parenthood be cut off on the grounds that the organization favors abortion. Planned Parenthood is the largest private recipient of federal family planning funds. It receives about $30 million of the $142.5 million appropriated, with the rest going primarily to state and local health agencies and hospitals. The organization also runs 47 abortion clinics but is careful to keep these separate from the birth-control facilities receiving federal funds.

Because the law so clearly sanctions the arrangements Planned Parenthood has made, the Gasper directive was immediately rescinded by her superiors in Washington, and that seemed to be the end of the confusion. For a while. Last week, HHS Secretary Otis Bowen issued a new order asking his regional directors to review all grants in order to ensure that "no family planning program of which abortion or abortion-related activities is a part can be eligible" for federal funds. This directive has been interpreted by different interest groups as either a White House inspired threat to cut off Planned Parenthood or a tough-sounding but legally meaningless sop to the anti-abortion lobby.

Why all this rhetoric over a matter that has been settled in the law? Everyone in this business knows that the Gasper order could not have stood up in court. Similarly, everyone understands that both Congress and the administration are firm in prohibiting the use of federal money for abortions. The existing arrangements that restrict the use of public money but not the privately funded activities of the family-planning clinics represents a sensible compromise. The secretary should advise all concerned that he has no intention to go beyond the law or to support a campaign of harassment against Planned Parenthood.

STOP FEMA BLACKMAIL

HON. LES AuCOIN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. AuCOIN. Mr. Speaker, today I am introducing a bill, along with my colleague Mr. DEFAZIO, to prevent the Federal Emergency Management Administration [FEMA] from holding back emergency planning moneys from States that refuse to participate in massive nuclear war survival planning exercises. Senator BROCK ADAMS of Washington State has already introduced this legislation in the Senate.

This bill is necessary because of a situation that began developing last spring when FEMA regional directors threatened to withhold essential emergency disaster planning moneys from States unless they agreed to participate in a national security exercise.

Many States, including Oregon, faced with a loss they could not compensate for, signed agreements despite grave misgivings about the inevitable negative public response to such plans. At that time, no specific exercise and no specific attack scenario was outlined to the States.

FEMA recently announced plans to conduct a nuclear war planning exercise this month in the Pacific Northwest involving a nuclear attack of 48 multikiloton bombs. The pattern of the bombs, the numbers involved, their yield, is such that if such a situation were ever to actually occur, the States of Oregon and Washington as we now know them would cease to exist.

Following announcements of these plans by FEMA and the bizarre 120-day scenario which leads up to the nuclear attack, citizens all over Oregon protested the absurdity of the FEMA developed scenario and the proposition that nuclear war in any event is survivable.

The Governor of Oregon, Neil Goldschmidt, and the Governor of Washington, Booth Gardner, have notified FEMA that based on public concern they will not participate in the planning exercises.

Governor Goldschmidt has told William H. Mayer, Regional Director of FEMA's Region X office, that "the concept of planning for a survivable nuclear war is one which many Oregonians find unacceptable, and a number of Oregon counties have already declined to participate." Governor Goldschmidt also objected to the fact that the nuclear attack scenario was developed by FEMA without any participation by, or consultation with, officials of the State.

I just have to echo our Governor's concern and I want to state clearly for the record that I believe Governor Goldschmidt and other State officials have bent over backward to try to reach an accommodation with FEMA that would have prevented this confrontation.

I view it as extremely unfortunate that things have come to this impasse. I'd really hoped that some of the very reasonable proposals put forward by Oregon in terms of alternative scenarios would have been accepted by FEMA, especially since they were put forward in such good faith. Oregon fully understands the need for emergency preparedness and response systems, and they're willing to do anything short of planning to survive a nuclear attack of this magnitude.

But the State I represent is not prepared to buy into the myth that such a war is survivable. Oregon offered to plan and participate in a variety of attack scenarios, including terrorist attacks carried out with conventional weapons or nuclear devices; nuclear fallout resulting from accidents or sabotage at our nuclear facilities, and a number of other alternatives. All were turned down by FEMA. And all would have, I believe, met the needs of FEMA and of our citizens, in making sure that necessary planning for a whole host of possible disasters does take place.

Nothing is accomplished by having this confrontation. FEMA's goal, my goal, the State of Oregon's goal, should all be the same. To do all we can to save the lives of citizens in the event of a disaster. Withholding funds from States that seriously try to comply with FEMA's requests because of rigid adherence to one particular set of plans is nonproductive and threatens to endanger the well-being of the Oregonians I represent.

FEMA is attempting to blackmail States who don't comply with its own peculiar view of what is and is not practical to plan for in terms of civil defense. In Oregon, our citizens are concerned about the hazards of toxic and nuclear waste transportation, the possibility of a Chernobyl-type accident at the disabled Hanford N-reactor, future eruptions of Mount St. Helens, and other accidents.

States that choose not to participate in futile exercises should not be penalized for preferring to spend limited moneys on activities that better prepare them to respond to the type of disasters which are likely to occur, and which are survivable.

I hope my colleagues will join with me in the days to come to take steps to assure that no State is penalized for exercising its right to protect its citizens in the way it determines is best.

TURN OFF THE SOVIET DISINFORMATION MACHINE

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. BROOMFIELD. Mr. Speaker, I was shocked to learn that a recent Soviet film suggests that the United States was behind the assassination of Olof Palme, the former Swedish Prime Minister. Mr. Gorbachev must turn off his propaganda machine if he truly wants to improve relations with the United States.

The film, entitled "Who Killed Olof Palme?", hints that the CIA was behind the still unsolved assassination of the late Prime Minister. That is patently ridiculous. The production is clearly designed to confuse the Swedish people by suggesting that the United States may have been involved in that tragic murder.

Soviet disinformation has been used for years. The Soviets should close their bag of dirty tricks. Mr. Gorbachev boasts that this is the so-called age of "glasnost," or openness, but Soviet conduct shows otherwise. I say to Mr. Gorbachev, let's be serious and get down to the hard task of really improving relations between our countries.

INDIAN IMMIGRANTS PROVE UNITED STATES IS LAND OF OPPORTUNITY

HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. SOLARZ. Mr. Speaker, a recent article in the Wall Street Journal highlighted the extraordinary contributions made to our country by the more than 500,000 Americans who have come to our shores from the Indian subcontinent.

These new Americans from India have helped to enrich both the commerce and culture of our great Nation. Indian immigrants have expanded scientific research in our Na-

tion's laboratories and universities, while widening the range of fashion, cuisine, music and art which all of our citizens can enjoy. America has benefited greatly from the immigration to our land of these talented and determined men and women who have come from the world's largest democracy; namely, India. These new Americans have been attracted by our proud traditions of freedom and enterprise and by the opportunities available here, as in no other place on Earth.

As the Representative of one of the great ethnic mosaics of the United States, Brooklyn, NY, I am proud to be able to count so many of these accomplished Americans of Indian extraction among my friends and constituents. Because of the important contributions which Indians are making to our land, I submit this article to be printed in today's CONGRESSIONAL RECORD.

INDIANS IN U.S. PROSPER IN THEIR NEW COUNTRY, AND NOT JUST IN MOTELS

(By James P. Sterba)

To understand why every other motel in America now seems to be owned by somebody named Patel, it helps to know something about Benjamin Disraeli and a girl nicknamed Drina.

She grew up to become Queen Victoria. He was a politician who kept extending his term of endearment by doing things she liked, such as wheedling out of Parliament in 1876 a new imperial title for her: Empress of India. This meant she couldn't help but invite Indian colonial troops to England for royal celebrations, like the Diamond Jubilee in 1897 marking her 60th year on the throne.

Some went. Some returned home by way of Canada, which left such a deep impression that many of them returned and became farmers and foresters along the Canadian and U.S. west coasts.

And that, more or less, is how Indians discovered America.

ANOTHER STORY

How they discovered motels many years later is a more complicated saga involving both the U.S. Congress and former Ugandan dictator Idi Amin. In any case, one study estimated that by last year, 28% of the 53,629 motels and hotels (mostly small ones) in the U.S. were Indian-owned. In Anaheim and along San Francisco's Route 1 and in sections of Georgia, Oklahoma and Texas, it is hard to find one that isn't.

Motels, however, are small chapatis for Indian immigrants, who now number more than 500,000 and who are arriving in the U.S. at the rate of 500 a week. For a group that the U.S. government until recently categorized as "Asians—Others," Indians, like the newsstands they run in New York City, have become highly visible.

Their education and income levels are higher than those of most of the 5.1 million Asians who now call the U.S. home. And their success in business, science and a wide variety of other pursuits may be unmatched by any other recent group of immigrants.

GENES AND JEANS

To mention only a few among the significant "Others":

Har Gobind Khorana, the first person to synthesize a gene in a laboratory; Mohan Murjani, the man who put Gloria Vanderbilt's name on the blue-jeaned derrieres of millions of American women; Jaydev Patel, the best of New York Life Insurance Co.'s 9,000-odd agents; Didhar Singh Baines, the biggest peach farmer in America; Sankar Chatterjee, the paleontologist who discovered the fossil bones that may prove that dinosaurs evolved into birds; Raj Reddy, the president-elect of the American Association for Artificial Intelligence; and Subrahmanyan Chandrasekhar, the astrophysicist who discovered what would become known as black holes and white dwarfs in a universe of dying stars.

If you have surgery, chances are one in 10 that your anesthesiologist is from India. Many of the 28,000 Indian-trained physicians in the U.S. went into this specialty when anesthesiologists were in short supply here. Indian doctors are also filling other medical jobs, manning the U.S.'s inner-city hospitals, psychiatric wards and rural clinics. Others, who can't get medical jobs right away, are selling shoes, clerking and doing hospital laboratory work while they wait for hard-to-get internships and residencies.

If you have a toxic dump to clean up, there is is a good chance that an Indian engineer's company will do it. Not many U.S. firms want such dirty work. At universities, tenured professors prefer young Indian graduate students as research assistants. They work hard without complaining, knowing that this ticket to eventual U.S. residence can be punched or canceled at professorial whim.

RHYTHM AND ALGORITHM

Among other diverse success stories are those of Zubin Mehta, the director of the New York Philharmonic Orchestra; Sant Singh Chatwal, a restaurateur and hotel keeper; Narendra Karmarkar, the Bell Laboratories wizard whose algorithm for linear programming is making computers speedier; Sirjan Lal Tandon, the founder of Silicon Valley's Tandon Corp.; Amar G. Bose, who reinvented stereo speakers; and Ostaro, a swami, astrologer and market forecaster whose uncanny World Series predictions were marred only when the sixth game lasted beyond midnight, thus confounding his prediction of a Saturday Red Sox victory. The Mets won several minutes into Sunday.

All immigrant groups, of course, have their success stories. Asians now seem particularly zealous in pursuit of the American dream. The Indians—despite discrimination—have made it look almost easy. Nearly two-thirds of male Indian immigrants hold managerial or professional jobs.

It is true that for every rising entrepreneur there are poor Indians scrubbing restaurant kitchens, but 1980 census data showed that while the overall U.S. poverty rate was 12.4%, it was only 9.9% for ethnic Indians. The median income for all Indian households was $25,644, compared with $18,544 for all U.S. households. In India, per-capita income is only $284 a year.

Higher education gives the Indians an edge. Some 78% of the men and 52% of the women, according to the same 1980 census data, had college degrees. Less than 20% of all Americans do. Many Indians come to the U.S. at first for graduate study, then stay on. (Today there are some 16,000 Indian college students in the U.S.) In this way, India loses many of its best and brightest. Back home, only one in three Indians is literate.

Already speaking, thinking and dreaming in English helped give the Indians a leg up. But in dozens of talks, Indian immigrants say that they were helped the most by growing up in a country that, like the U.S., is democratic and pluralistic. India's is a more raucous democracy, with more than 100 political parties and a bureaucracy that hobbles economic initiative with red tape and makes political issues of the tiniest decisions. But anyone who survives, let alone succeeds, in such an environment is likely to acquire talents to put the average American tax-shelter promoter to shame.

Few other Asian immigrants come from nations with such social and cultural diversity as India, with 33 major languages and some 1,500 minor ones, seven major religions and new ones propounded by every sidewalk guru, and a melange of six major ethnic groups. "There is nothing homogeneous about Indians," says K.G. Jan Pillai, a Yale Law School graduate. "Tolerance and adaptability are rooted in our culture. We are not pigeonholed." Thus in the U.S., he observes of Indians, "we're scattered all over; we don't have Indiatowns."

RECOGNITION AS MINORITY

Mr. Pillai, who oversees analysis for the Federal Energy Regulatory Commission, is the highest-ranking Indian in the government. He was the founding chairman in 1980 of the National Association of Americans of Asian Indian Descent, formed to enhance Indian visibility and political influence. In 1982, the group got the Small Business Administration to recognize Indians as a minority group, eligible for the preferences given black, Hispanic and other minority businesses in competing for government work.

It came too late to help immigrants like Jaydev R. Patel, who arrived at New York's Port Authority bus terminal one day in 1969 with little more than a master's degree in organic chemistry and a U.S. residence permit, or green card.

Mr. Patel had gone to New York from the small farming town of Sojitra in the west-coast Indian state of Gujarat, north of Bombay, by way of Kenya and Canada. The name Patel, from a landowning clan that evolved into a merchant class, is common in Gujarat. (Next to Hasidic Jews, Indians make up the largest group of merchants in New York's diamond district. Almost all of them come from the single Gujarati town of Palanpur.)

Under British rule, Mr. Patel's grandfather, father and uncle were among Gujaratis encouraged by the British to man plantations in East Africa, where they took up trade. Mr. Patel followed his family to Kenya and taught for a year there before deciding to move to Canada.

TORONTO TO NEWARK

He earned a meager living in a Toronto unemployment office as a $1.21-an-hour clerk and stayed only 18 months. Once in the U.S., he got a chemist's job in a Newark, NJ, laboratory. Over the next three years, he saved enough to return to India to acquire a wife, a common practice among Indian immigrant men. Back in the U.S., he was jobless again but aware of certain trends.

Patels, he knew, were going into motels. Why?

From the turn of the century until 1965, only about 16,000 Indians came to the U.S., largely because of a "Hindu exclusion" policy that paralleled that set by the Chinese Exclusion Act of 1882. There were anti-Indian riots in Washington state in 1907, and as late as 1935 billboards that read "No jobs for Japs or Hindus." After the more liberal immigration act of 1965, Indians and other Asians began arriving at the allowable rate of about 20,000 a year. In 1972, Idi Amin expelled tens of thousands of Indians from Uganda. Many of them were Patels

who ended up "by hook or by crook," says Mr. Patel, in the U.S.

It is a phenomenon of emigration that success by pioneers in one business in a new land gets trumpeted back home, encouraging others to emigrate and go into the same business. That happened with the Patels, for whom the motel business seemed a perfect fit: The Patels were security-conscious savers, eager to own property; small motels were relatively cheap up to the early 1970s, and it amazed the Patels that up to 95% of the purchase price could be financed at interest rates that were rock-bottom by India's standards. A motel provided property, home, business and employment for a large extended family.

LIFE INSURANCE

Later the motel business became harder and more expensive to enter. In some places, Indian owners have had to hire non-Indians as receptionists to make guests feel more comfortable, and Caucasian competitors have advertised their own motels as "American-owned." So while Jaydev Patel didn't buy a motel, he did begin selling life insurance to motel keepers named Patel. He found many of them in telephone books, along with other Gujarati prospects with names like Gandhi and Mehta.

In 1973, Mr. Patel broke New York Life's record for first-year agents, selling coverage of about $4 million. In 1983, he sold policies with $86.5 million in coverage, the company's all-time record for sales by a single agent. Today Mr. Patel, now 44, serves some 4,000 clients from his Livingston, NJ, office. Almost all are of Indian origin, and about half are named Patel.

New York Life is delighted, and not only because of Mr. Patel's sales. His clients are mostly nondrinking, nonsmoking vegetarians, and their claims rate is low.

Mr. Patel says he now has too many potential customers to handle. In part, this is because of an influx of less affluent Indian relatives of established immigrants. Relatives get entry priority under current U.S. rules.

By the 1990 census, Indians expect their numbers in the U.S. to exceed 900,000. The largest concentrations are in the New York-New Jersey-Pennsylvania area (about 120,000) and in California (about 60,000), but generally the Indian immigrants are widely dispersed. That makes it difficult for them to flex their muscle at the polls, although Dalip Singh Saund represented a Los Angeles district in Congress for three terms in the 1960s.

THE IRRIGATION SUBSIDY REFORM ACT OF 1987

HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. GEJDENSON. Mr. Speaker, I am very pleased to be introducing the Irrigation Subsidy Reform Act of 1987. This bill is an attempt to eliminate one of the most striking contradictions in our present farm policy. On the one hand, the Federal Government provides below-cost water to some farmers, encouraging them to grow more crops. On the other hand, Federal commodity programs pay farmers not to grow the same crops.

The bill we are introducing would eliminate this contradiction. It would require farmers who receive new or expanded irrigation benefits to pay full cost for any water used to grow surplus crops—crops that are eligible for Federal acreage reduction programs. Because the bill only applies to new and amended irrigation contracts it would not affect current beneficiaries unfairly.

The production of surplus crops with below-cost water significantly contributes to the glut of farm products. According to the Department of Agriculture, about 45 percent of the Bureau of Reclamation irrigated acreage is used to grow surplus crops. The subsidy on most Bureau of Reclamation irrigation water is about 85 percent, according to the Department of the Interior.

The Irrigation Subsidy Reform Act of 1987 would reduce the Federal deficit in three ways. First, Federal revenues would increase because of higher payments for water. Second, Department of Agriculture spending would go down because of the reduction in surplus crops. Finally, new irrigation projects that are not cost effective would not be built because of the requirement that farmers pay full cost for water.

This bill will help farmers by reducing the surplus of American farm products. My family has a dairy farm in Bozrah, CT, so I am familiar with the problems farmers face. The main problem plaguing American farmers is low commodity prices caused by overproduction. Reducing production of surplus crops will increase commodity prices and farmer income.

Finally, this bill protects the environment because it encourages conservation of our precious water resources. Wasteful use of water can damage fragile ecosystems and destroy wildlife habitat.

The Irrigation Subsidy Reform Act of 1987 will improve the Federal Farm Program by phasing out wasteful subsidies which weaken the entire program. This bill is good for the American farmer, good for the American taxpayer, and good for the environment.

Mr. Speaker, I insert a copy of the Irrigation Subsidy Reform Act of 1987 at this point in the RECORD, followed by the statements of Congressman DALE KILDEE, Congressman THOMAS PETRI, the National Wildlife Federation, the National Taxpayers Union, and the Environmental Policy Institute:

H.R. 1443

A bill to amend the Reclamation Projects Act of 1939 to require the Secretary of the Interior to charge full cost for water delivered from any reclamation or irrigation project for the production of any surplus crop of an agricultural commodity.

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 "Irrigation Subsidy Reform Act of 1987".

SEC. 2. COST FOR DELIVERY OF WATER USED TO PRODUCE THE CROPS OF CERTAIN AGRICULTURAL COMMODITIES.

Section 9 of the Reclamation Projects Act of 1939 (43 U.S.C. 485h) is amended by inserting at the end thereof the following new subsection:

"(g)(1) Any contract entered into under authority of this section or any other provision of Federal reclamation law shall require that the organization agree by contract with the Secretary to pay full cost for the delivery of water used in the production of any crop of an agricultural commodity for which an acreage reduction program is in effect under the provisions of the Agricultural Act of 1949 (7 U.S.C. 1421 et seq.).

"(2) The Secretary shall announce the amount of the full cost payment for the succeeding year on or before July 1 of each year.

"(3) As used in this subsection, the term 'full cost' shall have the meaning given such term in paragraph (3) of section 202 of the Reclamation Reform Act of 1982 (43 U.S.C. 390bb(3)).

"(4) Paragraph (1) shall apply to any contract entered into or amended after the date of enactment of this subsection.".

CONGRESSMAN DALE KILDEE, COLLEAGUES INTRODUCE BILL TO STOP BANKROLLING CHEAP WATER FOR SURPLUS CROPS

Congressman Dale E. Kildee (D-MI) and other House Members today introduced a bill to stop financing cheap water to help Western farmers grow the same crops that another government program pays them not to grow.

Kildee said the current inconsistencies in these government programs waste taxpayers' money and needlessly add to the federal deficit.

"We will have a much stronger federal farm program by getting rid of irresponsible subsidies that weaken the whole program," Kildee said. "The current system is at cross purposes with itself and the price of these inconsistencies is a higher federal deficit."

Under current law, the federal government finances cheap water to farmers—mostly in Western states—that they can then use to grow certain crops, including the same surplus crops that the government is paying them not to grow. This bill, the Irrigation Subsidy Reform Act of 1987, would not end low-cost irrigation water to farmers for every crop, just surplus crops.

The legislation would not be retroactive and would affect only those farmers who sign new or amended irrigation contracts with the Bureau of Reclamation.

STATEMENT ON THE INTRODUCTION OF LEGISLATION TO REQUIRE FARMERS TO PAY THE FULL COSTS OF SUBSIDIZED WATER IF THEY PLANT CROPS ALREADY IN SURPLUS; REPRESENTATIVE TOM PETRI

I am pleased to be here today because I believe this legislation represents the kind of direction our farm policy should be taking.

In the past, I have protested repeatedly that the federal government is paying some dairy farmers to go out of business while simultaneously providing incentives to other dairy farmers to increase production. This seems like a crazy approach to reducing the amount of surplus products the government winds up buying.

The legislation being introduced today attempts to correct another example of crazy government policy. The 1985 farm bill established a huge conservation reserve under which we will pay farmers to take 40 million acres out of production over the next 5 years, in addition to the millions of acres of annual set-asides under the wheat and feed grains program. It is absurd that at the same time we are paying irrigation subsidies for growing surplus crops on otherwise marginal land.

If a farmer still wants to produce these crops, let him pay the full costs of production as do farmers in other states like my

home state of Wisconsin. Last year, we spent more than 25 billion dollars in direct farm subsidies. Let's make sure we aren't spending more of the taxpayers' money to add to the surplus with irrigated lands. I hope that the majority of our colleagues supports this rational approach to crop surpluses.

STATEMENT OF JAY D. HAIR, EXECUTIVE VICE PRESIDENT, NATIONAL WILDLIFE FEDERATION

In the decade ahead, the management of America's water resources will become more important than ever. It is essential that we as a nation reexamine our current water development policy, much of which dates from the early 1900's. The proposed "Irrigation Subsidy Reform Act" is an important step toward improved water management, and I commend the sponsors of this measure for their interest and effort on this important bill.

The policies and projects of the Bureau of Reclamation, operating under the Reclamation Act of 1902, are fraught with contradictions with the economic and environmental realities of today. The Bureau's policies:

Promote consumption of water at a time when the value of conservation for preserving free flowing streams is widely recognized;

Promote production of agricultural commodities when farmers nationwide are facing chronic surpluses and soft prices;

Require lavish Federal spending for construction and maintenance of costly dams and canals, while Federal budgetary pressures reduce funds available for a variety of important domestic needs.

Bureau of Reclamation projects divert and deliver a staggering amount of water—between 25 and 30 million acre-feet—for irrigation each year. Even small gains in conservation and efficiency could yield substantial water savings. Yet the highly subsidized price of this water actually undercuts conservation efforts.

In operation, Bureau of Reclamation irrigation projects often damage or destroy the fragile habitat for fish and wildlife provided by the rivers and streams of the arid West. Furthermore, excessive application of irrigation water has been found to leach minerals and salts from the soil, and can render valuable land useless for agriculture or poisonous to wildlife. These damages do not disappear. Mitigation and clean-up are rarely cheap or easy.

The "Irrigation Subsidy Reform Act" is an important step towards reconciling the conflicting goals of production expansion, promoted by Reclamation water subsidies, and agricultural income stabilization, provided by various USDA crop programs. The bill will also have two important water management effects, with environmental benefits attendant to both:

To the extent that recipients of Reclamation water continue to produce surplus crops, the subsidized price of water will increase. This will encourage investment in water conservation, and free up new supplies of water for other uses or for maintaining in-stream environmental values;

The application of this full cost pricing formula will reduce the political pressure for new Federal irrigation projects, avoiding the environmental damages that would result from the construction and operation of new irrigation works.

We welcome the introduction of the bill, and commend it to the early attention of the Congress and the Administration.

NATIONAL TAXPAYERS UNION SUPPORTS BILL TO REDUCE IRRATIONAL IRRIGATION SUBSIDIES

I am Jill Lancelot, Director of Congressional Affairs for the National Taxpayers Union. The National Taxpayers Union is a 150,000 member non-partisan, non-profit public interest organization that fights to reduce the enormous federal deficit, wasteful government spending and the two trillion dollar national debt.

I am here this morning to give our wholehearted support to the Irrigation Subsidy Reform Act of 1987 introduced by Representatives Gejdenson, Sharp and Kildee today. We believe that it is imperative to stop subsidies to farmers for irrational water irrigation projects. These projects are senseless because they bring marginal land into production to grow crops already in surplus, the very crops that the government is simultaneously paying not to be grown.

Under current practices it is clear that the government's left hand does not know what the right hand is doing. Presently, it asks the taxpayers to pay farmers NOT to plant certain crops that are in surplus. At the same time, taxpayers are asked to provide irrigation water to farmers at below market value to grow the very same excess crops. And, in many cases it is the same recipient who receives both subsidies. A situation that borders on the absurd.

The government's own statistics indicate that forty-five percent of the lands irrigated with federally subsidized water are being used to grow crops that the government is paying farmers not to grow. A reality that challenges common sense.

In fact, the current farm subsidy system hits the taxpayer not only with a double, but a triple whammy:

1. tax dollars subsidize water to turn desert land into unneeded farm acreage used to grow unneeded crops;

2. tax dollars pay farmers not to grow surpluses that are produced with subsidized water; and

3. tax dollars help pay for storage costs when surplus crops are grown.

The American taxpayers can't help but be astonished, confounded and finally outraged about this nonsensical system of self-defeating subsidies. It is utterly incomprehensive to ask taxpayers to pay for subsidy piled on subsidy on top of subsidy at a time when Congress is faced with short-falls in the $180 billion range.

The legislation introduced today is a giant first step toward restoring a bit of sanity to the nation's runaway farm subsidy craze. This bill, by requiring farmers to pay full cost for irrigation water will help kill three birds with one stone. It will curtail the water subsidies, it will reduce payments for surplus crops and it will lower storage costs.

The National Taxpayers Union joins with Representatives Gejdenson, Kildee and Sharp in urging the Congress to adopt this significant tax-saving legislation.

STATEMENT OF THE ENVIRONMENTAL POLICY INSTITUTE

Peter Carlson, Director of Water Resources, for the Environmental Policy Institute, a Washington, D.C. based public interest organization specializing in water, energy and agricultural resource issues, today called upon the U.S. Congress to adopt reforms to end the contradictions between the Department of Interior's Bureau of Reclamation and the Department of Agriculture practices with respect to surplus crops.

"We are here today to endorse the legislation introduced by Rep. Gejdenson and cosponsored by Reps. Kildee, Sharp and others to bring about an end to the absurd situation with respect to surplus crops and the Department of Interior's Bureau of Reclamation" Carlson said.

In February of 1984, as a result of language inserted in Section 222 of the Reclamation Reform Act of 1982, the Department of Agriculture released a report, Production of Surplus Crops on Irrigated Land Served by the U.S. Bureau of Reclamation, which once again brought the problem to the attention of Congress. There is an apparent inconsistency in some Federal programs restricting production and raising prices and farm income, others, are designed to increase the productive capacity of the agricultural resource base. "Such inconsistencies put these two agencies at loggerheads" Carlson continued.

In the report, the Economic Research Service stated "full-cost pricing or limits on use of water would be more effective than mandatory participation in resolving program inconsistencies".

"We feel that Congress needs to bite the bullet on this issue with respect to the Reclamation program and take the first step in bringing an end to the problem" Carlson added.

In 1985, the Environmental Policy Institute published a report What Agribusiness Thinks . . . A Survey of Business Leaders' Views on Land, Soil & Federal Farm Policy. The report was based on a questionnaire survey over the 1983-1984 period where the views of business officials from more than 230 corporations and agribusiness trade organizations directly or indirectly involved in agriculture were solicited. One of the questions asked in the survey was: Should the federal government provide millions of dollars in subsidies for federal irrigation projects used to produce crops in some regions (outside the Midwest) which put farmers of those same crops in the Midwest at a competitive disadvantage?

Of those responding, 64.3 percent said no, 24.3 percent had no opinion and only 11.4 percent said yes.

"We feel there is broad support for such action and we look forward to working with these Members of Congress and others in an effort to bring about a solution to this problem" Carlson concluded.

THIRD WORLD DEBT LEGISLATION

HON. BRUCE A. MORRISON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. MORRISON of Connecticut. Mr. Speaker, I am today introducing legislation on one of the most important yet poorly understood issues we confront today: Third World debt and its impact on the United States.

The basic facts about Third World debt are widely known. Poor nations have borrowed far more than they can now pay back. The total indebtedness of these nations can be calculated in various ways, but the best figures suggest that debt now exceeds one trillion dollars. Even more startling, that debt has grown, not shrunk, since the onset of the chronic debt "crisis" that began in late 1981. And it

has grown precipitously; from 1981 to the present, the debt has grown from some $730 billion on over a trillion dollars—all in a period when we were supposedly mindful of this crisis situation and taking various actions to deal with it.

Increasingly, our people are beginning to know and understand the tangible, down-home consequences of this seemingly remote problem. Stated simply, the debt problems of these countries have translated into the severe trade problems we face in virtually every locality in America.

Why? Because in trying to pay their debts to the commercial banks, including the major U.S. banks, these countries have pursued trade policies that have devastated American farms and factories. These debtor nations, in an effort to be upstanding, debt-paying members of the international financial community, have pursued economic policies that emphasized buying less of the food and machinery we produce while selling us as much as they possible can from their own farms and factories.

The stark result has been that the shift in the trade balance between the United States and the developing world has become a major factor in our intolerably large trade deficit. Despite the general focus on our trade with Japan, the fact is that this debt-related shift in our trade with poor nations is a greater factor in our trade deficit problem than our trade with Japan.

For that reason, I am introducing this legislation today with the absolute determination to see that the problem of Third World debt is dealt with effectviely in the omnibus trade bill, which Speaker WRIGHT has wisely decided to place on a fast track for passage this April, just 2 months from now.

Before discussing the details of our proposal, I want to say a special word of thanks to my colleague from Michigan, Representative SANDER LEVIN. He now serves on the Ways and Means Committee, but he also served on the Banking Committee in the last Congress and deserves special credit for the work he did last year in moving forward with a number of us on the Banking Committee to develop new and innovative approaches to this critical economic problem.

That collective effort has produced the legislation being introduced today, and our continued cooperative work will be the key to producing final legislation on debt that will be wise, fair, and effective.

Let me explain the gist of the bill that Representative LEVIN joins me in introducing today.

The Debt Deconcentration and Growth Promotion Act of 1987 has two key purposes: To reduce the dangerous level of exposure of U.S. banks to troubled foreign lending, and to promote genuine economic growth and development in the poor nations of the world along with increased trade between the developing world and the United States.

To accomplish those objectives, the bill instructs the administration, specifically the Secretary of the Treasury, to immediately initiate negotiations with our industrial trading partners—who also have lent money to these countries and share these same problems with us—to create a new multilateral entity to deal exclusively with this debt problem. This new entity would be a debt deconcentration facility.

The urgent need for a new institution to deal on a comprehensive basis with debt is now clear. Despite repeated assertions by private bankers and the Reagan administration that the problem has been solved or that significant progress is being made on a muddle-through, case-by-case basis, the facts belie such "whistling past the graveyard."

The facts remain that these countries are being strangled economically, our own trade picture is growing more bleak, and our banking system is more and more at risk. A new entity with full multilateral backing and a clear mandate would be able to provide the leadership on this issue, which we have not received from either the administration or the private banking sector to date.

The debt deconcentration facility we are proposing would be empowered to take the sovereign debt off the books of the commercial banks. The banks would be required to accept the losses on these loans that would be dictated by the free market; that is, they would only receive for these loans what they are currently being booked by the banks. In order to make those losses manageable, however, the banks would be allowed to recognize these losses on a deferred basis, stretched over a period of years. That would insure that the banks accept a fair loss on this lending, some of which was improvident in the first place, but that any losses would not threaten the soundness of individual banks or the safety of our overall banking system.

Further, this facility would be empowered to work directly with the debtor countries, much as the bankruptcy court might work with a troubled company, to restructure their debt. The aim should be to find creative new means of tapping the world financial market to provide these countries with the funds they need at a current price they can afford. At the same time, in conjunction with this restructuring, the facility would obtain commitments from the debtor developing nations that economic reforms will be implemented that will promote long-term, sustainable growth and limit capital flight; such commitments will be a condition of the debt restructuring and reduction assistance offered by the debt deconcentration facility.

Here again, what is needed is leadership; there is no dearth of creative ideas about how this could be done.

For example, this morning's paper carriers the news that Venezuela has just agreed to engage in some so-called debt-equity swaps to reduce its debt burden. This involves permitting a creditor to exchange a loan asset for an equity holding in a company or of an asset such as oil reserves. Another widely discussed idea that is beginning to be used involves changing this short-term, comparatively high-interest debt into other forms, such as securities, and marketing them to the international capital markets. One of the reasons we are facing this problem is that the Third World countries have been excessively reliant on commercial banks. Their debt is unnecessarily concentrated in the banks' hands; and they have not utilized the other capital sources that exist in the global financial markets.

The debt deconcentration facility would provide the expertise, the impetus, and the legal power to see that these creative new approaches to funding economic development and reducing the debt burdens of the Third World are effectively utilized.

The need for this new approach to Third World debt is evident and urgent. And the Congress has an exceptional opportunity to act boldly now to face the debt problem. We can, and I believe we will, pass this legislation on debt as part of the omnibus trade bill that we intend to pass this spring, just a few short weeks from now. Already, the chairman of the International Development Institutions Subcommittee on which I sit, Representative WALTER FAUNTROY, has held hearings on the debt problem and has clearly stated his intention to mark up legislation on debt within the Banking Committee section of the trade bill. I welcome that commitment and I join with him and my other colleagues in our determination to act swiftly on this crucial problem.

Today's introduction of the Debt Deconcentration and Growth Promotion Act of 1987 is an important first step in providing an answer to this extremely serious economic challenge to the well-being of our farmers, our workers, our banks, and to the millions of people still struggling to achieve the prosperity in their nations that has blessed us here in the United States.

Following is a section-by-section summary of the Debt Deconcentration and Growth Promotion Act of 1987.

SUMMARY—THIRD WORLD DEBT BILL

1. Title.—"Debt Deconcentration and Growth Promotion Act of 1987."

2. Findings and Purposes.—Developing country debt now exceeds one trillion dollars, and developing nations are no longer able to sustain interest payments on that debt, let alone repay the principal of those obligations. The debt crisis has three dangerous consequences:

Efforts to repay debt have crippled economic development in these nations;

Their inability to repay these debts poses a serious threat to the safety and soundness of the U.S. commercial banking system, since major money center banks are overexposed and could be bankrupted by widespread default or repudiation of this sovereign debt;

Their inability to repay their debt has seriously damaged the U.S. trade balance. Latin American efforts to limit imports from and expand exports to the U.S. have caused a greater negative shift in our balance of trade with those nations than we have experienced with Japan.

Therefore, the purposes of this bill are to:

Promote growth in the developing world and expand trade between the United States and the developing world by restructing and reducing Third World debt burdens; and

Protect the safety and soundness of the U.S. banking system by reducing commercial bank exposure and deconcentrating the holdings of developing nation debt by tapping the world capital markets through innovative financing techniques.

3. Debt Deconcentration Facility.—The Secretary of the Treasury is instructed to initiate negotiations with other industrialized nations to propose the establishment of a multilaterial financial intermediary which would purchase sovereign debt from private

creditors and enter into direct negotiations with debtor countries for the purpose of restructuring the debts to reduce these countries' current debt servicing burdens.

The facility, to be an independent affiliate of the World Bank, would not retain or hold the debt acquired from private creditors. It would operate as a financial intermediary or agent to restructure the debt portfolio of the debtor nation and to repackage and sell new debt instruments to new investors in the world capital markets. In so doing, it would be empowered to utilize such techniques as debt buybacks, debt-equity swaps, and securitization and collateralization of debt instruments of the debtor nation.

The facility would acquire the debt initially through issuing obligations which would be backed by a contingent liability of the signatory nations agreeing to creation of the facility, but those obligations would be covered by the funds acquired by the facility as it sold the restructured debt instruments to new investors. The intention of the bill is that the debt deconcentration facility should not involve the assumption of existing debt liability either by the World Bank, the new debt facility, or the signatory nations creating the facility.

4. Reporting Requirements.—The Secretary of the Treasury is instructed to report to the House and Senate Banking Committees within ninety days of enactment on the progress being made toward creation of the debt facility, and to report each ninety days thereafter until he presents the Congress with enabling legislation to create such a facility.

In addition, the Secretary of the Treasury, the Federal Reserve Board, the Comptroller of the Currency and the Federal Deposit Insurance Corporation shall conduct a joint study on the past profitability of commercial bank lending to the nine major money center banks over the past ten years, and shall submit such report to the Banking Committees ninety days after enactment.

5. Regulatory Reform.—In conjunction with the multilateral negotiations mandated in Section 3, the Secretary of the Treasury shall propose that the signatory nations creating the debt facility commit to the necessary regulatory changes within their own regulation of commercial banks to facilitate the work of the facility. The Secretary shall specifically pledge that upon U.S. acceptance of membership in such a debt facility, deferred loan loss recognition would be permitted for losses incurred by commercial banks in transactions with that facility.

After the United States accepts membership in such a debt facility, any rescheduling agreements between commercial banks and developing nations shall be subject to certain restrictions, including a limit on interest charged to the actual cost of funds as measured by the London Interbank Offered Rate (LIBOR), and a limit on rescheduling fees and associated charges to actual costs incurred in the rescheduling transaction.

For a period of five years after these regulatory changes take effect, transactions with the debt deconcentration facility may not be taken into account by bank regulatory authorities in appraising the value of, classifying, or imposing reserve requirements with respect to, other sovereign debt still held by commercial banks.

VICKI FRANKOVICH AND THE TWA FLIGHT ATTENDANTS

HON. BARBARA BOXER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mrs. BOXER. Mr. Speaker, 1 year ago tomorrow, TWA flight attendants took a position of conscience when they left their jobs to protest unfair actions by the new management of their company. Their story is told in a January 1987 MS. magazine article on Vicki Frankovich, president of the International Federation of Flight Attendants. Through personal sacrifice and under extremely trying circumstances, Ms. Frankovich has maintained her commitment to the TWA flight attendants. I find it unconscionable that such great levels of pay, benefits, and work rule concessions were sought from the TWA flight attendants. Moreover, nearly 4,000 flight attendants who offered to return to work on an unconditional basis last May have not been able to go back to their jobs. In an era of deregulation and corporate mergers, the outcome of the TWA flight attendants' dispute may presage future treatment of employees refusing to capitulate to unfair management initiatives. As I feel it is important for the public to know the story of Vicki Frankovich and the TWA flight attendants, I have excerpted, for the RECORD, portions of the MS. magazine article by Christine Doudna.

Vicki Frankovich's battle with Carl Icahn and Trans World Airlines looked to many like a loser's game from day one, but she never thought of not playing it. She and the 6,000 members of her union, the Independent Federation of Flight Attendants (IFFA), say they were dealt a bad hand 18 months ago and this past March they played their highest card. They went on strike. Most have not gotten their jobs back, but they're still fighting. They've picketed, they've sued, and now are trying to enlist the flying public in a "boycott of conscience" against the airline. In an era when people care more about discount fares than alleged unfair labor practices, that's a tough battle. The hardest part may be simply to let the American public know the battle is still on. But Frankovich and her union are a tenacious bunch of losers.

Carl Icahn, chairman and majority stockholder of TWA, has always held the aces; a few months after he began his public grab for TWA in the spring of 1985, he asked for major concessions from the flight attendants and he expected to get them—even . . . Flight attendants' complaints of discrimination seemed to have all the effect on Icahn of a gnat taking aim at an elephant.

Most of the press and public assumed the battle was over last May, when the union called off the strike and offered an unconditional return to work. By that time Icahn had hired enough scab labor to operate his airline on a near-normal basis, and the union determined it had nothing more to gain by withholding its services. Common wisdom had it that Frankovich finally had thrown in the towel; the New York Times used the occasion to write a veiled obituary of the American labor movement.

Frankovich is unfazed by such write-offs. "The obituary shouldn't be written yet, because the fight's not over," she said in her New York office, a few days after the New York *Times* article was published. It was a Sunday afternoon in June; she was spending the day as she had spent virtually every day since the strike began—in her office. A bouquet of wilting roses on her desk was a reminder of how she'd spent her thirty-eighth birthday. She and her staff had worked on the boycott of conscience launched in connection with the approaching July 4 festivities. Its theme was an "affirmation of the American spirit."

"Our approach now is to emphasize outreach to the community. In the same way groups across the country are boycotting South Africa, we're trying to say to people it's no less American to boycott a carrier, an employer, whose practices are obviously geared to a human rights violation—a sex discrimination so appalling that we had no choice."

* * * * *

The dispute between TWA and its flight attendants is both an old and a new story. On the one hand, it is the story of a predominantly female work force that claims it is being singled out for discrimination (the prestrike union membership was 85 percent female). But it's also the story of a new economic climate in America, a story about deregulation and government, about capitalism and justice in the era of Reagan.

The women and men who are fighting to get their jobs back at TWA face a new breed of corporate animal—the corporate raider-turned-executive. Carl Icahn's profession is making money by moving money: buying into a company, taking a profit, and getting out.

Frankovich claims that Icahn was never interested in making a deal with the flight attendants, that his goal was to replace the work force with a younger, cheaper staff. If she can substantiate that claim in court, she and her union will stand to win a major lawsuit—and win back the union members' jobs.

* * * * *

The flight attendants are not newcomers to struggle: 15 years of feminism brought big changes to the airline industry. After years of working under highly restricted conditions (a flight attendant couldn't marry, couldn't have a child, couldn't work past a certain age and couldn't be male) and being perceived professionally as sex objects ("Fly coffee, tea, or me"), they began to organize in the late 1960s. At TWA, as at Pan Am and American, the flight attendants broke away from their parent (male-dominated) union in the mid-seventies and formed their own union. They successfully negotiated major work-rule changes, got rid of blatantly sexist restrictions, and transformed their workplace from a sexualized environment serviced only by the young, the beautiful, and the underpaid to a viable career setting.

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IFFA, like all unions, knew the threats that deregulations posed to its employers—and therefore union jobs. The saga of Frank Lorenzo and Continental Airlines hung like a storm cloud over the contract negotiations of all airline unions. Lorenzo is the man who took over Continental abrogated all labor contracts by filing Chapter 11 bankruptcy proceedings, and reorganized as a nonunion carrier. So IFFA was willing to talk seriously about concessions, but its overriding concern was to save jobs and protect the remaining work force from a dramatically increased work load.

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When Icahn first began bargaining, for TWA, he quickly realized he had to get big labor concessions across the board. He made a deal with the pilots and machinists: a 26 percent salary reduction from the pilots, 15 percent from the machinists, and similar cuts for other, nonunionized employees, for a combined cut of $250 million. The pilots were willing to give more because they make so much more. Icahn maintains they have subsequently also made workrule concessions.

There is still a dispute about the facts of the Icahn-IFFA negotiations. IFFA says Icahn asked for a 22 percent aggregate cut from the fight attendants (including benefits, expenses, et cetera, as well as salary), worth about $62.7 million. IFFA says this would have meant a $6,500-a-member yearly salary cut from an average salary of $30,000.

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In December, 1985, Icahn's demands escalated dramatically. He asked for all the massive work-rule changes that TWA's former management had opened negotiations with in February, 1984—proposals that the former management had eventually abandoned and that IFFA feels it wasn't serious about to begin with. The total package offered by Icahn was worth about $100 to $110 million—a 22 percent salary cut plus complicated work-rule changes that, according to Frankovich, increased the number of monthly hours away from home by 90 and brought the concessionary package to 44 percent.

In addition to the salary cut Icahn wanted to reduce layover rest periods, reduce vacation days, reduce expense allowances, reduce the number of flight attendants on flights, and increase flight attendants' availability for work. All this meant more work, less rest on the job, 2,000 fewer jobs by IFFA's calculation, plus the salary cut.

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On March 6, 1986, the eve of the strike, Icahn and Frankovich had their last-best-chance encounter. Icahn came in with a 17 percent salary-cut offer, down from 22 percent, but with all other work-rule demands essentially intact. IFFA's negotiating committee came prepared to give concessions worth between $50 and $60 million. They were still $40 to $50 million apart.

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IFFA went out on strike 99 percent strong: it stayed out a remarkable 72 days; at the end it was still 85 percent strong—better than many unions can muster in the first days of a strike. At its labor solidarity rally on May 8 the secretary-treasurer of the International Transport Workers Union told the members, "You're the strongest people I've dealt with in my entire union career, and that's many years."

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The American labor movement may have fallen on hard times in the past few years, but IFFA's plight should not be written off to the decline of labor solidarity. IFFA's situation is, indeed, more poignant because it seemingly did everything right. It got support from everyone it could, it showed remarkable strength and unity—all the things that used to count in a labor dispute—and yet it was thwarted at every turn.

On May 17, when the union made an unconditional offer to return to work, it was because, in the words of union vice president Karen Lantz, "we realized we needed to change the focus of our strategy; we realized we might as well stop the influx of scabs and new hires, and make sure people going back to work were our own people." Thus IFFA's May 17 offer meant that TWA would be obliged to take back an IFFA member each time an opening occurred.

TWA is now operating the airline with a staff of about 4,500 flight attendants; it used to operate with 6,000. Two hundred IFFA members were taken back on May 29, and on September 9 the court ordered the airline to take back 463 more—to replace 463 new hires who started work "illegally" after May 17. (Pending appeal, those 463 IFFA members are still not back at their jobs.) The first union members invited back were taken from the top of the seniority list, which means they had 25 years of seniority or more, but the union claims some of them were treated like new hires. They were told they'd have no choice about their "status" or "domicile" (home base). One woman in her late forties says she flew more in her first month back than she had when she first started working for TWA 21 years ago; she was put on her first flight 10 minutes after she was "reprocessed," went to Las Vegas and back, had 12 hours off, then was called at 11:40 at night to reappear at the airport at 4 a.m.

The IFFA leadership continues to operate as it did when on strike. It stays closely in touch with its membership—both those workers back at TWA and those still out of their jobs. (Most of the latter 5,000 flight attendants have taken temporary jobs and do union work in their spare hours.) It is also trying to do battle on other fronts—like working with the flight attendants from Ozark Air Lines, Icahn's recent acquisition for TWA, to ensure that flight attendants from both airlines receive equitable treatment during the merger. And its newsletter chronicles TWA's difficultues in other areas, including the complaints of racial discrimination brought to the attention of the Kansas City chapter of the NAACP. Those claims were the subject of a recent Congressional hearing.

IFFA is also continuing to bring to the public's attention TWA safety issues. IFFA attorneys have filed about 100 complaints with the Federal Aviation Agency claiming safety violations and near-accidents during the strike and afterward, which they allege took place because of the inadequate training of the newly hired flight attendants. (One dramatic example was a March 26 flight from St. Louis to Boston. The plane began filling with smoke after it landed, and the flight attendants allegedly failed either to notify the cockpit of what was happening or to assist passengers from the aircraft; passengers started to evacuate themselves through window exits, and they later testified they were having difficulty breathing.)

The main focus of IFFA's strategy now is to fight in the courts and in the court of public opinion. The union has won two significant victories so far—both on appeal as of press date. One requires the replacement of the new hires who began work after the union's unconditional offer to return to work; the other requires the payment of union dues by all TWA flight attendants, including those hired initially as scabs. Several other lawsuits are pending.

IFFA is arguing, in federal district court in Kansas City (where major TWA offices are located), that TWA is guilty of "bad faith bargaining"—that Carl Icahn never intended to reach an agreement with IFFA—and that Icahn's intentions were and are to break the union.

The other major legal effort concerns an allegation of sex and age discrimination. IFFA has filed a complaint with EEOC, in which the union's major contention is that Icahn's treatment of IFFA amounts to sex discrimination because a predominantly female work force was asked to make much greater concessions than a comparably paid, mainly male work force. They also contend that the desire to get rid of the work force suggests age discrimination. Additionally, more than 3,000 individual complaints have been filed with the New York State Division of Human Rights, alleging sex and in some cases age discrimination.

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Vicki Frankovich's last best hope—whether she wins or loses in the courts—is that the public will hear her side of the story and be moved. She gives speeches all over the country now, works with travel agents in the hope of influencing them not to book clients on TWA, and has gathered a long list of notable people to join her union's "boycott of conscience"—people like Ed Asner, Cesar Chavez, Colleen Dewhurst, Shelley Winters. One of the most interesting supporters of the boycott is Lynn Williams, president of the United Steelworkers of America; USX Corporation, formerly U.S. Steel, is Icahn's most recent takeover target. Williams probably knows he may have a lot to learn from TWA's flight attendants.

Whatever the outcome in the courts, Frankovich says she's in this fight for the long haul. "Boycott efforts take a long time. The only way it can work is to get commitments from all levels of society—to get people to say, 'This shouldn't have happened. I'll make sure it won't happen again. I don't like it, it's not the American way'."

Many voices are laying claim to "the American way" of late and Frankovich may have to wait for a better day. But even if she must halt her "loser's battle," she says she'll have no regrets. "If we lose, I'll do everything I can to make sure the work force doesn't feel defeated. It's better to have fought and resisted than not, when what they're doing is so unfair and wrong. We've fought a good fight this time. And there may come a day there's a better fight."

Losers surely can play a game with style.

OPPOSE MASSIVE MEDICARE AND MEDICAID CUTS

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. ROYBAL. Mr. Speaker, just shortly after New Years, this administration placed what I call its New Year's budget resolution on the American table. The administration's budget means more misery for millions of poor, elderly and disabled Americans and more money for already expensive military spending and SDI research. Misplaced priorities continue to plague this administration. It continues to ignore the plight of Americans desperately in need of adequate shelter, and food and health care while it allows the military to spend excessively. Congress can and must do better.

Even though the administration states its intent to address catastrophic health costs, it fails to provide for it in the budget. Congress must make sure there is room in the budget to accommodate catastrophic health legislation.

This administration's health budget is itself a catastrophe. The administration's 1988-92 Medicare and Medicaid cuts total $61 billion and are an assault on essential health care programs. Congress must strenuously defend Medicare and Medicaid from an administration budget ax aimed at America's poor and elderly.

Congress should again reject the administration's cap proposal for Medicaid. Even Gramm-Rudman exempted Medicaid from budget cuts. As for Medicare, Congress should again recognize the excessiveness of elderly out-of-pocket health costs in its budget resolution and include language stating that out-of-pocket costs not be increased. Further, Congress must minimize payment cuts for health care providers and make sure that any cuts do not result in cuts in health care access and quality.

The administration describes its budget as "a plan, a hope, a vision of what America is and where it is going." However, if you are poor, hungry, homeless, or sick in America, its budget provides no plan, no hope and no vision of what America is or where it should go. Congress must do better.

Mindful of Congress' deep concern for the continuing plight of the elderly, the disabled and the poor, we must strongly oppose the administration's 1988 budget proposals regarding Medicare and Medicaid. I and the members of the Select Committee on Aging strongly urge Congress to reject administration proposals desigend to cut back on the Federal commitment to Medicare and Medicaid.

Let me take a few minutes to lay out the special problems facing Medicare and Medicaid.

ADMINISTRATION'S MISPLACED BUDGET PRIORITIES

The absurdity of the administration's priorities is best illustrated by its proposal that already excessive military spending would rise 8.6 precent to $297.6 billion in fiscal year 1988—5 percent more than inflation—and SDI star wars funding would rise 64 percent, while a cap would be placed on Medicaid—an already inadequately funded health program for America's most vulnerable. Even today, an emaciated Medicaid Program only protects one-half of America's poor. The remainder of the poor are left begging for critically needed health care.

Every principle of fairness is contradicted by the administration's decision to freeze Medicaid and then increase defense spending by $23.6 billion. The administration is asking elderly and disabled Americans to give up their first month of Medicare coverage while it doubles research on an antisatellite weapon. The administration wants to increase Medicare part B premiums by $571 million and cut $1.3 billion from Medicaid while it increases the MX missile program by nearly $1.9 billion. These are trade offs that violate the priorities of a compassionate and humane society.

The administration's budget proposal is an excellent example of just how much the administration is out of sync with the American people. Time after time, Americans reaffirm that they are committed to protecting our most vulnerable citizens while maintaining a strong defense that lives within the Nation's means. Just a few weeks ago, the administration described its budget as a plan, a hope, a vision of what America is and where it is going. But if you are poor, homeless, hungry and sick in America, the administration's budget provides no plan, no hope and no vision of what America is and where it should be going.

FIVE-YEAR MEDICARE AND MEDICAID CUTS OF $61 BILLION ARE VICIOUS ASSAULT ON ESSENTIAL HEALTH CARE PROGRAMS

Incredibly, fiscal year 1988 cuts are dwarfed by what the administration wants to do to Medicare and Medicaid over the long haul. Future cuts would deprive the Medicare Program of a total of $41.5 billion over fiscal years 1988 through 1992, as the administration gnaws away at the health care benefits upon which our elderly depend. Medicaid, upon which the needest among us rely for essential health services, would suffer devastating cuts of $19.5 billion through fiscal year 1992.

The administration's 1988-92 Medicare and Medicaid cuts totalling $61 billion are an assault on essential health care programs. The Congress must strenuously defend Medicare and Medicaid from an administration budget ax aimed at America's poor and elderly. Congress must not tolerate the administration's attempts to eviscerate these basic health care programs upon which so many vulnerable Americans depend.

As for the most vulnerable Americans—victims of catastrophic health costs, the administration states its intent to address catastrophic health costs but fails to provide for it in the budget. Congress must make sure there is room in the budget to accomodate catastrophic health legislation.

MEDICAID CAP CUTS AT HEART OF PROGRAM FOR MOST VULNERABLE

The administration's Medicaid proposals would impose a spending limit and other changes resulting in reductions from current services of about $1.3 billion in fiscal year 1988 and $19.5 billion over the next 5 years. The administration's proposed 5-year $19.5 billion reduction in Federal Medicaid assistance cuts at the very heart of a program on which our most vulnerable Americans must depend. Spending caps and other reductions to the State-run Medicaid programs will jeopardize the lives and well-being of the poorest of the poor elderly, young and disabled and their families.

Just over 20 years ago, Medicaid was enacted to protect those with a limited ability to pay for needed health care. Today Medicaid covers only half of America's poor and fails to cover over 37 million uninsured Americans. The administration's proposed cuts in Mediciaid benefits for the poor are nothing short of unconscionable. Cutting Medicaid by $1.3 billion next year, or over $50 per beneficiary, is totally impossible to justify when so many of our children and elderly are in need of medical assistance.

Though States have tried to prevent past cuts from harming recipients, any further Medicaid cuts will almost certainly result in eligibility and benefit cutbacks for America's elderly and poor. Even the Gramm-Rudman-Hollings meat ax approach to budget balancing recognized the beleaguered status of Medicaid and exempted it from sequestration cuts.

Because the magnitude of the administration's proposed reductions is far beyond what States can be expected to absorb, any Medicaid cuts will almost certainly result in decreased eligibility and benefits. So-called savings under the administration's proposals would actually jeopardize the neediest among us and shatter our State-run programs. But Americans care about their sick and fragile children, elderly and disabled. Americans and their Congress will not stand for these cruel cuts in a program that even today manages to reach ony about half of America's poor.

I and many members of the Select Committee on Aging strongly urge the Congress, therefore, to ensure that the beleaguered Medicaid Program is protected from these proposed reductions which threaten its viability. More specifically, we recommend inclusion of the following language in the fiscal year 1988 Budget Resolution:

No savings to be achieved in Medicaid shall come from provisions that directly or indirectly increase costs to beneficiaries or reduce services provided to beneficiaries.

Further, we believe that the fiscal year 1988 budget resolution must clearly state our commitment to maintan the current level of Medicaid services, and that it must send the real, and symbolic, message that America cares about the health of its poor. As part of the message, we believe that the fiscal year 1988 budget resolution should leave room for Medicaid reforms to better protect health care quality and better protect spouses of Medicaid beneficiaries.

MEDICARE CUTS THREATEN ELDERLY OUT-OF-POCKET COSTS AND ACCESS TO QUALITY HEALTH CARE

Past Medicare and Medicaid cuts and other actions already threaten the elderly's access to quality health care and push elderly out-of-pocket costs toward dangerously high levels. According to committee estimates, this health care burden is projected to get worse even without further Medicare and Medicaid cuts. Any further action to shift more of Medicare and Medicaid costs to the beneficiary will unfairly add to an already excessive burden borne by the poor and the elderly.

Again for 1988, the President pledges to balance the budget through spending cuts and to veto any budget balancing proposals which include revenue increases. But even on the issue of revenue increases the administration fails to get its act together. On the one hand, the administration tells the American public that this is a "no tax increase" budget while the budget contains all sorts of hidden revenue increases, including an unacceptable 40-percent jump in the Medicare premium, which will cost American taxpayers billions. The 40 percent premium increase for new Medicare part B enrollees and a premium increase for current enrollees would add $11.4 billion to their costs over the next 5 years.

Here again we have an example of a double standard being applied to America's elderly and disabled. While the President has pledged that he opposes any attempt to balance the Federal budget through revenue increases, the administration's proposed 40 percent increase in the Medicare part B premium for new retirees—an increase to $578/year by 1992—is as much a revenue increase as is

any tax increase which the President has pledged to veto. Yet somehow this revenue increase—the increase in the Medicare part B premium—has slipped past the President's scrutiny and will cost Medicare beneficiaries dearly.

One should ask, where is the administration's veto pen when it comes to this revenue increasing proposal? After all, a revenue increase by any other name—including a Medicare premium increase—is still a revenue increase.

An analysis prepared by the Select Committee on Aging and based on a Health Care Financing Administration study demonstrates that the elderly are already in trouble. In 1986, out-of-pocket health care costs for America's 30 million elderly averaged $1,850 per elderly person—over 16 percent of income. By 1991 out-of-pocket costs could rise to over $2,600 on the average or approximately 18.5 percent of elderly income. For both 1986 and 1991, the percentage of income going for health care is higher than which Medicare and Medicaid began 20 years ago.

I and many members of the Select Committee on Aging strongly urge, as in the past, that the fiscal year 1988 budget resolution recognize the importance of protecting the elderly and disabled against increased out-of-pocket costs. More specifically, we recommend inclusion of the following language:

None of the savings to be achieved in Medicare shall come from provisions that increase costs to beneficiaries, including increase in premiums, coinsurance, and deductibles or reduced services provided to beneficiaries.

Moreover, we are concerned that proposed changes affecting Medicare providers might result in unintended and unwarranted negative effects on health care access and quality. With respect to reductions in health care provider payments, we strongly urge that authorizing committees be instructed to proceed with extreme caution relative to Medicare provider changes which may negatively affect health care access and quality.

WHY THE ENGLISH LANGUAGE AMENDMENT?

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. DORNAN of California. Mr. Speaker, I would like to share with you a statement from my friend and our former colleague from the other body, Senator S.I. Hayakawa of California. Senator Hayakawa made this speech before the National Convention of FORTY and EIGHT on the occasion of the presentation to Senator Hayakawa of the "1986 Americanism Award."

His remarks are a stirring autobiographical discussion of the importance English has in unifying our Nation of diverse backgrounds and heritage. The right of individuals and groups to use native tongue must be respected, but national unity requires a common language. A first generation Japanese-American himself, Senator Sam makes the compelling case for why making English our official language will enable those living in our great country to be fully participating citizens economically, socially, and politically.

As the Senator noted, "As I see the rich variety of people who cross our borders or come to our shores, I look forward eagerly to the many things they will do that will make America richer in culture, richer in potentialities, richer in the rewards life can offer." Learning English is crucial to these goals. That is why Senator Hayakawa successfully led the campaign to establish English as the official language of the State of California. Proposition 63 passed overwhelmingly last November.

Mr. Speaker, I encourage our colleagues to take a few minutes to read Senator Hayakawa's excellent remarks.

WHY THE ENGLISH LANGUAGE AMENDMENT? AN AUTOBIOGRAPHICAL EXPLANATION

(By S.I. Hayakawa)

Let me talk a little about my own personal history to explain how I came to believe strongly in the importance of legally designating English as the official language of the United States, and, in Proposition 63 to be voted on in November of this year, the official language of the State of California.

I was born and brought up in Canada. In 1927 or thereabouts, I was invited by Canadian friends from Winnipeg to visit International Falls, Minnesota, for a holiday weekend. When we got to the U.S. border, immigration officials refused my entry, despite the protestations of my friends that I would be back in Canada in three days. "But I am a Canadian citizen, born and brought up in Canada," I said. "It doesn't matter," said the immigration officer. "You are Japanese by race—and that makes you inadmissible to the United States."

In 1929, however, I was awarded a graduate fellowship in English at the University of Wisconsin. This time there was no difficulty about coming to the United States. I came on a student visa, with documents from the University testifying to my student status.

After I got my Ph.D, the University of Wisconsin hired me as a full-time instructor in English. I had to return to Canada to be re-admitted with new documentation, known nowadays as a "green card." It gave me permanent residence, so long as I continued to be employed in the work for which I was admitted. But I still could not be naturalized.

Most of you here know, I am sure, what the situation was at that time as regards Oriental immigration. The Chinese Exclusion Act was passed in 1882. Then came the Japanese Exclusion Act of 1925. These laws denied to those two peoples even a tiny immigration quota, which would have defined them as naturalizable. I remained legally unable to become an American citizen until these laws were changed.

It was in 1952 that the McCarran-Walter Immigration Act eliminated race as a barrier to immigration and naturalization. I finally became a American citizen in naturalization ceremonies in Chicago in 1954, and ceased to be the one foreigner in my family of an American wife and three American children.

In the year of the passage of the McCarran-Walter Act, I was invited to teach a summer session at San Francisco State College. I must say I was surprised at this invitation from a California institution, because I had known since high school days in Winnipeg that California has been, throughout its history, the principal source in the U.S. of anti-Chinese and anti-Japanese agitation and politics. However, I accepted the invitation and enjoyed the experience very much.

At the close of the summer session, the chairman of the English Department, Dr. Caroline Shrodes, asked me if I wouldn't like a permanent position at San Francisco State. "Nothing doing," I said at once. "I've enjoyed myself here, but I don't want to bring up my children in the anti-Oriental climate for which California is famous."

Dr. Shrodes replied, "Come again for summer school next year, and bring the whole family." So we came, the summer of 1953 and the summer after that. And in 1955 we all moved to California, and we have never regretted the move.

Many of you have heard, I am afraid, the rest of my story. As professor of English, I continued to teach, to write, to give public lectures—then suddenly, in the midst of wild student turmoil, I found myself president of San Francisco State College.

Then a few years after that, the good people of California elected me as their U.S. Senator to represent them in Washington. What had happened to that California I had read about in high school? What had happened to that California where every politician who aspired to office played on public fears on "the rising tide of color," "the yellow Peril," that would inundate the United States if the Asiatic hordes were not kept at bay?

What I am leading up to is the fact that while many had been surprised at a Japanese becoming a president of an American university, and many more were even more surprised at his becoming a United States Senator, I am the individual who was most surprised.

It turns out that racism in America is neither unchanging nor implacable. As we who are the children and grandchildren of immigrants have become assimilated, the prejudices against the "damn Dagoes," the "dumb Polacks," the "shanty Irish," against "Chinky-chinky Chinaman" and the "sly jap" dissolve into distant memories to appear no more—not even in comic strips.

Read the names of members of the Senate and the House in the U.S. Congress in which I had the honor to serve: Abourezk, Addabo, Biaggi, Boschwitz, Fuqua, Gonzales, Hammerschmidt, Javits, Laxalt, Oberstar, Rostenkowski, Tsongas, Vander Jagt, Zorinsky. American Political leadership, like leadership in other fields, is full of foreign names. Among our governors are Atiyeh of Oregon, Ariyoshi of Hawaii, Cuomo of New York, Sununu of New Hampshire. And let's not forget George Deukmejian, whose name is harder to spell than mine!

In short, America is an open society—more open than any other in the world. People of every race, of every color, of every culture are welcomed here to create a life for themselves and their families.

Within the lifetime of people here in this room, new names, strange names will take their place in business and industry, in show business and sports, in government or the military: names from Vietnam and India and Cambodia; from Ethopia and Indonesia, from Paraguay and Iraq. Like all of us here, they will sooner or later enter into the mainstream of American life and after a while, people will cease asking "Where the hell do they come from?"—a question that also asks, "Is there no way we can send them back?"

People have long ago ceased asking where Deukmejian and Hayakawa came from. And as time goes on, we shall also take in later

newcomers and learn to live with them—and even become proud of them, as we have done so many times before.

And what will all these strangers that enter into the American mainstream have in common? They will have learned English! English is the key to participation in the opportunities and self-realization that American life has to offer. As I see the rich variety of people who cross our borders or come to our shores, I look forward eagerly to the many things they will do that will make America richer in culture, richer in potentialities, richer in the rewards that life can offer.

So we come back to the English Language Amendment, known in California as Proposition 63. It is a measure aimed as much at future generations as to people who vote today. With English as our official language and therefore the unifying force that enables all of us to participate fully in American life, we can and shall continue to be enriched by the talents and cultural gifts that people will being to us from all over the world.

The English Language amendment says above all, "Let's see to it that our children, our young people, learn English. Let us not deny them the opportunity to participate in American life, so that they can go as far as their dreams and talents can take them."

Proposition 63 is vigorously opposed by militant ethnic organizations such as the League of United Latin-American Citizens, the Japanese-American Redress Committee, the Chinese for Affirmative Action, and the like. Each of these is organized to fight against the injustices suffered or about to be suffered by the ethnic group they claim to represent. Naturally, the reaction of such organizations is to view any new idea with suspicion and fear. One such organization asked in all seriousness if the California English Campaign had a secret plan to have certain minorities sterilized!

Far from targeting Hispanics or Asians or anybody else for special mistreatment, Proposition 63 is a measure to strengthen the ties that bind together all of us, of whatever national origin or race, through the magical bond of a common language.

Perhaps a measure such as Proposition 63 is difficult for these defensive organizations to understand, since their reason for existence is fear: fear of discrimination, fear of unfair treatment, fear of the majority culture.

President Woodrow Wilson showed his understanding of this minority-group mentality when he said in an address to new citizens in Philadelphia in 1915;

"You cannot become Americans if you think of yourselves in groups. America does not consist of groups. A man who thinks of himself as belonging to a particular group in America has not yet become an American, and the man who goes among you to trade upon your nationality is no worthy son to live under the Stars and Stripes."

Let us also remember what President Theodore Roosevelt said about the real danger that is peculiarly the problem of a nation of immigrants:

"The one absolutely certain way of bringing this nation to ruin, of preventing all possibility of its continuing to be a nation at all, would be to permit it to become a tangle of squabbling nationalities."

What President Wilson and President Roosevelt said in times of massive immigration remains urgently true today. Are we, or are we not, going to remain "One nation, indivisible?"

September 1986.

THE BUDGET DEFICIT

HON. WILLIS D. GRADISON, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. GRADISON. Mr. Speaker, while Congress is rightfully focusing attention on what we can do to improve our trade balance, we need to remember to concentrate on economic fundamentals. The following editorial from the Cincinnati Post of February 24 reminds us that the long-term solution to our trade difficulties rests in curing the budget deficit.

SLOWING THE DOLLAR'S FALL

The United States and five major allies, meeting in Paris over the weekend, decided that the dollar had fallen enough. They pledged to intervene in foreign-exchange markets to prevent it from dropping farther, and Japan and West Germany undertook to stimulate their economies, which could reduce the U.S. trade deficit.

While those decisions were announced with great fanfare, one must be skeptical about their practical effect. It was about the ninth time in five years that finance ministers and central bankers met and "saved" the world economy.

The meeting was driven by fear. U.S. Treasury and Federal Reserve officials worried that a weaker dollar would reignite inflation and bring recession. Japanese and Germans were apprehensive that a cheaper U.S. currency would undermine their export booms.

All of them compromised. The Americans agreed to manipulate the dollar's value in concert with the others. Fearing inflation, Tokyo and Bonn gave in to U.S. demands that they accelerate business conditions.

All agreed that present trade imbalances must not continue. The U.S. trade deficit last year was a massive $170 billion, while Japan and West Germany ran surpluses of $89 billion and $63 billion, respectively. Such gaps threaten a worldwide recession.

Unfortunately, the actions promised in Paris are modest. It could be 1989 before Bonn's promised tax cuts help U.S. trade. Japan spoke of aiding American exports, but Tokyo's trade promises rarely come about.

Even in the coordinated buying and selling of currencies to prop up the dollar, the central bankers lack clout. About $300 billion a day is traded on the world's foreign exchange markets, enough to overwhelm interventions by national treasuries.

In any case, the dollar isn't weak because of currency speculators but because of fundamentals: the $170 billion trade deficit and $180 billion budget deficit. Until they are corrected the dollar will trend downward.

And, of course, nobody in Paris believed the U.S. talk about shrinking the budget deficit. They know that Congress will find a way around the Gramm-Rudman targets and increase spending, and that taxes won't be raised significantly.

The two deficits means that Americans are consuming more than they produce. That's fun while it lasts, but in the end it will have to be corrected by a lower standard of living.

PALS FOR LIFE: VOLUNTARISM AT ITS BEST

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. WELDON. Mr. Speaker, in our efforts to provide government solutions to our elderly, sick and handicapped, we in government often overlook the dedicated and selfless activities of the volunteers in our communities.

Last week, in an article appearing in the Christian Science Monitor, attention and honor was focused on an organization in my district called Pals for Life. Begun in 1984 by Bryn Mawr resident Paula M. Kielich, and headed by honorary chairman Lorne Greene, Pals for Life brings to people, who have little or no social contact, a small animal to play with or to simply hold.

Because pet therapy is increasingly being recognized as wonderful, healthful medicine for both the body and the mind, more and more facilities are asking for animal visits. But, because of the time needed to minister to those in need through pet therapy, programs like this are limited to communities blessed with active, committed volunteers.

Pals for Life is certainly blessed with committed volunteers from Delaware County. Ruth Willard of Upper Darby was named Pals for Life's 1986 Volunteer of the Year. Ruth is a retired registered nurse who became involved with Pals for Life at the Institute of Pennsylvania Hospital, a mental health facility, where Pals for Life has a monthly program. Ruth is truly worthy of recognition, for in addition to her Pals for Life activities, she volunteers for the Red Cross, Meals on Wheels, and a colonial home/historic landmark.

Julie Bebak of Secane received a certificate of recognition for her hard work last year as well. Julie is a future veterinarian who also volunteers at the University of Pennsylvania in a pet therapy research program. Both these fine women conduct Pals for Life pet visits every week, and Ruth even donates her weekends to help with fundraising.

Other volunteers for Pals for Life include John Sperduto of Woodlyn; Joyce Carey of Brookhaven; Andrea McKean of Drexel Hill; Lori Maher, a student at Harcum Junior College; and Wendy Hibbard of Media, PA, Jeanne Gelback of Springfield, and Terry Penny of Secane.

Pals for Life has brought pets from area animal shelters and the Delaware County SPCA to many facilities in Delaware County, including homes for the elderly such as the Earl Brook Senior Center in Havertown; the Leader Nursing home in Yeadon; the Little Flower Nursing Home in Darby; the Squire Adult Day Care Center in Newtown Square; Nova Gardens in Lansdowne; and the Bryn Mawr Chateau.

Pals for Life volunteers have also visited people in institutions that don't get many visitors: Mental health hospitals such as the Haverford State Hospital, and the Elwyn Institute.

And, Pals for Life brings small kittens and puppies to visit the children, hearing impaired and deaf children at Camp Tom-Tom in

Springfield; and disadvantaged children at Camp Garrett in Newtown Square.

The dedication of my constituents prompts me to make this offer: I hereby affirm to my colleagues my willingness to assist them in helping establish similar volunteer activities in their own districts. I'm proud of the initiatives shown by our Delaware Valley volunteers, and I'd like to help spread their enthusiasm and wisdom throughout this Nation.

Mr. Speaker, I am proud to bring to the attention of my colleagues this outstanding organization. I am submitting for the record the article from the Christian Science Monitor, and also a previous article from the County Press which explains in more detail the wonderful work that Pals for Life performs for our community.

[From the Christian Science Monitor, Feb. 18, 1987]

A WINNING COMBINATION—ELDERLY TAKE IN THEIR "VISITORS" HOMELESS PETS

(By Barbara Bradley)

It is one of those happier equations, in which demand equals supply. There are 26 million Americans over the age of 65, and 8 million of them live alone. At the same time, 10 million dogs and cats are put into animal shelters each year, and 8.5 million are never adopted. This can add up to companionship for the elderly and a home for pets.

Mathematics, of course, cannot quantify how Shylo, a white Bishon Frise, saved the life of Inez Ekstron, or how Ms. Ekstron saved Shylo's. The two recuperated together, taking "siestas" each day and feeding the birds outside Ekstron's house in Minneapolis. Shylo is no longer a skinny, mat-haired puppy terrified of people. Ekstron is no longer lonely.

Ekstron's daughter thought she might have to quit her job to take care of her mother after her previous dog died a year ago. "But since she got the dog, she's turned around 180 degrees," says Donna Loegering.

Across the country, animal shelters are playing the dating game. Last week their efforts to match dogs and cats in shelters with senior citizens got a big boost when Ralston Purina launched its $1 million "Pets for People Program." During the next year, Purina will foot the bill to get some 10,000 cats and dogs out of animal shelters and into the homes of the elderly.

This kind of program, coupled with a slew of local ones that have sprung up in the last couple of years, comes not a month too soon, says Philip Arkow, who runs the Pikes Peak Humane Society, in Colorado Springs, Colo. In March, a law passed in 1983 will go into effect allowing senior citizens in subsidized housing to keep cats and dogs in their apartments. That will open up 900,000 units.

While not all of those residents will find themselves a four-legged live-in, "easily thousands and thousands of people are waiting for animals in federally subsidized housing," he says.

Scientists long have believed that pets are good for elderly people. Besides giving them an outlet for affection and a reason to get up in the morning, pets act as a "social lubricant," says Randall Lockwood, a scientist at the Humane Society of the United States in Washington, D.C. "One thing we all have in common is we like animals," he says.

Pets go a long way toward solving one of the biggest problems for the elderly—withdrawal from others—because "you cannot be a pet owner and be disengaged," Mr. Lockwood says. At a minimum, "you have to go shopping and take him for walks."

Until the last few years, however, scientists have been unable to prove that animals have a healthy physiological effect on people. But studies indicate that pets can help people recover quickly.

At the same time, the notion that animals might be dangerous to have around older people is evaporating. A survey of nursing homes in Minnesota showed that animals posed less risk to patients—in causing accidents, for example—than other activities did.

All this is good news for homeless cats and dogs, which are suddenly star attractions as visitors at institutions like nursing homes and hospitals. Pets are going places no one ever dreamed of—including, Mr. Arkow hopes, an AIDS hospital in Houston soon.

"The barriers have really come down," as institutions recognize that animal visits are no more dangerous to older people than other activities, says Paula Kielich, who runs Philadelphia-based Pals for Life.

Her cadre of 30 volunteers borrows pets from six nearby shelters and takes them to some 20 facilities on a regular basis, generally once a month. Whereas institutions used to blanch at the idea of dogs and cats running around, "now we have more demand than we can meet," she says.

The advantage of using shelter animals—as does Pals for Life, the Pikes Peak Humane Society, and perhaps the largest service, the San Francisco Society for the Prevention of Cruelty to Animals, which visits 1,500 people a month—is that the pets often get adopted. In the last two years, more than 130 animals have been snapped up by families of the people they visit, or by staff members of the institution, Ms. Kielich says.

Other visitation programs, like the Baltimore-based Pets on Wheels, have volunteers bring their own pets. That gives continuity to the relationship—both the human-animal and the human-human relationship, says Elaine Farrant, who runs the program for the city. Volunteers visit the same people each week, "and a lot of these people wouldn't get any other visitors if it weren't for Pets on Wheels," she says.

Placement programs, which find an animal a permanent home with an elderly person, have been slower to get off the ground. Part of the reason is the cost; the average cat or small dog costs $175 to $225 a year to feed and care for. One new program in Long Island, called Pioneers for Animal Welfare Society (PAWS), is using a $25,000 government grant not only to place shelter animals, but to cover all their costs if necessary. That includes food, training, veterinary services, and water bowls.

Ralston Purina is going nationwide with a scaled-back version. It will pay for the adoption and fee, initial vet services (including neutering), and provide leash, water and food bowls, and an initial supply of food. The senior citizen, who must be at least 60 to qualify, covers the cost after that.

The program has been test-marketed in 16 cities, putting pets in nearly 4,000 homes, says executive director Kathryn Wright. She says that adoption of shelter animals has increased 11.2 percent in those cities, in part because elderly are taking the pets, but mainly because many families are taking a pet as well.

As of last Wednesday, Purina will be working with the 90 largest shelters in 70 cities to match animals with people, eventually using a computer base. Purina will soon have an 800 number for getting more information; until it does, a person can write Purina in St. Louis or get in touch with the local humane society.

Many organizations match pets with senior citizens or arrange for pets to visit on a regular basis. If your area is not listed, your local humane society may know of a similar program.

The Delta Society also keeps track of such programs. For information, write Linda Hines, PO Box 1080, Renton, WA 98057, or call (206) 226-7357.

Pet visitation programs:

Pets on Wheels, Baltimore City Commission on Aging and Retirement Education, (301) 396-1762. Humane Society of the Pikes Peak Region, P.O. Box 187, Colorado Springs, CO 80901, (303) 473-1741.

San Francisco SPCA, (415) 554-3060.

Pals for Life, Philadelphia, (215) 525-7120.

Greater Cincinnati Council for Pets Helping People, (513) 683-0957.

Companion Animal Association of Arizona, Phoenix, Ariz., (602) 258-3306.

Pet placement:

People and Animals Coming Together (serving central Pennsylvania), (814) 865-1717.

EDITORIAL REAFFIRMS PRESIDENT'S FOREIGN POLICY ROLE

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. SOLOMON. Mr. Speaker, it is my pleasure to insert in the RECORD what I consider the definitive word so far on the so-called Iran/Contra affair, an editorial which appeared in the Wall Street Journal on March 4, 1987. This editorial reminds us that foreign policy is the responsibility of the President, and that the attempt by Congress to usurp that authority is what caused this problem in the first place:

THE PRESIDENT'S SPEECH

"What we most need is to get the CIA reengaged in this effort so that it can be better managed than it now is by one slightly confused Marine Lt. Col."—Oliver North, computer message to Adm. John Poindexter, June 10, 1986 (Tower Commission report appendix B).

How did running initiatives like aid to the contras and the Iran arms shipments fall to one overworked, undersupervised National Security Council staffer, who himself recognized he was in over his head? This question is what the Tower Commission report is all about. The Tower Commission's comments on the management failures of the president and his aides are by now so well known you'd think it recommended the president start deciding who should use the White House tennis courts. But to its credit, the commission probed beyond one president and one administration, returning repeatedly to questions on the balance of powers in foreign policy. This Tower Commission theme is in large part what Ronald Reagan should be talking to the nation about in his scheduled address tonight.

We are frankly surprised that there has been virtually no commentary on the Tower report's specific recommendations, which we reprint alongside. Here the balance-of-power theme is manifest, for example, in

recommendations that Congress keep its hands off the National Security Council, and reduce its oversight committees to a more manageable size. Part V of the report also includes a "Principal Recommendation," setting out a model of how the NSC ought to work, with a clear if implicit suggestion that President Reagan improve his management organization. But even here, the report starts by quoting a Supreme Court case that the president might also mention tonight.

"Not only . . . is the federal power over external affairs in origin and essential character different from that over internal affairs, but participation in the exercise of the power is significantly limited. In this vast external realm, with its important, complicated, delicate and manifold problems, the president alone has the power to speak or listen as a representative of the nation." *United States vs. Curtiss-Wright Export Corp.* (1936).

"Whereas the ultimate power to formulate domestic policies resides in the Congress," Messrs. Tower, Muskie and Scowcroft added, "the primary responsibility for the formulation and implementation of national security policy falls on the president."

The current wisdom on Capitol Hill is to ask, whether and when "the law" was broken? The laws in question are in question precisely because they are congressional attempts to limit the president's powers in foreign policy. The statutes usually invoked include the Arms Export Control Act, the National Security Act and the Hughes-Ryan Amendment on intelligence activities. Yet the Tower report concludes, "The legal requirements pertaining to the sale of arms to Iran are complex; the availability of legal authority, including that which may flow from the president's constitutional powers, is difficult to delineate."

The report says that the vast, unenumerated foreign-policy powers of the executive mean that when Mr. Reagan formally approved the negotiations with Iran, "this ended the uncertainty about the legal status of the initiative and provided legal authority for the United States to transfer arms directly to Iran." The debate over when President Reagan formally approved the transfers of arms by Israel is thus largely irrelevant—he acknowledges it was his policy.

On aid to the contras, the relevant law was the ever-changing Boland Amendment. The first Boland Amendment, passed in 1982, prohibited the Defense Department and the Central Intelligence Agency from spending funds to overthrow the Sandinistas or to provoke conflict between Honduras and Nicaragua. In 1983, $24 million was authorized for the contras.

In 1984, Congress again cut off all funding for the contras and prohibited Defense, CIA and any other agency or entity "involved in intelligence activities" from direct or indirect support of military operations in Nicaragua. As the report says, "confusion only increased." In August 1985, Congress authorized $27 million in humanitarian aid to be administered by any agency except the Pentagon or the CIA. This expired March 31, 1986.

In December 1985, Congress passed two contradictory measures. Part of the 1986 Defense Appropriations Act reenacted a version of the Boland Amendment by prohibiting the Defense Department, the CIA or any other government agency "involved in intelligence activities" from providing funds, material or other assistance to the contras. In contrast, the 1986 Intelligence Authorization Act did authorize classified amounts for "communications" and advice."

"The provisions were so ambiguous that even the drafters debated their meaning," the Tower Commission noted. Lee Hamilton, Democratic chairman of the House Intelligence Committee wrote CIA chief William Casey that this meant intelligence personnel could not advise the contras on "logistical operations upon which military or paramilitary operations depend for their effectiveness," adding that this restriction extended to humanitarian aid. But David Durenberger, then Republican chairman of the Senate Intelligence Committee, wrote Mr. Casey that he was certain the bill only precluded advice on logistics integral to "particular military and paramilitary operations" if it "would 'amount to participation in such activities,' even if there is no physical participation." He thought that the whole idea of the bill was to "encourage advice on logistics related to the effective distribution of humanitarian and communications assistance."

Beginning in 1982, the report notes, the two branches of government were engaged in an "intense political struggle" over Nicaragua. "Congress sought to restrict the president's ability to implement his policy. What emerged was a highly ambiguous legal environment." The upshot of the legislative restrictions, the report says, was to present "the administration with a dilemma: how, if at all, to continue implementing a largely covert program of support for the contras without U.S. funds and without the involvement of the CIA."

A legal opinion by the Intelligence Oversight Board advised Messrs. Poindexter and North that the NSC was not an "intelligence agency" and so could advise the contras. The result was that Lt. Col. North was left to run an operation on his own, without the CIA or other departments. By October 1984, Lt. Col. North had taken charge of arming the contras during the expected delay before more funding was authorized.

"There also does not appear to have been any interagency review of Lt. Col. North's activities at any level," says the report, adding, "This latter point is not surprising given the congressional restrictions under which the other relevant agencies were operating."

Assistant Secretary of State Elliott Abrams, for example, knew there was a private network of aid "because somebody was giving the contras guns." But he stayed away "on the grounds that if you got too close, you would end up being accused of facilitating and so forth."

Put bluntly, much of the blame for this fiasco goes to dangerous and perhaps unconstitutional attempts by Congress to regulate how the executive branch conducts foreign policy. Time and again, the 248-page study traces the root source of the mistakes in the Iran-contra affair to congressional interference with normal executive-branch activities. The president made mistakes, but partly because his advisers felt constrained by congressional legislation from advising him.

Pushing and shoving over constitutional prerogatives is not a problem if there is some consensus over the thrust of foreign policy, of course, and in a sense what needs to be explained is the lack of consensus. Or at least the apparent lack. The Constitution gives the presidency the predominant role in foreign policy, and Ronald Reagan has twice won overwhelming victories. His invasion of Grenada, the bombing of Libya and even his walking away from an arms deal at Reykjavik have all won palpable support from the American people. The consensus among the people is in fact clear enough, but every time it's expressed it comes to the utter astonishment of every courtier in the capital.

In court circles the myth persists that the two problems of foreign policy are avoiding another Vietnam and negotiating disarmament with the Russians. The attempt to legislate this agenda by circumscribing the powers of the executive branch flies in the face of the Constitution, the president's platform and the evident will of the electorate. Little wonder that an administration trying to navigate these rapids falls victim to mismanagement, improvising procedures and policies, slighting consultation and making mistakes.

This is what the president urgently needs to explain tonight. If he can succeed, the people will support him again.

PUERTO RICO COMMEMORATES 70 YEARS OF U.S. CITIZENSHIP

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. LAGOMARSINO. Mr. Speaker, it was 70 years ago that the U.S. Congress granted U.S. citizenship to the people of Puerto Rico. There is no doubt as to what issue in the lengthy legislation was considered to be of the highest priority to the Congress. The Congressional Report of House Resolution 9533 stated, "the most important change made by this bill in the present law is that which makes 'all citizens of Puerto Rico * * *' citizens of the United States." On March 2, 1917, Public Law 368 became effective, making the people of Puerto Rico U.S. citizens.

This historic event was recently commemorated through the efforts of a private nonprofit organization, Puerto Ricans in Civic Action. Under the dynamic leadership of its president, Dr. Miriam Ramirez De Ferrer, the people of Puerto Rico participated in a nonpartisan public celebration of the anniversary of U.S. citizenship. People from all parts of Puerto Rico joined to enthusiastically admire, praise, and give thanks for their U.S. citizenship.

My congratulations to the people of Puerto Rico who have so valiantly defended the U.S. Constitution throughout the past 70 years beginning with World War I. As recently as last year, a fellow American, fighter pilot, and one of Puerto Rico's own, Capt. Fernando Ribas-Domenici, was lost in the air raid against Libya. The dearest price that anyone could ask has been paid by the U.S. citizens of Puerto Rico.

I hope that all Americans will be cognizant of their fellow citizens in Puerto Rico and their contributions in defending our freedom. They have actively honored their U.S. citizenship for the past 70 years.

I want to commend the Puerto Ricans in Civic Action, and especially its president, Dr. Miriam Ramirez De Ferrer, for investing their time, energy and funds to initiate and conclude a successful celebration of U.S. citizen-

ship. They provided a common forum in which all Puerto Ricans could proclaim their pride in being an American.

COSPONSORSHIP OF THE NUCLEAR SAFETY REVIEW ACT OF 1987

HON. RICHARD A. GEPHARDT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. GEPHARDT. Mr. Speaker, I recently joined my colleague, Mr. HOCHBRUECKNER, in cosponsoring the Nuclear Safety Review Act of 1987 to preserve for States and local governments a critical role in the development of emergency plans needed in the event of a nuclear powerplant accident.

In the aftermath of Chernobyl, the last thing I would expect would be for the Nuclear Regulatory Commission to consider a weakening of nuclear safety standards. Yet, that seems to be what is happening. The NRC wants to delegate itself the authority to approve a utility-designed contingency plan even if State and local authorities find its evacuation provisions inadequate. Approval of these rules would strip States of an effective role in the development of emergency contingency plans.

A strong State role in developing evacuation plans is essential. Congress recognized this in 1980 when we directed the NRC to consider the adequacy of local and State emergency planning in licensing decisions.

Protection of public safety is a State and local responsibility. It is the local governments who have the knowledge and resources necessary to adequately plan a massive evacuation. It is the local and State authorities who have the police, firemen, health inspectors, and others needed to cope with any emergency. I seriously doubt whether a utility plan could be effective if the local and State authorities charged with implementing it were not involved in designing that plan.

Citizens deserve the best protection possible. The accidents at Three Mile Island and Chernobyl are clear evidence that complex systems like nuclear plants can fail and that well-coordinated advance emergency planning is needed to protect the public.

The Seabrook and Shoreham plants were sited before these accidents disproved the conventional wisdom that the chances of nuclear accident were remote. Now it is clear that the chances aren't remote. The plants are located in densely populated areas, and residents are understandably concerned about safety.

Some would approve these plants for economic reasons. Why aren't we putting public safety first? If we are serious about public safety, we will preserve the role created for State and local authorities charged with protecting that public safety.

GILMAN URGES A FARSIGHTED ENERGY POLICY

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. GILMAN. Mr. Speaker, I rise today to remind my colleagues of two crises our Nation endured in the 1970's. I refer, of course, to the 1973 and 1979 energy crisis, when the Organization of Petroleum Exporting Countries [OPEC] seized control of the world oil market, resulting in sharp increases in oil and gasoline prices and long gasoline lines. Presidents Nixon, Ford, and Carter all made efforts to prevent a reoccurrence of these crises and to insure the Nation's long-term energy security. Unfortunately, these efforts have lapsed and, in fact, we are now embarking on shortsighted policies that may well lead us into an energy crisis far worse than any we have already experienced.

Differences between OPEC countries led to a breakdown in their price setting mechanism in 1986, causing oil prices to plummet from roughly $30 per barrel to less than $10 per barrel. Prices have inched back up to the current level of roughly $17 per barrel of domestic oil, and almost $14 per barrel for Middle East oil. While these low oil prices have subdued inflation, they have also eliminated many independent oil operators in the United States and are forcing domestic oil companies to curb oil exploration projects. Consequently, oil imports surged in 1986, and most industry analysts predict that imports may account for as much as 50 percent of our consumption within 4 years and 75 percent by the year 2000. These figures are very discomforting when one remembers that the U.S. imported roughly 33 percent of its oil in 1973, the year of our first major oil crisis. The level of oil imports in 1986 are equivalent to 1973 levels, a significant leap above the levels we have previously maintained in the 1980's. To further complicate matters, the lower prices caused a sharp increase in energy consumption, as America guzzles the low-cost imported oil.

In response to the crises of the 1970's, the U.S. adopted an energy policy designed to promote U.S. energy independence and to ensure an adequate supply of energy to meet America's future needs. This policy emphasized energy conservation and development of alternative energy sources. Unfortunately, major portions of this policy have been dismantled over the last several years: The Synthetic Fuel Corporation has been abolished; the Strategic Petroleum Reserve has seen its fill-up rate diminished; a commission headed by Vice President BUSH has recommended abolishing fuel economy standards for new cars; Federal funding for alternative energy projects has been slashed and their tax credits have expired; tax credits for home energy conservation expenditures have also expired; proposals are being made to raise the 55-mile-per-hour speed limit; and the President vetoed last Congress a measure requiring manufacturers to build appliances that conserve electricity.

The administration's energy policy relies on market forces to supply current and future energy needs. The Secretary of the Interior, Donald P. Hodel, has said, "This administration believes that the Government fails miserably when it tries to guide the price of energy." Accordingly, the administration is trying to remove obstacles to energy development on most Federal land, cut funding for research into alternative energy sources—since that disrupts the market—and has permitted market forces to bankrupt many of our smaller oil producers. While these policies result in lower budget expenditures and lower prices for consumers in the short run, they will also lead to possible devastation of many of our wilderness areas and increasing U.S. dependence on imported oil. Moreover, our current energy policy does not prepare us for the day when we will have to switch to other sources of energy. Ninety percent of U.S. oil supplies are likely to be depleted by the year 2004, only 17 years away. We will have nowhere to turn but the Middle East, which possesses two-thirds of the world's oil reserves. If we learned anything from the crises of the 1970's, it is that we cannot base our Nation's future on oil.

Development of alternative energy sources must be adequately funded. The United States was once a leader in photovoltaic technology, which generates electricity with solar energy, but now trails far behind Japan. Norway has made great advances in extracting electrical energy from ocean waves, an energy source that may be very feasible for our island communities, including our Long Island communities. There are many other alternative energy sources that also hold great promise, and the United States should now be preparing for the time when our domestic oil supplies will be depleted.

Mr. Speaker, I believe it is most appropriate for Congress to evaluate the current U.S. energy policy at this juncture and see if this is truly the direction in which we wish to lead our Nation. I am confident that most of my colleagues will agree that our present policy is shortsighted and must be redirected. I am hopeful that we can once again set policies which stress energy conservation, and reestablish incentives for both consumers and businesses to do so. I adamantly believe it is detrimental to our national interest to assume that market forces will meet our current and future energy needs, and to further assume that OPEC will remain in disarray and not exact great costs from us in the future when we are unable to meet our energy needs. Victor Hugo once wrote, "good government consists of knowing how much future to introduce in the present."

Mr. Speaker, a few years ago we had started a policy that had included a concern for our Nation's future in it, but we have quickly forgotten the lessons of the past and have abandoned our efforts to prepare our Nation for the future. Congress must seriously consider our long-term energy needs, and adopt a more realistic, farsighted policy before the future is upon us. I urge my colleagues to join in this effort.

THE PLIGHT OF THE CHERNOBILSKYS

HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. DYMALLY. Mr. Speaker, I am submitting a copy of a letter from Mrs. Gladys Botwin, a United States citizen residing in Israel, expressing her appreciation for the concern raised in the United States Congress regarding the denial of exit visas by Soviet authorities to her family—the Chernobilskys.

The letter follows:

HAIFA, ISRAEL,
February 18, 1987.

DEAR CONGRESSMAN DYMALLY: Thank you for your most welcome letter pertaining to my Jewish Refusenik cousins, the Boris Chernobilsky family and the accompanying video cassette of your address on the floor of the House of Representatives.

I am truly grateful for this very positive expression of support. The fact that a copy of your address to the Members of the House of Representatives was sent to the Soviet authorities is very much appreciated.

Certainly the video cassette will be a precious family heirloom in the Chernobilsky family and one of their most precious possessions.

If possible I would appreciate your sending me a copy of your address as it appears in the Congressional Record. If possible I would be grateful for this.

You have given courage to the Chernobilsky family and I feel that your very positive expression of support will hasten the day when this family receives exit visas for Israel.

May God bless you and your dear ones every day in every way.

Sincerely,

GLADYS BOTWIN.

DEALING WITH THE EFFECTS OF PAST MINING

HON. DICK CHENEY

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. CHENEY. Mr. Speaker, I have today introduced legislation to give States like Wyoming more flexibility to deal with problems caused by past mining.

As my colleagues know, Congress earlier addressed the need to repair damage from past mining when it established the Abandoned Mine Land Reclamation Fund in 1977. Wyoming has received some $100 million from this fund, and ranks No. 4 on a list of States that have received benefits. However, at the same time, my State has contributed more money to the fund than any other State—more than $250 million since the fund's inception.

Over the years, Wyoming officials have used their apportionment of abandoned mine land funds to good advantage to repair scars and remove safety hazards caused by past mining of coal and other minerals. But there is one major problem that has not been taken care of, and perhaps it cannot be until there are improvements in technology and the state of the art of underground coal mine reclamation.

I refer to the situation in Rock Springs, WY—a town which sits atop a honeycomb of long-abandoned underground coal mine voids. Since 1948, Rock Springs citizens have been troubled by periodic episodes of subsidence—collapsing of the ceilings of these mine voids. Homes and businesses have been extensively damaged and occasionally have had to be abandoned. Property in large areas of the city has lost value. Most recently, the Federal Housing Administration announced that it would no longer insure property in parts of town thought to be especially vulnerable to subsidence—a move which could overnight reduce the value of hundreds of dwellings and adversely affect the town's economy.

For well over a decade, Rock Springs citizens and Wyoming officials have searched for ways to do something about the subsidence problem. Millions of dollars in Federal, State, and local funds have been spent to study the extent of the mine voids and to try to keep them from collapsing.

The method of choice in recent years has been to try to backfill the voids by pumping in a slurry mixture. But there is reason to believe that backfilling intended to prevent subsidence has, itself, triggered more subsidence in adjacent areas.

As a result, the State of Wyoming is seeking other methods to deal with the subsidence problem in Rock Springs and elsewhere.

It is questionable, Mr. Speaker, whether a good, cost-effective solution to this longstanding problem will be found before 1992, when the tax on coal which finances the Abandoned Mine Lands Fund is scheduled to expire. That is unfortunate, because it was the existence of a serious subsidence problem in Rock Springs that in part accounted for congressional action to set up the fund in the first place. Wyoming's congressional delegation at the time played a major role in establishing the fund, with the hope that Rock Springs citizens would be among those helped. It would be a shame if, when the tax expires in 1992, the subsidence problem in Rock Springs remained—especially given the fact that Wyoming will have contributed more taxes to the fund than any other State.

The bill I have introduced today at the request of Rock Springs area citizens would permit the State of Wyoming, and any other State that so desires, to set aside up to 10 percent of its annual allocation from the Abandoned Mine Lands Fund in a special trust fund. Money in this special fund could be used after 1992 to address remaining mine reclamation problems such as the one in Rock Springs which defy immediate solution.

By my calculations, this bill would give Wyoming the option of setting aside roughly $13 million by 1992 if the State elected to establish such a trust fund. This amount represents 10 percent of the State's estimated projected annual allocation between now and 1992.

My bill does not alter any State's allocation, and it does not in any way change the purposes for which abandoned mine land funds can be spent. It simply gives States the flexibility to set aside a small portion of their AML allocations for use in the future to solve problems that, for technical or other reasons, cannot be solved now.

"NATIONAL OPERATION PROM/GRADUATION KICKOFF DAY" LEGISLATION

HON. MARILYN LLOYD

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mrs. LLOYD. Mr. Speaker, I recently joined with a number of my colleagues in cosponsoring legislation to designate March 11, 1987, as "National Operation Prom/Graduation Kickoff Day." This day would mark the beginning of planning for substance-free commencement activities nationwide.

I believe the effort to promote drug and alcohol-free activities for graduating students in local communities across the country is absolutely essential. The House Select Committee on Narcotics and Abuse recently reported that each year thousands of teenagers die and others are seriously injured in alcohol and drug-related traffic accidents. Many of these accidents occur during the graduation season, turning joy into tragedy. By planning now, we all can prevent the recurrence of such tragic proportions for our seniors graduating in 1987.

I am heartened by the fact that the National Institute on Drug Abuse [NIDA] of the Alcohol, Drug Abuse and Mental Health Administration, recently reported the results of the 12th annual survey of drug abuse among high school seniors which found that the downward trend in illicit drug use, which stalled in 1985, continued to decline in 1986. This survey has been conducted by the University of Michigan's Institute for Social Research since 1975.

I am tremendously pleased that the downward trends are continuing. It tells us that more and more young Americans are recognizing the dangers of illicit drugs and choosing a drug-free lifestyle. I am hopeful that efforts such as "Operation Prom/Graduation" will encourage even more young people to abstain from recreational drug and alcohol abuse while enjoying the rites of passage from high school and, in turn, prevent the tragic loss of life through serious traffic accidents.

We must continue to impress upon our youth the seriousness of driving while under the influence of alcohol or drugs. The Department of Transportation recently reported that 10 percent of all drivers on weekend nights can be legally defined as intoxicated. Amazingly, 4 out of every 10 drivers admit to driving while under the influence of alcohol. We must work to insure the continued awareness of our teenagers to the magnitude of this problem for all of us.

I believe that deterrence is the key to stopping intoxicated motorists and that our young people should also be made aware of the progress which has been made in the enactment of stricter laws in this area and the seriousness of the impact these laws could have on their lives. In the last 6 years, 45 States have passed at least 360 laws to crack down on drunk drivers. The new laws call for mandatory jail or prison sentences for first or

second offenses and require all convictions to be listed on the driver's record. Forty-two States now suspend the licenses of those who refuse blood alcohol contents [BAC] tests—all 50 States can arrest drivers for the same reason—and 38 now make it a crime to drive with a BAC level of one-tenth of 1 percent—the equivalent of four beers or glasses of wine or shots of whiskey consumed by a 150-pound man in 2 hours. My own State of Tennessee passed one of the toughest drunk-driving laws in the Nation following one highway horror in which a motorist who had collected seven DWI arrests in 4 years plowed into a Vega, killing two people and scarring a 5-year old for life.

In addition, legislation intended to establish a national minimum drinking age of 21 by withholding Federal funds from States not having such a law was passed by the 98th Congress (Public Law 98-363).

In spring, when teenagers' thoughts turn to graduation, proms, and trips to the beach, very few stop to consider the consequences of drinking and driving. Yet, traffic accidents involving alcohol are a leading cause of death for youth between the ages of 16 and 24, with the number of fatalities escalating in May and June. Prevention activities, begun well in advance of the graduating season, can ensure that alcohol-related driving fatalities are no longer part of the traditions associated with graduation night. I wholeheartedly support this effort and urge my colleagues to join with me now in sponsoring the National Operation Prom/Graduation Kickoff Day resolution and promoting the urgency of the message it sends.

TRIBUTE TO SGT. PETER T. MAGINNIS

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. WELDON. Mr. Speaker, it is my sincere pleasure to announce the retirement of a man who has served the town of Swarthmore and the county of Delaware for some 39 years. Swarthmore Police Sgt. Peter T. Maginnis will be missed by his friends on the force as well as by the community he served. Dedication to duty and willingness to help those in need have been the mark of this career officer.

There is an underlying circumstance that has brought about the retirement of this fine officer and one that should be recognized. Pete will be leaving the job he so dearly loved in order to make room on the police department roster for his son who wishes to follow in his footsteps. Pete is a man of extraordinary service and it is only fitting that his decision to leave the police department, is aimed at helping both the community and his family. This unselfish gesture is typical of Pete, who has given so very much to so many people.

Pete Maginnis has been a commissioner on the Ridley Township Board of Commissioners since 1980. Pete has also been a volunteer firefighter in Folsom from the time he was a teenager. His public service does not stop there. Pete has driven a school bus for Our Lady of Perpetual Help, in Morton for the past 40 years. He has been an exemplary citizen in his community and we in Delaware County are proud to honor him on this happy occasion.

Police officers are seldom praised or appreciated for the services they provide to their communities. We tend to overlook the importance of these men and women until we need them. However, on this occasion I would like to thank all of the fine police officers of the Seventh Congressional District of Pennsylvania by recognizing Pete's many years service.

I wish Peter Maginnis and his eight children the very best in his retirement. I am certain that he will enjoy the years to come as much as he did the past 39.

Good luck and good health in your retirement Pete.

EDITORIAL DEPLORES CONGRESSIONAL LEAKS

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. SOLOMON. Mr. Speaker, it is my pleasure to insert in the RECORD a Wall Street Journal article, dated March 4. This article points out the Tower report criticism of the National Security Council, but it also brings to the surface two points not often covered by the networks and major newspapers. I refer to the intrusion of this body in the realm of foreign policy, which is the proper responsibility of the executive branch, and the inability of this body to refrain from selective leaks.

[From the Wall Street Journal, Mar. 4, 1987]

TOWER REPORT: ON THE SEPARATION OF POWERS

(Following are excerpts from the Tower Report's "specific recommendations." A related editorial appears nearby.)

1. *The National Security Act of 1947.* The flaws of procedure and failures of responsibility revealed by our study do not suggest any inadequacies in the provisions of the National Security Act of 1947 that deal with the structure and the operation of the NSC system. . . . It strikes a balance between formal structure and flexibility adequate to permit each president to tailor the system to fit his needs.

As a general matter, the NSC staff should not engage in the implementation of policy or the conduct of operations. This compromises their oversight role and usurps the responsibilities of the departments and agencies. But the inflexibility of a legislative restriction should be avoided. Terms such as "operation" and "implementation" are difficult to define, and a legislative proscription might preclude some future president from making a very constructive use of the NSC staff.

Predisposition on sizing the staff should be toward fewer rather than more. But a legislative restriction cannot foresee the requirements of future presidents.

2. *Senate Confirmation of the National Security Adviser.* It has been suggested that the job of national security adviser has become so important that its holder should be screened by the process of confirmation, and that once confirmed he should return frequently for questioning by Congress.

We hold a different view. The national security adviser does, and should continue to, serve only one master, and that is the president. Further, confirmation is inconsistent with the role of the national security adviser should play. He should not decide, only advise. He should not engage in policy implementation or operations. He should serve the president, with no collateral and potentially diverting loyalties.

Only one of the former government officials interviewed favored Senate confirmation of the national security adviser. While consultation with Congress received wide support, confirmation and formal questioning were opposed. Several suggested that if the national security adviser were to become a position subject to confirmation, it could induce the president to turn to other internal staff or to people outside government to play that role.

3. *The Interagency Process.* It is the national security adviser who has the greatest interest in making the national security process work, for it is this process by which the president obtains the information, background, and analysis he requires to make decisions and build support for his program.

We recommend that the national security adviser chair the senior-level committee of the NSC system.

4. *Covert Action.* Policy formulation and implementation are usually managed by a team of experts led by policy-making generalists. Covert action requirements are no different, but there is a need to limit, sometimes severely, the number of individuals involved. The lives of many people may be at stake, as . . . in the attempt to rescue the hostages in Tehran. Premature disclosure might kill the idea in embryo, as could have been the case in the opening of relations with China.

The obsession with secrecy and preoccupation with leaks threaten to paralyze the government in its handling of covert operations. Unfortunately, the concern is not misplaced. The selective leak has become a principal means of waging bureaucratic warfare.

We recommend that each administration formulate precise procedures for restricted consideration of covert action and that, once formulated, those procedures be strictly adhered to.

5. *The Role of the CIA.* Some aspects of the Iran arms sales raised broader questions in the minds of the board regarding the role of the CIA.

The NSC staff was actively involved in the preparation of the May 10, 1985, update to the Special National Intelligence Estimate on Iran. It is a matter of concern if this involvement and the strong views of the NSC staff members were allowed to influence the intelligence judgments.

6. *Legal Counsel.* From time to time issues with important legal ramifications will come before the National Security Council.

The board recommends that the position of legal adviser to the NSC be enhanced in stature and in its role within the NSC staff.

7. *Secrecy and Congress.* There is a natural tension between the desire for secrecy and the need to consult Congress on covert operations. Presidents seem to be increasingly concerned about leaks of classified information as their administrations progress.

However, the number of members and staff involved in reviewing covert activities is large; it provides cause for concern and a convenient excuse for presidents to avoid congressional consultation.

We recommend that Congress consider replacing the existing Intelligence committees of the respective houses with a new joint committee with a restricted staff to oversee the intelligence community, patterned after the Joint Committee on Atomic Energy that existed until the mid-1970s.

8. *Privatizing National Security Policy.* Careful and limited use of people outside the U.S. government may be very helpful in some unique cases. But this practice raises substantial questions. It can create conflict of interest problems. Private or foreign sources may have different policy interests or personal motives and may exploit their association with a U.S. government effort.

We recommend against having implementation and policy oversight dominated by intermediaries. We do not recommend barring limited use of private individuals to assist in United States diplomatic initiatives or in covert activities. We caution against using such people except in very limited ways and under close observation and supervision.

FEET PEOPLE

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. LAGOMARSINO. Mr. Speaker, a recent article in the New Republic by Ronald Radosh is entitled "Feet People." For some years, those of us supporting the administration's policy in Central America have argued that the Sandinista government in Nicaragua will cause a flow of refugees that will make the number of Vietnamese "boat people" pale in comparison.

The report by Mr. Radosh also points out that the vast majority of the refugees are Campesinos, the rural poor, "precisely the kind of people for whom the Sandinista revolution was supposedly carried out." I urge my colleagues to read the following article and consider carefully its implications for future U.S. policy in the region.

The article follows:

CENTRAL AMERICA'S LATEST REFUGEES: FEET PEOPLE

In 1983 President Reagan predicted that the policies of the Sandinista Government of Nicaragua would generate a surge of Nicaraguan refugees. An administration official said that "whole villages in Nicaragua would pick up and move across the border" into Honduras and Costa Rica. Critics of administration policy, such as Americas Watch, challenged these predictions. In a July 1985 report it said that "since the Sandinistas came to power, despite the military conflict and the hardships resulting from it . . . Nicaragua has absorbed more former refugees that it has created new ones."

The harsh truth is that the flow of refugees now is even worse the administration predicted it would be. The official statistics of the United Nations High Commissioner for Refugees shows that as of last December the UNHCR was assisting 24,195 Nicaraguan refugees in Honduras. An additional 30,000 to 100,000 unregistered Nicaraguans, not including Miskito Indians, have fled to Honduras. In Costa Rica 21,954 Nicaraguans have registered as refugees with the government and thousands of illegal aliens have slipped into the country unnoticed. The vast majority of the 170,000 illegal aliens now in Costa Rica are believed by the Costa Rican government to be Nicaraguans.

Nicaragua has not always been the country in the region producing the most refugees. For the last five years that dubious distinction rested with Guatemala and El Salvador, where the peasant and Indian populations have fled both brutal counterinsurgency wars and offically sanctioned repression. As late as mid-1984, El Salvador had six times as many refugees as Nicaragua. However, the plight of these Salvadoran refugees has been recognized by human rights groups and received much attention from the many organizations that are critical of U.S. foreign policy in Central America. These same organizations have tended to ignore or to minimize the very existence of Nicaragua's refugees.

The numbers of refugees from Nicaragua are increasing. Serge Male, a French administrator of the Honduran camps for the UNHCR, says that about 300 Nicaraguan refugees are arriving per month in Honduras. "Nicaraguan refugees," he stressed, "now compose the majority of refugees fleeing from countries in Central America." In Costa Rica, for example, 6,126 Nicaraguans were granted refugee status in 1986 alone and were put into UNHCR camps. That year only 37 Salvadorans sought refuge in Costa Rica. (In 1980, in contrast, there were 2,147 Salvadoran refugees, and only 86 Nicaraguans.)

These Nicaraguans have left for various reasons: a desire to avoid the draft, and opposition to Sandinista policies such as forced participation is state cooperatives political and other human rights abuses, opposition to religious freedom, and forced relocation into strategic hamlets. Still others left because of the deteriorating economic conditions. Virtually none of the refugees I spoke with said they had fled to get away from contra-imposed terror. The relocation of peasants who live near war zones, and the Nicaraguan government's declaration of certain areas as "free-fire zones," are particularly resented by most compesinos.

Ironically, Nicaragua now seems to be implementing a policy carried out first by right-wing authoritarian regimes in Guatemala and El Salvador. In those two countries, peasants suffered under equally severe relocation programs with the exact same rationale: clear the countryside of peasants so that the guerrillas have no one to blend in with. In all three cases, the human rights violations have been massive.

In January I visited four camps, which together held 10,000 refugees: Alvaperal and Boca Arenal in Costa Rica, and Jacaleapa and Teupasanti in Honduras. The facilities in Costa Rica, located near the northern border with Nicaragua, are locked and guarded by armed and uniformed Costa Rican security officials. There are plumbing facilities and electricity, but the refugees live in massive dorms the size of airplane hangars, each filed with hundreds of bunk beds. The camps in Honduras sit on large open spaces of clay dirt, with not trees for shade, and are surrounded by high fences of barbed wire. There is no electricity, and are no sanitary facilities except primitive outhouses. The living quarters are hundreds of small wood huts. In these tiny quarters several families share a space barely adequate for two people. These people try to get by on what little the Red Cross is able to provide.

Fifty refugees in the Costa Rican camps told us of indiscriminate bombing and shooting of civilians by the Sandinista armed forces. They told their stories reluctantly, and only responded after we asked them what events in particular led them finally to flee their country. They are from the remote, scarcely populated central and southern Zelaya region. They are religious people who do not wish to go to resettlement communities or state-run cooperatives, and who desire to regain their own hard-worked parcels of land. They also live in an area in which the contras have been active, close to where Eugene Hasenfus's plane was headed before it crashed. And because many of the peasants in these areas undoubtedly cooperate with the contras, the Sandinistas see ample reason to try and interfere with their livelihood.

According to a report in the December 29 Barricada, the official Sandinista paper, the Sandinista army has successfully carried out a "tactical strike" in the area in Zelaya near Bluefields, which has managed to "neutralize" the contras. Since June 1985, the paper reported, the army had engaged in 'Operation Bambu," now declared a success. Apparently many of the refugees we spoke to were victims of this operation. A report in the February 6 Wall Street Journal, based on interviews with Sandinista leaders in Managua, says that in the Atlantic coast areas, the Sandinistas had created "a defense cordon of militarized agricultural cooperatives." Moreover, "the Sandinistas showed off their increased military prowess in December, during two impressive exercises that demonstrated their ability to execute a highly mobile combined armed assault using the increased firepower of Soviet Hind helicopters and anti-aircraft weapons." The refugees' story suggests that this action was a bit more than a mere exercise.

They talked of bombing raids, and of friends and neighbors, including young children, who had died from the attacks. They also told of the destruction of houses, churches, schools, and other buildings. They described the air attacks as consisting of a combination of grenades, rockets, automatic fire, and explosives dropped from up to six MI-Hind 24 or other helicopters, Push-Pull planes and/or a light single-engine plane. We were told that army battalions sometimes arrived on foot after the air attack, to carry out a mop-up operation. One refugee, Juan Martinez Bravo, described two battalions that came through his village in June 1985, killing one seven-year-old boy and a friend. These "search and destroy" missions went from farm to farm shooting anyone they saw, taking and killing livestock, and burning houses that had survived the air attack.

The refugees said the Nicaraguan government had made no attempt to evacuate them, or to warn them in advance of bombing raids. The raids took placed on their homes and villages, and not against the contras when their troops were present. In some cases contras had passed through their villages previously, or were a few hours away. The Sandinistas made no distinction between civilians and combatants as targets, and fired indiscriminately on men, women, and children.

A middle-aged evangelical preacher, Teofilo Garcia Garcia, from Punta Gorda, a town on Nicaragua's Atlantic coast between Bluefields and San Juan del Norte, told us of a bombing raid carried out by six helicopters. It took place on December 9, 1986. He was among a group of 57 people who had arrived at the refugee camp in mid-January, four days before we spoke with them. They had walked through Nicaragua for six

weeks. "They used grenades and automatic weapons," Garcia said. "They bombed El Puerto about one year ago and now they bombed Punta Gorda, where all the campesinos live. There was no warning; they only wanted to kill us. . . " In all, the refugees we interviewed reported indiscriminate air and ground attacks in seven villages in the Zelaya region, in 11 separate incidents. The raids clearly were meant to kill or drive out of the region any campesinos whose farms might serve as a potential source of food for the contras.

Perhaps the most poignant story I heard in Costa Rica was that of a middle-aged carpenter from Managua, Jose Luis Lacaya Garcia. A member of the Free Apostolic Church, Lacaya was arrested in May 1984, and security police threatened to kill his son if he kept on with his proselytizing. He and 40 other members of his church were ordered to cease their prayer meetings. Ironically, Lacaya was an evangelical who belonged to the trade union dominated by the old-line Moscow-oriented Communists of Nicaragua.

Lacaya had just arrived at the camp, after walking 75 days with his pregnant wife and five young children. He had been admonished in Managua not to practice his religion, and was denied valued ration and medical cards from the local block committee. Finally the Sandinistas ordered him to work "voluntarily" full-time on Sunday as well as Saturday. He left for a remote and rural area near Nueva Guinea, where a relative had a small finca, and where he hoped to start a new life. But a prolonged invasion from light infantry forces began on March 3, and the troops shot at anyone they saw. After the fighting erupted in the area and it became impossible to find enough food for his family, he decided to undertake the harrowing two-and-a-half month trek out of Nicaragua.

Conversation with over 150 refugees at the Honduran camps produced a different picture. They had not been subject to infantry or air attacks, but left because they had been persecuted by the government. The refugees at Jacaleapa and Teupasanti camps were largely campesinos, who complained of the Sandinistas' insistence that they give up their small plots and join state-run cooperatives. These small farmers are bitterly opposed to the Sandinistas, and some of them are openly pro-contra.

Others declined to support the contra effort. The Christian evangelicals opposed fighting on either side. One young man in his early 20s explained that "it is hard to be young in Nicaragua, and it is hard to be young here." In his country, he said, if you opposed the Sandinistas they called you a contra. In the camps the older men called him a Sandinista, because he refused to join the rebels. "I despise the Sandinistas," he told me, "but there must be some other way to defeat them than by more bloodshed. As a Christian, I cannot accept the path of the contra."

Those filling all of these camps are not the wealthy Nicaraguan bourgeoisie, some of whom are still living in Managua and doing a good business with the government. Nor are they the middle-class exiles who have incomes and jobs in other countries. The refugees seem precisely the kind of people for whom the Sandinistas revolution was supposedly carried out. Yet they are the people who express only disdain for the Sandinistas' agenda for their country. They are becoming a generation of perpetual refugees—filling the countryside in neighboring lands that cannot afford to absorb them into their own economies. They wait for a settlement of the problems in their country, bearing witness to a world that seems not even to know of their existence.—RONALD RADOSH.

Ronald Radosh recently returned from a fact-finding mission to refugee camps in Honduras and Costa Rica for the Puebla Institute, lay Catholic human rights organization based in New York.

IRRIGATION SUBSIDY REFORM ACT OF 1987

HON. HOWARD WOLPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. WOLPE. Mr. Speaker, the 100th Congress is confronted by many difficult issues, but runaway Federal budget deficits, the crisis in American agriculture and the destructive use of our Nation's water resources are among the most pressing. That is why I am joining my distinguished colleagues—Mr. GEJDENSON, Mr. SHARP, and Mr. KILDEE—in introducing commonsense legislation that will simultaneously reduce the deficit, help eliminate price-depressing farm surpluses, and conserve America's water resources.

The Irrigation Subsidy Reform Act of 1987 will put an end to one of the most shocking, wasteful and counterproductive elements of current farm policy. Under current law, we give some farmers subsidized water to grow crops already in surplus and then, at the same time, we pay other farmers not to grow the same surplus crops. Mr. Speaker, this policy is fraught with craziness. It is crazy farm policy. It is crazy fiscal policy. It is crazy environmental policy.

We all know the disastrous consequences world agricultural surpluses have had upon American farmers and farm incomes. Thousands of farmers have gone out of business because price-depressing surpluses have prevented farmers from getting a fair return on their labor and investments. The 1985 farm bill took significant steps to reduce surpluses by establishing a huge conservation reserve under which we will pay farmers to take 40 million acreas out of production over the next 5 years, in addition to the millions of acres of annual set-asides under the Wheat and Feed Grains Program. It is absurd, and of no help to overall farm incomes, that we are simultaneously paying irrigation subsidies for growing surplus crops.

This policy is also crazy from the perspective of the American taxpayer. A U.S. Department of Agriculture report indicates that 45 percent of the lands irrigated with federally subsidized water are being used to grow crops that the Government is paying other farmers not to grow. Mr. Speaker, the Congress knows; and more importantly, the taxpayer knows that this makes no sense. In fact, the current farm subsidy system burdens the taxpayer in five distinct ways:

First, tax dollars subsidize water to turn desert land into unneeded farm acreage used to grow unneeded crops;

Second, tax dollars subsidize water which encourages the construction of new and expensive water projects;

Third, tax dollars pay some farmers not to grow surplus crops, while providing water subsidies to other farmers to grow the same crop;

Fourth, tax dollars help pay for storage costs when surplus crops are grown; and

Fifth, tax dollars cover commodity support payments to farmers when price-depressing surpluses cause the bottom to fall out of their markets.

It is utterly incomprehensible to ask taxpayers to pay for subsidy piled on subsidy on top of subsidy at a time when Congress is faced with a $180 billion deficit and a $2 trillion national debt.

Finally, this policy makes no environmental sense. Irrigation projects often damage or destroy the fragile habitat for fish and wildlife provided by the rivers and streams of the arid West. Furthermore, excessive application of irrigation water has been found to leach minerals and salts from the soil, and can render valuable land useless for agriculture or poisonous to wildlife. These damages do not disappear. Restoration and cleanup are rarely cheap or easy.

Mr. Speaker, the logic of the legislation introduced today is pure and simple—if a farmer chooses to use the water from federally subsidized irrigation projects to grow more surplus crops, that farmer must pay the taxpayer back in full for the cost of providing the water. Last year under the excellent leadership of our esteemed former colleague Berkley Bedell, a similar amendment to end this wasteful conflict between agriculture and irrigation subsidies received broad-based, bipartisan support before it was narrowly defeated—203-199. As the budget deficit remains ever present, the cost of farm programs increases and the Nation's water supply becomes more fragile.

I am confident that the 100th Congress will see the bill for what it is—fair and sensible. It is fair and sensible to the farmer who does not receive irrigation subsidies. It is fair and sensible to taxpayers because they should not have to pay for these indefensible irrigation subsidies. Finally, it is fair and sensible to future generations who will benefit immensely from the bill's built-in cost incentives to conserve our Nation's finite water supplies.

I commend my colleagues, Mr. GEJDENSON, Mr. SHARP, and Mr. KILDEE for continuing Mr. Bedell's steadfast commitment to see that this bill becomes law. I strongly urge my colleagues to support this critical measure.

CHILD HEALTH INCENTIVES REFORM PLAN

HON. ED JENKINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. JENKINS. Mr. Speaker, I am pleased to offer legislation today that would provide strong incentives for businesses to include children's preventive care in their employee health benefit packages. Specifically, such coverage would be required for the insurance

premiums to be deductible as a business expense.

Employer group health insurance plans are the major method of financing health care in the United States. More than 80 percent of all employment groups now have some form of private health insurance. Few Americans would disagree with the adage "an ounce of prevention is worth a pound of cure," yet our present system of health care contradicts this proposition. Unfortunately, most coverage provided by health insurance plans is aimed at acute care, not preventive care. The result is a sickness system, in which costs are out of control, rather than a true health insurance system that would avoid unnecessary illnesses.

Nowhere is this focus less appropriate than when applied to children. Yet the fact is group health insurance plans have been given no incentive to cover the services children need most.

The legislation I am introducing today, the child health incentives reform plan [CHIRP], focuses on children for a simple reason: more than any other age group in the population, children require regular preventive care and screening to detect and prevent disease and disorders. Preventive care not only improves their overall health but it is also cost effective.

Numerous studies, including important recent work by a congressional Select Committee on Children, Youth and Families, have shown that immunizations save money in the long run. Results indicate that for every dollar spent on measles vaccinations, $10 is saved; for every dollar spent on mumps vaccinations, $7.40 is saved. Other studies have demonstrated that eligible Medicaid children provided with early and periodic screening, diagnosis, and treatment [EPSDT] have 30 to 50 percent lower hospital and medical costs than do other Medicaid children.

Opponents to health insurance coverage for preventive services for children argue that regular health screenings are a budgetable expense. However, young familes with children generally have limited incomes and must rely heavily on their employer-provided health insurance. If the plan does not cover preventive health care, such as immunizations, many families will wait for serious symptoms to appear before paying for care. The sad truth is that thousands of pre-school-age children are not immunized. Besides the tragic diminution in the quality of life for a child left retarded by measles, the cost of lifetime institutional care can be staggering—estimates range from $500,000 to $1 million.

The average monthly cost per family for the additional coverage outlined in this bill would be at most $2.28, or about 1 percent of the employer's current payment. The cost for all recommended services from birth through the age of 20 is approximately equal to the cost of 1 day in a hospital.

We in Congress who have responsibility for promoting the public health are keenly aware of the efficacy of preventive care for children. We mandate first-dollar coverage of these services in Medicaid and in federally qualified HMO's. And so long as taxpayers are subsidizing group health plans—to the tune of $32 billion in 1986—I have no hesitation in effectively mandating that child health services become a part of standard benefit packages.

I believe that this is an important step to take, and support for this measure will come from all groups in our society who feel as I do: that our children are our most important and precious asset and that their health must be protected.

ALL VETERAN HOMEOWNERS DESERVE OPPORTUNITY TO REFINANCE VA LOANS

HON. MARVIN LEATH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. LEATH of Texas. Mr. Speaker, the recent decline in home mortgage interest rates has resulted in lowered housing costs for millions of Americans, including tens of thousands of veterans. The difference between mortgage payments on a loan at 8½ percent compared to a loan at, say, 13 percent can mean $100 a month or more for a veteran homebuyer. And $100 a month is a lot to someone trying to put food on the table and support a family.

Many veterans with existing VA-guaranteed loans have refinanced their mortgages, but some veterans are precluded from doing so unless they give up the VA guarantee.

Military officers and enlisted personnel who are transferred to new duty stations, as well as Foreign Service officers and diplomatic personnel, are not allowed to refinance their VA home loans because they do not reside at the home. This law is archaic and needs to be changed.

It just makes all the sense in the world that a veteran with a lower interest rate is much less likely to default. Why not guarantee a safer loan? Everybody benefits. The veteran gets lower house payments, fewer individuals default on mortgages and the Government gets additional revenue from the VA funding fee, which is 1 percent.

Mr. Speaker, our veterans are deserving of the housing benefit and should not be penalized because they have chosen to continue serving their country. They should not be denied the right to refinance their VA home loans simply because they have been transferred. In keeping with this belief, I am today introducing legislation that will alter the law to allow these veterans to refinance.

I urge my colleagues to favorably consider this legislation.

REFORMS NEEDED IN BILINGUAL EDUCATION

HON. HARRIS W. FAWELL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. FAWELL. Mr. Speaker, today I joined the vice chairman of the Education and Labor Committee, JIM JEFFORDS, and the vice chairman of the Elementary and Secondary Education Subcommittee, BILL GOODLING, in introducing legislation which makes long overdue reforms in our Federal bilingual education program. I urge my colleagues in the House to cosponsor the Bilingual Education Amendments of 1987, which is essentially identical to H.R. 4538 in the 99th Congress.

Current law restricts 96 percent of the $143 million Federal bilingual budget to programs that use bilingual instructors to teach limited-English proficient students in their native language until they learn enough English to move into regular classes. This method of teaching is referred to as transitional bilingual education. The remaining 4 percent of the funds is used for special alternative instruction approaches, such as English as a second language [ESL] and English immersion. This legislation, proposed by the administration, lifts the 4-percent cap to give local school districts greater flexibility in determining which method of instruction is the most effective for teaching limited-English proficient children.

This major reform is not an attempt to gut bilingual education or throw immigrant children into a sink-or-swim situation. Instead, the bilingual education amendments reflects a "what works" approach for teaching immigrant children English in the quickest and most effective manner. Many school districts believe transitional instruction best prepares non-English children for regular English classes. There are other school districts, however, which believe alternative instruction is more effective than transitional instruction. And this sentiment is growing. In 1985, over 25 percent of the total grant applications for bilingual funds were for alternative instruction. Because of the 4-percent cap, many worthwhile proposals were rejected.

The growing interest in using alternative instruction as a means of teaching confirms what researchers have been stating for the past several years: transitional bilingual education has not been shown to be more successful than other methods of instruction in helping limited-English proficient children learn English.

For example, Diane Ravitch, one of the country's leading education historians, concluded in her book, "The Schools We Deserve":

> The bilingual method may or may not be the best way to learn English. * * * Immersion programs may not be appropriate for all children, but then neither is any single pedagogical method. The method to be used should be determined by the school authorities and the professional staff, based on their resources and competence.

In an article in the Journal of Law and Education, Christine Rossell and J.M. Ross concluded from a comprehensive review of the literature that:

> The research does not support transitional bilingual education as a superior instructional technique for increasing the English language achievement of [limited-English proficient] children.

Finally, a recent Congressional Research Service report found that:

> [T]he lack of conclusive, nationally representative research studies and program evaluations of the effectiveness of different instructional approaches as actually implemented with specific types of [limited-English proficient] students in various program

settings precludes determining the most effective instructional approach for [limited-English proficient] students in general.

If there exists no conclusive evidence that one pedagogical approach is better than another, Congress should not mandate that a majority of the bilingual education funds be used for transitional instruction. The legislation introduced today recognizes what the researchers are saying: no one method of instruction should be prescribed in statute.

The ultimate goal of the Federal Bilingual Education Program is to help non-English children become proficient in English as quickly as possible. The bilingual education amendments upholds this commitment by recognizing that local school districts are in the best position to determine the educational needs of their limited-English proficient students.

HYPOCRISY AND HUMAN RIGHTS VIOLATIONS OF VIETNAM

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. LAGOMARSINO. Mr. Speaker, I rise today to call the attention of my colleagues to the events which occur daily in Southeast Asia as a result of the actions of the Government of Vietnam. The Vietnamese Government denies its own people basic human rights and oppresses its minority ethnic groups such as the Chinese and Hmong peoples. The result of this persecution has been that hundreds of thousands of Vietnamese have left the homes that their families have owned for centuries and fled from the terror and risked their lives to find freedom. Vietnamese despotism does not stop at its borders. Vietnamese hegemony over neighboring Laos exposes the Lao people to these same brutal denials of basic human rights. Vietnam's invasion of Cambodia and the subsequent establishment of a puppet government there is even more reprehensible. The subjugation of Cambodia and oppression of its people is a situation that the United States cannot ignore. I would like to draw my colleagues attention to the response of Mr. W. Lewis Amselem, a career Foreign Service Officer at the United Nations, to comments made by the representative of Vietnam. Mr. Amselem accurately and eloquently describes the hypocrisy and human rights violations of Vietnam:

Mr. Chairman . . . there is something wrong with my earpiece. According to it, the Vietnamese representative spoke of racism and self-determination. We know, Sir, that this cannot be so, because the Vietnamese representative would not be so shameless as to speak on these items.

The Vietnamese government is one of the most racist on earth. Look at what has happened to the ethnic Chinese, to the Hmong, and to the other minorities in Vietnam. Look, Sir, at what has happened to the people of Kampuchea. Even as we speak, all of these people are being persecuted, tortured, starved, murdered, and driven into exile by Hanoi. What about the hundreds of thousands of boat people who have fled Vietnam? These include one of the founders of the National Liberation Front who now lives in Paris, where he has found the freedom denied him at home. Who knows how many more would leave the Vietnamese gulag if they could?

According to my earpiece, the Vietnamese representative spoke of the right to live free of the nuclear threat. Mr. Chairman, surely we should speak first of more basic rights such as the right of the Kampuchean people to live free of Vietnamese tanks and bayonets; to live free of Vietnamese chemical weapons; to live free of Vietnamese terror and occupation—in short, Sir, the right to live free.

Again, according to my obvious defective earpiece, the Vietnamese representative spoke of 'self determination.' Surely this representative knows what her country's troops are doing in Kampuchea. They are there to prop up an unpopular and repressive government, which seeks to deny the people of Kampuchea their right to self-determination.

I hope technical services corrects this serious flaw in my earpiece before I begin to believe that the Vietnanese representative said what I thought I heard her say.

THE MERCHANT MARINE DECORATIONS AND MEDALS ACT

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. BIAGGI. Mr. Speaker, I am introducing legislation that would provide for recognition of the merchant marine seamen who perform distinguished and meritorious service in time of war or national emergency.

This bill would continue existing decorations, insignia, and awards and would provide for additional awards. It would also reinstate authority for the Secretary of Transportation to issue awards for service prior to July 1, 1950. It provides for the issuance, at no cost, of a U.S. flag and a grave marker to the family or personal representative of a deceased seaman, who served in the U.S. merchant marine during World War II or in support of the Armed Forces of the United States or our allies in subsequent periods of war or national emergency.

This bill would also continue the existing procedures for issuing the gallant ship award to U.S.- and foreign-flag vessels that participate in outstanding or gallant action in marine disasters or other emergencies for the purpose of saving life and property at sea.

The primary change in existing law concerns seamen who served in World War II. It is the second of two bills designed to honor these seamen. The United States is the only major maritime country that has failed to adequately compensate merchant seamen. A little history bears repeating. When that war was upon us, thousands of merchant seamen responded to the call of duty to man vessels of all types that were requisitioned or soon to be delivered from our shipyards. Many who sailed into harm's way were younger or older than draft age. Many who were of draft age were often exempted from military conscription due to their physical condition. Those who were of draft age and physically fit were often not accepted into the Armed Forces and were advised to continue employment in the merchant marine due to the extreme shortage of competent merchant seamen. Many of them were essentially under military control, performed wartime responsibilities in combat areas, and were often the target of enemy attack. Many were captured and became prisoners of war for lengthy periods. They were all volunteers. They were properly referred to as our fourth arm of defense.

This legislation provides for recognition of this service through decorations and medals. Due to the few remaining merchant seamen who served during World War II, the costs—including administrative costs—are estimated at less than $200,000 a year and even less in the outyears as these heroes decline in number with the passage of time.

The honor and tribute due these brave merchant seamen are long overdue. I hope my colleagues will join me in supporting this important legislation.

FAMILY FARM ACT OF 1987

HON. PAT WILLIAMS

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. WILLIAMS. Mr. Speaker, often we hear that the world has changed. And in respect to agriculture, indeed the world has changed. In shaping our agriculture policy, however, the President—and unfortunately the Congress—have acted as though no changes whatsoever have occurred in our agriculture ecomony, pricing structure, trade competitiveness, or the structure of our agriculture.

Today my colleagues and I are introducing the Family Farm Act of 1987. This legislation recognizes the new world order by abandoning the outdated notion that more production means more prosperity. Today's surplus commodity realities require absolute production restraints—when America's farmers order them—this legislation provides them. We believe that these production restraints will, through reduced Government storage costs and reduced deficiency payments, lower the cost to the Federal Treasury by perhaps as much as $40 billion over 5 years. But more important, by raising market price the income to farmers is expected to increase more than $10 billion annually.

Some say this bill is inflationary. They are correct. Occasionally in the morning I like to have a bowl of cereal and a couple of pieces of toast. I'm going to have to pay an additional one-fifth of a cent. I for one am willing to endure that bit of inflation to save our farmers. I believe the American people recognize the importance of keeping our family farmers and when they have that breakfast are willing to pay a fifth of a cent—and more.

Mr. Speaker, now, during critical economic crisis in agriculture is an opportunity to correct the course of Government assistance to our family farmers. I want to encourage my colleagues and the congressional leadership—in recognition of the change in world agriculture—to change the direction of our agriculture policy and to help us move this bill.

TEXTILE AND APPAREL TRADE ACT OF 1987—A BAD IDEA

HON. JOHN R. MILLER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. MILLER of Washington. Mr. Speaker, recently I received a Dear Colleague letter from the congressional textile caucus. They invited me to join in cosponsoring the Textile and Apparel Trade Act of 1987. Mr. Speaker, let me tell you why I will not cosponsor this bill.

We have heard and read a lot about the need for industrial competitiveness. While everyone has a different definition for competitiveness, I define it as the ability of American manufacturers and service industries to compete successfully in the international marketplace. The system of international trade which developed after World War II has served our Nation and our trading partners in the world very well. At the heart of this system is the belief—not the fact—that trade barriers ultimately harm everyone. Trade barriers mean less trade. As a result, consumers pay more for goods or services. As trading partners retaliate against one another, workers lose jobs in trade and trade related industries. Mr. Speaker, when we stop trading abroad, we stop growing at home.

There is no question but that our huge trade deficit is a problem. We are now taking positive and effective steps to reduce this deficit by boosting our own exports. Everyone agrees on the key elements: Cut the Federal deficit, remove counterproductive export restrictions on nondefense technologies, streamline the export licensing process and unify our trade apparatus. These are positive steps about which we all agree.

Mr. Speaker, those of us who want to correct the trade deficit know that these positive steps should also include actions by countries like Japan and West Germany to stimulate their economies; for Korea, Hong Kong, and Taiwan to allow their currencies to float rather than being tied to the dollar. These steps will help American exporters.

Last session Congress passed a bill, H.R. 1562, which would have had the opposite effect. Some Members of this body voted for this bill because they wanted to save jobs in their home States, others because they wanted to send the President a message, and so on. But here in Congress, we have a duty to ask if an industry really needs protection and how those protections will affect our Nation's economic and strategic interests.

Mr. Speaker, the most protected industry in America is not steel, it is not automobiles, it is not shoes, it is not agriculture. The truth is the most protected industry in the Nation is the manufacture of domestic textiles. We have built so many protections around domestic textiles that it is the Fort Knox of American industry.

Now, Mr. Speaker 2 years ago, we were told that if we didn't grant this industry even greater protections, that it would die on the vine with thousands of jobs lost in textile States forever.

Well, H.R. 1562 did not become law. I am proud to say that I worked hard to sustain the President's veto of this dangerous protectionist legislation. But let's take a look at the resulting "rack and ruin" in the textile industry.

I don't call textiles the Fort Knox of American industry just because it is the most protected industry in this Nation. Ladies and gentlemen, there's gold in them thar hills. The profits of the eight major textile mills grew by 181 percent during the first three quarters of 1986. Textile stocks outperformed every major Wall Street index in 1986, gaining an average of 30 percent. And production? Surely without more protection domestic production must have collapsed. Hardly. According to industry trade publications, textile output has soared more than 20 percent—five times faster than the growth in U.S. manufacturing. The industry is using 93.6 percent of its capacity.

And what of those thousands of lost jobs? Industry employment levels remain high and overall employment well below the national average. All four major textile States have an unemployment rate 1½ percent below the national average.

Clearly, Mr. Speaker, the Fort Knox of American industry is secure and thriving. The people who need protection are the American consumers, who will have to pay higher prices because Fort Knox needs more protection. Tell that to the low-income single mother when she has to buy her children new coats next winter.

Our exporters will also need protection from the retaliation that will surely follow the erection of these trade barriers. China, the greatest untapped market, will not buy American wheat, or airplanes, or computers, or machine tools, or American anything. They will trade instead with the French and Japanese and Germans.

The fragile democracies in countries like the Philippines and Singapore will also need protection as they suffer the loss of a key market and have the economic basis of their political freedom—the free market—shaken. Should they believe us when we say the free market is the key to prosperity while we shut off our markets to them? The Prime Minister of Singapore, Mr. Lee, reminded the Congress of this harsh reality last year.

Mr. Speaker, The Textile and Apparel Trade Act of 1987 was a bad idea in 1986 and it is still a bad idea. I urge my colleagues not to cosponsor this bill.

THE EFFECT OF SELECTED FEDERAL EXCISE TAXES

HON. ROBIN TALLON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. TALLON. Mr. Speaker, I rise today to call attention to the study released by the Congressional Budget Office on the distributional effects an increase in selected Federal excise taxes would have on taxpaying Americans.

You do not have to be an economist to know that excise taxes are regressive: the level of tax is the same for a family with an income of $5,000 as one with an income of $50,000. This translates into a higher tax burden for the low-income family. Nevertheless, each year, some Members of Congress consider increasing excise taxes as a means of generating more revenue.

I have a special interest in the Federal excise tax on cigarettes since my congressional district is the leading producer of tobacco in the State of South Carolina. I also have a special interest in ensuring that my constituents are taxed in a fair and equitable manner. Excise taxes are not equitable and to increase the tax specifically on cigarettes places an inordinate burden on low- and middle-income families in my district who have made the decision to purchase cigarettes.

For years, Congress has heard the argument that excise taxes are regressive. Now, the CBO justifies our arguments. The study states, "An increase in the excise tax on tobacco would be the most regressive of all the tax increases considered." The study reviewed the effects of increasing the excise tax on beer, wine, liquor, tobacco, gasoline, airfares, and telephone service.

Last year, we passed the Tax Reform Act of 1986 which was designed to decrease the tax burden for low- and middle-income Americans. This year we are faced with meeting a Gramm-Rudman-Hollings deficit target of $108 billion. CBO says Congress needs approximately $69 billion in spending cuts and/or additional revenues to meet the target. The Committee on Ways and Means is faced with having to generate new revenue in the neighborhood of $30 billion. Is it fair to increase the tax burden on those supposedly benefited from the Tax Reform Act? Most definitely not, yet that is exactly what this body would be doing if it were to increase excise taxes.

I urge my colleagues to read the CBO report and to remember its conclusions as we address the deficit problem.

FIORELLO H. LA GUARDIA HIGH SCHOOL

HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. WEISS. Mr. Speaker, as a strong supporter of the arts and education, I am pleased to join my constituents in honoring the singular efforts of one of New York City's most unique public schools, the Fiorello H. La Guardia High School of Music and Art.

In 1936, Mayor La Guardia founded the High School of Music and Art. His vision was to provide a place where the artistically gifted students of New York's public school system could express and develop their talents while remaining enrolled in a complete academic curriculum. As the school recently celebrated its 50th anniversary, I am happy to report that it continues to fulfill Mayor La Guardia's original dream: artistic excellence and academic superiority.

The High School of Music and Art is somewhat different in 1987 than it was in 1936. In 1961, anticipating a move to a single building at Lincoln Center specially designed to meet

the needs of these gifted students, the High School of Music and Art merged with the School of the Performing Arts. This school was founded in 1948 to provide training for students interested in careers as professional dancers, musicians, actors or actresses. Today in their Lincoln Center site, the two schools thrive as one organization.

The students who attend the Fiorello H. La Guardia High School are a carefully selected group. These aspiring artists must all pass through a challenging and extremely competitive audition entry examination, demonstrating their past achievements and their potential for future development.

The many awards the hand-picked students of the La Guardia High School have accrued attest to the success of their unique school program. For example, in the annual National Foundation for the Arts contest, this school has produced more finalists than any other in the country. In 1986, 22 of the 42 finalists selected from a nationwide applicant pool of 6,000 attended the La Guardia High School. Schools in 37 States participated in this contest. But, the total number of winners from all of these States combined did not equal La Guardia's number. Graduates of this school are on the forefront of all artistic disciplines, and can be seen frequently on television, in symphony orchestras, and in dance troupes.

The successes of the alumni of the La Guardia School are not limited to the arts, however. Academic excellence and achievement are also obtained by its students. In the 1986 Presidential Scholars Competition, one of the four New York State winners attended the La Guardia School. In 1985, three of the six State winners attended the school. Graduates of both divisions of the school have distinguished themselves in the sciences, business, politics, and many other professions.

I wish to congratulate the students and faculty of the Fiorello H. La Guardia High School of Music and Art, and am pleased to have this opportunity to report their outstanding achievements to my colleagues. I commend the school for its numerous accomplishments in the artistic and academic world, and I wish them continued success in the future.

LET'S SUPPORT DOMESTIC PRODUCERS

HON. JIM MOODY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. MOODY. Mr. Speaker, today I join the gentleman from North Dakota, Mr. DORGAN, in introducing legislation to help America's dairy industry. Casein, a milk protein product most Americans have never heard of, is causing serious hardship for all those citizens who depend on the dairy industry for their livelihood. Moreover, casein imports are costing American taxpayers hundreds of millions of dollars.

Casein has a number of uses, but more and more it is being used as a substitute for domestically produced milk products. Encouraged by the United States open market for casein, foreign producers have greatly increased their casein exports to our country. In many cases casein production is subsidized, essentially preventing a competitive casein industry from developing in the United States.

As the market for American milk products is slowly eaten away by casein, our dairy farmers aren't the only ones who suffer. When these imports displace domestic milk product markets the cost of our dairy price support program increases, and taxpayers across the country bear that burden.

According to the USDA, substantial savings could be achieved through a limitation on casein imports. Domestically produced nonfat dry milk and other milk solids can be used in place of the imported casein. For those few products that cannot use domestically produced casein substitutes, allowances can be made. Even with such allowances hundreds of millions of dollars in dairy price support program costs could be saved with a 50-percent quota.

For these reasons, I am supporting this legislation to establish a 50-percent quota on casein imports, as authorized by section 22 of the Agricultural Adjustment Act of 1933. For products that require casein, this legislation establishes a preferential licensing system to ensure enough casein availability.

I urge my colleagues to join me as a sponsor of this important bill. It's time we relieved American taxpayers of the cost of casein imports.

RETIREMENT OF GEN. CHARLES L. DONNELLY, JR.

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. SKELTON. Mr. Speaker, I rise today to honor and pay tribute to an outstanding American who is retiring from the U.S. Air Force. Gen. Charles L. Donnelly, Jr., currently commander in chief, U.S. Air Forces in Europe, is retiring after a distinguished and decorated 36-year military career.

Entering the Air Force in 1951 as an aviation cadet, General Donnelly was commissioned as a second lieutenant in March 1952. In his early career, he was stationed in such places as Tyndall Air Force Base in Florida, Selfridge Air Force Base in Michigan, Lowry Air Force Base in Colorado, and Randolph Air Force Base in Texas. Additionally, he has received advanced degrees from the Air Command and Staff College, Air War College, and the London Royal College of Defence Studies. He assumed his current duties in August 1984.

While serving in Southeast Asia in 1966–67, General Donnelly flew 100 combat missions over North Vietnam and 27 over Laos.

The general is a command pilot with more than 8,000 flying hours in 29 different aircraft. His military decorations and awards include the Defense Distinguished Service Medal, Distinguished Service Medal—Air Force, Defense Superior Service Medal, Legion of Merit with two oak leaf clusters, Distinguished Flying Cross, Air Medal with 12 oak leaf clusters, and the Air Force Commendation Medal with one oak leaf cluster.

Mr. Speaker, I speak today not only to share the accomplishments of General Donnelly with the House, but because I am proud to call Chuck Donnelly my friend. Let me take this opportunity to thank him for his dedicated service and to wish him, together with his wife, Carolyn, all the best in the years to come.

REAUTHORIZATION OF THE OLDER AMERICANS ACT

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. KILDEE. Mr. Speaker, I am pleased to be introducing today legislation to extend the Older American Act for 4 additional years.

The Older Americans Act and the programs it authorizes are among the most successful of any Federal programs currently operating. With its original enactment in 1965, the Congress created a program specifically designed to meet the social service needs of older people. Although older persons may receive services under many other Federal programs, the act is considered to be the major vehicle for the organization and delivery of social services to this group. The fact that the act has been overwhelmingly reauthorized many times since 1965 attests to the strong bipartisan support it enjoys as well as its effectiveness.

For many other individuals, Older Americans Act programs provide the lifeline that enables them to continue to live independently in their communities. Whether it be transportation services, homemaker services, congregate or home-delivered meals, participating in senior center activities, or finding employment through the Community Service Employment Program, the Older Americans Act provides opportunities that enable the elderly to continue to be active participants in their communities.

The legislation I am introducing today reauthorizes the Older Americans Act for 4 years at levels that recognize the growing demand for services these programs are facing. The number and percentage of those over 65 relative to other age groups is increasing dramatically, with the age 85-plus group, which are most likely to require assistance, growing most rapidly of all.

I also would like to call attention to a new initiative proposed in this legislation that would authorize additional funds for certain in-home services to the frail elderly. While they may not have extensive health care needs, many older individuals require assistance with activities of daily living to remain independent. According to a recent study sponsored by the Department of Health and Human Services, approximately 4.6 million elderly persons living in their communities have some kind of functional limitation which necessitates assistance in certain basic self-care functions. This represents 10 percent of the total population 64 years of age or older.

As the number of people beyond age 75 increases, so does the number who face the loss of their ability to remain independent and

are at risk of entering an institution. The new initiative would provide critical services for the frail elderly making it possible for them to maintain an independent and productive lifestyle longer than otherwise might be possible.

The concept behind this initiative was included as part of a more comprehensive reauthorization proposal developed by the National Governors' Association [NGA]. The NGA is to be commended for their work in developing the concept and for bringing this concern to the attention of the Congress.

Mr. Speaker, the House of Representatives is extremely fortunate to have a number of Members, on both sides of the aisle, who are recognized for their leadership and advocacy on behalf of the elderly. These Members have devoted a great deal of thought to the reauthorization of the Older Americans Act and have developed a number of proposals to strengthen various portions of the act. I look forward to working with these Members and taking advantage of their expertise, to develop a more comprehensive set of amendments as the reauthorization process advances.

The role of the Federal Government is to promote, protect, defend and enhance human dignity. The Older Americans Act meets this challenge. I urge my colleagues' support for its reauthorization.

THE COMMERCIAL ZONE EXEMPTION AND TRUCK SAFETY

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. HOYER. Mr. Speaker, on November 17, 1986, a terrible tragedy claimed the lives of two 17-year-old girls and seriously injured a third in Riverdale, MD, a community in Prince Georges County, which I represent in the House of Representatives. The brakes on a dump truck failed. The dump truck, which was stopped on an incline, in traffic, rolled backward for hundreds of feet, crushing an automobile carrying the three girls home from classes at St. Vincent Pallotti High School in Laurel, MD. The accident killed two of these girls—Jeanine Everhart and Gloria Graham. The third girl, Lisa Beavers, has lost her two best friends and remains seriously injured.

The dump truck, which was registered in Virginia, had not been inspected for 3 years, even though the Commonwealth of Virginia requires an annual inspection. The driver was using an expired District of Columbia operator's permit. Finally, the dump truck was in truly deplorable condition, with numerous and significant safety defects.

Today, in an effort to prevent future tragedies, on the roads and highways in my district and across the country, I am introducing legislation to repeal the commercial zone exemption contained in the Federal Motor Carrier Safety Act.

I encourage all of my colleagues to join me in addressing this aspect of truck safety. I know that Chairman HOWARD of the Public Works and Transportation Committee and Chairman ANDERSON of the Subcommittee on Transportation have already shown leadership in this area.

Despite the horrendous condition of the dump truck, there was little that the Federal Government or the State of Maryland could have done. You see, the commercial zone exemption provides an exemption from the Federal safety standards for trucks operating in commercial zones. Riverdale, MD, where the accident occurred is within the zone for the District of Columbia.

The commercial zone exemption remains a major loophole in efforts to improve the safety of our Nation's roads and highways. It has had a chilling effect on enforcement of State laws as well.

Mr. Speaker, it is my belief that the commercial zone exemption encourages unscrupulous motor carriers to dump into the commercial zone drivers and vehicles that do not meet the safety criteria for operating elsewhere. Thus we will find that often an unqualified driver is placed behind the wheel of a substandard heavy motor vehicle.

With the urban highway and road conditions of today, continuing the commercial zone exemption makes no sense. In 1987, maintaining this anachronism poses an unacceptable danger to the citizens who use our roads and highways.

I have urged Secretary Dole to act administratively to eliminate the commercial zone exemption. However, if she does not, I hope that the Congress will soon consider my legislation. We can act knowing that we will help to reduce the number of lives lost each year as a result of the operation of unsafe trucks.

LTV PENSION AND RETIREMENT BENEFITS

HON. AUSTIN J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. MURPHY. Mr. Speaker, on Tuesday, March 10, the organization of LTV Corp. retirees will come to Washington for the second time in less than 6 months to march in support of their health and retirement benefits. They are not coming because they want to, but because they see Congress as a last resort to save their pensions and their retirement benefits.

After LTV filed for bankruptcy, these retirees suddenly received a hard and fast lesson in realities of a chapter 11 filing. Retirement benefits, once thought secure, suddenly disappeared or were significantly reduced.

The bankruptcy court acted slowly in response to LTV's cancellation of life insurance and medical benefits last summer, so slow that it took emergency legislation from Congress to restore the benefits but only until May 15, 1987. I need not remind this Chamber that this deadline is only 10 weeks away.

The Pension Benefit Guaranty Board, an institution designed to prevent the loss of benefits, assumed control of the LTV pension funds and in a matter of days retirees watched their pension benefits be reduced or eliminated. Many former LTV employees are poised on the edge of financial disaster because of these recent events.

The time has come for a showdown here in Congress over pension benefits for retired employees caught in a corporate bankruptcy. We must make companies like LTV who are contemplating bankruptcy consider carefully the full effects of this action. Chapter 11 filings were supposed to be a temporary respite from one's creditors, not a permanent vacation from one's responsibilities. Promises made before filing should be honored after filing especially when those promises were made to their employees.

Bankruptcy courts must be empowered to respond more quickly and be able to take more notice of the human side of corporate bankruptcy. It it takes new laws from Congress to accomplish this, then I am prepared to lead the fight to restore equality to the parties in the bankruptcy. If the courts currently lack this power, then we must give it to them.

Is it surprising that in this atmosphere of uncertainty that you can pick up the Wall Street Journal and read that Bethlehem Steel, our second largest producer, is also studying the possibility of a chapter 11 filing? It is imperative for Congress to move quickly to see that subsequent bankruptcies do not promote the kinds of injustices and assaults on human dignity that have been experienced by the retirees of LTV. When bankruptcy is considered, the human element must be considered and these people must be treated with respect.

In closing, I ask all of my colleagues to open your doors to the LTV retirees next Tuesday. Listen to their stories and take suggestions to heart. They have every right to come here in search of a resolution to their plight and we have every obligation to work to achieve a just and satisfactory solution.

INTRODUCTION OF A BILL TO PROVIDE FOR THE ENERGY SECURITY OF THE UNITED STATES

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. RICHARDSON. Mr. Speaker, it is no secret that our energy industries are seriously depressed. Indeed, at a recent hearing before the Energy Subcommittee, Energy Secretary Herrington admitted that our petroleum industry was in extreme disarray. What is often missed, however, is that the disarray extends across the board to encompass the nuclear fuel industry as well. In particular, the Department of Energy has formally determined that the domestic uranium industry was nonviable in calendar year 1984 and in calendar year 1985. This is hardly surprising. The industry faces 90 percent unemployment, with only 2,000 of its 20,000 workers still in the mines and mills. About 7,000 are unemployed in my district in northern New Mexico alone.

This situation has grown increasingly frustrating. The Department of Energy has a specific obligation under section 161v of the Atomic Energy Act to assure the maintenance of a viable domestic uranium industry by limiting enrichment of foreign source uranium for domestic end use, or by taking other measures effective to assure viability. Despite the agency's acknowledgement that the industry

is dead, it is doing nothing to carry out its statutory responsibility. Faced by a court order to obey the law, DOE responded with an appeal and a rulemaking in a further attempt to insulate itself from its obligations.

Mr. Speaker, DOE's inaction is troubling on three accounts. First, it jeopardizes U.S. energy independence and security. Section 161v was adopted by Congress to assure that the United States maintains a producing uranium industry and self-sufficiency to protect itself against foreign government manipulation of the strategically important nuclear fuel market. We lose this vital independence with each additional day of unlawful DOE inaction. Second, it breaks faith on the Federal commitment manifest in section 161v. Third, it undermines DOE's credibility.

DOE's chief defense for its inaction is to claim that if it carried out the law, it would lose some of its lucrative uranium enrichment business. The agency argues that it must writeoff billions in enrichment investment at taxpayers expense and that it must ignore the uranium industry because United States utilities will otherwise go to the Soviet Union or Europe for enrichment services. DOE's arguement is akin to Chicken Little's screams about the sky falling. Just as the barnyard animals in the Chicken Little story were silly to believe the chicken, we would be suspect for believing DOE. DOE has a virtual lock on U.S. business and is doing well on the world market except for accounts which it would lose anyway for foreign nationalistic reasons. U.S. utilities have a documented preference for doing business with the agency. And in any event, DOE has power under the Atomic Energy Act, as does NRC, to require U.S. utilities to purchase enrichment services from the Government to the extent necessary to carry out the purpose of the act. Exercise of that authority is hardly unfair, since DOE's enrichment capacity which is the seat of this controversy was constructed at the urging of the U.S. utility industry.

Mr. Speaker, I find particularly troublesome DOE policies with respect to the Federal Government's uranium stockpile. DOE evidently intends to distribute this stockpile over the next several years at price which are a fraction of market price in order to cut the apparent costs of its enrichment program. This not only is a questionable use of taxpayer assets, but also is contrary to U.S. national security interests and to sections 161m and 161v of the Atomic Energy Act, which bar DOE from supply and from actions which undercut the viability of the domestic uranium industry.

Mr. Speaker, much of the trouble now besetting the nuclear fuel industry could be eliminated if DOE would follow the law and exercise the authorities it has under the law rather than following a misplaced set of preconceptions and ideologies. It is my fond hope that the Federal courts will eventually bring this agency back to the authorizing statutes. However, we cannot wait forever. Our basic energy security plus the livelihoods of many thousands of families are at stake.

I am accordingly introducing, once again, some legislation to begin, once again, to address DOE's unlawful procrastination. The proposal states a basic U.S. energy goal of meeting 80 percent of its nuclear fuel needs domestically. This statement is consistent with DOE's own objectives with respect to uranium enrichment to lock up at least 70 percent and if possible 100 percent of the U.S. utility market. Consistent with this goal and in light of DOE's inaction under existing law, the proposed legislation calls for U.S. utilities to procure 80 percent of their uranium needs from domestic sources. DOE can adjust this figure consistent with assuring the domestic industry's viability every 5 years. Imports in excess of this amount are grandfathered if contracts for the imports were entered prior to the Energy Secretary's initial determination that the domestic uranium industry was nonviable. This initial determination was made on December 31, 1984. After that, U.S. utilities were under fair notice that any imports might be subject to restrictions. The 80 percent figure is also consistent with representations by DOE, the State Department, and U.S. utilities that domestic utilities would be unlikely to become more dependent upon foreign sources of supply because of concerns, among other things, for energy security. Furthermore, this level of limitation is the minimum compatible with existing law to put miners back to work in what DOE admits is a now nonviable industry, especially in light of the recent flood of imports. Finally, the proposed legislation addresses stockpile issues in a fashion consistent with existing law.

Mr. Speaker, I would add one final note. The State Department and the Trade Representative may complain, as they have with similar past proposals, that aspects of this legislation are inconsistent with GATT. I would make three responses. First, foreign governments, and in particular Canada, are heavily subsidizing their government-owned or financed uranium industries and are dumping the fruits of their subsidized overproduction in the United States while at the same time excluding the United States from their home markets. Free trade is not an excuse for foreign unfair trade. The United States should not expect to be, nor be expected to be, the world's dumping ground. Interior Secretary Hodel in the past 10 days has twice warned that the Canadians are orchestrating an effort to make the United States energy dependent. State and the Trade Representative would do well to take warning. It is more important for our Government agencies and officials to protect American interests than to serve as marketing agents for the Government enterprises of Canada and her Provinces. Second, under article XXI of GATT, the provisions of that agreement do not apply to nuclear fuel which involves security concerns. Third, all this can be avoided if DOE would simply implement existing law. Doe would do well to heed the lines ascribed to Sir Thomas More in the play, "A Man for All Seasons": "The law Roper, the law. I know what's legal, not what's right. And I'll stick to what's legal—for my own safety's sake."

Mr. Speaker, I hope that my colleagues will take the opportunity to become acquainted with this legislation and join Representatives DON YOUNG, PATRICIA SCHROEDER, and myself to ensure the viability of our domestic uranium industry.

BILINGUAL EDUCATION ACT AMENDMENTS OF 1987

HON. JAMES M. JEFFORDS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. JEFFORDS. Mr. Speaker, today I, along with two of my colleagues, will be introducing amendments to the Bilingual Education Act. I am introducing this bill not only from a concern for the improvement and quality of general education, but with a particular concern for those students for whom English is not the native language.

As we all know, this segment of the student population is becoming a larger portion of this Nation's student population. In addition, not only is the size of this cohort growing, but the scope and diversity of their native languages is increasing. It is clear that for the economic and political viability of this Nation these students must become both fluent in English and achieve in their academic programs. It is for this reason that it is so vitally important that we maintain Federal support for these students through the Bilingual Education Program while allowing for greater flexibility in meeting their special needs.

These amendments do not undermine the established purpose or goals of the Bilingual Education Act. Instead, they acknowledge that there is not one method by which limited English proficient students can be taught. It provides for flexibility at the local level in the design of programs which can best meet the educational needs of these students.

It is not the role of the Federal Government to dictate the method of instruction to be used at the local level, but rather to establish policy which supports the attainment of English language proficiency by the target population. The Bilingual Education Program is the only Federal program in which one particular method of instruction is favored.

The overriding purpose of bilingual education has been to enable children of limited English proficiency to become fluent in English as quickly as possible. Research and program experience reinforces the fact that no one instructional approach is most effective in meeting this objective under all circumstances.

Since 1969, bilingual education grants have been made primarily for transitional bilingual projects which make extensive use of the native language as a medium of instruction while English is learned. Although many students have achieved English proficiency under this instruction method, it is not always the superior mode of instruction. Alternative methods such as English as a Second Language [ESL] and structured immersion have also demonstrated their effectiveness.

The current definition of transitional bilingual education allows school districts some flexibility, but not to a sufficient extent. As part of the 1984 reauthorization, an important first step was taken. Special alternative instruction programs were included along with transitional bilingual education programs. However, the funding for the alternative programs was limited to a 4-percent set-aside. The demand for

this funding has far exceeded its availability. During the first year of implementation, the Department of Education was only able to fund 1 out of every 3 applications for classroom instruction received for this set-aside. With fiscal year 1987 dollars, no new special alternative programs could be funded. The full 4-percent set-aside was spent to continue the previous year's grants.

This bill removes the restrictive language which limits the availability and use of funds under the Bilingual Education Act for special alternative instructional programs. These amendments remove the statutory requirement in current law that mandates that 75 percent of the funds appropriated for local bilingual programs be used for transitional bilingual education programs. The 4-percent cap on special alternative instructional programs is also removed. The funds available can then be utilized to provide the instructional approach which the local education agency determines most appropriate for educating its limited English proficient students. Further, the bill asserts that both academic achievement and English proficiency are important goals as outcomes of participation in a bilingual education program. Finally, a series of conforming amendments is included to provide consistency within the law.

I am hopeful that serious consideration will be given to this proposal as the Education and Labor Committee begins to review the elementary and secondary education programs under its jurisdiction for reauthorization. I intend to work toward that goal. Programs must reflect the learning needs of the children involved first and foremost. Providing flexibility to design at the local level bilingual programs that meet these needs, is one means by which this challenge can be met.

TRIBUTE TO HON. JOHN E. GROTBERG

HON. J. DENNIS HASTERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 4, 1987

Mr. HASTERT. Mr. Speaker, I wish to submit additional tributes to former Congressman John Grotberg for the RECORD:

TRIBUTE TO JOHN E. GROTBERG

Serving together with John Grotberg in the Illinois General Assembly was one of my more memorable and rewarding experiences. We were good friends.

John was a caring and courageous person. He possessed an almost uncanny ability to combine his conservative philosophy with a genuine compassion for all of his fellow citizens.

One of my first actions and best decisions as Republican Leader of the Illinois Senate was naming John as a member of the leadership. Whether it was fighting for a modern metropolitan transportation system or his strongly held belief that the death penalty be administered by lethal injection, you always knew where John stood.

Congressman Grotberg's courage was exemplified by the fact that during almost all of his years in public office—in the Illinois Legislature and the Congress—he fought off illness. He did so with such grace that until near the end, few of his colleagues actually knew of his plight.

He served his community, his state, and his nation with dignity and a certain charm that few could match. His devotion to family was unmatched and to them his memory is dedicated.—State Senator "Pate" Phillip.

The following Resolution Honoring Congressman John E. Grotberg was drafted by Richard J. Larson, State Central Committeeman for the 14th Congressional District, State of Illinois, and was adopted by the Illinois State Republican Convention on July 26, 1986. A similar Resolution was adopted by the 14th Congressional District Caucus (Illinois) held June 22, 1986.

RESOLUTION HONORING JOHN E. GROTBERG

Whereas, Congressman John E. Grotberg has served the Republican Party with distinction, both as a party leader and elected official,

Whereas, Congressman John E. Grotberg aggressively served as Kane County Republican Chairman from 1980-1984,

Whereas, Congressman John E. Grotberg served with distinction in the Illinois House of Representatives from 1973-1977 and in the Illinois Senate from 1977-1985,

Whereas, Congressman John E. Grotberg was elected to the 99th Congress from the Fourteenth Congressional District of Illinois on November 6, 1984, with more than 62 percent of the vote,

Whereas, since his election to Congress, Congressman John E. Grotberg has served on the Committee on Banking, Finance and Urban Affairs, on the Committee on Small Business and on the Republican Study Committee, Tourism Caucus and Rural Caucus,

Whereas, Congressman John E. Grotberg has given unselfishly of his time and talents to his constituents, to the State and to the Nation.

Whereas, because of illness, Congressman John E. Grotberg withdrew from the Republican nomination for Congress on May 21, 1986,

Whereas, Congressman John E. Grotberg's fight against cancer has been an inspiration to all,

Be it resolved, That the Illinois State Republican Convention in session on July 26, 1986, commends Congressman John E. Grotberg for his years of outstanding leadership and dedicated service to the Republican Party and to all people that he has so faithfully served.

Dated: July 26, 1986.—Illinois Republican State Convention.

The following article was drafted by Richard J. Larson, Chairman of the Kane County Illinois Republican Central Committee, and which appears in the quarterly issue of the Kane County Trumpet, a newsletter of the Kane County Republican Organization. The article appears in the quarterly issue for the months of March, April and May, 1987.

JOHN GROTBERG'S LIFE, A JOURNEY

To say that John Grotberg's life was a journey is an understatement. He was born in Minnesota, raised in North Dakota, college educated in Illinois and capped a distinguished political career by winning election to Congress.

He was a Christian active in his Church, a civic leader in his community with strong involvement in Rotary, Chamber of Commerce, and Playmakers and the founding father of Fox Valley Hospice. Above all, he was a family man devoted to his wife, Jean, and their five children and five grandchildren.

He was a manager, financial developer and public relations man for the Chicago YMCA. He was an accomplished singer and talented actor.

Better known to us as a politician, he served in the Illinois House of Representatives and the Illinois Senate attaining the position of Assistant Republican Leader in the Senate. He brought vigor and enthusiasm as Chairman of the Kane County Republican Central Committee and was elected to the 99th Congress in November, 1984 with more than 62% of the vote.

Following John's death, U.S. Minority Leader Robert Michel eulogized John as a strong political leader stating that, "John always declared himself on one side or the other of an issue and he respected those who did likewise, particularly those with an opposing view".

John, the man with a common touch, lived a full and complete life. He lived to serve others—his family, his friends, his church, his community, and his constitutents. He will be missed.

35W805 Park Lane,
St. Charles, IL, March 3, 1987.

Congressman DENNIS HASTERT,
515 Cannon Building,
Washington, DC.

DEAR DENNY: Thank you for the opportunity to express some personal feelings about John and to be included in the tribute to him.

John's most impressive attribute was his "common touch"—his ability to relate to people. That "Dakota soil" never left him. John was a doer and a mover and a sharer and a shaper of things—big things; but he never forgot his friends. He never became too big, too important to not have time for you. That was the "common touch". That is something we can all learn from. John mastered that ability like no one else I have ever met. He could relate to people as a meteor could to the heavens. What a fantastic man!

John is missed and will be missed. Such is the measure of friendship. I loved him.

God bless him.

Sincerely,

JERRY SWANSON,
Chairman, St. Charles Township Republicans.

A TRIBUTE TO EARL WILSON

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. CLAY. Mr. Speaker, Earl Wilson was a pioneer in equal employment opportunity for the U.S. corporate sector. He is responsible for discovering the environmental obstacles inherent in traditional qualifications tests routinely administered to new corporate applicants. After identifying the problem, Earl Wilson worked to eliminate the culturally biased tests and in so doing he opened the door to success for thousands of qualified black executives.

If we could review all the facts, I am sure that Earl Wilson would qualify as one of the most active and productive equal opportunity managers in our history. Throughout his

career, he has worked untiringly to encourage top management to hire and promote minorities. He has also demanded excellence and never hesitated to defend those who suffered unfair treatment.

Earl's accomplishments in marketing are just as numerous. He identified and developed new markets for IBM throughout the world and he has received considerable acclaim from IBM for his contributions. However, the most significant honor Earl Wilson has achieved derives from the support and recognition he has been given by the thousands of blacks participating in major businesses today. For blacks and other minorities the doors of opportunity were not nudged open, but smashed open by the devoted courage and ingenuity of Earl Wilson.

The most compelling characteristic of Earl Wilson is his acceptance of every act of discrimination as a personal affront. Those in need have never had to ask Earl for his help, he has always been in the ring impatiently waiting for his opponent's next challenge. Earl Wilson is a giver and never a taker. He planted the seeds so that his brothers and sisters may reap the harvest.

KEEPING KIDS SAFE: WATCH "HOW TO RAISE A STREET SMART CHILD" ON HBO

HON. RON WYDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. WYDEN. Mr. Speaker, we are all aware that child abuse is one of our Nation's leading social problems. Tragically, over 200,000 cases of sexually abused children are reported every year. Even more children's lives are endangered by kidnaping and physical abuse. I want to call to my colleagues' attention a Home Box Office cable network presentation that will help parents teach their children how to protect themselves from becoming another heartbreaking statistic. This program, "How to Raise a Street Smart Child" will debut this Monday, March 9, 1987.

This important program is based on Grace Hechinger's book of the same title and provides 10 easy street smart tips that parents can teach their children to protect them from being abused. These tips include teaching the child to dial "911" or "0" and ask for help and making sure the child knows that if something suspicious happens, to run to a crowded place and shout for help.

Some people would say programs like this scare youngsters. John Walsh, whose courageous fight for child protection led to the passage of the Missing Children's Act of 1982, disagree. Mr. Walsh lived a nightmare when his son was abducted and murdered in 1981. "It's tough stuff," he says, "but you've got to remember that your child is the potential victim. You owe it to your child to give them appropriate, intelligent information."

I urge all parents to watch "How to Raise a Street Smart Child" with their children. This small investment of an hour will pay important dividends in your children's safety and your peace of mind.

UNITED STATES ASSISTANCE TO HAITI: SUPPORT FOR DEMOCRACY

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. TOWNS. Mr. Speaker, as we begin consideration of foreign assistance proposals for fiscal year 1988, I believe that it is important to reflect on the implications of our aid program to countries undergoing political change. Haiti is in the throes of political change which can be directly affected by the quality and type of foreign assistance it receives from the United States. The House Subcommittee on Western Hemispheric Affairs held hearings this week on budget recommendations for the fiscal year 1988 aid authorizations levels. Our colleague, WALTER E. FAUNTROY [Delegate, District of Columbia], submitted testimony on behalf of the Congressional Task Force on Haiti. This statement addresses the need for a strong economic assistance program to support Haiti's transition to democracy. I urge my colleagues to review his recommendations on economic as well as military assistance.

TESTIMONY OF THE HONORABLE WALTER E. FAUNTROY, BEFORE THE SUBCOMMITTEE ON WESTERN HEMISPHERE AFFAIRS/COMMITTEE ON FOREIGN AFFAIRS, AUTHORIZATION FOR HAITI

Mr. Chairman, please accept my appreciation for your kind offer to submit testimony in my capacity as Chairman of the Congressional Task Force on Haiti, a bi-partisan group of Members who for the past year have been working to assure that U.S. policies toward Haiti assist the people of that nation as they seek to emerge from the nightmare of Duvalierist dictatorship, an era notorious for its brutality and corruption. Additionally, let me formally extend my enthusiastic congratulations on your election to the Chairmanship of this vital Subcommittee which has legislative and public policy oversight responsibilities for our relations with our closest neighbors in the Caribbean and Latin America.

Mr. Chairman, my position regarding U.S. assistance to Haiti consists of the following points.

We have a need for a strong and consistent program of economic assistance to Haiti.

The quality, type and level of assistance provided can determine whether that assistance helps or hinders Haitians working for the political and economic empowerment of the Haitian poor who comprise 80% of the population.

This is so because the removal of Jean-Claude Duvalier for the Presidency for Life was the result of a revolt not a revolution. The infrastructure of the Duvalier dictatorship remains largely intact; Duvalierists either remain in power or maintain access to power.

The Administration's requested level of economic assistance is too low and its request for military assistance is unwise and should be rejected.

I, therefore, recommend that, consistent with the need to provide more assistance to be used to empower the poor, we should provide a level of economic assistance comparable to that of the Fiscal Year 1987 authorization of $109 million. For the authorization, under consideration, I recommend a figure of $111 million as compared to the Administrations request of $88.5 million in combined Economic Support Funds, Development Assistance, and P.L. 480 Food Assistance.

I would also recommend a reallocation of the total package so as to better reflect assistance priorities.

Cutting $4 million from the Administration's request for military assistance and shifting these funds together with $6.5 million taken from the Administration's recommended level for Title III of the P.L. 480 program to Economic Support Funds, which combined, would take that category from $30 million to $40 million.

Increasing the Development Assistance allocation from $32 million to $50 million.

Now, why do I recommend this reallocation of the Administration's proposal and the restoration of the total assistance package to a level slightly higher than the Fiscal Year 1987 mark?

A democratic, just and therefore, stable Haiti while an admirable goal is also in the national interests of the United States of America. As the largest international donor to Haiti it is imperative that our assistance be at a sufficiently high level to have a real impact and encourage others in the international community to do their share to assist Haiti with its economic recovery. I firmly believe that the United States of America through our program of economic assistance can play a major role in promoting and nurturing democracy in Haiti. To be sure, and it cannot be overly stressed, the development of the Haitian nation and the building of democratic institutions are primarily the responsibility of the Haitian people. While this is true, the quality, type, and level of foreign assistance can determine whether that assistance helps or hinders Haitians working for the political and economic empowerment of the Haitian poor. I believe that it is our responsibility to ensure that U.S. assistance is used to empower the poor in Haiti, which is really the only way to contribute to both the form and substance of democracy.

With this perspective, I must respectfully disagree with the Administration's request for military assistance to Haiti.

Last year, many Haitians were supportive or at least tolerant of a very limited amount of non-lethal and strictly conditioned military assistance for the express purpose of comprehensive reform and reorganization of the Haitian military. Such assistance was viewed as possibly encouraging a smooth transition to democracy and the rule of law. Today, these same people hold very different and firmly fixed views in opposition to any consideration of increased military assistance.

This opposition has developed because no significant reforms or reorganization have taken place within the command and control structure of the Haitian military. Moreover, the interim government of Haiti has expressed no interest in adhering to the conditionality on military assistance as delineated in the Fiscal Year 1987 legislation. It is important to recognize that the Haitian military is not monolithic in its orientation toward reform. For example, a number of officers do support reforms which would reduce human rights abuses and corruption by the military. Duvalierist officers, however, still remain in control of key Haitian military units.

While the military, like all Haitian institutions, has been starved of even minimal resources, reform of the mission, command

and control structures must precede any assistance. It is highly unlikely that the provisional Haitian military government has the political capability to carry out the needed reforms in the short time remaining before the scheduled November, 1987 national elections.

At this time, and in the context of an unstable and insecure pre-election period, military assistance could derail Haiti's path toward democracy. In the evolving and precarious political climate of Haiti, $4.55 million in military assistance would be seen by all sectors of Haitian society as an undeserved "pat on the back" and arouse suspicions that we are not supportive of genuine democracy. More importantly, any assistance package to Haiti should continue the conditionality language contained in last year's authorization.

Given too long a tolerance by the U.S. foreign policy establishment for the Duvalierist regime, it is crucial that the U.S. Government allay suspicions that we are not supportive of genuine democracy. Mr. Chairman, I would therefore, urge that the request for $4.55 in military assistance be rejected and that the Subcommittee agree to support only the current funding level of $500,000 for the interdiction program.

Specifically, with reference to the levels of economic assistance. I am disturbed that the Administration has submitted a request which is an approximate shortfall of $12 million from current levels and $20.5 million below last year's authorization. Within the last few days, through contacts with Haitians developed over a ten year period of work on our relations with Haiti, I have been carefully surveying Haitian opinion on this question. The religious community, rural development workers, the progressive business sector and those seeking to build viable democratic institutions in Haiti, are able to clearly define the priority agenda for Haiti's economic development. Agricultural development, watershed conservation, pig population, job creation, education, literacy and health represent the most serious challenges to Haiti's economic recovery. In addition, there is a need for the decentralization of resources, the formation of groups to develop local and accessible credit institutions, the expansion of agricultural cooperatives and other comparable building blocks for genuine democracy.

Rather than only $30 million in Economic Support Funds (ESF), a very slight increase of $835,000, I would urge an allocation of at least $40 million. The Haitian economy faces some particularly difficult problems over the next two years. Revenue from coffee exports is down. Initial projections anticipated that Haiti would sell 275,000 bags of coffee in the international market. More recent estimates indicate sales of only 200,000 bags. This drop in volume of sales has been combined with a drop of the price of Haitian coffee from a summer 1986 price of $2.00 per pound to a current $1.20 per pound. This combination of reduced sales volume and falling prices is now being projected to cost Haiti $32.1 million in export earnings. Coffee earnings projected earlier at $58.7 million are now estimated to be only $26.6 million. New investment in the assembly sector and a resurgence of tourism will probably not be forthcoming until after the national elections. Tax collections are on track but increases in revenue from individual taxpayers in the first year of tax reform will, in large part, be offset by reductions in corporate taxes. Revenue losses due to growing contraband should also be anticipated. It will also be necessary for the C.N.G. and an elected government to confront the severe social problems impacting on stability by increasing expenditures in employment generation, education, and health. ESF funds are also essential to support a program of economic reform involving trade liberalization; the disbanding of inefficient parastatal enterprises; and improved financial management of government institutions. These reforms are all necessary for sustained economic growth and greater equity in the medium and long term (lower food prices and a better quality of basic services). Local currency deriving from ESF funds will also be used for projects in agricultural production literacy, the administration of justice, and much needed public works employment to address an unemployment rate well above 50%.

Rather than a cut of 13.5% in Development Assistance from $37 million to $32 million, I would recommend not less than $50 million, a 35% increase. The increases in Development Assistance would be used to intensify ongoing efforts in agroforestry, watershed protection, child survival, and primary education. A.I.D.'s grant projects have been incrementally funded to such an extent that the relatively small amount of funds available for each project, on an annual basis, has severely hampered their implementation. Each year, grantees must anticipate a shortage of funds while A.I.D. goes through its budget process. In plain words, recipients of A.I.D. funds have been kept on a very short string. Putting more funds into these projects would obviate the need for grantees to adopt conservative implementation plans to cover funding shortfalls. Additionally, there is a need to promote the expansion of coffee cooperatives; an environmentally sound tree crop to increase incomes of mountain farmers; provide a wide range of technical assistance to several governmental entities; and increase support for management training to strengthen the private sector. However, at least half of the Development Assistance funds (DA) should be allocated to the Agriculture account. Considerable increases are also required over 1987 levels for assistance to primary education which is extremely short of funds in comparison to the need.

Let me make a special appeal for continuing DA support for the pig repopulation program. While we have made significant steps toward restoring the pig population, destroyed because of African Swine Fever to protect U.S. and other countries' livestock, I believe we have a moral obligation to continue this program until, at least, 50% of the pig population (600,000) has been restored to the original peasant owners. Of particular concern also is the availability of affordable feed and the development of a swine health surveillance capability through the creation of a corps of veterinary para professionals. Currently the allocation for this program is $1.65 million. Some increase in this program is required through the Agriculture account. We should not underestimate the political velocity of this issue which impacts widely throughout Haitian society.

While recognizing that the Committee on Agriculture has jurisdiction over food assistance programs, please permit me to comment on the proposed budget for P.L. 480 programs. Rather than $26.5 million in P.L. 480 Food Assistance, I would recommend not more than $20 million. This recommendation is a reflection of the observation that great difficulties now exist in absorbing Title III commodities. Due to trade liberalization and increasing contraband in rice, flour, and vegetable oil, the need for these commodities has been dramatically reduced. Therefore, I would recommend that the Title III program be reduced by $6.5 million.

I would also hope that the Subcommittee would continue to support a $1 million authorization for the Inter-American Foundation for its very effective and landmark grassroots development programs in Haiti.

In summary, Mr. Chairman, I would recommend the following levels for economic assistance to Haiti:

	Million
Development Assistance	$50
Economic Support Funds	40
Food Assistance	20
Inter American Foundation	1
Total	111

The Congressional Task Force on Haiti stands ready to assist the Subcommittee in its deliberations on the assistance program for Haiti.

Thank you.

A MAJOR TRADE PROBLEM—IMPORTS OF CASEIN

HON. BYRON L. DORGAN

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. DORGAN of North Dakota. Mr. Speaker, today, I and my colleagues, Mr. MOODY, Mr. KASTENMEIER, Mr. SWIFT, Mr. ECKART, Mr. OBEY, Mr. JOHNSON, Mr. CHAPMAN, Mr. GUNDERSON, and Mr. VOLKMER, are pleased to introduce a bill to address one of the major trade problems facing U.S. dairy farmers—the damage caused by imports of the milk protein, casein.

Imported casein, much of which is subsidized by EEC countries, is used in a number of food products—especially imitation cheese and coffee whitener—in place of domestically produced milk products. These imports displace markets of American milk and result in higher Government outlays under the Dairy Price Support Program. This, in turn, harms taxpayers as well as dairy farmers.

I am introducing legislation which will establish quota limits on imports of casein at 50 percent of the average amount imported during 1981–85, as authorized by section 22 of the Agricultural Adjustment Act of 1933.

Two separate USDA studies have found that substantial savings in Dairy Price Support Program outlays could be achieved through a limitation of casein imports, because U.S.-produced nonfat dry milk and other milk solids are used in place of the imported casein, thus reducing surplus dairy purchases by the Government. USDA's 1986 study found that up to $300 million in Dairy Price Support Program outlays could be saved through a 50 percent quota limitation, such as that contained in the legislation I am introducing. This $300 million cost certainly represents material interference with the Dairy Price Support Program that is sufficient to justify a quota limitation under section 22.

Casein is imported into the United States from New Zealand and the European Community countries, chiefly Ireland and France. These casein exporting countries have developed casein industries in recent years as extensions of their domestic agricultural policies, taking advantage of the United States' unique position among major countries of imposing no barriers to the importation of casein.

Due largely to the production subsidies provided in many of the major exporting countries, casein is not commercially produced in the United States at the present time. Yet, domestically produced substitutes are available for most products now utilizing casein. For these few products which require casein, my legislation establishes a preferential licensing system to ensure availability of the product.

I urge your support of this important legislation.

The text of the bill follows:

H.R. 1436

A bill to amend the Agricultural Act of 1949 to limit the quantity of milk protein products that may be imported into the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title IV of the Agricultural Act of 1949 (7 U.S.C. 1421 et seq.) is amended by adding at the end thereof the following new section:

"QUANTITATIVE RESTRICTIONS ON IMPORTED MILK PROTEIN PRODUCTS

"SEC. 425. (a) For purposes of this section, the term 'milk protein products' means—

"(1) casein,

"(2) caseinates,

"(3) lactalbumin,

"(4) whey protein concentrates, or

"(5) mixtures containing not less than 5 percent of any product referred to in paragraph (1) through (4).

"(b) To ensure that the quantities of milk protein products imported into the United States will not render ineffective, or materially interfere with, price-support operations undertaken under this Act, the President shall by proclamation limit the quantity of milk protein products that may be imported in any calendar year (or portion of a calendar year in the case of the calendar year in which this section is enacted) beginning on the day after the effective date of this section, to a quantity equal to 50 percent of the average annual quantity of milk protein products that was imported during the period beginning January 1, 1981, and ending December 1, 1985 (or, in the case of such portion of a calendar year, a proportionately lesser quantity). A proclamation issued under this subsection shall be considered to be a proclamation that is issued by the President under section 22 of the Agricultural Adjustment Act (7 U.S.C. 624), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, and that meets the requirements of that section.

"(c) In implementing a quantitative restriction proclaimed under subsection (b), the Secretary of Agriculture shall establish an import licensing system for foreign milk protein products under which—

"(1) first preference shall be given to those importers or users who establish that their importation or utilization of such products is for purposes for which no substitutes for such products are available;

"(2) second preference shall be given to those importers or users who establish that their importation or utilization of such products is for purposes for which domestically produced skim milk or skim milk solids cannot be substituted; and

"(3) third preference shall be given to importers or users with respect to whom no preference under paragraph (1) or (2) applies.".

THE AIR QUALITY BENEFITS OF INCREASED ETHANOL USE

HON. RICHARD J. DURBIN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. DURBIN. Mr. Speaker, I am sure that my colleagues are aware of the many metropolitan areas throughout our country that are currently not in compliance with EPA carbon monoxide standards for air quality. A task force established by the Governor of Colorado to address the carbon monoxide problem in that State recently recommended a new approach to deal with this serious environmental problem.

The Governor's task force recommended that, in nonattainment areas, all fuels sold during the winter months should contain at least a specified minimum level of oxygen. The primary oxygenated fuel that can meet this standard is an alcohol/gasoline blend containing 10 percent ethanol.

Ethanol blends have a proven record of being able to reduce carbon monoxide emissions from motor vehicles. A recent study by the Colorado Department of Health demonstrated that the use of ethanol blends reduced emissions by up to 34 percent depending on a car's age. The study concluded that if all gasoline contained ethanol, carbon monoxide emissions from motor vehicles would be reduced by more than 27 percent. As a result, the Colorado Air Quality Commission is considering requiring the use of oxygenated fuels during winter months.

Mr. Speaker, this new development demonstrates yet another reason why an increased use of alcohol fuels is good for our Nation. It has already been well proven that the use of alcohol fuels reduces our huge agricultural surpluses, increases our energy independence, and improves automobile driveability by boosting octane levels. The Colorado study demonstrates that at the same time alcohol fuels also improve air quality.

It is time for the Federal Government to recognize these many benefits and to do all it can to encourage the increased use of this vital product. The evidence is clear: Ethanol is good for your health, as well as for the health of the American economy.

COMPETITIVENESS: SLOGANS OR SUBSTANCE?

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. BROWN of California. Mr. Speaker, competitiveness is a hot topic before the Congress. Our trade deficit reached a record $170 billion in 1986.

While we all recognize the importance of reversing America's declining trade competitiveness, the hard question remains: What should we do about it?

There are many proposals before the Congress; however, some of the most important ingredients are missing. In particular, we are missing the big picture, and a sense of the immense magnitude and quality of the rebuilding that we must undertake in order to avert the declining competitiveness of the American economy. For at heart, competitiveness, or the lack of it, is a reflection of the organization and productivity of our economy, including our political and social institutions, from the micro-level of shop floor or office typing pool or school classroom, to the macro-level of money supply, and capital formation, involving flows of billions of dollars and millions of people working together as a whole society.

In these remarks I would like to survey the landscape of legislative proposals related to competitiveness and then indicate what I see as missing from the larger debate concerning the direction of our national economy and society for a generation to come.

What is the competitiveness problem? If by competitiveness, we mean the ability to sell a product or a service at lower cost, then there are several obvious and facile solutions to make our industry more competitive. We can flood the world with cheap dollars that force down the price of American goods relative to those of other nations. But this carries the cost of raising the price of essential imports and thus reduces the standard of living in this country. In the case of oil, it poses the very real danger that oil producing nations will eventually refuse to denominate the price of oil in dollars thus eventually leading to staggering oil import bills, subject to wildly fluctuating exchange rates.

Moreover, should higher inflation ever reappear and the Federal Reserve raise interest rates to counter it, exchange rates will be upset as foreign capital moves in to take advantage of high interest rates. The experience of the last decade has shown that attempts to reduce domestic inflation will exacerbate our trade deficit if domestic and international commerce are viewed in isolation.

While exchange rates are part of the problem, their control is not the answer, largely because international capital flows are some 15 times the size of international trade in merchandise. Capital flows, not trade, are the fundamental determinants of exchange rates. Thus, by relying on exchange rates to solve our competitiveness problem, we subject the prices of our goods and services to the unrelated whims of capital markets. Clearly, to the extent that exchange rates must be controlled, the rational solution is to develop separate currency markets for capital and merchandise trade. That is the big picture in so far as exchange rates are concerned, but no one is dealing with this problem.

Alternately, we could subsidize U.S. exports for selective industries as many foreign nations have done. But subsidies must be paid for and that means raising the price of domestic goods which only makes them more vulnerable to import competition in domestic

markets. Furthermore, as in the case of U.S. agriculture subsidies, they often don't work.

Finally, we could resort to protection, either in the form of tariffs or outright quotas on foreign goods. These measures not only invite foreign retaliation, thus closing U.S. export markets, but they also raise prices to U.S. consumers. The voluntary quotas on Japanese auto exports cost U.S. consumers billions of dollars annually and merely caused the Japanese to shift their auto exports to high profit models with no net loss in their export earnings.

In sum, currency controls, subsidies and protectionist measures are only the slogans of competitiveness, not the substance, because, in the last analysis, the ability to sell goods and services is not dependent on price alone, particularly artificial or manipulated prices, but depends at least as much on the quality of what we are selling and on the long-term productivity of efficiency of labor and capital in producing what we have to sell.

Unfortunately, many of the proposals now before Congress only deal with the slogan aspects of international competitiveness. Let me review briefly for you some of the suggested legislation dealing with technological innovation, trade, and competitiveness now being considered.

First, bills to create a cabinet level Department of Trade such as H.R. 92 (COATS), H.R. 646 (GAYDOS), and title I of S. 259 (CHILES). These bills largely combine under one roof, the U.S. Trade Representative with other trade and industrial innovation programs now housed in the Department of Commerce.

Second, to my mind, more useful than a costly and disruptive reorganization of the Department of Commerce are the proposals to establish an independent executive branch Council on Industrial Competitiveness that brings together government and business leaders and provides a national forum on issues related to competitiveness. We do need a focal point for U.S. trade and industrial innovation policy. The Council would compile annual reports and policy recommendations for the President and Congress. The Council is a centerpiece of the America's Living Standards Act which Senator BINGAMAN and I introduced last year following the recommendation of the Senate Democratic Working Group on Economic Competitiveness. We have recently reintroduced this act as H.R. 717 and S. 374.

Third, the Omnibus Trade Policy bills such as H.R. 23 (GEPHARDT) and H.R. 15 (MICHEL) and titles II–X of the Chiles bill (S. 259) consist largely of a grab bag of measures such as setting export goals for specific nations who have a trade surplus, like Japan, with penalties in the form of import limits if the goals are not met. Some sections of these bills do, however, have a constructive emphasis by providing increased funding for education and training particularly in science and technology. I will mention these proposals later.

Fourth, a large number of individual bills as well as specific sections of the omnibus trade bills, provide for import relief against dumping and industrial targeting, for currency controls, for mandatory trade negotiations, and for antitrust exemptions for industries hurt by foreign competition. For example, H.R. 532 (LAFALCE) requires the President to negotiate a system of stable internationally competitive exchange rates and encourages intervention in currency markets if negotiations fail. As I have indicated these measures are largely slogan, not substance; at best they provide short-term relief without addressing the deeper problems causing our declining competitiveness.

Fifth, the America's Living Standards Act, of course, goes far beyond the creation of the Council on Competitiveness mentioned earlier. Various bills, including that one, have provisions that provide a central clearinghouse to collect and disseminate international trade and technology data. Title II of the Living Standards Act sets up an Office of Technology Assessment in the Department of Commerce to identify emerging technologies including new patent developments that may be of use to the private sector.

Sixth, at present, there are several bills which deal with training, education, and worker relocation. For example, title V of H.R. 3 (GEPHARDT) and H.R. 90 (HAWKINS) are called the Education and Training for American Competitiveness Act. They would provide an increase of $480 million annually for reducing illiteracy, for vocational training, and for secondary education in math, science, and foreign languages. A further $480 million is provided for assistance to trade-impacted workers.

Senator BINGAMAN's and my bill, H.R. 717, would provide among other things, an additional $12 million annually for the NSF engineering research centers, 500 graduate fellowships for studies on productivity and competitiveness, as well as $250 million annually over 10 years for capital improvements in university research facilities. Repeated studies have shown the need for such an infusion of funds for improvements in research facilities at universities and Chairman Fuqua—past chairman of the Science and Technology Committee—proposed a similar program in the last Congress.

University research facilities are in a critical state of deterioration. For example, in 1985, Federal obligations for improvements in academic R&D facilities were only $114 million, the same level they were in 1967. During the previous 10 years, from 1975–84, expenditures for such facilities were less than $50 million annually, even though the total Federal support for academic science and engineering budgets more than tripled, from $3.3 to $11 billion.

Seventh, finally, I have several times introduced bills to establish a National Technology Foundation parallel to the National Science Foundation and will do so again in this Congress. Support for engineering and technology has never been as strong as I would like within the National Science Foundation, in spite of repeated efforts by myself and other colleagues on the House Science and Technology Committee—now the House Science, Space, and Technology Committee—to reverse this situation. Unfortunately, the Reagan administration has maintained this pattern of inadequate support for fundamental engineering research, until recently, with its insistance that the Federal Government should only fund basic scientific research, while leaving support for engineering and applied research and development up to the private sector. This philosophy was mistaken in my view, and I am heartened to see that the proposed 1988 NSF budget would provide a $67 million increase in support for engineering and computer sciences and engineering research centers.

In addition to my own proposals, the President's Commission on Industrial Competitiveness (the Young Commission) called for the creation of a cabinet level Department of Science and Technology so as to "transform the current, fragmented system for formulation of policies for science and technology into one that would be more effective in meeting long-term national goals".

We certainly need a more effective focus to our science and technology policy, one which will provide a better balance between support of basic scientific research and support of applied science, engineering, and technology base development, and one which will provide a better balance between civilian and defense research. Currently, defense related R&D is taking close to 75 percent of the Federal R&D funding, but contributes very little to civilian technology upon which international trade depends. In our desire to provide for national security we cannot afford to make the same mistake as the Soviet Union which, for two generations, has overinvested in defense R&D. As a result, the Soviet economy is a basket case which Mikhail Gorbachev is trying to rehabilitate.

We also need an institutional focus that will give far greater weight to science and technology in the formulation of economic banking and investment policies. A Department of Science and Technology might do that. It has been estimated by the distinguished economist Edwin Mansfield that in the century after the civil war, new technology contributed nearly 50 percent of the growth of the American economy. New technology is by far the largest contributor to economic growth. Still, the Council of Economic Advisors in its annual economic report never mentions the impact of science and technology on economic policy.

But despite these needs, it is not clear to me as yet whether the creation of a Department of Science and Technology or the creation of a National Technology Foundation coupled with greater powers for the President's Science Advisor in economic policy councils and on the Federal Reserve Board, is a better answer to this strategic institutional problem, or which direction is more politically feasible. In any case, I plan to introduce several bills later in the 100th Congress to address this issue.

To summarize, I have described seven categories of proposals being brought before Congress to deal with competitiveness issues. Some are only of short-term interest; others are strategic and will require our attentions for a generation to come.

To conclude my remarks, let me turn to what I see as the real substance of competitiveness—the big strategic picture and the lessons we must draw from that picture. Many of the proposals I have mentioned are well intentioned and have great merit but they are simply inadequate to the task. In our economy, with a GNP of over $4 trillion, programs with a total funding of only $50 million, $100

million or even half a billion, surely won't make a dent. Only an integrated effort by the private and public sectors, adding up to new investments of at least $100 billion/year can make a decisive impact.

So, the first lesson I draw is that we must come to appreciate the necessary scale of our efforts. This can be illustrated by two examples. A 1985 National Academy of Sciences conference reported that the Japanese manufacturing worker is backed up by $48,000 in technology and capital investment; in the United States, the comparable figure is only $32,000. In order to bring our industrial plant and equipment up to the level of the Japanese, it would require an increased investment over some reasonable time period of about $320 billion for our 20 million manufacturing workers.

But at present the disparity is growing, largely because of the high Japanese savings and investment rates. The Young Commission noted that from 1960 to 1982, Japan invested 32 percent of its GNP in fixed capital; the United States only invested 10 percent. In the same period, Japanese productivity increased 5.9 percent annually; United States productivity only increased 1.2 percent.

The difference is largely the difference in personal savings which in Japan averages around 18 percent of GNP whereas in the United States, it varies between 4 and 7 percent. But an additional 7 percent investment to bring us up to the approximate level of Germany and Japan, is a lot of money; $280 billion annually or about 150 percent of our trade deficit. If we are going to import foreign capital as we are doing now, then we must spend that imported capital on investments in new technology and education, not current consumption. But that means reducing the Federal deficit in order to free these funds for more productive uses.

The second lesson I draw from the big picture is that we must spend and invest more wisely. For example, I agree that we must train more scientists and engineers and that we must improve our educational systems. We must make hard choices based on realism. The post war vision of sending every American to college is probably misplaced. The economist Robert Samuelson has noted the huge waste in education at the college level: Only half the students who enter college complete their bachelors degrees. I agree with his conclusion that we would be better off making a college education more selective while using the savings to improve our primary and secondary education, especially when the median Japanese score on standardized high school algebra tests is double that for American students. The great vision of education in America is not that everyone has to go to college but that every individual should be provided with access to an education which will bring out his or her talents to the greatest degree possible. In achieving that vision we shall produce a competitive economy provided we have also made the industrial and social investments required to utilize those talents.

The third and perhaps the most important lesson I draw from the big picture is that we must invest strategically with a vision for the long-term future. But in order to do so, we must create the political and economic institutions, and give those institutions the kind of leadership, which will inspire that vision. And we must place a higher present value on that future. I have already mentioned that there is almost no link between new technology and economic policy either in economics as a science or in government policymaking bodies. This, in spite of the fact, as I said, that new technology has produced half the growth on our economy over the last century.

But let me give a more concrete example—one which strikes at the heart of our banking and investment practices. All capital investments in R&D, new technology or worker training are evaluated on the discounted present value of future returns from an investment. When interest rates are high, as they are even now in real terms—the value of a new technology that may bring tremendous returns in 20 years is still almost of no value today. As the economist Lester Lave has noted in his study on the greenhouse effect, under current OMB discounting guidelines which set the discount rate for Federal regulations, investments in pollution control technology such as toxic waste recycling that could save billions of dollars later is of no economic value today.

We simply must develop new economic institutions and practices to overcome the crippling discount that prevents us from even having a vision for the future.

These three lessons, to my mind, are the substance of competitiveness: (1) We must devote adequate resources to the task, (2) we must make hard choices to achieve results, (3) we must place a high value on the future for a generation to come.

It is time for all of us, working together as a nation, to forget about the slogans, get down to the substance of competitiveness in the world today.

TRIBUTE TO C.C. WEI

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. JONES of North Carolina. Mr. Speaker, as chairman of the House Committee on Merchant Marine and Fisheries, I am sorry to note that the American merchant marine lost a friend on February 20, 1987 when C.C. Wei, founder and president of the Falcon Shipping Group, died at the age of 72.

C.C. Wei was a brilliant businessman who wisely challenged the mistaken notion that commitment to U.S.-flag shipping cannot be profitable for both labor and management. He found American-flag cargo opportunities where few believed they existed.

C.C. Wei should be remembered in Congress as a man who dared, a man who provided competitive American-flag tankers and dry cargo ships for commercial and military operations and employment for thousands of seafarers and shoreside workers.

I would like to submit a list of his many accomplishments: Chung C. Wei, founder and president of the Falcon Shipping Group of Houston, TX, died in New York City on February 20. Mr. Wei—"C.C." to his friends in the American maritime community—was 72.

A native of Shanghai and a graduate of Chiao-Tung University with a degree in electrical engineering, C.C. Wei arrived in the United States during World War II. He obtained his U.S. citizenship and rose in post-war shipping to the office of vice president of United Tanker Corp., where he was directly responsible for the construction and operation of 14 tankers and bulk carriers.

Twenty-five years ago, Mr. Wei and the late Houston H. Wasson launched the Falcon Group, which Forbes magazine described in 1982 as a firm "making money where others see only problems."

A decade ago, C.C. Wei brought the U.S. flag back to international dry dock bulk shipping with Falcon's "Texas Class" construction program. Today, Falcon's *Pride of Texas, Star of Texas,* and *Spirit of Texas* are the only active U.S.-flag merchant vessels designed and built specifically for deep-sea dry bulk service.

Mr. Wei confounded the skeptics when he purchased three unused liquefied natural gas carriers and converted them into ore/bulk/oil ships and fitted them with coal-fired boilers to increase their operating efficiency. One result was the largest overseas shipment of American grain in history—at the lowest U.S.-flag rate ever.

C.C. Wei's most recent endeavors involved the use of privately owned cargo vessels for U.S. Navy work, including the widely celebrated competitive operation of sophisticated submarine tracking and surveillance vessels for the Navy's Military Sealift Command.

A master strategist—in the boardroom and out—Mr. Wei was an authority on competitive bridge. He developed the precision bridge bidding system used by world champions, and authored several books on the subject.

C.C. Wei was an innovator, an entrepreneur, and, in many ways, a pioneer like those who founded and built the country he adopted, and which adopted him. He will be remembered as a man dedicated to the American merchant marine in commercial and military operations and as a man who for years provided employment for civilian American seafarers.

As Forbes said: "Most men succeed by doing what other people do—just doing it a little bit better or a little faster. C.C. Wei does things differently."

C.C. Wei is survived by his wife, Katherine—herself an author and bridge champion—and his children, Andrea and Lawrence.

A TRIBUTE TO ROSALIE ZALIS

HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. LEVINE of California. Mr. Speaker, I rise today in honor of Rosalie Zalis, an outstanding woman in the greater Los Angeles community who will be honored by the Golda Meir Club of Israel Bonds at a luncheon on March 31.

Rosalie is the founding president of the club, which was organized in 1979 for women

who wanted to make a substantial bond investment in memory of the late Prime Minister of Israel, Golda Meir.

Rosalie also serves as the director of national politics of the Israel Today Media Group and it is through Israel Today that I have had the privilege of getting to know her. In addition, Rosalie is a widely sought lecturer, teacher, and television personality. She has interviewed many colorful, and sometimes controversial, figures in Israel and the United States, including among others, Nobel Laureate Elie Weisel, Prime Minister Yitzhak Shamir, Mosehe Arens, Ezer Weizmann, Gen. Ariel Sharon, Prime Minister Ytizhak Rabin and Rabbi Meir Kahane.

A community activist, Rosalie serves as vice president of the west coast region of the Union of Orthodox Jewish Congregations, a member of the board of trustees of the Simon Wiesenthal Center and Yeshiva University of Los Angeles, on the board of the women's division of the San Fernando Valley Jewish Division, as a docent and member of the advisory board of the Hebrew Union College Skirball Museum, and as a trustee of the Zalis Family Youth Fund of Shaarey Zedek Congregation.

Rosalie is a Phil Beta Kappa graduate of Goucher College and holds a master's degree in education from the University of Maryland. She is married to Dr. Edwin Zalis, a noted cardiologist and they have four daughters: Lynn, a secondary schoolteacher and wife of attorney Marc Rohatiner; Shelley, an advertising executive in New York City; Charene, with NBC Network News in New York; and Rachel, a student at Barnard College in New York. They also have two granddaughters: Adena Michelle and Danielle Nicole.

Rosalie is truly an extraordinary American and it is an honor to share her numerous accomplishments with my colleagues in the U.S. House of Representatives. I ask that the leadership and the Members of this body join me in saluting Rosalie for her exemplary display of public service.

NATIONAL QUALITY IMPROVEMENT AWARD ACT

HON. BUDDY MacKAY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. MACKAY. Mr. Speaker, on March 4, the Science, Space, and Technology Committee received testimony on H.R. 812, the National Quality Improvement Award Act of 1987. The legislation, at no cost to the taxpayer, would create the type of national quality award that could contribute significantly to enhancing our economic competitiveness.

The committee heard testimony from Dr. Joseph Juron, one of the world's leading experts in quality control. His testimony touched on the excellent work being done at Florida Power & Light in implementing a quality improvement program. I am including excerpts from Dr. Juron's testimony in the RECORD and encourage my colleagues to cosponsor H.R. 812:

EXCERPTS FROM DR. JURON'S TESTIMONY

Mr. Chairman, I strongly support the Committee's efforts to create a National Quality Improvement Award Act as set out in H.R. 812 of the 100th Congress.

To me the key words in that Act are Quality Improvement.

Let me underscore the importance of those key words by some real life examples I have encountered. In each of these examples a team of American managers and engineers visited an affiliated Japanese company. The visit included a tour of the Japanese plant.

The Americans were well versed in the technology of the business. To their trained eyes the Japanese plant was technologically like their own home plant in the USA. The Japanese were using similar machinery, processes, instruments, materials. However, the results which came out of the Japanese plants were dramatically different.

The Japanese products were strongly preferred by the marketplace because they delivered better quality for the price. In addition, the Japanese costs were distinctly lower. In the case of costs, it is easy to become confused if we try to compare dollars to yen. However, the teams made their comparisons in natural measures, for example:

They compared the number of hours of labor required to produce 100 units of good product.

They compared the amount of material required to produce 100 units of good product.

Such comparisons in natural terms leave no room for confusion.

To be very specific, consider a computer memory chip, the 256K random access memory (256K RAM). It has 256 thousand circuit elements and right now is the most important memory chip on the market. On August 18, 1986, the magazine, Business Week, reported that for every 100 chips fabricated, the typical number of salable chips was as follows:

U.S. production—17.

Japanese production—54.

Given such a difference, it doesn't really matter what is the outcome of the lawsuits on dumping and unfair trade practices. There is simply no way of carrying out international competition against someone who gets three times as much salable product from the same extent of facilities usage, materials and labor hours.

All those team visits, and comparisons such as the memory chips, leave most observers mystified. How is it possible to attain such superior results when the facilities are the same? A great deal of nonsense has been written to explain the mystery but, in my observation, the prime explanation can be heard from a witness invited by this Committee.

Six years ago, in 1981, Florida Power and Light Company (FPL) was regarded as a well managed power utility. Today it is widely perceived as the best. What happened to bring about that change in perception? Their facilities—power plants, transmission lines, office facilities—are essentially like they were six years ago. Their people—managers, engineers, workers—are essentially the same people who on the job six years ago.

If the FPL facilities and people remained essentially unchanged during those six years, why did the results change so dramatically? In my observation the reason is clear. During those six years FPL created over 1400 specific improvements in quality. That is a revolutionary rate of improvement. Those improvements provided FPL's customers with better service. In addition, the improvements have been highly cost effective.

To create that revolution required that FPL devote an unprecedended amount of time to improving quality. FPL paid that price, but it has been rewarded over and over again through providing better service to its customers, securing handsome cost reductions and establishing an enviable status in its community, in its industry and in society generally.

The example of FPL goes far to explain the mystery of how so many Japanese companies have been able to out perform their U.S. counterparts in quality. The Japanese spend much more time on quality improvements, and they make improvements at a pace much greater than that of their American counterparts. These quality improvements are seldom capital intensive, so they are seldom obvious to those who look for differences in facilities.

Mr. Chairman, I have been stressing the importance of quality improvement because it has become so overwhelming a factor in national and international trade, and in the health and survival of the associated organizations.

THE ECONOMIC CONVERSION ACT: BATTLING THE FICKLE DEFENSE ECONOMY

HON. NICHOLAS MAVROULES

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. MAVROULES. Mr. Speaker, it is only March—yet already over 2,000 people in my district have received notification that they will be laid off in the next few months. This is not a new phenomenon. Last year, my district lost thousands more due to plant closings and defense contract cancellations.

How many of my colleagues have received calls for help from angry, frustrated constituents who were losing their jobs because of massive lay-offs? Which of us here today can say that our district has not been adversely affected by the cancellation of a defense contract, or the shut-down of a large industry?

It is well known that the defense economy is inherently unstable. Too many workers' lives hang in the balance. Safety-net legislation must be enacted to control this growing problem.

To this end, I have introduced H.R. 1303, the Economic Conversion Act.

Economic conversion allows our communities to plan for the short-term let-downs that a sluggish defense economy might cause. With economic conversion, businesses and workers can remain in the community and seek new job opportunities rather than being forced to re-locate when a defense contract is cancelled, or a plant closes.

Let's give our hard-working constituents the chance to continue earning a decent living, without the constant worry of lay-offs and closures. I urge you to join me in support of this critical legislation.

91-059 O-89-17 (Pt. 4)

INTRODUCTION OF THE FAMILY FARM ACT

HON. RICHARD A. GEPHARDT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. GEPHARDT. Mr. Speaker, today I am introducing the Family Farm Act to restore opportunity to rural America and take action on the biggest problems facing our farmers today.

It's clear that our farm policies are failing to achieve the basic goal of preserving opportunity for a good life in rural America. At a time of record budget deficits we are spending 10 times more on farm payments than we were just 7 years ago. But all we've bought is the highest loss of family farmers in nearly 20 years.

We have given multimillion dollar payments to some giant farms, but our program pushes 180 families off their farms every day.

Half of America's midsized family farmers are expected to be out of business within a decade. The farm economy and the rural towns built around the family farm are collasping.

The farm debate this year must focus on a simple question: Can we spend $26 billion a year to give large payments to some farmers but write off the family farm and the rural communities the family farmer supports?

The administration says we cannot afford our family farmers. I ask: Can we afford to lose them?

Every six farmers who go broke take a rural business with them. Joblessness and poverty in rural America have increased in recent years. Many towns can't provide even basic services. Can we afford this destruction of our rural communities?

We see tens of billions of dollars in bad debt at the Farmers Home Administration and the Farm Credit System. One ag bank fails each week. Can we afford the shock to our financial system?

America's family farms remain the consumer's best insurance policy against an oligopolistic agriculture. Can we afford to let a few megafarms dominate farming?

The fundamental problem is that demand for U.S. farm products is way down. Countries that bought our grain a few years ago are meeting their needs. We have focused on moving bulk grains, ignoring the real growth area: high-value farm products. When the world market for grains slowed and the high dollar cut America's competitive position, American agriculture crashed.

The administration's lower loan rates—designed to boost exports—will not capture enough exports to restore farm income. Under current policies, agricultural export volume could nearly double by 1994, but real net farm income is projected to fall by half. So the current farm program will not end the suicides, family agonies, and foreclosures.

As John F. Kennedy put it, "The American farmer is the only person in our economy who buys everything he buys at retail, sells everything he sells at wholesale and pays the freight both ways." Americans know that we need a program to help farmers get a fair return for their work, and they support it because they know a viable family farm sector is in their best interest.

Today, we are introducing a farm bill for the family farmer. We propose action on two of the biggest problems facing the American farmer: low income and excess debt.

First, we propose giving farmers a chance to vote on a progam that gives them a reasonable price in return for shared, progressively distributed production cutbacks.

By allowing farmers to limit production—not just the acreage they plant—our program will better manage supply. Without more Government spending, supply control is the only way to restore farm income to the levels that prevailed before the administration took office.

Compare the present farm bill and the Family Farm Act:

Net farm income

[In billions of 1967 dollars]

Actual:	
1971	$12.3
1973	25.8
1975	15.8
1977	10.9
1979	14.6
1981	11.9
1983	5.0
1985	9.8
1986	8.8
Estimated:	
Present law:	
1987	11.0
1988	10.5
1989	8.8
1990	7.8
1991	7.3
1992	6.4
1993	5.9
1994	5.2
1995	4.8
Family Farm Act:	
1987	16.7
1988	11.8
1989	11.2
1990	12.1
1991	11.8
1992	12.7
1993	14.2
1994	14.9
1995	15.0

Source: U.S.D.A., Agricultural Statistics, 1985; Food and Agricultural Policy Research Institute, February 1987.

The Family Farm Act restores net farm income and represents a reversal of policies that so favored the megafarm and corporate agriculture. This program gives more help to family-sized farmers, and it gives them the tools they need to invest in the new farming techniques soon to come on line.

The Family Farm Act will give farmers their income through the marketplace rather than through Federal payments. By eliminating direct subsidies, it reduces Government costs—a formula that already works for other crops grown domestically.

Assuming we can negotiate an international marketing agreement, the Food and Agricultural Policy Research Institute [FAPRI] at the University of Missouri and Iowa State estimates Government savings—even when debt restructuring costs are included—as averaging $7 billion per year over the next decade.

The Family Farm Act allows farmers to reduce production through reduced input use rather than through acreage reductions. Reduced input use will cut production costs, ground water contamination and runoff that pollutes our waters.

While our proposal raises food prices a bit, the increases are relatively modest and simply return farm purchasing power to levels that prevailed before the Reagan administration took office. The equivalent of 1 of every 12 income tax dollars now goes to the farm program: a lower tax burden will help offset these costs.

The second component of the Family Farm Act is immediate action to restructure farm debt. For years we have stretched out loans and hoped for a recovery that the 1985 farm bill has not brought. The time for quick fixes and procrastination has passed. Thousands of farmers are barely hanging on.

America's farmers carry almost $200 billion in debt, approximately twice what Brazil owes to foreign lenders. Fully $35 bilion of this may sour over the next few years. A third of our family farmers are in deep financial trouble. Many of them are the young, well-educated farmers who simply had the bad luck to borrow at the wrong time. And as the shakeout continues and as more foreclosures sweep the country, credit will dry up further, jeopardizing the livelihoods of thousands more.

FAPRI analysts estimate that the farm debt crisis could produce an economic contraction that would cost the Federal Government over $20 billion in lost tax revenues. The farm debt crisis, they estimate, justifies Federal spending on debt restructuring of $2 billion per year.

The legislation we are announcing today proposes a joint Federal-State effort to help lenders and borrowers restructure farm debt. States would help lenders and borrowers work together to restructure debts through mediation. The Federal Government would provide debt restructuring assistance to increase the possibility that families could stay on the land until farm income recovers.

In States like Iowa and Minnesota, a lender must sit down with his borrower before foreclosure to explore options that might keep the borrower in business.

These mediation programs provide a neutral third-party to help the lenders and borrowers discuss constructively how to keep the farmer in business. The borrower may have to make some adjustments—but he keeps his farm. The lenders may have to write down part of the debt—but they keep their customers and avoid the losses associated with liquidation and foreclosure. The emphasis is on practical solutions that help all sides.

There is no obligation to reach any agreement, but the States have found that simply getting people together to talk helps. The mediation programs in Iowa and Minnesota have kept several thousand farmers on the land who otherwise would have gone out of business.

Under our proposal, lenders and borrowers who mediate a debt restructuring agreement would be eligible for 3 years of Federal assistance, either a loan not to exceed $30,000 annually or a cash grant of equivalent value. This help would provide the farmer time for needed restructuring and added cash flow until income recovers, and reduce the risk of

default for lenders. Needy families leaving farming could receive help for retraining, relocation, and family support.

Finally, this bill takes steps to ensure that Federal programs reach minority farmers, who have been going out of business at rates double those of nonminority farmers. It used to be that 1 of every 7 farmers was black: blacks now represent just 1 of every 70 farmers. We take action to ensure that minority farmers receive fair access to the Farmers Home Administration limited resource loan program and to the debt restructuring assistance provided in this act. Provisions ensure that funds going to nonminority groups are not reduced.

Analysts at the University of Missouri and Iowa State estimate that our bill could keep three of four farmers on the land who otherwise will go out of business.

We must act quickly to reverse the downward spiral in rural America. Farmers embody the spirit of America: independence, self-sufficiency, and excellence. A part of that spirit dies every time a farm hits the auction block.

The despair that has gripped rural America is no excuse for inaction. The problems of the farm economy were not caused by weather or disease, but by human beings and institutions that human beings control. As such these problems can be solved. The farm crisis can be solved if we are determined to make America first again.

OUTLINE OF THE HARKIN/GEPHARDT FAMILY FARM ACT

I. Referendum Program for Storable Commodities (wheat, corn, grain sorghums, barley, oats, rye, upland cotton, rice, and soybeans).—

Prior to August 1, 1987, and each 4th year thereafter, the Secretary shall conduct commodity specific referenda except in the case of wheat and feed grains which will be a joint referendum. If a majority of the producers vote in favor, a supply management/marketing certificate program will be in effect for that commodity for the subsequent four years. If a referendum fails, the current farm law will apply. Upon passage of a referendum by a majority vote:

A. Minimum loan rates would be established at 70 percent of parity in 1988 and would be increased by 1 percent annually thereafter up to a maximum of 80 percent of parity. The Secretary shall review this schedule after five years and made a recommendation regarding continuation of the schedule to Congress. Target price payments and other subsidy payments would be suspended.

B. The Secretary will proclaim a national marketing quota for each commodity, based upon projected domestic demand, export demand, food aid, requirements, carryover, and reserve requirements. The Secretary shall then proclaim a national acreage allotment on acres based upon projected national yield.

C. Each producer will submit planting intentions for each commodity to the Secretary in accordance with the farm crop acreage base. The Secretary will then determine the set-aside percentage to balance supply with demand.

D. The Secretary establishes a targetting mechanism to distribute the acreage set-aside on a progressive basis for each farm so that a greater set-aside percentage will be required as farm size increases. In no event would the unpaid set-aside on any one farm exceed 35 percent of the acreage base. The Secretary may offer a paid diversion program above 35 percent if necessary to bring supply in line with demand.

E. Marketing certificates will be assigned to each producer based upon each producer's acres permitted to be planted multiplied by that farm's established yield. A commodity may not be marketed without a marketing certificate. Commodities produced in excess of the marketing certificate quantity may be stored and marked under a certificate issued in a subsequent year, donated or sold to the CCC at no more than 50 percent of the loan rate for the purpose of famine relief.

F. Farmers may avoid acreage restrictions by filing a plan for meeting their reductions through other methods e.g. reduced pesticide and fertilizer use.

G. The Secretary may issue marketing certificates to importers of commodities and commodity products which do not exceed limitations imposed by Section 22 of the Agricultural Adjustment Act.

H. A farmer disaster reserve is created. Each producer must contribute a portion of his production, determined on an actuarially sound basis, to the reserve. In the event of a disaster, an affected producer will receive commodities from the reserve equivalent to 90 percent of his marketing certificate less the amount actually produced. However, the value of commodities received under this program may not exceed $360,000 annually.

I. Storage payments made under the reserve program would be the same for on-farm and commercial storage.

II. Livestock Transition Program.—

Livestock producers would be permitted to purchase existing stocks of CCC grain for a 36 month period beginning 30 days after enactment. The benefits under this program would be targeted to not larger than family-size farms and ranches and could not exceed $50,000 per producer. The sale price would be determined by the Secretary but could not exceed the total cost of the grain to the CCC.

III. Milk Marketing Base Program.—

Within 30 days of enactment, the Secretary will conduct a referendum among commercial milk producers to determine whether such producers are in favor of a national milk marketing base program for calendar year 1988 or favor continuation of current law. Subsequent referenda would be held at the same time other commodity referenda are conducted. Upon passage of a referendum by a majority vote:

A. The Secretary will establish the loan support level at 70 percent of parity to be increased by 1 percent of parity per year thereafter to a maximum of 80 percent of parity. Continuation of this schedule after the first five years would be contingent upon a USDA study and review by Congress.

B. The Secretary will establish a marketing base for each producer considering a producer's history from 1981 to 1985 and any adjustment necessary to bring supply in line with demand on a national basis.

C. A procedure is established, utilizing county ASCS committees, to adjust individual producer bases and reallocate unused bases to existing and new producers under an established priority system designed to foster new and existing family-sized farming operations.

IV. Agricultural Exports and Imports.—

A. Requires the President to enter into multilateral negotiations with other food exporting nations to preserve market shares. If after 9 months a multilateral agreement has not been consummated, then the Secretary would be mandated to use export PIK or cash subsidies to maintain exports.

B. Requires the Secretary to exercise authority under Section 22 of the Agricultural Adjustment Act to prevent imported commodities from interfering with the operation of the price support program.

C. Requires the labeling of an agricultural product when a significant percentage of that product, either by value or volume, is imported.

D. Prohibits the importation of food items which contain the residues of chemicals prohibited from use in the United States.

V. Food Assistance.—

Offsets any increase in retail food prices resulting from this bill by increasing benefits under the food stamp program, school lunch program, the school breakfast program, and WIC program.

Increases appropriations for consumer education, changes eligibility for food stamps, expedites food stamp service, authorizes provision of information on food stamps to homeless individuals. Establishes a National Nutrition Monitoring Plan to assess national nutritional trends, including those for children, the elderly, low-income populations and minorities.

VI. Family Farm Debt Restructuring Program.—

Farmers who reside in qualifying states and enter into qualifying debt restructuring agreements are entitled to federal debt restructuring assistance. To qualify, states must set up mediation programs meeting the criteria listed below.

A. State Mediation Programs:

1. State mediation programs shall provide neutral, third-party advice to borrowers, creditors and lenders to discuss alternatives to foreclosure and to explore debt restructuring options.

2. State programs must: train adequate numbers of competent mediators; provide mediation services for not more than a reasonable fee on a voluntary basis when requested by both creditor and lender; provide borrower the right to request a 42-day mediation period before foreclosure; and provide, for not more than a reasonable fee, financial and management counseling, and assistance needed to help farmers prepare and analyze debt restructuring alternatives.

3. State/Federal matching grants of up to $1,000,000 per state are authorized to pay administrative expenses.

4. Requires good faith cooperation by the FmHA, the Farm Credit Administration, the FDIC, and the SBA with state mediation programs, and requires the restructuring of loans when cost of restructuring is less than the cost of foreclosure.

B. Farm debt restructuring assistance:

1. Program is administered through County Emergency Debt Restructuring Committee constituted from county FmHA and ASCS committees. Secretary may appoint additional members to ensure fair representation of minorities.

2. Debt restructuring agreements that meet certain criteria enable borrower to qualify for Federal debt restructuring assistance. No-interest assistance loans of up to $30,000 for three years may be provided to help with debt service and operation restructuring. Borrower may elect to take assistance as a cash grant of equivalent value.

3. Following the period over which loans are made, there is a two year grace period, which may be extended two years if condi-

tions in agriculture do not improve. Five years is allowed for payback.

4. Eligibility: Family farmers with gross sales of less than $500,000 and experiencing financial stress. Non-farm income can not exceed $45,000: reductions in assistance are made after non-farm income reaches $30,000. Farmer cannot cash flow but must demonstrate that assistance will provide for the continuation of a financially viable farming business for 5 years.

C. Debt restructuring aid payments are prohibited to producers who produce commodities on erodible land or converted wetlands.

D. Banks may write off over 10 years the losses they have taken under debt restructuring agreements.

E. Transition assistance for farm families leaving agriculture: makes available through state programs home energy assistance, limited income support, relocation assistance and employment services available to families facing severe financial hardship and leaving farming. State programs are financed through block grants made by the Federal Government.

F. Revises eligibility for homestead protection to include small farmers: minimum sales requirement is lowered from $40,000 to $10,000.

G. Provisions ensure equal access to federal credit programs for minority farmers. Limited resource loans would be provided in proportion to minority farmers' representation in the county farm population, with provisions to prevent any reductions to nonminority farmers. Includes reporting requirements.

TRADE REMEDY FOR NONMARKET ECONOMIES

HON. RICHARD T. SCHULZE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. SCHULZE. Mr. Speaker, today, I am introducing legislation designed to provide an effective trade remedy for U.S. industries which experience market disruption from nonmarket economy imports.

For many years now, there has been widespread recognition that our current trade laws are ineffective in dealing with unfair and injurious trade from nonmarket economies. After years of debate on this issue, it is about time that Congress finally rectifies the problems we have confronted in this area of trade.

We can no longer afford to let this trade problem go unresolved which is why I am introducing this legislation. I urge my colleagues to support this measure as an effective alternative to our current trade statutes with respect to nonmarket economies.

TRIBUTE TO JAMES ALFRED ROHAN

HON. JACK BUECHNER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. BUECHNER. Mr. Speaker, while we in this great Nation are blessed with many outstanding, selfless individuals, there are a select few whose names become almost synonymous with public service.

Sadly, last Saturday, James Alfred Rohan, Chief Doorman in the House of Representatives, passed away. With his death, we lost one of those select few individuals.

Epitomizing the American commitment to public service, Mr. Rohan, as Chief Doorman, coordinated planning for visiting Heads of State who appeared before joint meetings of the Congress as well as State of the Union messages delivered by four Presidents. Mr. Rohan took charge of arrangements for all special events taking place in the House Chamber.

James Rohan—before coming to Washington—served as an assistant to the mayor of St. Louis, attained the rank of captain in the U.S. Army and had a successful business career in St. Louis.

Mr. Rohan leaves behind a great legacy for all of us. He was a dedicated man who will be greatly missed by his friends, his colleagues and his loving family.

COMPANY'S VIABILITY ENDANGERED RATHER THAN HELPED BY DOD

HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. DYMALLY. Mr. Speaker, I wish to report to the Congress a serious violation of the law which has the effect of devastating a significant employer in my district.

Several years ago a small, minority-owned manufacturer, Univox California, Inc., was selected, under a congressionally mandated program, for minority business development, authorized by Public Law 95-507, to produce 600-gallon-per-hour reverse osmosis water purification units under the pilot program provisions of Public Law 95-507. This opportunity held great promise for the national intent to develop minority business and for solely needed jobs in a high unemployment part of my district.

Through recognized outstanding performance of the company and its employees, whose number had grown by more than 200 people, equipment began rolling off the new production lines on or ahead of contract schedules and meeting all performance requirements—a feat not often accomplished by our most experienced and prestigious defense contractors. The CONGRESSIONAL RECORD will show that the amount reserved for Univox under this program was $400 million. The Army illegally withdrew procurement assistance after the company had received only $75 million of the reserved amount, and when the SBA—the legally designated agency to release the program—insisted that continued procurements were essential to the survival of Univox.

It was at this point that, what now appears to have been a conspiracy between certain persons at the Ft. Belvoir procurement staff and certain defense contractors, actions were taken to cause the public law to be violated by the Army, by virtue of the contract support established by the pilot program to be illegally, unilaterally terminated by the Army and the contract then being performed by Univox to be deliberately delayed, creating severe financial pressures on the company.

The increased financial difficulties were then exacerbated by an overzealous EDA staff who began an illegal collection of a delinquent loan, to enhance the financial interest of certain EDA staff. Evidence exists that a smear campaign was initiated by these EDA individuals through presentation of misinformation to Members of Congress and stepped up through recent statements to various news media wherein libelous, erroneous, misleading, and misstatements of known facts, in their own records, were reported to be the result of an I.G. audit.

Univox has found itself in a precarious predicament that could not have been predicted, yet is now understandable, because of the expected value of the equipment reserved under the pilot program and future generation of that equipment to certain defense contractors and individuals with the procurement activity, and the extraordinary financial and career rewards recently attached to the performance of certain individuals within the EDA.

Although Univox has taken legal counsel's advice and initiated a suit against the EDA for its illegal loan actions and for causing harm to the company's reputation as a result of its media assault, it is clear that we, the Congress, have a situation of defiance of our mandate by those charged to implement our law and that contrary to the intent of the law to facilitate viability, the illegal action by Army personnel will cause, instead, the exact opposite of viability, or in other words, the financial demise of the participant, Univox. Therefore, I request that Congress immediately investigate this matter and take actions against anyone found guilty of such defiant behavior. The Army must be made to understand that congressional intent is controlling, and the commitment to the pilot program provisions of Public Law 95-507 and Univox must be honored.

Finally, Mr. Speaker, permit me to also enter into the record a procurement document produced by the Army which shows that they had full knowledge of the law and the contractual obligations under the pilot program prior to their violation of its provisions. It is entitled "Disposition Form." I invite your attention to the page entitled "Additional Work and Services—600 ROWPU Assembly Contract 80-C-0026 Univox—California." The first paragraph on this page reads:

(1) This procurement cannot be solicited competitively at this time because the 600 GPH ROWPU was selected by the Small Business Administration [SBA] as a pilot program under a congressionally mandated program for minority business development under Public Law 95-507, and implemented by a DA/SBA interagency agreement. The contractor will remain the single source until the program is released by the SBA.

Mr. Speaker, the SBA did not release this program, on the contrary, the SBA made several requests to continue procurements to Univox citing the criticality of these procurements to the company's viability. The Army

unilaterally and illegally withdrew contract support.

ADDITIONAL WORK AND SERVICES—600 ROWPU ASSEMBLY CONTRACT 80-C-0026, UNIVOX-CALIFORNIA

(a) Single Source Justification.

"(1) This procurement cannot be solicited competitively at this time because the 600 GPH ROWPU was selected by the Small Business Administration [SBA] as a pilot program under a Congressionally mandated program for minority business development under public law 95-507, and implemented by a DA/SBA interagency agreement. The contractor will remain the single source until the program is released by the SBA." (Emphasis added).

(2) Because this hardware is urgently required by the USMC to support their role in the Rapid Deployment Joint Task Force (RDJTF), the time required to solicit and train a new contractor would be prohibitive. Univox has developed a management and a production capability that will allow them to meet the accelerated production rate of 25 to 35 high quality units a month needed to satisfy the USMC requirements.

(3) Awarding a contract modification is administratively faster than initiating a new contract.

(4) The technical data package is being maintained current through configuration management and is available for immediate or subsequent competitive follow-on procurements if and when the ROWPU program is released by the SBA.

(b) Statement of Work and Services. The contract line items listed in paragraph c. below shall be delivered in accordance with the terms and conditions of the basic contract as modified.

(c) Request that the following contract line item be increased as follows:

CLIN and supplies	Quantity	Amount
0001AH: 600 GPH ROWPU skid-mounted USMC configuraration	280	$34,160,000

Request that this modification contain options for the contract line items listed below:

CLIN and supplies	Quantity	Amount
0003AD(USMC): Spare/repair parts pack	280	$946,400
0004AD(USMC): Consumable packs	280	2,566,400
0004AB(USA): Consumable parts pack	120	405,600
0004AB(USA): Consumable packs	120	1,095,600

TRIBUTE TO POLL OFFICERS IN SAN DIEGO COUNTY

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. HUNTER. Mr. Speaker, I rise today to pay tribute to a group of loyal Americans who are responsible for protecting one of our country's greatest liberties, the right to vote.

These fine people are poll officers in Califoria's beautiful San Diego County. Year after year, election after election, they provide the citizens of San Diego County with effectiveness and efficiency that is unsurpassed.

There are several unique aspects about this group of eight great patriots: Two of them are over the age of 90, the rookie of the group has served 18 years, and the veteran has put in 56 years of uninterrupted service.

It is my hope that these officers know just how valuable they are to the voters of San Diego County. I am honored to bring their names to the attention of my colleagues in the historic 100th Congress: Arthur J. Vail of Fallbrook, Grace L. Bullard of Oceanside, Anna Skeie of La Mesa, Mary Boyle of San Diego, Bette Tataronus of National City, Ora Marker of San Diego, Gloria Leitch of Bonita, and Emily Brose of la Mesa.

H.R. 1279: ALLOWING TITLE X GRANTEES TO OFFER ADOPTION SERVICES

HON. THOMAS J. BLILEY, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. BLILEY. Mr. Speaker, last week I introduced legislation to amend title X of the Public Health Service Act to allow family planning clinics to provide, at their discretion, adoption services.

For too long our image of family planning has been exclusively the prevention of pregnancy, the limiting of family size, or the spacing of children. It is time to recognize the importance of planning families through adoption, thereby benefitting children born to parents unable to care for them and couples who would otherwise be unable to establish a family.

If a young woman becomes pregnant, she may not know much about adoption, and the counselors she encounters may also be poorly informed. Even if a woman considers adoption, it is not unusual for her to dismiss it prematurely as too difficult and, instead, choose to have an abortion or, if she is single, raise her child out of wedlock. No pregnant woman should ever be coerced into releasing her child for adoption, but she should be able to make a truly informed decision after considering all her alternatives. My hope is that this bill will encourage counselors to present the adoption option to a woman as a real choice, a positive choice, and quite possibly the best choice.

For some time now, we in Congress have recognized the growth of sexual promiscuity among teens. As a result, teen pregnancies have increased dramatically. But these are not just numbers. Each young woman must face the reality of her own situation. Tragically, most pregnant adolescents never get a chance to consider the adoption alternative because of the deficiency of her counselor's, and her own, knowledge of the process.

A recent study by Edmund V. Mech of the School of Social Work at the University of Illinois at Urbana-Champaign showed a significant adoption gap among counselors. Mech found that counselors believe that most pregnant adolescents will not choose to place their children for adoption, use nondirective counseling techniques, and rarely initiate discussion of the adoption option. As a result adoption often is not considered as an alternative in the counseling of pregnant adolescents and the young woman is not given any information about adoption plans.

Title X is currently the largest Federal program attempting to deal with the problem of teenage pregnancy, and more than a third of the individuals served by this program are adolescents. In a recent report on teenage pregnancy, the National Research Council noted this fact and stressed that adoption should be an option for pregnant adolescents. The report acknowledged the many agencies involved in a teenager's pregnancy—including family planning clinics for pregnancy testing, health and social service facilities for services during pregnancy, labor and delivery, and counseling and supportive services after the birth—and stated that the "fragmentation of needed services may serve as a disincentive for some pregnant teenagers to make adoption plans."

The Council's report also included the recommendation that "public agencies, in cooperation with the private sector, explore ways of strengthening adoption services, including (1) improved decision counseling for pregnant teenagers, and (2) development of effective models for providing comprehensive care to pregnant girls who choose adoption as an alternative to parenthood." This legislation is a much needed start in that direction.

Mr. Speaker, adoption is a positive alternative for women, particularly adolescents, with unintended pregnancies. Since family planning clinics are often the first point of contact between these women and the health care system after they have become pregnant, these clinics are the most important places to provide information about adoption.

This provision authorizing adoption services would not substantially divert funds from current family planning services. The language of this amendment is intended to be permissive, not obligatory. It would not force any grantee to offer adoption services; it merely clarifies that grantees may do so. Since the title X statute requires that grantees provide a comprehensive range of family planning services, this provision could not result in the funding of adoption only services projects.

Mr. Speaker, this language, which is similar to legislation which I introduced in the 99th Congress, was added as an amendment to title X reauthorization in the Senate Labor and Human Resources Committee last year. The committee also approved a perfecting amendment by the Senator from Ohio [Mr. METZENBAUM] to require that any adoption services provided shall be nondiscriminatory. The Senator's amendment improves this legislation and I have added it to the original language.

To clarify the intent of this legislation, I include the following statement on the Adoption Services Amendment from the Committee Report on the Family Planning Amendments of 1986, S. 881 (S. Rept. 99-297):

The legislation contains a new provision which permits Title X projects to offer adoption services. The provision does not require that family planning projects offer adoption services; projects may determine whether they wish to offer adoption services in addition to the counseling, and referral upon request, which are included in the existing Title X guidelines. The Committee does not intend any changes in the general

mission of the Title X law or projects, nor any diminution of federal support for grantees or projects not electing to expand their services.

The definition of adoption 'services' is vague to allow flexibility in services family planning providers may offer. Examples of services include, but are not limited to, adoption education programs, training, counseling, referral and placement services. The Committee does not intend the use of subcontracting for these services. During Senate Committee on Labor and Human Resources deliberation over this amendment a reference was [sic] made to the Family Health Council of Western Pennsylvania as an example of a program which provides adoption services. Secondly, it is the intention of the Committee that when "adoption services" includes placement services, as in the Family Health Council example, those placement services are offered only by a project which has obtained a child placement license. The Committee does not intend to authorize the expenditure of Title X funds for placement services except when such placement services are offered by a Title X project which is also a licensed child placing agency. Where state adoption licensing requirements do not exist, such services must be provided in compliance with state laws regarding adoption services.

The legislation also provides that services offered are to be nondiscriminatory as to race, color, religion, or national origin. This amendment is not intended to affect the applicability of any existing federal provision intended to prevent discrimination on the basis of these or other factors. The language is not intended to prohibit agencies from taking into account all relevant factors in deciding to place a child in a setting which is in the child's best interest. However, adoption services should not be denied nor significantly delayed on the basis of factors specified. This amendment is not intended to prevent discrimination on the basis of these other factors.

For the purposes of this new provision, projects are defined as delegate agencies or service sites.

Mr. Speaker, adoption has been called the loving option. I urge my colleagues to support this effort to help ensure that adoption does not become the forgotten option simply because of a lack of information.

H.R. 1279

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1001(a) of the Public Health Service Act (42 U.S.C. 300a(a)) is amended by inserting after the first sentence the following new sentences: "Such projects may, in accordance with applicable State law, offer adoption services. Any adoption services provided pursuant to such project shall be nondiscriminatory as to race, color, religion, or national origin.".

THE INTRODUCTION OF THE MEDICARE AND MEDICAID PATIENT AND PROGRAM PROTECTION ACT OF 1987

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. STARK. Mr. Speaker, today I am pleased to join with my colleague, Mr. GRADISON, the ranking member of the Ways and Means Health Subcommittee, and with Messrs. WYDEN, WAXMAN, MADIGAN, PEPPER, and with many other Members to introduce the Medicare and Medicaid Patient and Program Protection Act of 1987.

On May 1, 1984, the General Accounting Office issued a report documenting serious gaps in existing law. These gaps allow unfit physicians to provide services to Medicare and Medicare beneficiaries.

The House moved swiftly and unanimously to approve H.R. 1868, the Medicare and Medicaid Patient and Program Protection Act of 1985. H.R. 1868 would have closed the loopholes in current law. Unfortunately, legislative action was not completed in the 99th Congress.

We cannot afford further delay. The Medicare and Medicaid Patient and Program Protection Act of 1987 is based on H.R. 1868. The legislation has wide bipartisan support. With this legislation, the Secretary of Health and Human Services will have clear authority to protect patients from incompetent providers. At the same time, the Secretary will have new power to protect Federal health benefits programs from fraud and other abuses.

Mr. Gradison is to be commended for taking the lead in developing this important legislation. I will make every effort to move the bill ahead.

THE 100TH ANNIVERSARY OF TARPON SPRINGS, FL

HON. MICHAEL BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. BILIRAKIS. Mr. Speaker, I rise today to inform my colleagues that this is a very special and busy time in the Ninth Congressional District.

You see, the people of the Ninth District are in the midst of not one, but two centennial celebrations and the 52d Annual Strawberry Festival. So you can see that when I say busy—I mean busy!

First, let me talk about the 100th anniversary celebration of my hometown, Tarpon Springs, FL. As you can well imagine, this is a very important occasion for me personally, doubly so since this is the 100th birthday celebration of the town where I was born and the fact that I have been named honorary chairman of this event.

This weekend the year-long grand celebration will begin and will include all the bells and whistles such an occasion deserves—a last train ride between Dunedin, FL and Tarpon Springs before the rails are torn up giving way to a planned light-rail county transit system; band concerts, a carnival, an apple pie-baking contest, beard-growing contest, tales of Florida folklore, music, dancing and more.

Kathleen Monahan, cultural affairs director for Tarpon Springs, particularly deserves mention for her tireless efforts attending to a myriad of details and keeping this birthday party on track, but I want to commend everyone involved in making this a special celebration.

Mr. Speaker, this year also marks the 100th anniversary of one of the counties in my congressional district: Pasco County—a community of communities, all working together over the years, sharing challenges and dreams.

Back in 1887, when Pasco County was founded and named for Samuel Pasco—U.S. Senator and chairman of the 1885 Florida Constitutional Convention—things were quite different than they are today. There were only 38 stars on Old Glory and railroads were just reaching into southwest Florida's wild and wide-open beauty.

Pasco County still is beautiful today, if a bit less wide open. It is one of the fastest-growing areas in the entire Nation, and that is a tribute not only to the natural beauty but to the enterprising, friendly people there.

Times may have changed. We have a few more stars on Old Glory now, but the celebration of caring, sharing and dreaming that began in Pasco County 100 years ago continues today.

The cochairmen of the centennial, Alex Acey and Joe Herrmann, are two of those people who have dreamed and cared along with the rest of Pasco County, and who share a vision of its future. They have done a tremendous job of organizing this celebration of the proud past of Pasco County.

Last, but not least, Mr. Speaker, let me tell you about the 52d Annual Strawberry Festival. I would like to read a small part of a letter sent to me by the chairman of the Opening Day Program, Nattie Draughon. In just a few words it says something very meaningful about the spirit of enterprise that is alive and well in the Ninth Congressional District. It reads:

The labor of our county residents from bygone days lives on today as our people continue the labor which has given birth to this spectacular festival and county fair. Hillsborough County has grown from small family-owned truck farms to a thriving multi-million dollar business of corporate-owned farms, as well as numerous related agribusinesses, the largest being the strawberry industry.

Mr. Speaker, the people around Plant City, FL—the center of the strawberry industry in my district—have proven what can be achieved through dedication and hard work. They have built up a thriving agribusiness that is the "Pride of the County," this year's theme, and are celebrating it with a festival that is 2 years past its golden anniversary and going stronger than ever.

The people responsible for this are almost too numerous to mention, but I do want to recognize J. Albert Miles, Jr., president of the Festival Board of Directors; Dr. Charles

Hinton, Roy Parke; Al Berry; and all those associated with the festival.

As I said, you can see that this is a busy time—and an important one. All of these celebrations from all corners of my district have at least one thing in common: decent, hard-working, caring individuals who share a pride in their accomplishments and a dream for an even brighter future.

I can honestly say that the enthusiasm, pride and sense of history displayed by the people of the Ninth Congressional District make it an honor and a privilege to represent them in Congress.

PERSONAL EXPLANATION

HON. AMORY HOUGHTON, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. HOUGHTON. Mr. Speaker, due to a meeting earlier today with some young people from my district who were here for the Close-up Program, I missed the vote on the House Resolution 109, the rule for H.R. 558. If I had been present on rollcall No. 18, I would have voted "no."

HUMAN RIGHTS ABUSE IN IRAN

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. SMITH of New Jersey. Mr. Speaker, United States policy options with Iran have been and will remain fundamental and vital aspects of our foreign policy in the Middle East. While Iran's geopolitical and strategic importance, combined with its vast oil reserves, make it a primary component of overall policy, the recent dealings with the Iranian Government have brought the Islamic Republic of Iran to the forefront of public and political debate.

As a member of the House Foreign Affairs Subcommittee on Human Rights and International Organizations, I am particularly interested in the current proceedings of the U.N. Human Rights Commission in Geneva. I understand that the Commission is meeting this week with two individuals whose personal experiences shed dramatic light on the domestic tragedy within Iran. Having been violently tortured and imprisoned on political charges, the scarred bodies and emotional accounts of Azam Riahi and Behzad Naziri are a witness to the oppressive and brutal state apparatus in Iran which tolerates no dissent.

As part of their endeavors to make the world realize the gravity of abuses in Iran, these victims of the Khomeini regime have devoted themselves to sharing their accounts with the Human Rights Commission and leaders throughout the world.

These two individuals' experiences are merely samples of the widespread, systematic, and institutionalized violations of human rights practiced in prisons throughout Iran. Tens of thousands of Iranian citizens have been harassed, intimidated, arrested, and imprisoned. Thousands more have been summarily executed for their personal, political, or religious dissent. Grisly torture techniques and gruesome methods of execution are regularly used to terrorize the public. These practices violate all international laws and standards such as the International Covenant on Civil and Political Rights and the U.N. Declaration Against Torture, both of which Iran supported.

Unfortunately, human rights abuse is but one aspect of the ongoing tragedy in Iran. A second and even more widespread form of disregard for the sanctity of human life, for individual freedoms and security, and for the rights of minors, is being perpetrated by the government of Ayatollah Khomeini. The government continues its stubborn insistence on pursuing the Iran-Iraq War to the detriment and devastation of both nations. Not only have hundreds of thousands of casualties resulted, the prolongation of hostilities has resulted in massive displacement of populations and refugees. As President Reagan pointed out last week, the Khomeini government must be held responsible for the protraction of hostilities costing hundreds of thousands of lives, many of them schoolchildren.

This belligerent attitude is equally worthy of our unambiguous condemnation. Mr. Speaker, these activities are unacceptable to Congress, the international human rights community, and most importantly to the citizens of Iran. I urge my colleagues to join me in supporting all international efforts which pressure the Khomeini government to come to its senses and to negotiate an end to the bloodshed.

ST. CASIMIR'S DAY—PATRON SAINT OF LITHUANIA

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. LIPINSKI. Mr. Speaker, I rise today to pay tribute to the patron saint of Lithuania and to inform my fellow Members that yesterday, March 4, marked the 503d year of St. Casimir's birth.

Although alive for only 26 short years, St. Casimir's many acts of charity, justice, and love led to canonization soon after his demise. Many stories of his intense virtue and sense of modesty contributed to the legend that became a part of him. St. Casimir became patron saint in 1518, when according to accounts of the time, Lithuanian soldiers battling Russian invaders saw and followed his apparition—a rider on a white horse—to victory.

After World War II, the Soviets removed the body of this great religious, political and historical figure from its prominent resting place in Vilnius, where St. Casimir had rested for 300 years, and turned the surrounding chapel area into a secular museum. In 1984, when Pope John Paul II attempted to celebrate the 500th year of St. Casimir's birth with a visit to Lithuania, the Soviets denied him.

It is a sad state of affairs that Lithuania is still battling Russian invaders. Along with force of arms, the Soviets have imposed their rule through even more insidious methods—the compulsory teaching of Russian at the expense of native Lithuanian, the suppression and discouragement of Lithuanian culture and history, and the planned emigration of large numbers of Russians to Lithuania and the other Baltic countries.

Mr. Speaker, to remember the birth of St. Casimir is to remember and never forget that Lithuania is a sovereign nation with a long, proud history all its own. The United States must never recognize the incorporation of Lithuania into the Soviet Empire.

FAMILY FARM ACT

HON. JIM JONTZ

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. JONTZ. Mr. Speaker, I am pleased to join today with Mr. GEPHARDT, and my colleagues, as an original cosponsor of the Family Farm Act. There are few bills which the Congress will consider during this session which will be more important to the family farmer.

My State of Indiana has not suffered losses as great as some other Farm Belt States, such as Iowa. Yet our farmers are hurting, and all indications are that the situation will become much worse before it gets better. One recent survey in Indiana shows that about 30 percent of all farms are in serious financial trouble, based on debt-asset ratios over 40 percent. Even worse, approximately 47 percent of larger farms with gross sales of $40,000 per year are in similar difficulty.

The Family Farm Act represents a bold departure from the current direction of our agriculture policy. If we are to preserve the family farm, upon which so much of our rural economy depends, we must be willing to consider these changes.

THE EXPORT TRADING COMPANY AMENDMENTS ACT OF 1987 (H.R. 1431)

HON. DON BONKER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. BONKER. Mr. Speaker, today I am pleased to introduce legislation, with my colleagues Mr. ROTH and Mr. BEREUTER, to make the Export Trading Company Act a more effective tool for export promotion. This bill is based on section 107 of H.R. 4708, the Export Enhancement Act of 1986, as reported by the Committee on Foreign Affairs on May 1, 1986.

As a strong proponent of the original legislation, I have followed the progress of export trading companies [ETC's] since the October 8, 1982, enactment of the bill. Predictions were made that by 1985, more than 320,000 trade-related jobs would be created. Progress over the last 4 years has not met these original expectations. As of January 1987, 71 certificates providing antitrust protection to 300 firms and individuals had been issued by the

Department of Commerce and the Federal Reserve Board had approved investments in 41 bank export trading companies.

To a large extent, macroeconomic conditions, such as the value of the dollar and Third World debt, are responsible for this slow development of Export Trading Companies, but there are other factors which have discouraged ETC development. Some are inherent in the act and others are due to regulatory interpretations by the Federal Reserve Board. The Export Trading Company Amendments Act of 1987 addresses six of these problems. Specifically H.R. 1431 seeks to:

First, require an annual report from the Secretary of Commerce on activities of the Department of Commerce to promote ETC's, including a survey of export management companies and export trade associations, and the progress made by ETC's.

Second, clarify that bank-affiliated ETC's may export their own services, or those of affiliates.

Third, revise the method of calculation for the 50 percent revenue test by counting third party trade and countertrade as exports and extend the period for meeting the revenue test to 5 years.

Fourth, exempt transactions between a bank and its ETC from collateral requirements under section 23A of the Federal Reserve Act, thereby restoring the original intent of the bill.

Fifth, prohibit the Federal Reserve from imposing a dollar limit on the amount of inventory an ETC can maintain, except on a case-by-case basis.

Sixth, prohibits the Federal Reserve from disapproving a bank's proposed investment in an ETC solely on the basis of an assets-to-equity ratio unless greater than 25 to 1.

I would urge my colleagues to review this legislation and would welcome their support.

H.R. 1431

A bill to amend the Export Trading Company Act of 1982, the Bank Holding Company Act of 1956, and the Federal Reserve Act with respect to export trading companies

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 "Export Trading Company Amendments Act of 1987".

SEC. 2. EXPORT TRADING COMPANIES.

(a) REPORT ON EXPORT TRADING COMPANIES.—The Export Trading Company Act of 1982 (15 U.S.C. 4001 et seq.) is amended by inserting after section 104 the following new section:

"SEC. 105. REPORT ON EXPORT TRADING COMPANIES.

"Not later than one year after the date of the enactment of this section and annually thereafter, the Secretary of Commerce shall submit a report to the Congress on the activities of the Department of Commerce to promote and encourage the formation of export trade associations and export trading companies. The report shall include a survey of the activities of export management companies and export trade associations, as well as an analysis of the operating experiences of those export trading companies established pursuant to this Act. The report shall not contain any information subject to the protections from disclosure provided in this Act.".

(b) DEFINITION OF EXPORT TRADING COMPANY.—Section 4(c)(14)(F)(i) of the Bank Holding Company Act of 1956 (12 U.S.C. 1843(c)(14)(F)(i)) is amended by striking "for purposes of exporting goods or services produced in the United States" and inserting "for purposes of exporting goods or services produced in the United States by that company, its affiliates, or unaffiliated persons,".

(c) DEFINITION OF PRINCIPALLY ENGAGED IN EXPORTING.—Section 4(c)(14)(F) of the Bank Holding Company Act of 1956 (12 U.S.C. 1843(c)(14)(F)) is amended—

(1) by striking the period at the end of clause (i) and inserting a semicolon;

(2) by striking "and" at the end of clause (iii);

(3) by striking the period at the end of clause (iv) and inserting a semicolon; and

(4) by inserting after clause (iv) the following new clauses:

"(v) an export trading company shall be treated as organized and operated principally for the purposes described in clause (i) if that company derives more then one-half of its revenues in each consecutive five-year period from—

"(I) the export of goods or services produced in the United States by that company, its affiliates, or unaffiliated persons, or

"(II) from facilitating the export of goods or services produced in the United States by unaffiliated persons by providing one or more export trade services; and

"(vi) for the purpose of clause (v), revenues from third party trade, and the value of goods and services taken back by the export trading company as part of a countertrade transaction, shall be treated as export revenues.".

(d) RELATIONS WITH AFFILIATES.—Section 23A(d) of the Federal Reserve Act (12 U.S.C. 371c(d)) is amended—

(1) by striking "and" at the end of paragraph (6);

(2) by striking the period at the end of paragraph (7) and inserting "; and"; and

(3) by adding at the end the following:

"(8) transactions with an affiliate which is an export trading company, as defined in section 4(c)(14)(F)(i) of the Bank Holding Company Act of 1956.".

(e) LEVERAGE.—Section 4(c)(14)(A)(iv) of the Bank Holding Company Act of 1956 (12 U.S.C. 1843(c)(14)(A)(iv)) is amended by adding at the end the following:

"The Board may not disapprove a proposed investment solely on the basis of the proposed assets to equity ratio of an export trading company unless the proposed annual average ratio is greater than 25 to 1.".

(f) INVENTORY.—Section 4(c)(14)(A) of the Bank Holding Company Act of 1956 (12 U.S.C. 1843(c)(14)(A)) is amended—

(1) by redesignating clauses (v) and (vi) as clauses (vi) and (vii), respectively; and

(2) by inserting after clause (iv) the following:

(v) The Board may not impose, by regulation, a dollar limit on the amount of goods which export trading companies may maintain in inventory; except that the Board may impose, by order, a dollar limit on the amount of goods which a particular export trading company may maintain in inventory after such company has been operating for a reasonable period of time if, under the particular facts and circumstances, it finds that such limit is necessary to prevent risks that would affect the financial or managerial resources of an investor bank holding company to an extent which is likely to have a materially adverse effect on the safety and soundness of any subsidiary bank of such bank holding company.".

THE MEDICARE AND MEDICAID PATIENT AND PROGRAM PROTECTION ACT OF 1987

HON. WILLIS D. GRADISON, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. GRADISON. Mr. Speaker, I am pleased to be joined by my House colleagues, Messrs. WYDEN, STARK, WAXMAN, MADIGAN, and others in introducing the Medicare and Medicaid Patient and Program Protection Act of 1987.

This bill is designed to protect Medicare and Medicaid beneficiaries from unfit doctors, hospitals and other health care providers. To achieve the goal, this bill recodifies and strengthens the antifraud provisions of the Social Security Act.

A similar measure, H.R. 1868, was introduced in the 99th Congress. That bill was reported favorably from the Ways and Means Committee and the Energy and Commerce Committee. It was subsequently passed by the House, and reported favorably by the Senate Finance Committee. Unfortunately, it was not considered on the Senate floor.

H.R. 1444 is based on H.R. 1868. Incorporated in the new bill are modifications which were developed in discussions between the House and Senate at the conclusion of the 99th Congress. Therefore, the bill represents a consensus on the issues covered by the measure. I am happy to report that a companion bill is being introduced tomorrow in the Senate by the distinguished Senator from Pennsylvania [Mr. HEINZ] his colleague Senator GLENN and other Members of the Senate.

This bill is the product of many years of careful crafting. Hearings on it were conducted in the 99th Congress in each of the committees of jurisdiction in both Houses. The Department of Health and Human Services [HHS] has supported the basic legislation and the HHS Inspector General's Office was particularly helpful in drafting the measure. At a recent hearing conducted by the Ways and Means Committee on another topic, HHS Secretary Bowen advised me that he expected the administration to again be supportive of the bill.

Since the bill has already received such favorable attention in its development, I know that its many sponsors, from both sides of the aisle and from both Houses, join me in encouraging all of our colleagues to consider expedited action and swift passage.

I am particularly pleased that the chairman of the Health Subcommittees of both the Ways and Means Committee and the Energy and Commerce Committee, Messrs. STARK and WAXMAN, are joining me this year in sponsoring the bill. I am equally gratified to be joined by my colleague from Oregon [Mr. WYDEN] who spent a great deal of time on the

development of this legislation in the 99th Congress.

Finally, I should add that the bill stands as a tribute to a former Member of this body, Hon. Henson Moore of Louisiana. Mr. Moore originated the legislation in the 98th Congress and guided it through the House in the 99th Congress. The bill reflects his long-time commitment to improving the management of the Medicare and Medicaid Programs and the protection of its beneficiaries. He devoted more effort to the cause than any other Member of the body and I am pleased to have an opportunity to carry on in his behalf.

NEED FOR THE LEGISLATION

The Medicare and Medicaid Programs, since their inception in 1965, have provided needed health insurance coverage for the Nation's elderly, disabled and categorically indigent. These programs account for almost $120 billion in combined Federal and State spending. In any endeavor of such magnitude, it is inevitable that a few participants will abuse the worthy purpose.

HHS, through the Office of its Inspector General, has been given authority by the Congress to sanction those who abuse and defraud the Medicare and Medicaid Programs. The Department has used this authority effectively. But, loopholes in the law remain which require congressional attention.

In 1972, the Secretary of HHS—then HEW—was granted the authority to exclude from participation in the Medicare Program individuals who:

First, submit false claims;

Second, charge Medicare substantially more than their customary charge; or

Third, provide services substantially in excess of patients' needs or of a quality which fails to meet professionally recognized standards of medical care.

Five years later, in the 1977 "Medicare and Medicaid antifraud and abuse amendments," Congress granted the Secretary authority for the mandatory suspension from participation in both Medicare and Medicaid those individuals, who have been convicted of criminal offenses related to their participation in the programs. The Inspector General of HHS has used these sanctions. In fiscal year 1986 alone, 412 health care providers were sanctioned.

The other weapons available to the Inspector General in fighting abuse are civil and monetary penalties [CMP]. These prerogatives were given to HHS by Congress in 1981. They provide an administrative mechanism for the imposition of stiff money penalties and assessments for health care providers or other individuals who file false or otherwise improper claims for payment by the Medicare or Medicaid Programs. Since 1983, more than $31 million has been recovered by the HHS Inspector General's Office from unscrupulous individuals and organizations under this provision.

The antifraud and abuse record of HHS is to be commended. However, there remain serious gaps in the authority granted to the Inspector General preventing him from eliminating "bad actors" from participation in the Medicare and Medicaid Programs. For example, the Inspector General lacks the power to bar from the Medicaid programs those health care providers who have been convicted of first, defrauding other Federal, State or local programs; second, patient neglect or abuse; or third, the unlawful manufacture, distribution, or dispensing of controlled substances. These loopholes require congressional attention, and they will get it through the Medicare and Medicaid Patient and Program Protection Act of 1987.

The Inspector General has testified that in 1983 and 1984, he found 84 cases involving physicians who had their licenses revoked due to drug violations, gross negligence or professional incompetence and yet could still charge the Medicare and Medicaid Programs for services rendered.

These cases paint a worrisome picture. Evidence indicates they may reflect only the tip of an iceberg. Legislation is necessary to protect the program beneficiaries from health care providers such as these cited in the Inspector General's 1985 testimony.

In Indiana, a physician was found guilty of 27 counts of violating drug laws.

In Massachusetts, a physician was convicted for assault and battery on a 14-year-old patient.

In Louisiana, a physician was convicted of 15 felony counts including bank fraud, wire fraud, false entries in books and records, and conspiracy.

In Pennsylvania, a physician was convicted of grand theft and transportation of stolen goods.

Now, 2 years later, the HHS Inspector remains unable to sanction the organizations which these types of individuals may own or control, or take administrative action where there have been kickbacks, or exclude from participation in the programs individuals who have lost their licenses to practice in one State and moved to another to practice.

On this last point alone, a Government Accouting Office [GAO] study found that of 328 practitioners who had been sanctioned by State licensing boards in Michigan, Ohio and Pennsylvania, 122 held licenses in at least one other State. As many as 100 of these State-sanctioned practitioners may have relocated and continued to participate in the Medicare and/or Medicaid Programs.

The GAPS in the law, which allow such practitioners to continue to treat Medicare and Medicaid patients, should not be tolerated. They endanger not only the health and safety of Medicare and Medicaid patients but the fiscal integrity of both programs.

BILL DESCRIPTION

The bill would require that health care provisions convicted of crimes related to their participation in the Medicare or Medicaid Programs, or related to the neglect or abuse of patients, be barred from these programs for at least 5 years.

Further, the bill would provide the Secretary of HHS with authority to exclude from Medicare and Medicaid those individuals or entities who have been:

Convicted of fraud against any Federal, State, or locally financed health care program;

Convicted of interfering with the investigation of health care fraud;

Convicted of unlawfully manufacturing, distributing, prescribing, or dispensing a controlled substance;

Suspended or barred from medical practice due to questions of professional competence, professional conduct or financial integrity;

Found to have submitted excessive changes or claims;

Committed fraud, made kickbacks or other prohibited acts;

Found to have failed to disclose required ownership information;

Found to have failed to supply requested information on subcontractors and suppliers;

Found to have failed to supply certain payment information;

Found to have failed to grant immediate access to the Secretary, State agency, Inspector General, or State Medicaid fraud control unit for the purpose of performing their statutory functions;

Found to have failed—in the case of a hospital—to take corrective action required by the HHS Secretary—based on information supplied by a peer review organization—to prevent or correct inappropriate admissions or practice patterns; and

Found to have defaulted on repayment of scholarship obligations or loans in connection with health professions education.

In addition to providing the Secretary with this increased authority, the bill makes a number of improvements in the Secretary's existing authority regarding civil monetary penalties [CMP]. Under current law, the Secretary is empowered to impose a civil money penalty of up to $2,000 for fraudulent claims under Medicare, to impose an assessment of twice the amount of the fraudulent claim, and to bar from participation persons determined to have filed a fraudulent claim.

This bill also would correct or clarify some apparent oversights in drafting the original statute. It would provide for:

Unified judicial review of the imposition of monetary penalties and Medicare and Medicaid suspensions imposed under the CMP statute;

Subpoena authority in all CMP hearings;

Increased State share of CMP recoveries to encourage State investigations and referral of Medicaid fraud cases;

Clarification that the scope of the CMP statute includes double billing and false medical credentials;

A 6-year statute of limitation for CMP actions; and,

Authority to seek an injunction in U.S. district court to preserve the assets of a CMP respondent, where that respondent may dissipate or conceal those assets.

Finally, the bill would consolidate into one title of the Social Security Act—title XI—all of the penalty provisions currently contained in titles XVIII and XIX of the act.

A detailed summary of the bill follows my remarks.

In conclusion, Mr. Speaker, let me reiterate that this legislation is needed now to provide the additional authority necessary to curtail fraud and abuse against our governmental health programs and assure quality services to the Nation's elderly and poor.

SECTION-BY-SECTION ANALYSIS: MEDICARE AND MEDICAID PATIENT AND PROGRAM PROTECTION ACT

SECTION 1

The bill is designed to protect Medicare and Medicaid beneficiaries from unfit health care practitioners and to strengthen the anti-fraud provisions of the Social Security Act.

SEC. 2. EXCLUSION FROM MEDICARE AND STATE HEALTH CARE PROGRAMS

The bill requires the Secretary to exclude from Medicare and to direct States to exclude from state health care programs individuals or entities convicted of criminal offenses related to the delivery of health care services or of criminal offenses related to patient neglect or abuse (mandatory exclusion).

The bill also provides for permissive exclusion for individuals and entities in the following categories:

Those convicted of fraud against any federal, state, or locally financed health care programs or convicted of unlawfully manufacturing, distributing, prescribing, or dispensing controlled substances;

Those whose licenses are pending, whose licenses have been suspended or revoked, or who have been excluded or suspended from participating in a federal or state health care program by reason of professional incompetence, misconduct or lack of financial integrity;

Those claiming excessive charges, except for providers paid on other than a cost or charge basis;

Those furnishing services that are unnecessary or of substandard quality;

Those committing fraud, kickbacks, or other prohibited acts;

Entities owned or controlled by individuals convicted of program-related offenses, those excluded from participation or those against whom a civil money penalty has been assessed;

Those who fail to provide required or requested information;

Those who fail to grant immediate access to the Secretary and other public officials;

Hospitals which fail to take corrective action to prevent or correct improper admission patterns noted by a Peer Review Organization;

HMOs whose failure to furnish medically necessary services results, or is likely to result in adverse patient effects; and

Those defaulting on payment of scholarship or loan obligations in connection with health professions education (taking into account effects of exclusion on access to care).

These provisions would be effective upon reasonable public notice. The exclusions would be effective on or after the date specified in the notice. Individuals or entities excluded are entitled to reasonable notice and opportunity for hearing and judicial review. For inpatient institutional services furnished to patients admitted prior to the exclusion date and for home health services and hospice care furnished under a plan of care established before the exclusion date, the exclusion could not apply until 30 days after the effective date of the exclusion.

The Secretary would be required to specify the minimum exclusion period in the notice of exclusion. The minimum period for mandatory exclusion is five years and the period for failing to grant immediate access is equal to the period of denied access plus no more than 90 days.

The Secretary could waive the exclusion upon request of a state, where the excluded party is a sole community provider.

The Secretary would be required to notify state agencies, programs, and licensing authorities of each exclusion and its duration, and request licensing authorities to conduct appropriate investigations and impose sanctions, and report back on these activities.

State programs would be required to conform to the exclusion periods used by the Medicare program, unless a waiver was approved by the Secretary.

Excluded parties could apply for reinstatement at the end of the initial exclusion period and at other times, as provided for by the Secretary. The Secretary would be required to notify state agencies and programs of all terminations of exclusions.

SEC. 3. CIVIL MONEY PENALTIES

This section clarifies and consolidates authorities related to civil money penalties (CMPs), and would allow the Secretary to impose CMPs against the following parties:

Those who submit claims they know to be false or fraudulent;

Those who submit claims for doctors' services who are not licensed physicians, who had obtained a license by misrepresentation of material fact, or had falsely claimed to a patient to be board certified in a specialty area; and

Those who knowingly give false or misleading information that could lead to a decision to discharge a Medicare patient.

The Secretary would be allowed to use a single administrator and a unified judicial review procedure for both CMPs and CMP-based exclusions.

A six-year statute of limitations would be imposed for CMP actions and states' share of funds collected from CMPs would be increased.

The Secretary also would be allowed to prevent concealment or removal of assets that could be required to pay a CMP.

SEC. 4. CRIMINAL PENALTIES

This section would consolidate existing criminal penalties for Medicare and Medicaid, and would broaden the scope to include Titles V and XX. The section also provides for criminal penalties for those presenting a claim for doctors' services who are not licensed or who obtained a license through misrepresentation.

SEC. 5. INFORMATION ON SANCTIONS TAKEN BY STATE LICENSING AUTHORITIES

In order to have an approved state Medicaid plan, states would be required to have a system of reporting information on sanctions imposed against health care practitioners or entities by state licensing authorities.

States would be required to provide the Secretary and other public officials access to such state documents.

The bill also would require the Secretary to provide safeguards to ensure the confidentiality of this information, and to provide for maximum coordination with section 422 of the Health Care Improvement Act of 1986.

SEC. 6. OBLIGATIONS OF HEALTH CARE PRACTITIONERS AND PROVIDERS

Providers of health care services paid for under the Social Security Act would be required to provide services which are medically necessary and which meet professionally recognized standards of care.

The exclusion authority in this bill would extend to any violation occurring in and exclusions from any health care program for which payment could be made under the Act.

SEC. 7. EXCLUSION UNDER THE MEDICAID PROGRAM

States would be allowed to exclude individuals or entities for any reason which the Secretary could use to exclude parties from the Medicare program.

In order to receive federal payments for HMOs, states would be required to exclude parties that could be excluded by reason of the owners' or managers' conviction of certain crimes or by reason of their having a substantial contractual relationship with parties convicted of such crimes.

SEC. 8. MISCELLANOUS AND CONFORMING AMENDMENTS

No payments under Medicare or state health programs would be made for any item or service furnished by or under the medical direction or prescription of excluded parties, except for payment for emergency items or services, or payment for the first claim of a Medicare beneficiary who did not know the provider had been excluded.

Hospitals, nursing facilities, or other entities would be required to disclose direct or indirect ownership of five percent or more by excluded or convicted individuals.

Organizations which are excluded and had their provider agreements terminated for the same reason would not be entitled to separate notice and hearing opportunities.

Individuals excluded from Medicare would have their registration to manufacture, distribute, or dispense controlled substances denied, revoked, or suspended.

The bill makes other technical and conforming changes.

SEC. 9. MEDICAID MORATORIUM

The DEFRA moratorium on quality control sanctions against states with higher eligibility standards for non-cash Medicaid beneficiaries than for cash assistance beneficiaries would be clarified to apply to any state plan changes submitted to the Secretary. Non-cash beneficiaries would not be limited to the medically needy. States would be required to submit descriptions of their eligibility rules for non-cash Medicaid beneficiaries.

A grace period would be provided to institutionalized persons eligible for Medicaid, to allow them time to sell their homes.

SEC. 10. LIMITATION OF LIABILITY OF MEDICARE BENEFICIARIES

The Secretary could pay for items or services for a reasonable time if beneficiaries did not know their practitioner or provider had been excluded from the program.

SEC. 11. REPORTING REQUIREMENT FOR FINANCIAL INTERESTS

Reporting requirements with respect to interests in obligations which amount to less than five percent of an entity's assets would be eliminated.

SEC. 12. CONDITIONAL APPROVAL OF RENAL DIALYSIS FACILITIES

The Secretary would be allowed to limit payments to non-compliant renal dialysis facilities whose deficiencies did not place patients in immediate jeopardy and which had been given a reasonable opportunity to correct their deficiencies.

SEC. 13. MEDIGAP POLICIES

The current provision for criminal sanctions for fraud and abuse relating to the sale of "Medigap" policies would be amended to provide that whoever "knowingly *and* willfully" misrepresents a material fact would be guilty of a felony.

SEC. 14. ANTI-KICKBACK PROVISIONS

This section would enable the Secretary to propose regulations specifying which payment practices should not be treated as criminal kickbacks or bribes, or serve as a basic for exclusion.

SEC. 15. EFFECTIVE DATE

Most provisions would be effective 14 days after enactment.

The five-year provision would not apply retroactively.

State plans requiring legislative changes to meet the requirements of this bill would not be seen as failing to comply before the state legislatures had adequate opportunity to consider the amendments.

COMPASSIONATE PAIN RELIEF ACT

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. WAXMAN. Mr. Speaker, on behalf of myself, Mr. HUGHES, Mr. WALGREN, Mr. UDALL, Mr. OBEY, Mr. WEISS of New York, Mr. MARTINEZ, Mr. SMITH of New Hampshire, Mr. LEVINE of California, Mr. FORD of Michigan, Mr. MINETA, Mr. SMITH of Florida, Mr. MCKINNEY, Mr. GUNDERSON, and Mr. AKAKA, I am pleased to introduce H.R. 1470, the Compassionate Pain Relief Act.

The legislation requires the Secretary of Health and Human Services to establish a temporary, 4 year research program through which the drug heroin would be made available for the treatment of terminally ill cancer patients suffering intractable pain. The drug would be provided through a limited number of hospital pharmacies upon the written prescription of a licensed physician. The program would be limited in scope and require individual registration of participating hospitals and physicians.

Each year the Federal Government seizes hundreds of pounds of heroin illegally smuggled into this country. The legislation would permit the Secretary to use a small portion of this contraband for a compassionate and humane program.

Heroin has a negative connotation in this country—and it should. It has wreaked havoc upon our cities and the health of our young people. I know this to be true. The Subcommittee on Health and the Environment has created programs providing billions in Federal aid to assist in the treatment and rehabilitation of the victims of drug abuse.

But H.R. 1470 has nothing to do with heroin the street drug. It has everything to do with the treatment of intractable pain. It has everything to do with assuring that nothing is held back from physicians which might aid them in relieving the suffering of their dying patients.

The American Cancer Society estimates that over 800,000 Americans will die of cancer this year. An additional 900,000 are expected to be diagnosed with this disease. Cancer is the Nation's second leading cause of death. It is the illness most feared by the public.

As many as 50 percent of cancer patients will experience severe, intractable pain during the course of their illness—often during the last days and weeks of life. For many the pain of cancer is so severe, and their physical condition so deteriorated, that powerful narcotic painkillers must be administered by injection.

Heroin is one of the most powerful painkillers known to medical science. In testimony before our subcommittee there was unanimous consensus that heroin was a safe and effective medication for the treatment of severe pain.

Research at the Georgetown Medical Center, funded by the National Cancer Institute, concluded that heroin is highly effective in the control of cancer pain and no more addicting than other cancer painkillers like morphine or dilaudid. This research revealed that heroin is 2½ times more potent than morphine.

While not legally available in the United States, heroin is widely used in England in the treatment of cancer pain. Recently, the Government of Canada authorized the use of heroin in limited circumstances for the relief of pain. In England, the British Home Office has informed the Subcommittee on Health and the Environment that the use of heroin in the treatment of pain has grown significantly.

U.S. policy toward heroin developed in the 1920's when Congress prohibited its use in medicine. At that time it was thought that the drug was more addicting than other painkillers and that its availability in medicine was the cause of street abuse. Today we know that prohibiting heroin's therapeutic use has had little effect on the incidence of abuse. Yet these restrictions, however well intended, have impacted harshly upon those terminally ill cancer patients who might benefit from the use of heroin in the treatment of intractable pain.

Mr. Speaker, several additional points should be made about this legislation.

First, H.R. 1470 would not legalize heroin. Distribution or possession of heroin outside the limited, carefully controlled scope of this program would continue to constitute a violation of the Federal Controlled Substances Act. Violators would be subject to maximum penalties of 15 years imprisonment and a $250,000 fine.

Second, heroin provided through this program will be available in only a limited number of hospitals and only if the hospital requests to participate in the program. Individual hospitals, physicians, or patients are not required to participate. Participation is strictly voluntary.

Third, physicians would only be permitted to prescribe heroin if conventional analgesics have been tried and were found to be ineffective in relieving a patient's pain.

Fourth, stringent safeguards have been built into this program. A series of provisions have been included that prevent the possibility of illegal diversion. Oral dosages are prohibited. The drug is prohibited from being dispensed through retail or community pharmacies. Participating hospitals and physicians must be registered with the Food and Drug Administration. The General Accounting Office is charged with monitoring administration of the program. The program sunsets at the end of 4 years.

Fifth, no one should assume that heroin is a wonder drug or that passage of H.R. 1470 will eliminate very real deficiencies that exist in clinical knowledge about pain management. Drugs like morphine or dilaudid may be the analgesic of choice for most cancer patients. Yet for a few—perhaps only one out of a thousand—heroin may offer benefits not available with conventional medications. A fundamental, but little understood fact of medicine is that patients respond differently to the same medication. We encourage the availability of a variety of medications to permit physicians to tailor a course of treatment which is most effective in a given patient.

Finally, there is nothing unprecedented about the program established by this bill. Provisions were included to assure the active involvement of the Food and Drug Administration in assuring the safety and effectiveness of the drug's formulation. In fact, the legislation is modeled after an earlier Federal program which provided therapeutic dosages of THC—the active ingredient of marijuana—to physicians for prescription to cancer patients suffering nausea due to chemotherapy. In this earlier program, the purity of THC was carefully controlled and its distribution limited to a small number of hospitals.

Mr. Speaker, in 1984 a similar version of this legislation was defeated in the House. I believe the prospects for enacting the legislation this year have improved. Concerns raised over the effect of the legislation on law enforcement activities have been addressed. In this regard I want to express my personal thanks to Representative BILL HUGHES of New Jersey, chairman of the Judiciary Subcommittee on Crime, for assisting in the drafting of this new bill and for joining as an original cosponsor of this legislation. Chairman HUGHES' support is clear evidence of his sensitivity and compassion for terminally ill patients and their families.

Mr. Speaker, in relieving the intractable pain of cancer, nothing should be held back.

COMMEMORATION OF NATIONAL FOREIGN LANGUAGE WEEK

HON. HOWARD WOLPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. WOLPE. Mr. Speaker, I am pleased to observe the week of March 1 to March 7 as National Foreign Language Week. As Congress begins to grapple with the intricate details in the trade bill, the recognition of the need for language skills and training is particularly timely and appropriate.

As the world becomes increasingly interdependent, America's economy becomes increasingly reliant on our ability to remain competitive on the world trade market.

Much of the debate on how to regain our competitive edge will focus on improving the value of the dollar, reducing the Federal budget deficit, and improving the quality of American goods through increased emphasis on research and development and a skilled, adaptable and innovative work force. I agree that we need to address these concerns.

But I want to draw attention to a less visible, yet equally, valuable element of the competitiveness agenda: the role of foreign lan-

guages and the knowledge Americans have of foreign cultures and perceptions.

For nearly two decades, the importance placed on foreign language training has been on the decline. Beginning in the 1960's, many colleges and universities dropped language studies from their entrance or graduation requirements. The State Department no longer requires any background in another language as a condition of entry into the Foreign Service. And a survey of business school graduates done in the late 1970's showed that 75 percent had taken no international courses. Obviously, we cannot afford to continue on this path. Fortunately, there is a growing awareness that we must act to rectify matters.

Few would deny the serious implications to our national security of a collectively inadequate understanding of world affairs. Yet:

About 25 percent of the Army and Navy jobs for which foreign language skills are deemed essential remain unfilled. About 20 percent of such positions in the Air Force and 35 percent in the Marines remain unfilled.

Only one Western reporter could speak Farsi at the height of the Iran crisis and he represented the BBC.

When a Russian sought political asylum in the U.S. Embassy in Kabul, he was unable to find anyone who spoke Russian.

There are more teachers of English in the U.S.S.R. than students of Russian in the United States.

Comparably, there is a severe lack of foreign language skills in the private sector as well. The fact remains that no matter how superior our products might be, our inability to effectively communicate with other peoples and our insensitivity to foreign cultures, is reflected in the marketing of U.S. products abroad. All else being equal, deficiencies in this area alone have had a negative effect on our trade balance and worked against our Nation's prosperity.

Let me site a few examples compiled by Joseph Lurie of the American Field Service International:

Body by Fisher, describing a General Motors product, translated into Flemish, appeared as "Corpse by Fisher;"

Schweppes Tonic was advertised in Italy as "bathroom water;"

Pepsi-Cola's Thai advertising campaign with the American slogan, "Come alive, you're in the Pepsi generation" translated into "Pepsi brings your ancestors back from the dead;"

A major ad campaign in green did not sell in Malaysia, where green symbolizes death and disease;

Foreign sales of General Motors Chevrolet Nova had little success in Spanish-speaking countries until the product's name was changed to Caribe. Nova, when spoken in Spanish as two words, mean "It doesn't go."

Unfortunately, as humorous as these marketing mishaps may appear, they reveal a serious problem facing American business and threatening our Nation's economic well-being. To reverse this trend, we need a conscious, concerted effort by government, business, and labor, and our educational institutions to elevate the public's awareness of the problem and to provide the resources necessary to work toward a solution.

COMMEMORATION OF LANGUAGE WEEK

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. FASCELL. Mr. Speaker, I am pleased to join with my colleague, Hon. LEON PANETTA, on the subject of the importance of foreign language training. He is to be commended for the concern he has shown for this important matter over the years. Although standards of foreign language training in this country are still inadequate and much more needs to be done to increase both the quality and quantity of foreign language training at all educational levels, we can point with pride to the fact that there appears to be a revival in foreign language training underway today. As chairman of the House Study Group for International Education, Representative PANETTA has played an important role in educating us regarding foreign language and has been instrumental in securing passage of amendments to education measures, as well as to foreign assistance and State Department legislation, providing for increased support for training in foreign languages.

In my role as chairman of the Committee on Foreign Affairs, I have been particularly concerned with the issue of foreign language ability in our Foreign Service. I am concerned that reductions in the budget for the Department of State over the past 2 years have forced reductions in foreign language training capabilities at the Foreign Service Institute, particularly in training programs provided at our embassies and other posts abroad. We hope to be able to reverse that trend this year and provide for a small increase to support language training programs at the Foreign Service Institute.

A senior member of the Foreign Service, Ambassador Monteagle Stearns, reported last year to Secretary of State Shultz that foreign language capability is not given high priority in promotion and assignment policies of the State Department. He recommended changes in policies to provide incentives for Foreign Service officers to reach a higher level of proficiency in foreign languages, particularly the four so-called hard languages—Russian, Arabic, Chinese, and Japanese. A copy of a press article summarizing Ambassador Stearns' recommendations is included at the conclusion of my report.

While the Stearns report candidly points out critical weaknesses in the training we provide our diplomats, it is also a positive step in that it is an indication of the high level of concern being given to the issue of language training in the Foreign Service. The number of language designated posts, that is, those positions in the Foreign Service which require foreign language competence, has roughly doubled in the past 10 years. In far too many cases, however, officers with appropriate language training are not available to fill these positions. The Foreign Service Institute has been a leader in developing new curricula for foreign language training, stressing actual use of the language rather than focus on the fine points of grammar. The Foreign Service is also experimenting with the concept of enhanced language posts, which will require a minimum knowledge of the local language for all positions at that post, from the Marine guard at the front gate to the ambassador.

The Foreign Service Institute currently provides training in 42 languages, which is an impressive figure until we note that the Peace Corps, which has been a leader in foreign language training techniques, is currently training volunteers in 153 different languages. Furthermore, Peace Corps officials advise me that in the 25 years of Peace Corps' existence, it has provided language training in over 400 languages, and has prepared the only available materials for training in many of those languages. We can be proud of the fact that more Americans are now studying languages than any time in the past 20 years, and that the Department of State is giving increased attention to the need for more comprehensive language for Foreign Service officers. At the same time, the vast scope of Peace Corps language training activities reminds us that we are still only looking at the tip of the iceberg in our efforts to reach out to the other countries of the world in their respective languages.

[From the Washington Post, Nov. 12, 1986]

DIPLOMATS WEAK IN VITAL LANGUAGES

REPORT URGES STEPS TO INCREASE PROFICIENCY IN FOREIGN SERVICE

(By John M. Goshko)

The United States has a serious shortage of diplomats able to speak difficult languages of vital importance to U.S. foreign policy, and the problem will become critical unless major changes are made in the promotion and assignment policies of the Foreign Service, according to a State Department study.

The six-month study concentrated on the four so-called "hard" languages—Russian, Arabic, Chinese and Japanese—regarded as most critical for the conduct of U.S. diplomacy in such areas as superpower relations, international trade and Mideast security.

It was made by Monteagle Stearns, former ambassador to Greece and one of the department's most senior career diplomats, at the request of Secretary of State George P. Shultz and his undersecretary for management, Ronald I. Spiers.

"My conclusion is that, while we are doing well in giving a large number of Foreign Service personnel a smattering of hard languages, we are doing badly in developing real professional proficiency in those who need it," Stearns said.

His findings also reflect wider concern within the department about the failure of many Foreign Service officers to master even the more widely used languages long regarded as standard tools of diplomacy.

The disinclination of younger Americans to study languages in high school and college and pressures to recruit minorities long ago forced the State Department to drop language skills as a requirement for entering the Foreign Service.

Once in, all officers receive some language training—usually in French or Spanish—designed to bring them to the 3 level on the department's proficiency rating scale, which ranges from zero to 5. But, while a score of 3 theoretically means that the officer speaks the language well enough to do his or her job, it actually amounts to only rudimentary conversational ability.

Stearns found that the blame rests not with the quality of the language instruction given by the department's Foreign Service Institute but with the low priority accorded to language ability in making assignments and promotions.

This finding is likely to provoke controversy because it comes at a time when the Foreign Service is adjusting to a new personnel system that severely limits promotions into the elite Senior Foreign Service and forces into retirement those who do not pass an accelerated promotion schedule.

The fact that the promotion criteria favor those with management experience has provoked sharp protests from many officers who believe that a diplomat's value should be measured by knowledge of a country, including its language. Stearns, clearly in agreement, says at the beginning of his report:

"If there is one skill that epitomizes the Foreign Service as a profession, it is the ability to understand and negotiate in a foreign culture. . . . It is this skill that not only distinguishes the Foreign Service from other professions, but without which there would be no need for a Foreign Service."

Yet, he continues, a study of the promotion lists for 1983, 1984 and 1985 shows that the State Department has "transmitted a signal that language proficiency is less important than other skills in advancing to the top ranks" and that officers "cannot afford to take time out for training, especially in hard languages, which take two years or more to achieve even limited proficiency."

In that three-year period, Stearns found, 147 officers were promoted into the senior Foreign Service. Only 28 percent, or 41 officers, were qualified in a hard language at a level of 3 or above, while 31 officers, or 21 percent, won promotion "despite the fact that they were not qualified at this level in any language," Stearns said.

Stearns did not provide examples of the handicaps such situations can pose for U.S. policy. But other officials noted that the State Department's day-to-day management of relations with the Soviet Union is controlled by two officers who are regarded as highly able in other respects but who have only a rudimentary knowledge of the Russian language. These officials also estimate that no more than five diplomats at the U.S. Embassy in Moscow can speak Russian very fluently.

This situation is in marked contrast to that of the 1930s and 1940s, when the State Department selected a small group of promising officers—among them George F. Kennan, Charles E. Bohlen and Llewellyn E. Thompson—for intensive training in the Russian language and Soviet affairs, creating the cadre of diplomats who managed U.S. policy toward Moscow in the post-war era.

Stearns, examining the class of 50 officers who entered the Foreign Service early this year, found that 16 "had some proficiency in a total of 20 hard languages" but that only three found their skills utilized in their assignments. Stearns pointed out that the requirements new officers must fulfill during their probationary first four years make it virtually impossible to identify those with a talent for languages and train them from the outset.

In an interview, Stearns said that the report has convinced Spiers that those willing to study the four critical languages should be given more time in grade before they must compete for promotion under the new rules.

But, he added, much more must be done to convince younger officers that the department does not hold language skills in the same regard as Otto von Bismarck evidently did. The chancellor of the German empire in the late 19th century was once told that an aspirant for an ambassadorship was able to speak five languages. Bismarck reportedly replied: "That's a useful talent—for a headwaiter."

SELECT COMMISSION ON NATIONAL SERVICE OPPORTUNITIES ACT OF 1987

HON. ROBERT G. TORRICELLI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. TORRICELLI. Mr. Speaker, today I am introducing the Select Commission on National Service Opportunities Act of 1987. I introduced this legislation as H.R. 1326 in the 99th Congress.

The act will establish a Commission to focus attention and stimulate debate on the need for national service. The Commission will examine existing opportunities for service to the Nation and analyze, explore and assess alternative proposals for national service. It will determine how a program of service could help, the United States deal with youth unemployment, environmental hazards, the problems of the inner cities, and the need to deliver services to the elderly and the infirm.

The duties of the Commission will be as follows: to conduct meetings, hearings and conferences during the investigation of national service, and to identify existing service opportunities in the public and private sectors and their effectiveness in meeting national needs.

The Commission will examine: one, costs of providing incentives to participants in a program of national service; two, costs of establishing and administering a system of national service; three, costs and benefits of expanding existing service programs; four, costs, feasibility, and desirability of implementing a system of mandatory national service.

The Commission will consist of 21 members, including 11 appointed by the President, and 5 each by the Senate and House leadership. Membership on the Commission will be drawn from individuals from a variety of backgrounds including, but not limited to, educational institutions, private voluntary organizations, business, labor, the military, and young people aged 17 to 25.

Fifteen months after the Commission's first meeting, it will transmit a final report to the administration and the Congress with recommendations on how to implement a system of national service. Six months after the Commission report is submitted, the President will submit a final report on the implementation of the Commission's recommendations.

I have introduced this legislation out of a sense that the Federal Government must become involved in mobilizing our Nation's youth for constructive purposes. The New York City Volunteer Corps, the San Francisco Conservation Corps, and other local efforts have paved the way, but more needs to be done. America's young people find themselves in a dangerous and confusing world. In ever larger numbers, they are growing up in broken homes, performing poorly in school, and falling prey to alcohol and drug addiction. Youth unemployment is high; for many young people, crime pays.

While no panacea for our country's problems, national service will help provide American youth with a sense of purpose. Young men and women will feel pride in their work, pride in their country—and, above all—pride in themselves. The time has come to give these programs the nationwide scope they deserve.

MORAL MOTIVATION AND THE POWER OF SOLIDARITY'S EXAMPLE

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. KEMP. Mr. Speaker, it was not uncommon to hear predictions of Solidarity's demise after martial law was declared in Poland. In fact, Solidarity withstood the test of martial law, and the movement to "let Poland be Poland" flourishes.

Janice L. Schultz, professor of philosophy at Canisius College in Buffalo, is a leader in the international effort to support Solidarity. Her article in The Polish Review, "Moral Motivation and the Power of Example," explains the philosophy of the Solidarity movement as articulated by the priest-philosopher Father Josef Tischner. She underscores why Solidarity cannot be crushed by the power of a totalitarian State:

> * * * acting on the basis of what is right, concretized as serving others through love, is in the context of the moral awakening grasped as the only thing worth subordinating our life direction to. This realization is the greatest threat to the totalitarian mentality, for because of it one kneels before no other but God * * * one is prepared to give totally for the sake of higher values. The example of this strength on which others know they can rely, is contagious.

The profound example of the Polish people struggling for human dignity in the face of totalitarian repression compels us to support those who struggle for freedom whenever and wherever they need our assistance. I commend excerpts of Janice Schultz' article to my colleagues.

MORAL MOTIVATION AND THE POWER OF EXAMPLE

There are times in history when a process of moral rebirth assumes national dimensions. In these days of talk about spheres of influence and balance of power, we must sometimes be reminded that our own United States was founded on a profound moral consciousness. Liberty, justice, inalienable rights—these were not mere concepts for our forefathers, but realizable goals for which they suffered and sacrificed. But one may ask, can such ideals be maintained in these cynical times? They can. For those who doubt, encouragement may come through grasping, in some way, the conviction of those involved in struggles for human dignity.

* * * Tischner himself helped to forge the spirit of which he writes—guiding, teaching,

mediating, living his beliefs. He was there. He, like so many Polish priests, was (and still is) in danger. One might wonder why the spirit of Solidarity emerged at this time, in that place. Perhaps it will never be fully explained, but certain points of general application stand out.

Think about a totalitarian society. We shall consider later the fear that characterizes the oppressors. Let us now look at the oppressed. Tischner focuses not on the suffering that results from natural disaster but rather on needless, avoidable, gratuitious pain imposed by other human beings. This suffering has many components, but Tischner approaches its nature through analyzing the moral pain that results from work, (human) labor, in which the person is treated as a means in the work process, rather than as the end of the process. This, he contends, strikes at human dignity itself.

To understand this, we must understand what Tischner, in the tradition of Pope John Paul II, means by human work. He is not speaking simply of physical labor but of any process through which we transform the Earth, appropriating nature to suit human needs while fulfilling ourselves as well. It encompasses every level of human activity, broadly divided into two categories: The effort to sustain life and guarantee its development (physical work), and the activity that manifests the deeper meaning of life (intellectural, spiritual work). Thus it is a social engagement that has a social end: as Tischner says, it is a conversation that in each country was begun before the present generation and will follow it. Significantly, it is not simply the result of need, for responses of this type also characterize animals. No, it is, by its nature, an activity of a rational and free being who, if he is to become a truly developed human being in the process, must understand the social import of his action, and intend the benefit of others. "Work is a basic area of human activity in which human goodwill expresses itself."

If work is to achieve its end, an agreement must be established between those who oversee the "general plan of work in a given society" and those who carry it through. When the planners—those in government, and even direct employers—or the workers do not have as their top priority the well-being of the community, that agreement breaks down. Tischner calls this "a disturbance of the structure of the dialogue of work, a tower of Babel at the level of work." "Could it be," he asks, "that work for man" has been replaced by "man for work"?

The goal of the oppressors who control a totalitarian society is the consolidation and increase in their power. Everything else, human work included, is considered a means to this end. Of course plans will be devised to effect results that will help the ruling elite to perpetuate its power, but such plans will lack the genuine kind of agreement that has as its end the benefit of society, and has as an integral element the recognition of the intrinsic value of the human beings that should be engaged in the agreement. It is important to keep in mind here that the traditional concept of the common good, used by Tischner, does not pit the individual against society.

Let me now return to the notion of the gratuitous suffering caused in a totalitarian society by the perversion of human effort or work. Two aspects immediately stand out. One is that the goal of the common good is replaced by the goal of power of the few, and the disastrous consequences touch every member of society at the basic economic level. For example, production of consumer goods is subordinated to military requirements, not simply for defense of the nation, but also for war against one's own people, if deemed necessary, and for expansionist policies. Wages, too, are allocated in this lights, and natural resources are plundered.

The second striking aspect is the direct thwarting of the development of the person in three ways. Let us note, regarding the first, that some work is centered on intellectual and artistic expression. To the extent that the means for developing the related capacities—means such as human interaction, the freedom of assembly—are deemed a danger to the elite, they will be suppressed. So, too, will certain products of these capacities, such as the affirmation of the value of the transcendent, of freedom, of the human person. Indeed, any truly creative expression, inasmuch as it underscores the free choice and dignity of its source, may be considered a challenge to the ruling power. Second, all organized systems for communicating skills and developing natural endowments will be tightly controlled in the interest of the state. To the extent that an academic subject such as philosophy or history promotes social cohesion and/or a glimpse of the possiblity and desirability of concerted action for the benefit of the country, it will be distorted or eliminated. With regard to both of the above areas of suppression the resultant suffering includes frustration in the quest for truth and in developing one's creative powers, and isolation from those with whom it is natural and beneficial for us to interact.

Perhaps most painful, however, is the inability consciously to direct one's effort toward helping others, for this is seen to be impossible when political power is implemented to support the interests of the very few. This strikes at the very heart of human dignity, at what I have called moral motivation. Indeed, there is in the totalitarian society a systematic attempt to kill genuine love as a basis of action. For such love, through its example, ignites more love, and more interconnectedness. In the words of Tischner: "The one who exploits and abuses work is aiming at what is most human in a person—at the very goodness of human will." Recognizing this attempt, says Tischner, is like feeling the pain of a lie. When a liar seeks to impose on us the juxtaposition of words and reality that do not fit, we feel offense as raional beings whose minds are created to attain both the truth and the unity with the world attained through truth. We react similarly when the despot seeks to separate us from the human moral impulse appropriate to grounding the action of a rational and free being, and impulse which unites us with others. In connection with this, Walesa says in his afterword to Tischners' book: "Solidarity is a communion of the people who do not wish to participate in a lie. This is the simplest ethic of the common working people."

"* * * love for other human beings is the crown of the moral awakening—the love that in fact coincides with the moral impulse—so when we see the antithesis of this love thrust against another human being, the risk emerging from our moral engagement seems insignificant. Indeed, so powerful can this experience be that the "yes" to helping can be absolutely immediate. And the appropriate responses is known unquestionably to be a positive one: "The Good Samaritan does not even pursue the robbers to capture them. His first duty is to care for the wounds of the stricken one." Innumerable times Tischner speaks of truly moral action as for someone: Is "we" first, or is "for him" first? The communion of solidarity differs from many other communions in that "for him" is first and "we" comes later. First is the wounded one and the cry of pain. Later, conscience speaks, since it is able to hear and understand this cry.

Obviously, to have hope is particularly important when concrete just actions must be subdued or deferred. As Tischner points out "Because hope directs us to future values, it allows us to overcome today's difficulties." By the same token, it seems that manifesting hope is obligatory in the most trying of times. In the absence of being able effectively to prevent widescale human exploitation, our obligation to do what is really morally good, hence beneficial, becomes focused on perhaps the most salutary effect of morally good action—encouraging others to do good, at the very least by showing its possibility. The manifestation of hope declares that one believe doing good will be possible, and fidelity to this conviction, then, is itself morally uplifting. Hence Tischner says "* * * the ethics of Solidarity become the ethics of awakening—awakening to being a parent according to hope * * * The basis here is fidelity. Those who have once accepted hope that has been entrusted to them, let them bear it throughout their whole life.

Once again, then, we return to the power of example—here, the example of one who hopes. This hope is not naivete about the ease of converting the oppressor. Hope seeks justice but only through justice. Hope joined with fidelity persists in spite of witnessing the darkest side of humanity: "Since treachery has occurred, fidelity must follow," says Tischner, "since humiliation has been inflicted, respect must ensure. Since there was degradation, equality must come."

RESOLUTION ON FOREIGN LANGUAGES AND INTERNATIONAL COMPETITIVENESS

HON. LEON E. PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. PANETTA. Mr. Speaker, it is my privilege today to introduce a resolution on the importance of foreign language study and knowledge in relation to American competitiveness in the international economy. This resolution is being offered as part of Congress' observance of National Foreign Language Week.

This commemorative occasion is intended to highlight the growing significance of foreign language education and training for Americans at all ages and from any walks of life. An identical resolution will be introduced in the Senate tomorrow by Senator CHRISTOPHER J. DODD of Connecticut.

I have been an advocate of international education programs for a long time, and have continually worked to protect such programs from attempted cutbacks and elirninations. Our future national security and economic prosperity depend on our ability to communicate with our foreign counterparts. As technology shrinks the distances separating the nations of the world, we find ourselves dealing

with foreign nationals with greater and greater frequency.

Across the negotiating table, in our laboratories, through business deals, and in academic conferences we place ourselves at an immediate disadvantage by our limited ability to communicate. We must wake up and recognize that English is no longer the only game in town. One of the key themes, and tasks, for this Congress is restoring America's competitiveness in a highly complex, rapidly changing world. Improving our foreign language training capability is a concrete and attainable goal in the context of international trade and our place in the world economy. It is a substantial way to give content to the buzzword of competitiveness.

Japan's remarkable recovery since the end of the war has been the greatest economic success story of the century, much to the chagrin of many of her competitors. The success can be attributed to a number of factors, but I do not think that we can underestimate the importance of Japan's international marketing strategies, including especially its strong emphasis on other languages and cultures.

The Japanese have deliberately prepared their businessmen and other professionals to operate in a global marketplace, with multicultural customers. They have learned the language, analyzed the needs, grasped the culture, and tried to understand the basic psyche of all potential consumers. It is estimated that there are 10,000 Japanese businessmen who speak English in the United States, while less than 1,000 Japanese-speaking American businessmen are in Japan.

U.S. companies, for the most part, have marketed their products abroad American-style. American advertising campaigns have not been as effective as they could be because we have not taken the time to understand international audiences. For example, in Italy advertisements for Schweppes tonic translated the products as "bathroom water." A Coca-Cola ad was phonetically translated into Chinese characters as "bite the wax tadpole." Not to be outdone, Pepsi's "Pepsi brings good things to life" translated into Chinese as "Pepsi brings your ancestors back from the dead." And Chevrolet marketing executives were stumped as to why their Nova car was not selling in Spain until they finally realized that "Nova" translated into Spanish means "does not go." We have committed countless careless, thoughtless and costly mistakes which have done nothing for American prestige, let alone product sales. Americans are certainly not alone in making such errors, but especially considering our place in the world's economy and trade, we definitely need to significantly improve our foreign language capabilities.

The language of business must be the language of the customer. Yet, in only a small percentage of the Nation's business schools are courses in foreign languages or international affairs required. While 30 percent of American business profits are derived from trade and over 4 million Americans travel abroad on business every year, the majority of American business persons have no training in foreign languages or international affairs. In fact, less than 1 percent of U.S. business schools have a foreign language requirement. We simply are not preparing these business majors for the future.

Likewise, our scientists and engineers are quickly finding that the latest breakthroughs in their fields are no longer occuring exclusively in English speaking countries, or being reported only in English language journals. While other countries have access to most American technological advances through translation of journal articles or direct knowledge of English, Americans often do not have similar access simply because we lack language capability. For example, less than 20 percent of Japanese technical journals are translated into English, while most Japanese scientists and engineers are able to read English or have access to translations of English into Japanese. This situation must change, or our leadership in science and technology in the world will also change, for the worse.

In short, foreign language study should no longer be limited to foreign language majors. Students themselves are beginning to realize that knowledge of certain languages will make them more attractive to potential employers. Accordingly, enrollment in college-level Japanese courses increased 40.2 percent from 1980–83. This trend must be encouraged and expanded to encompass all languages of the world. Japan's is not the only market in which we will compete in the years ahead.

Commerce in the Middle East, for example, will grow increasingly significant, to say nothing of its strategic value. Yet over the same 1980–83 period, the number of students studying Arabic actually declined by 0.9 percent.

Higher education institutions should broaden their foreign language programs and make minimum language competency a requirement. Although some colleges and universities are beginning to reinstitute language requirements that were dropped in the late sixties and early seventies, the Federal Government must encourage them to continue along this path. Our Nation needs broad-based competency and indepth specialization in international languages and affairs.

Our educational institutions must be prepared to meet these dual needs on an unprecedented scale. The Federal Government must provide the leadership to encourage this trend. Encouraging increased foreign language enrollments and requirements, maintaining and upgrading teachers' language skills, and promoting hands on experience abroad will help to set these wheels in motion.

It is in this spirit that I think Congress should move to encourage improved and expanded foreign language programs, not only in Japanese, but in the languages of all regions of the world. It is imperative that we be able to function effectively in the increasingly complex and intertwined network of international trade and relations.

The economic competitiveness of the United States depends increasingly on substantially improving our knowledge of foreign languages and international affairs in the business and educational communities, and creating an awareness among the American public of the internationalization of our economy.

This Nation should commence a concerted, multipronged effort to improve the foreign language capabilities and international knowledge of the American people through the cooperation and collaboration of all levels of government and the business and educational communities.

For your convenience, the full text of the resolution follows:

H. CON. RES. 65

Whereas the citizens of the United States lack adequate knowledge in foreign languages and international affairs compared to several of our major trading partners;

Whereas the lack of international competence has contributed to the largest international trade deficit in our Nation's history by undermining the ability of United States firms to deal with foreign clients and to compete with better-trained foreign competitors;

Whereas in order to be competitive in the international marketplace United States business firms must be able to communicate effectively with clients in other countries;

Whereas 30 percent of American business profits are derived from trade, 40 percent of American farm products are made for export, and over four million Americans travel abroad on business each year, yet the majority of American business people have no training in foreign languages or international affairs;

Whereas less than 1 percent of American students study the languages, cultures and geography of nations which have three-fourths of the world's population;

Whereas only 5 percent of American elementary school students study a foreign language, only 20 percent of American colleges and universities require a foreign language for admission, and only 5 percent of American college graduates are fluent in a foreign language;

Whereas the Nation currently faces a severe shortage of foreign language educators which impedes the expansion of international curricula in the Nation's schools, colleges, and universities;

Whereas the President of the United States recently proclaimed March 1, 1987, through March 7, 1987, as "National Foreign Language Week" and stated that "As the world becomes increasingly interdependent, the United States has a great need for people fluent in foreign language in . . . the foreign service, international business, and education."; and

Whereas recent reports of the National Commission on Excellence in Education, the National Advisory Board on International Education, the Carnegie Foundation for the Advancement of Teaching, the Southern Governor's Association, the Council of Chief State School Officers, the National Association of State Boards of Education, and the Business-Higher Education Forum have all emphasized the importance of foreign language and international education to the Nation's long-term economic and security interest: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress finds that the ability of the United States to compete economically depends—

(1) on creating an awareness among the American public of the internationalization of our economy, and

(2) on increasing the knowledge of foreign languages and international affairs in the business and educational communities.

SEC. 2. Congress calls upon all levels of Government and the business and educational communities to cooperate in a concerted effort to improve the foreign lan-

guage skills and international awareness of the American people.

TRIBUTE TO DR. SUBRAMANIAN

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. KEMP. Mr. Speaker, I'm sure many of my colleagues are aware that the Children's Hospital of Buffalo is one of America's most outstanding health care facilities. One of the strengths of Children's has been the leadership and expertise of its medical/dental staff.

For the past 19½ years, Dr. Sambamurthy Subramanian has served as chief of cardiovascular surgery at Children's where he performed more than 5,000 heart operations and established an international reputation as a pioneer in surgical techniques.

Along with Dr. Bernardo Vidne of Israel, Dr. Subramanian developed the Subramanian-Vidne hypothermia chamber—a process enabling the physician to lower an infant's body temperature, placing them in suspended animation before surgery.

Dr. Subramanian also helped perfect the technique of bloodless surgery whereby the patient's own blood is diluted and reused in place of transfusions during heart operations.

Dr. Subramanian, known as "Subra" to his many friends, was a mainstay in the Buffalo community. He was an active participant in many western New York civic and charitable events.

He was always willing to donate his time and, very often, his medical expertise, to a worthy cause—often at great personal sacrifice. Recently, the Buffalo News quoted him as saying "Buffalo has represented a big, big chunk out of my life."

Last month, "Subra" joined the medical staff of Miami Children's Hospital. As his friend and comrade-in-arms, I wish him well in this new challenge.

On behalf of the thousands of western New Yorkers, let me express a most sincere thanks to "Subra" for being a very big part of the lives of the children, their families and his many friends who know him affectionately, as Dr. Superman.

NATIONAL FOREIGN LANGUAGE WEEK

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. GOODLING. Mr. Speaker, I have spent the bulk of my career involved in the field of education. As a teacher, school superintendent, school board member, and now vice chairman of the Committee on Education and Labor, I have observed the increasing demands placed on our educational system.

At one time it may have sufficed to finish high school with minimal skills in the basic academic areas in order to lead a productive life. In the past, these educational skills, combined with hard work, and superiority in scientific and trade capacities, allowed America to lead the world in productivity and standard of living.

As we all know, things have changed. In order for the United States to continue to maintain its competitive edge and high standard of living, the education we provide our children and adults is going to have to change. There are no quick fixes or simple solutions that will produce an educational system capable of coping with these demands. However, it is clear to me that we must educate more of our young people about other cultures, and especially other languages. Without the ability to communicate and understand our trade partners, how can we expect to do business with them?

I would like to congratulate my colleague, Mr. PANETTA, for his efforts to raise our awareness of the importance of foreign languages, and I am pleased to join other Members in commemorating this special week.

TRIBUTE TO ANTHONY LUNA

HON. ROBERT G. TORRICELLI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. TORRICELLI. Mr. Speaker, I rise today in tribute to Mayor Anthony Luna of Lodi.

Tony, as he is known to his many friends, has long been involved in the body politic in the State of New Jersey.

He served on the board of education in Lodi from 1972–75 being elected to its presidency in 1975. Tony offered his candidacy for the New Jersey Assembly in 1981 and was a member of the speakers platform for Senator BILL BRADLEY in 1983.

He served as the commissioner on the Private Industry Council Board from 1982–84.

A devoted family man for 28 years, Tony and his wife Kuth have four loving children. Tony has always shown great concern for his own community of Lodi, serving as councilman from May 1984–May 1986; being elected mayor of Lodi on June 10, 1986.

Tony has always found the time to bring his varied talents and enthusiasm to his involvement in civic affairs. He served on the board of directors of the Lodi Boys Club, UNICO of Lodi and the Babe Ruth League. Tony is currently a legislative aide to New Jersey State Senator Paul Contillo.

Tony has brought his vast knowledge and leadership qualities to the business community as well these past 29 years, working at the Greater New York Box Co., where he is currently technical director.

Those of us who are privileged to know Tony are aware fo his abilities and talents. I take pride in recognizing the many accomplishments of this fine friend and public servant.

HAMBURG, EDEN, AND CONCORD, NY, CELEBRATE THEIR 175TH ANNIVERSARY

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 5, 1987

Mr. KEMP. Mr. Speaker, it is a distinct privilege for me, as Congressman for the 31st District, representing western New York, to mark and recognize the 175th anniversary celebration of the towns of Hamburg, Eden, and Concord on March 20, 1987.

In 1797, the Holland Land Co. bought 4 million acres of land, including what is today western New York, for $100,000. The first settlers emigrated from New England and the eastern part of New York, and later others followed from around the globe. These courageous and determined pioneers left their well-settled towns and lifestyles to embark on this journey in the hope of finding new and greater opportunities for themselves and their families. The communities they founded are a tribute to their vision, dedication, and courage.

The descendants of these brave men and women continue the progress that began over 175 years ago, working together as a community to improve the quality of life. This anniversary celebration provides us with a strong sense of satisfaction with what we can accomplish, when we, as Americans, work together. Today is not only a celebration of the 175th anniversary of the incorporation of Hamburg, Eden, and Concord, it is also a triumph of the American spirit and a tribute to the ideal that all Americans may reach as high and as far as their God-given talents will take them.

Much has changed since 1803, when John Cummings became the first settler of the area that is now Hamburg. But I am pleased to report that the pioneer spirit that existed 175 years ago is still alive and well today in the towns of Hamburg, Eden, and Concord.

We owe a great debt to the early founders and the immigrants who settled here, toiled long hours and struggled to build our community, and to their descendants who have made these towns what they are today. I am proud to represent these communities in the House of Representatives, and am privileged to call Hamburg my home. It is truly "the town that friendship built." Today, I call on my colleagues in Congress to join me in wishing the towns of Hamburg, Eden, and Concord a very happy 175th birthday.