HOUSE OF REPRESENTATIVES—*Wednesday, May 4, 1988*

The House met at 11 a.m.

Rabbi Seymour Rosenbloom, Congregation Adath Jeshurun, Elkins Park, PA, offered the following prayer:

Almighty God, in whose image each human being is created, and before whom individuals and nations stand accountable for their deeds, we give thanks for the innumerable "kindnesses which countless times Thou hast showered upon our ancestors and upon ourselves," among them most especially, the privilege of being an American.

Gathered in this Chamber, we ask Thy guidance for the Members of the House of Representatives, chosen by the people to protect through the rule of law the inalienable rights of "life, liberty, and the pursuit of happiness" with which Thou hast endowed each one of us.

Through their deliberations, may we continue to build a society in which the words of the Prophet will find their continuing fulfillment, a society in which "justice [shall] well up as waters, and righteousness as a mighty stream." 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. BLAZ. 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. BLAZ. 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 259, nays 136, not voting 36, as follows:

[Roll No. 97]

YEAS—259

Ackerman	Andrews	Applegate
Akaka	Annunzio	Archer
Alexander	Anthony	Atkins
AuCoin	Gray (IL)	Owens (UT)
Barnard	Gray (PA)	Packard
Bartlett	Green	Panetta
Bateman	Guarini	Patterson
Bates	Gunderson	Pease
Bennett	Hall (OH)	Pelosi
Bevill	Hall (TX)	Penny
Bilbray	Hamilton	Pepper
Boggs	Hammerschmidt	Perkins
Boland	Harris	Petri
Bonior	Hatcher	Pickett
Bonker	Hayes (IL)	Pickle
Borski	Hefner	Price
Bosco	Hertel	Rahall
Boucher	Hochbrueckner	Rangel
Boxer	Houghton	Ravenel
Brennan	Hoyer	Regula
Brooks	Hubbard	Richardson
Brown (CA)	Huckaby	Rinaldo
Bruce	Hughes	Ritter
Bryant	Hutto	Robinson
Bustamante	Jeffords	Rodino
Byron	Jenkins	Roe
Callahan	Johnson (CT)	Rose
Campbell	Johnson (SD)	Rostenkowski
Cardin	Jones (NC)	Rowland (GA)
Carper	Jones (TN)	Roybal
Carr	Jontz	Russo
Chapman	Kanjorski	Sabo
Clarke	Kaptur	Savage
Clement	Kasich	Sawyer
Coelho	Kastenmeier	Scheuer
Coleman (TX)	Kennedy	Schneider
Collins	Kennelly	Schulze
Combest	Kildee	Sharp
Conte	Kolter	Shaw
Conyers	Kostmayer	Shumway
Cooper	LaFalce	Shuster
Coyne	Lancaster	Sisisky
Crockett	Lantos	Skaggs
Darden	Leath (TX)	Skelton
Davis (MI)	Lehman (CA)	Slattery
de la Garza	Lehman (FL)	Slaughter (NY)
DeFazio	Leland	Slaughter (VA)
Dellums	Lent	Smith (FL)
Derrick	Levin (MI)	Smith (IA)
Dicks	Levine (CA)	Smith (NE)
Dingell	Lewis (GA)	Smith (NJ)
Dixon	Lipinski	Solarz
Donnelly	Lowry (WA)	Spence
Dorgan (ND)	Luken, Thomas	Spratt
Dowdy	Manton	Staggers
Downey	Markey	Stallings
Durbin	Marlenee	Stark
Dwyer	Martin (NY)	Stratton
Early	Matsui	Studds
Eckart	Mavroules	Sweeney
Edwards (CA)	Mazzoli	Swift
English	McCurdy	Synar
Erdreich	McEwen	Tallon
Espy	McHugh	Tauzin
Evans	McMillen (MD)	Taylor
Fascell	Mfume	Thomas (GA)
Fazio	Miller (CA)	Torres
Feighan	Miller (WA)	Torricelli
Fish	Mineta	Towns
Flake	Moakley	Traficant
Flippo	Mollohan	Traxler
Florio	Montgomery	Valentine
Foley	Morrison (CT)	Vento
Ford (MI)	Mrazek	Visclosky
Ford (TN)	Murtha	Volkmer
Frank	Myers	Walgren
Frost	Nagle	Watkins
Garcia	Natcher	Waxman
Gaydos	Neal	Weiss
Gejdenson	Nelson	Whitten
Gephardt	Nichols	Wise
Gibbons	Nowak	Wortley
Gilman	Oakar	Wyden
Gonzalez	Oberstar	Wylie
Gordon	Obey	Yatron
Gradison	Olin	
Grant	Ortiz	

NAYS—136

Armey	Hansen	Pursell
Aspin	Hefley	Quillen
Badham	Henry	Rhodes
Baker	Herger	Ridge
Ballenger	Hiler	Roberts
Barton	Holloway	Rogers
Bellenson	Hopkins	Roth
Bentley	Hyde	Roukema
Bereuter	Ireland	Rowland (CT)
Bilirakis	Jacobs	Saiki
Bliley	Kolbe	Saxton
Boehlert	Konnyu	Schaefer
Broomfield	Kyl	Schroeder
Brown (CO)	Lagomarsino	Schuette
Buechner	Latta	Sensenbrenner
Bunning	Leach (IA)	Shays
Burton	Lewis (CA)	Sikorski
Chandler	Lewis (FL)	Skeen
Cheney	Lightfoot	Smith (TX)
Clay	Livingston	Smith, Denny (OR)
Coats	Lloyd	Smith, Robert (NH)
Coble	Lott	Smith, Robert (OR)
Coleman (MO)	Lowery (CA)	Snowe
Coughlin	Lujan	Solomon
Courter	Lukens, Donald	Stangeland
Craig	Lungren	Stenholm
Crane	Mack	Stump
Dannemeyer	Madigan	Sundquist
Davis (IL)	Martin (IL)	Swindall
DeLay	McCandless	Tauke
DeWine	McCollum	Thomas (CA)
Dickinson	McCrery	Upton
DioGuardi	McDade	Vander Jagt
Dornan (CA)	McGrath	Vucanovich
Dreier	McMillan (NC)	Walker
Edwards (OK)	Meyers	Weber
Emerson	Michel	Weldon
Fawell	Molinari	Wheat
Fields	Moorhead	Whittaker
Frenzel	Morella	Wolf
Gallegly	Morrison (WA)	Yates
Gallo	Murphy	Young (AK)
Gekas	Nielson	Young (FL)
Gingrich	Oxley	
Goodling	Parris	
Grandy	Pashayan	
	Porter	

NOT VOTING—36

Anderson	Gregg	Mica
Berman	Hastert	Miller (OH)
Biaggi	Hawkins	Moody
Boulter	Hayes (LA)	Owens (NY)
Chappell	Horton	Ray
Clinger	Hunter	Schumer
Daub	Inhofe	St Germain
Duncan	Kemp	Stokes
Dymally	Kleczka	Udall
Dyson	MacKay	Williams
Foglietta	Martinez	Wilson
Glickman	McCloskey	Wolpe

□ 1124

So the Journal was approved.

The result of the vote was announced as recorded.

WELCOME TO RABBI SEYMOUR ROSENBLOOM

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

Mr. COUGHLIN. Mr. Speaker, it is truly an honor to welcome to the

House of Representatives today Rabbi Seymour Rosenbloom of Congregation Adath Jeshurun in Elkins Park, PA, which is in the Commonwealth's 13th Congressional District.

Rabbi Rosenbloom attended the University of Rochester and the Jewish Theological Seminary of America. He, his wife Beth, and their three sons are residents of Elkins Park.

Later this year, Rabbi Rosenbloom will observe the 10th anniversary of his leadership at Adath Jeshurun. During his tenure there Rabbi Rosenbloom has distinguished himself in his service to "A.J." and to the community at large. His congregation, which was founded over 130 years ago and now includes some 1,200 families, will be celebrating the 10th anniversary of his spiritual guidance later this year.

Mr. Speaker, this is a particularly special time for Rabbi Rosenbloom to address the House. First, several dozen members of the congregation are here today to observe the Congress in action and to discuss with Members of Congress the current plight of Soviet Jewry. I know they feel a great sense of pride in seeing their rabbi before the House today.

In addition, Rabbi Rosenbloom has just returned from a trip to the Soviet Union, where he, Adath Jeshurun President Arnold Hoffman, and their wives spent 10 days. This group traveled to Leningrad and Moscow and met with a number of refuseniks, including A.J. adoptees Yuli Kosharovsky and Julian Khassin and their families. They saw firsthand the tragedy that befalls those in the Soviet Union who wish to worship freely, study their history and traditions, and pursue their rights to emigrate freely.

I make reference to the rabbi's visit because today, by contrast, he stands before one of the greatest institutions that democracy has ever known. The differences between his environment last week and the one in which he finds himself today could hardly be more dramatic. In one, free speech is suppressed, free worship is a farce, and basic rights are meted out arbitrarily by the State. In the other, symbolized most profoundly by this very Chamber, the free exchange of ideas is not only allowed, but encouraged. All are free to travel or worship as they see fit.

Mr. Speaker, we are grateful for the spirituality, the wisdom, and the moral leadership that Rabbi Rosenbloom shares with us today. As his words echo in this Chamber, let us remember also that there are indeed many who are not so fortunate, who long to express themselves freely and whose basic rights are not secured.

□ 1125

PERMISSION FOR SUBCOMMITTEE ON CRIMINAL JUSTICE OF COMMITTEE ON JUDICIARY TO SIT DURING THE 5-MINUTE RULE TODAY

Mr. BRYANT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Criminal Justice of the Committee on the Judiciary be permitted to sit while the House is reading for amendment under the 5-minute rule on Wednesday, May 4, 1988.

The purpose of the permission request is to sit so the subcommittee may meet on matters relating to the investigation of the impeachment of Judge Alcee Hastings.

This matter has been cleared with the minority.

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

There was no objection.

PERMISSION FOR SUBCOMMITTEE ON TRANSPORTATION, TOURISM AND HAZARDOUS MATERIALS OF COMMITTEE ON ENERGY AND COMMERCE TO SIT TODAY DURING 5-MINUTE RULE

Mr. THOMAS A. LUKEN. Mr. Speaker, I ask unanimous consent that the Subcommittee on Transportation, Tourism and Hazardous Materials of the Committee on Energy and Commerce be permitted to sit today, May 4, 1988, while the House is reading for amendment under the 5-minute rule, to consider cigarette labeling and other matters.

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

There was no objection.

ASTROLOGERS SAY TODAY IS GOOD DAY TO PASS PLANT CLOSING LEGISLATION

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

Mr. SCHEUER. Mr. Speaker, I have been in constant touch with my board of astrologers who guide my every act and they tell after consulting the stars that there is no good day in the life of any man to be fired, and that the act of being fired is a traumatic act. It is a source of great unhappiness, of trauma, of depression, of isolation. But they also told me after consulting the stars that there is a good day that comes maybe 60 days before that act of being fired, when a man could be given notice of a plant closing so that he could make plans for his future life and avoid buying a house or a car that would saddle him with large payments of all kinds.

Our neighbors in Canada, in Germany, and in Japan, follow this practice.

The big three automakers and many members of the Fortune 500 follow this practice.

There is no good day in the stars, so my astrologers tell me, for a decisionmaker on a national level to make it impossible for workers to get this 60-day notice. They say there is no good day to veto such a compassionate and humanitarian move by the Congress.

Mr. Speaker, I hope that our President, who is a man of compassion and decency, will empathize a little bit with the plight of workers who get that pink slip, and go through the trauma of reorganizing their lives. I hope that our President will reassess his position on the trade bill and avoid vetoing that measure.

FEDERAL AGENCIES IMPLEMENT EXECUTIVE ORDER FOR DRUG TESTING PROGRAM FOR FEDERAL EMPLOYEES

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

Mr. BARTON of Texas. Mr. Speaker, I rise to commend the 42 Federal agencies who submitted plans to Congress yesterday outlining their proposals to test Federal employees in sensitive positions for illegal drug use. This action brings us closer to fully implementing the Executive order issued by President Reagan in September 1986, which calls for drug testing of Federal agencies. An important step in fighting the war on drugs is to set the example by taking measures to eliminate substance abuse in the Federal workplace.

Under the plans submitted yesterday to the Congress, 345,000 American Federal employees will be tested. There is an adequate 60-day notification and 30-day notification period for employees subject to testing. There are adequate safeguards to prevent false positive results. There are also adequate safeguards against switching or substituting urine samples used to conduct the drug test itself.

As we are all aware, the problems and violence associated with illegal drugs negatively affect all facets of life in America. As representatives of the American people, we should do all we can legislatively and personally to combat the drug dealers in our society.

The action taken by our President in waging an all-out effort against drugs needs our uncompromising support. The war on drugs is just that, a real war. We need to fight it on every front and we need to fight it to win. Drug testing is only one weapon in that war, but it is a very important one.

TODAY'S FAMILIES NEED FAMILY AND MEDICAL LEAVE

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

Mr. CLAY. Mr. Speaker, this weekend families across America will be celebrating Mother's Day. As we pay homage to the women who hold our families together, I urge the Congress to take action in support of the changing role and needs of mothers.

Today's mother is not just a homemaker. She is also a paid wage earner outside of the home. As a working woman, she has to juggle the dual responsibilities of working and raising a family.

With 82 percent of working women of childbearing age, women are increasingly being faced with the need for a short period of leave in order to have children or when serious illnesses strike their families.

Despite their increased role in the work force, only 40 percent of all working women have the right to take leave for the care of newborn children and have their jobs protected. All women need and deserve a minimum period of job-protected leave. The Family and Medical Leave Act provides that right. As we have seen in other areas—from minimum wages to civil rights, only through Federal legislation will all workers be afforded a basic level of job protection. It is time this country joined the rest of the industrialized world and provided some real assistance to the working members of today's families. I urge this body to supplement our rhetoric in support of the family with some concrete action. It is time that all workers have a right to family and medical leave.

A BOOK PUBLISHER'S TEASER

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

Mr. DAVIS of Illinois. Mr. Speaker, the press of this Nation is once again being used by book publishers to help sell copies of "kiss-and-tell" books written by apparent bitter or vindictive former employees of the White House and of the Government.

A reporter for a national newspaper stopped me yesterday and posed the question, "What seems to be the reaction of the Congress to the book teaser recently published about the President and Mrs. Reagan consulting or talking with astrologers?"

My reply was that I would bet the farm that every Member of Congress and their families read their horoscopes in the Morning Post, the Tribune, the Dispatch, the Telegraph, or the Times or the Herald News, along with their morning coffee, and many of the members of their families have probably consulted fortune tellers or astrologers during their lifetime, that I doubt if any of those members of their families have rested any decisions of import on those readings or visits, just as it is patently ridiculous to believe the President or the First Lady would rest any Government or life decisions of import on such readings. We all get a kick out of them. We all like them, we all halfway believe them and would like to see the magic of it come true, but it is just patently ridiculous that once again we look at America and it has been suckered by a wily book publisher and a disgruntled former Government employee who will reap fortunes from this free publicity of just a ridiculous story.

HONOR MOM WITH POLICY

(Mrs. SCHROEDER asked and was given permission to address the House 1 minute and to revise and extend his remarks.)

Mrs. SCHROEDER. Mr. Speaker, Mother's Day only comes once a year, the other 364 days of the year mothers go on being mothers but nobody seems to notice. Least of all Congress.

Women's lives have changed dramatically over the last 30 years. Since 1950, the number of women who have entered the work force has tripled. Today, almost 19 million mothers with children under 18 are in the work force; and over 70 percent of these mothers work full time.

Mothers today are involved in a delicate balancing act to protect their families economic security. They juggle caring for their families and working to support them.

But in America, a woman can still get fired for becoming a mother.

Mothers need more than praise, they need policy. The Family and Medical Leave Act is ready to be brought to the House floor for a vote. The bill provides a modest protection for mothers, fathers and their families. It guarantees an unpaid job protected leave for the birth, adoption or serious illness of a child or parent.

Let this Mother's Day be the time we close the gap between family rhetoric and family policy. We have made enough promises to families in America; now its time to do something that will help.

□ 1140

NATIONAL NURSING HOME WEEK

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

Mr. BILIRAKIS. Mr. Speaker, the Bear Creek Nursing Center of Hudson, FL, which is in my district, recently invited me to participate in their observation of "National Nursing Home Week"—May 8–May 14.

For those who may not know, "National Nursing Home Week" is an annual observance designated, through Presidential message, to commence on Mother's Day each year. Mother's Day is certainly an appropriate time, but it should be our responsibility to think about the millions of elderly confined to nursing homes throughout the year as well.

The people who live in our more than 19,000 nursing homes are more than our mothers, aunts, and fathers. The nursing home residents of today are unique individuals who have given us much through their contributions to our personal lives and our society.

It is not enough, Mr. Speaker, to visit them once or twice a year on Mother's Day or birthdays. I would, therefore, like to take a moment to ask that we take the time to mark the week's events with a gesture of our own. Let us each visit a nursing home! Even if it's only a 15-minute visit with a nursing home resident, we will be the better for it, for, through our visit, we are sure to gain the benefit of many years of wisdom and experience, and true love at its best.

MR. PRESIDENT, SIGN THE TRADE BILL

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

Mr. PENNY. Mr. President, sign the trade bill. It represents good policy. It gives you the authority you need to continue multilateral trade talks. It has been stripped of protectionist features. It strengthens our ability to eliminate the unfair trade practices used by our competitors. It has provisions which are supported by most agricultural groups. It provides a reasonable plant closing notice to workers and communities.

Mr. President, do not shut the door on a well-crafted bipartisan bill which has been over 2 years in the making.

Mr. President, do not shut the plant gates on American workers. Sign the trade bill.

MINIMUM WAGE LEGISLATION

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

Mr. LIGHTFOOT. Mr. Speaker, I am pleased to include in the CONGRESSIONAL RECORD the results of a minimum wage legislation survey taken of small business owners in my congressional district. I appreciate having their input since H.R. 1834 is expected to come before the full House for consideration in the near future.

Forty-six percent of those polled believe that the minimum wage should be kept at its present level of $3.35. Only 25 percent agreed the minimum wage should be increased above $4.25.

I was interested to see the results regarding my question of typing the minimum wage to an index for inflation purposes. Eighty-five percent strongly disapprove of this action, whereas only 14 percent approve of tying the minimum wage to an index.

My constituents, however, approved of legislation which would increase the earned income tax credit [EITC] by increasing the amount for each dependent child. Sixty-six percent agree with legislation to increase the EITC, and 7 percent favored an even higher credit. Twenty-three percent did not favor an increase and 4 percent did not respond.

Another survey question examined expanding employment training at the Federal level. The results did not surprise me since 49 percent of those surveyed feel training is a private sector responsibility and should not use Federal expenditures. Thirty-eight percent felt some type of cooperative agreement using Federal and private funding for training purposes should be examined.

Finally, of those surveyed, 71 percent agreed that a youth subminimum wage should be established since it enables teens to obtain a first job at a time when they do not have the responsibility of raising a family.

Mr. Speaker, the results of my survey have given me great insight concerning how a portion of the small businesses in the Fifth Congressional District of Iowa feel minimum wage legislation will impact their businesses and ultimately the consumer. Passage of a $4.65-per-hour minimum wage bill, will have a significant job loss impact in my congressional district.

My rural congressional district is particularly vulnerable to any further loss of employment opportunities. I was dismayed by the results of a study done by a University of Chicago economist who projected a loss of 1,302 jobs in my district by 1991.

I would like to include in the RECORD the results of employment losses in the Fifth Congressional District if a 39-percent minimum wage increase ($4.65) is passed by Congress.

PROJECTED EMPLOYMENT LOSS IN SELECTED CONGRESSIONAL DISTRICTS DUE TO PASSAGE OF MINIMUM WAGE LEGISLATION

State of Iowa: District five

	Job losses
1989	585
1990	955
1991	1,302
1992	2,148
1993	2,318
1994	2,483
1995	2,638

PERMISSION FOR COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION TO SIT DURING THE 5-MINUTE RULE ON THURSDAY, MAY 5, 1988

Mr. ANDERSON. Mr. Speaker, I ask unanimous consent that the Committee on Public Works and Transportation be permitted to sit during the 5-minute rule on Thursday, May 5, 1988.

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

There was no objection.

LEGISLATION TO GET OUR COUNTRY BACK ON TRACK

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

Mr. TRAFICANT. Mr. Speaker, the Reagan revolution has become the BUSH burden and Mr. BUSH knows it. Ronald Reagan's program, voodoo economics, was coined by the Vice President. How right he was. We know have a $300-billion defense budget, with MX missiles that cannot fly straight, and B-1 bombers that get shot down by pelicans. We have a $2.5 trillion debt and the only program that Ronald Reagan offered that made sense, the investment tax credit, has been thrown out and he has abandoned it himself. Shame!!

I believe we should reinstate the investment tax credit program, the accelerated cost recovery program, but reinstitute it for the purchase of American-made goods only. There should be no incentive for money to go overseas in the purchase of foreign products.

My bill, H.R. 943, would do that.

Mr. BUSH, and Mr. Reagan, you have passed on both voodoo economics and a burden. Maybe it is time now for your attempt to salvage some of this Presidency and put our country back on track.

The 510-KNOT PELICAN

(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, I love this guy from Ohio, Señor TRAFICANT. I love this guy. I checked his astrological chart this morning and the moons are in the seventh house, and Jupiter is aligned with Mars. That is why he was 90 percent on. I do not care what he talks about in this well, but please I warn him to leave the B-1 Avenger alone. That American pelican that hit an Ellsworth AFB B-1 weighed about 10 pounds. If a pelican hits the windshield of your car at 55 miles per hour it would certainly get your attention. Well that B-1 was going about 500 knots. That cannon ball, that is, the 10-pound pelican, was then closing at 500 knots, and since it was coming at the plane at about 10 miles an hour that means the closing speed the cannon ball American pelican was 510 knots. It hit the aircraft just above the engine intake at the only vulnerable spot. The Air Force has already corrected that problem and the pilots are becoming even more proficient at the four operational B-1 bases.

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

Mr. DORNAN of California. I yield to the gentleman from Ohio.

Mr. TRAFICANT. My God, if a pelican can do it, what would some of the weapons on the other side do? With all this money, I think we are wasting it. We should put it into America and we would be stronger without missiles and be a better country for it.

Mr. DORNAN of California. Mr. Speaker, reclaiming my time, I extend to the gentleman from Ohio [Mr. TRAFICANT] an invitation to fly on that aircraft, as your colleagues from North Dakota and from South Dakota have done and I know the gentleman will be impressed as I have been.

FAMILY AND MEDICAL LEAVE ACT

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

Mr. LEVIN of Michigan. Mr. Speaker, I am sorry to change the subject after that enlightened discussion but I must and I want to talk about the Family and Medical Leave Act.

Mothers of very young children are the fastest-growing segment of the work force. Mr. Speaker, 9 million women with children under the age of 6 are now working. We know the majority of them are there by necessity. What are we doing as a nation to foster the well-being of our families in this case of our working parents and their children? We are beginning to move toward a national policy on unpaid family leave for parents to care for a newborn child.

It is gratifying that the present bill enjoys strong bipartisan support. Each aspect, the size of the business, the number of unpaid weeks of leave, and the length of prior employment represents a measured response to the family leave issue.

In the family leave bill we are moving to setting a policy to strengthen the earliest connections between a parent and his or her child. Many other nations have such a policy, many of them far more extensive than the one we are proposing to undertake. It is time that we undertake our own and by the way nothing disrupts a

family more than sudden unemployment, and we ask that the President get in step with the people of this Nation on that issue.

IN SUPPORT OF HOUSE RESOLUTION 438

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

Mr. YOUNG of Alaska. Mr. Speaker, I rise today in strong support of House Resolution 438. This resolution corrects a grave injustice to the State of Alaska, by removing the language in H.R. 3, the omnibus trade bill, which would have restricted the ability of Alaska to build the same type of energy refining infrastructure that the rest of the Nation enjoys. This correction removes what was almost certainly an unconstitutional preference of one port over another. This was flawed policy at the outset, and I am extremely pleased that the leadership of this body has seen fit to correct this injustice at this time. It also takes an important step toward returning the trade bill to its objective of promoting U.S. exports and developing U.S. industry and American jobs.

Placing new restrictions on Alaskan oil exports, particularly on refined products, is the equivalent of preventing the auto industry, in Michigan, from exporting automobiles, or prohibiting loggers, from Washington State, from exporting lumber. How any Member of this body could have supported such a proposal in a trade bill is beyond me. This resolution returns to the people of Alaska, their constitutional right to the fruits of their labor.

It is high time that this body recognize that we as a nation can no longer afford to restrict the export of natural resources to the most efficient market. A limited export capability can, and will, promote additional domestic production by offering the opportunity for additional profits. This type of trade flexibility is exactly what H.R. 3 was designed to promote—an increase of America's competitiveness within the world market.

I urge this body to adopt this resolution in the most expeditious manner possible.

WORKER RIGHTS IN POLAND

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

Mr. PEASE. Mr. Speaker, once in awhile, governments do get second chances to correct mistakes in policy. Such a moment has now arrived again for President Reagan and for General Jaruzelski.

President Reagan was right in 1981 to cutoff trade benefits and credit privileges when Solidarity, the first independent trade unions movement to emerge in Eastern Europe, was crushed under the iron fist of martial law. But the President was wrong when he quietly restored most-favored-nation status for Poland last year without receiving guarantees from the Government of Poland to respect the rights and independence of Solidarity. Mr. President, now you have a fresh opportunity to speak up for Solidarity. The continuation of MFN status for Poland should be made explicitly contingent upon the Jaruzelski regime recognizing the legitimacy of Solidarity and engaging its leaders in a new and lasting dialog about how to set Poland on a viable political and economic course for the future.

Hopefully, General Jaruzelski will conclude that recognizing Solidarity need not threaten the survival of the Government of Poland. Polish workers are seeking a genuine voice in their economic future. They can be brought into policymaking councils. But first their right to belong to a respected independent trade union movement must be accepted.

A GRATUITOUS SLAP AT A U.S. FRIEND

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

Mr. DREIER of California. Mr. Speaker, an amendment on the security of sensitive United States technology in Pakistan may be offered this afternoon to the defense authorization bill. I oppose this ill-advised amendment and call on my colleague to withdraw it.

This amendment calls into question Pakistan's ability and willingness to safeguard sensitive United States technology and information. Mr. Speaker, there is no sound evidence to suggest that Pakistan has failed to live up to its commitment to the United States under a 1982 general security of military information agreement. CRS reported that "an exhaustive search has turned up only one specific source on the possible compromise of U.S. defense technology, allegedly as a quid pro quo for Chinese nuclear aid." This single, unverified report comes from the Indian Statesman. I suggest, Mr. Speaker, that an Indian newspaper is not the most reliable or unbiased source of information about Pakistan's activities in any field.

While I share the concern about the threat posed to United States and allied forces by the compromise of sensitive technology, this amendment seems more concerned with making a public slap at Pakistan—a United States friend and ally—than with dealing with that threat. I call on my colleague to withdraw this biased and ill-conceived amendment.

□ 1155

PRESIDENT SHOULD SIGN TRADE BILL

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

Mr. NAGLE. Mr. Speaker, I take the floor this morning for the first time during 1-minute speeches to raise one question I think is legitimate and needs to be revisited. That is the President's pronounced intention to veto the trade bill principally on the basis of the plant-closing legislation.

Prior to the President vetoing that trade bill, I think it is necessary to make absolutely crystal clear the message he is sending to the country. He is saying the wealth of a few, the right to leave communities is more important than the very community whose fabric they would wreck by their departure. He is saying those who wear white collars and ties and work in the main offices, they have no right even for 60 days to prepare for their future. He is saying to workers across the country the same: they have no right.

This administration has often been accused of representing simply a few to the detriment of many. Nothing would more crystallize and epitomize the legacy of that administration than to veto this trade bill.

For that express reason, I urge the President to reconsider.

SR-71 VITAL TO NATIONAL SECURITY

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

Mr. HERGER. Mr. Speaker, I have recently been involved in an effort to reverse an Air Force proposal to phase out the SR-71 Blackbird Strategic Reconnaissance Program. The SR-71 is the highest and fastest flying aircraft in the world and is vitally important to our intelligence gathering capabilities. Its usefulness remains undisputed among intelligence circles, and the Air Force decision caught many of us by surprise.

On Monday in the Washington Post, columnists Evans and Novak detailed the importance of the aircraft in these days of arms control treaties and crisis situations in the Persian Gulf and Elsewhere.

They pointed out that the Air Force decision to axe the program may have had more to do with interservice rivalries and parochial views on the proper rule of the Air Force than of any care-

ful consideration of the possible impact on our national security.

I view this as an unfortunate development and would urge my colleagues to support the SR-71 Reconnaissance Aircraft Program.

SSC SHOULD BE AMONG TOP SCIENTIFIC PRIORITIES

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

Mr. VALENTINE. Mr. Speaker, two House committees are currently considering the fiscal year 1989 authorization and appropriation for the proposed superconducting super collider.

While we have a number of important scientific programs to consider, I believe that the SSC should be among our top scientific priorities. The SSC could revolutionize not only the study of high energy physics but our basic understanding of the world in which we live.

Funding a project of this magnitude involves difficult decisions. The United States can do it, and I hope that we can find a way to build the SSC without damaging other, equally vital, scientific efforts.

The United States has achieved world scientific leadership by seizing great opportunities, even when large obstacles stood in our path. The SSC represents another such opportunity. It offers a chance for revolutionary advances in medicine, transportation, computers, electronics, and countless other fields.

We cannot know exactly what benefits the SSC will produce. We never do with fundamental scientific research. But we know that the entire world will benefit.

I urge my colleagues to give careful consideration to this unprecedented scientific initiative. The SSC will be constructed; it should be in the United States.

MOTHER'S DAY ISSUE: FAMILY AND MEDICAL LEAVE

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

Mrs. ROUKEMA. Mr. Speaker, with Mother's Day just a few short days away, I think it is only appropriate to bring the focus of the House to bear on a bedrock family issue: family and medical leave.

Families are increasingly strained by the competing demand of jobs and caring for family members. Two-thirds of women hold jobs outside the home. While some are on career paths, the largest single motivating factor driving women into the work force today is economic pressure. It now takes the paychecks of two workers to maintain the same standard of living that one salary sustained a short 15 years ago. Today's working families are not getting rich! They are getting by!

Add to this mixture the rapid increase in our elderly population and you have a compelling case for a policy to guarantee that employees who must take leaves of absence because of child birth, a serious illness or serious illness among family members will not be fired and will have their jobs remain open. Employment security for both breadwinners is more crucial than ever.

The Roukema-Clay bipartisan family leave compromise is a workable policy completely consistent with established labor standards which gave us protections as child labor laws, antisweatshop codes and the 40-hour work week. Let's vote on family leave. It's a bedrock family issue.

THE FAMILY AND MEDICAL LEAVE ACT

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

Mr. MINETA. Mr. Speaker, on May 8, we will celebrate Mother's Day. Mothers certainly do deserve our recognition. They also deserve our understanding that the family structure in this country is changing.

Today, 60 percent of mothers with children under 5 years old are in the work force. And, this figure promises to rise. There are more single parent families than ever before; and in an ever increasing percentage of two-parent families, both parents work.

The Congress has a responsibility to be sensitive to these changes. We now have the opportunity to institute and expand on excellent pro-family policies by supporting the Family and Medical Leave Act compromise. It is time for us to recognize and address the changes in the family structure. We need to follow through with a family policy that allows the new traditional family to regain its strength as a nucleus for our communities.

WASHINGTON POST OTA ARTICLE MISLEADING AND INACCURATE

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

Mr. KYL. Mr. Speaker, many of us thought it more than coincidental when selected portions of a new OTA study were leaked to the press just a week before we began debate on the Defense authorization bill. It now turns out that the story was hightly misleading and inaccurate.

I would like to submit for the RECORD and quote from a letter sent to Ben Bradlee, editor of the Washington Post, by the Director of OTA, John Gibbons, and the Director of SDIO, Gen. James Abrahamson. They said in part:

We take serious issue with the April 24 Washington Post story on the new OTA study of the Strategic Defense Initiative. The Post story offered an inaccurate and incomplete picture of the OTA findings. We regret the misleading characterization of our positions in the April 24 Post story, and look forward to a fuller, more accurate, and more productive airing of these issues when the OTA report is published.

Mr. Speaker, in view of this correction, I hope our debate today on SDI will not include reference to the OTA report which none of us have read and which has been inaccurately reported in the press.

MAY 2, 1988.

MR. BENJAMIN C. BRADLEE,
Executive Editor, The Washington Post, Washington, DC.

DEAR MR. BRADLEE: As the Directors of the U.S. Congress' Office of Technology Assessment (OTA) and the Defense Department's Strategic Defense Initiative Organization (SDIO), we take serious issue with the April 24 Washington Post story on the new OTA study of the Strategic Defense Initiative.

The Post story offered an inaccurate and incomplete picture of the OTA findings. The OTA study examines very complex issues in considerable detail; any effort to distill its contents into a few newspaper column inches would have to result in oversimplifications which, while regrettable, are understandable. However, in writing about the OTA report before it is publicly available, the Post denied its readers the ability to judge independently the accuracy or fairness of its presentation.

The Post story failed to report important areas of agreement between SDIO and OTA, and misrepresented some areas of disagreement. The headline and first paragraph of the Post story offer a particularly telling example of such misrepresentation. SDIO and OTA disagree on the feasibility of reliable, trustworthy software for a future defense against ballistic missiles. SDIO believes that such software can be developed; OTA is much more skeptical, and contends that there would be a "significant probability" of "catastrophic failure" of a ballistic missile defense system resulting from a software error. Nowhere in its study, however, does OTA conclude—as alleged by the Post—that such a failure would be "likely." As any statistician knows, and as the OTA report makes clear, "significant probability" does not equate to likelihood."

Technical experts can and will differ on how rapidly we can generate and refine the technologies needed for effective defenses against ballistic missiles. SDIO finds many of OTA's conclusions in this regard to be unduly pessimistic, whereas OTA considers SDIO to be excessively optimistic. Both our organizations, however, are firmly committed to informed, constructive discussion of strategic defense issues. We regret the misleading characterization of our positions in the April 24 Post story, and look forward to a fuller, more accurate, and more productive

airing of these issues when the OTA report is published.

Sincerely,

JAMES A. ABRAHAMSON,
Lieutenant General, USAF, Director, Strategic Defense Initiative Organization.
JOHN H. GIBBONS,
Director, Office of Technology Assessment, U.S. Congress.

PLANT-CLOSING NOTIFICATION REPRESENTS EQUITY TO WORKERS

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

Mr. OBERSTAR. Mr. Speaker, as the President takes pen in hand on the trade bill, I hope he will ask himself one question: Does not a company owe 60 days, at least, to an employee of 10, 20, 30 years before shutting down the plant and terminating his or her job? The answer should be yes. The plant-closing notification language in the trade bill simply represents equity in the workplace. That provision will allow workers a little breathing space, time to avoid worsening their economic condition, avoid entering into a home mortgage improvement loan or a car loan that would increase their burden of debt at a time when, unknown to them, they are about to lose their means of family support.

That situation has occurred in my district with the shutdown in the steel industry and the consequential effects. Many workers have said, "If I had only known 20, 30, 60 days ahead, I would not have gotten into that home mortgage improvement loan. I would not be in such severe economic straits."

Sign the bill, Mr. President. It is equity in the workplace, and it is good trade policy.

THE GOLDEN GOOSE DINNER

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

Mrs. BENTLEY. Mr. Speaker, we have been reading—and being told by allegedly friendly nations that we must cut our deficit and, some say, reduce our standard of living to solve our problems. A solution they suggest is that we tax the middle class—while more of our companies are being sold to foreign interests. According to the Internal Revenue Service, those interests do not pay their fair share of the taxes.

Now Professor Nakatani at Osaka University states "the decline of U.S. economic power is evident." That, despite signs of more exports, "the United States is still expected to record a trade deficit of $150 billion." He goes on, that unless it changes "the United States will not be able to avoid economic structural reform—recession—after 1989."

Nakantani predicts an ominous future for us and yet the Japanese turn around and fight every effort we make to open their markets in order to help reduce the trade deficit. Since ours is the world's largest market, that means they recognize we are the golden goose that laid the golden eggs—yet, they seem intent on eating our golden eggs and the goose, too. Don't they realize the recession they predict and the continued fall of the dollar will also be devastating to them—in truth we may well be their economic Vietnam.

□ 1205

INTRODUCTION OF LEGISLATION TO REQUIRE THAT INCOME PAID TO CORPORATIONS BE REPORTED TO IRS

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

Mr. BARNARD. Mr. Speaker, the 100th Congress has devoted considerable thought and energy to reducing our enormous Federal budget deficit. Although some progress is being made, clearly our search for new ways to increase revenues and reduce costs must continue into 1988 and beyond. I am pleased to introduce today, on behalf of myself and Congressman FRANK GUARINI, an amendment to the Internal Revenue Code that has the potential to contribute several billion dollars to our deficit reduction goal. My bill will not only enhance IRS' ability to collect additional tax revenues but will also make its enforcement of the tax laws more equitable by requiring third-party information reporting of certain types of income paid to corporations.

Mr. Speaker, I am sure that you, as well as most other taxpayers, are familiar with IRS' Information Returns/Document Matching Program that involves the computer matching of information documents filed by third-party payors of income with the income reported on tax returns. This highly successful, cost-efficient program for identifying unreported income and tax return nonfilers produced additional tax assessments totaling about $3 billion in 1986 at a cost of about $1 for every $19 found.

Despite these impressive results, the full revenue-generating potential of this program has not been developed. Only those income tax returns filed by individuals are subject to document matching. Although corporations and partnerships reported $715 billion, or more than twice the interest, dividend, rental, royalty, and capital gain income reported by individuals in 1983, this income is not subject to verification through the matching process.

A full-scale document matching program for business taxpayers cannot be initiated until information returns are required to be filed for income paid to corporations. Past Congresses have looked to information reporting as an equitable means for increasing revenues. As you may recall, Mr. Speaker, almost every major piece of tax legislation passed in recent years has expanded the information reporting requirements. The Tax Reform Act of 1986, for example, added the information reporting requirement for real estate transactions. While most major types of income paid to individuals, partnerships, and sole proprietorships are now reportable to IRS by third-parties, income paid to corporations is exempted, by statute or regulation, from the reporting requirements.

This, however, was not always the case. Before 1982, payors were required to file information returns for interest and dividends earned by corporations. When the Tax Equity and Fiscal Responsibility Act of 1982 imposed mandatory withholding from interest and dividends, payments to corporations were exempted from both the withholding and information reporting requirements. Although the legislative history does not provide the rationale for these corporate exemptions, it is my understanding that, at that time, there was a lack of evidence that corporations were underreporting a significant amount of income detectable through a document matching program.

Recently, Mr. Speaker, IRS acknowledged that the underreporting of income by business taxpayers is of great concern. While IRS has not conducted the research necessary to develop a statistically accurate estimate of the scope of business underreporting, it estimates that the Treasury is losing over $1 billion annually through corporate underreporting of just interest and dividend income. While I believe that a revenue loss of this size provides ample justification for a coporate Information Returns/Document Matching Program, I am convinced that the problem is even larger than IRS has been willing to recognize.

Earlier this year, the Government Operations Subcommittee on Commerce, Consumer, and Monetary Affairs, which I chair, conducted a comprehensive investigation of the feasibility and revenue consequences of an Information Returns/Document Matching Program for business taxpayers. The General Accounting Office [GAO] assisted in the investiga-

tion by selecting and analyzing a statistically valid sample representing 811,977 corporations, partnerships, and sole proprietorships. These businesses made up about 5 percent of those that filed income tax returns in 1983. GAO found that 316,577, or 39 percent, of the businesses' studied had potentially underreported $41 billion, or 13 percent, of their interest and dividend income. And IRS/GAO followup of 181 of the businesses identified as potential underreporters showed that 30 percent had actually failed to report 22 percent of the interest and dividend income reported on information returns.

While these underreporting rates are statistically valid only for those businesses GAO reviewed, they do represent the best empirical data available for estimating the overall extent of the business underreporting problem. A conservative interpretation of GAO's two samples indicates that at least 12 percent of the businesses studied underreported 3 percent of their interest and dividend income. If these same rates apply to all businesses earning interest, dividends, rents, royalties, and capital gains, then their unreported income would total $20 billion for an associated revenue loss of $8 billion.

Mr. Speaker, though these estimates are impressionistic rather than statistically precise, they clearly demonstrate a business underreporting problem of serious proportions. In this regard, it's important to note that IRS' audit coverage is totally inadequate for capturing the taxes owed from underreporting. The number of businesses audited is extremely small and, until recently, fewer and fewer examinations of corporations have been conducted. In fiscal year 1988, IRS plans to audit only 66,174, or about 2 percent, of the corporate income tax returns filed.

Thus, an Information Returns/Document Matching Program offers the only comprehensive and systematic means for detecting income not reported by corporations. My bill provides the necessary first step toward that end by requiring third-party information reporting of income paid to corporations. Although there are some administrative problems to be overcome before the information returns could be used in a document matching program, the reporting requirements will produce a number of important revenue benefits independent of the matching process.

First, information returns could immediately be used by IRS to detect corporations which fail to file income tax returns. In a separate study, GAO found that of 1,094 corporations 231, or 21 percent failed to file income tax returns. Significantly, IRS' program for identifying nonfilers failed to identify 156, or 68 percent, of the potential nonfilers detected by GAO. Those corporations which IRS' program has missed earned $236 million of interest and dividend income alone in 1983.

Second, information returns have proven to be extremely valuable in the audit process. An IRS study has shown that having information returns available during examinations increases the unreported income discovered by IRS auditors by 330 percent.

Third, IRS believes that information reporting has a positive effect on the voluntary reporting of income. Certainly, the knowledge that IRS has documentation on the amount of income received encourages compliance. However, the converse can also be true. The absence of information reporting can encourage noncompliance by those taxpayers so inclined.

Finally, eliminating the information reporting exemptions for corporations would help erase the perception of business favoritism that encourages disrespect for the tax laws and fosters noncompliance by individual taxpayers who perceive that the laws are applied and enforced in an uneven manner.

In sum, Mr. Speaker, my bill seeks to increase tax revenues in a manner that is fair to all. I invite my colleagues to join me by cosponsoring this legislation and urge the Committee on Ways and Means to give it prompt and thorough consideration.

RIGHTS OF THE UNBORN

(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 to include extraneous matter.)

Mr. SMITH of New Jersey. Mr. Speaker, the Washington Post reported yesterday in what appears to be a precedent-setting case that a Federal judge in Los Angeles has ruled that a 3-month-old unborn child is protected by the Constitution and can sue for violation of his or her civil rights.

The case, involving physical harm sustained by the mother and her unborn baby in an altercation, helps to highlight the fact that children, before their birth, can and must be recognized and protected by law.

Mr. Speaker, with the widespread use of ultrasound and other medical and technological advances in recent years, it just does not suffice for anyone to say, as the U.S. Supreme Court said in 1973, that unborn babies are not persons and are not entitled to the right to life.

Our current policy toward unborn children is unjust, it is cruel, and it is discriminatory and has resulted in over 22 million children being chemically poisoned or dismembered or otherwise killed by abortion.

Mr. Speaker, the carnage must stop. Unborn children deserve to be treated with respect, with compassion, and with legal protection.

I include the article from the Washington Post of Tuesday, May 3, 1988, as follows:

JUDGE: FETUS HAS CONSTITUTIONAL RIGHTS

LOS ANGELES.—A federal judge ruled that a fetus of three months is protected by the Constitution and can sue for violation of its civil rights, a decision attorneys said was the first of its kind.

U.S. District Court Judge Ferdinand Fernandez ruled in answer to a question from the jury deliberating an award in a 1986 suit brought by Brenda Cornwell, 26, of Riverside, Calif., and her daughter, Misti Dawn Cornwell, now 18 months old.

Cornwell claimed a Riverside police officer violated the civil rights of her baby by punching her in the abdomen during a scuffle in her front yard in April 1986, when she was three months pregnant.

The jury awarded the mother $415,229, but declined to award damages to the baby, whose claims lawyers on both sides said represented the first time a fetus had sued for violation of its civil rights.

During deliberations, however, jurors asked Fernandez to clarify the point in a fetus' development at which it is afforded constitutional protection.

"The judge sent a note back saying that at the time this incident occurred, the baby had constitutional protection," said Cornwell's attorney, Stephen Yagman. He said it was "significant because a federal judge has found as a matter of law that a fetus has constitutional rights" for the first time.

PLANT-CLOSING NOTICE IS FAIRNESS TO WORKERS

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

Mr. VENTO. Mr. Speaker, Congress has worked effectively to develop concensus trade policy, trade responded to constructive suggestions and has proposed a trade law, fair to our trading partners and more importantly fair to the American people. The administration led by the President have been constant nay sayers throughout this process, now at the last instance when the work is done and the compromises made the President claims that he favors a trade bill, but wants to cut out the plant notification provision—a good provision that simply lets workers have 60 days notice, not the golden parachutes of the executives who too often take such good care of only themselves.

Mr. President, don't use this plant-closing provision as an excuse, if you favor trade legislation, in spite of your actions and words, it is time to act.

Mr. President, it is time to act, not look for excuses—listen to the American people, the American workers that elected you, Mr. President, and this Congress and make this trade legislation law, not a phony political issue for special interests urging a veto, who care less about the $170 billion annual trade deficit and sound public policy

than there continued dominance and unfair treatment of the American workers.

PLANT-CLOSING PROVISION OF THE TRADE BILL

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

Mr. DICKS. Mr. Speaker, I was deeply concerned to learn that the President of the United States is considering vetoing a very important trade bill over the question of notifying workers, giving them the decency of 60 days notice if there is to be a plant closure.

In my own district, the Sixth District of the State of Washington, ASARCO, a major national corporation, gave us 1-year's notice. Because of that, Mr. Speaker, we were able to put in place humane programs to retrain, reeducate and to get jobs for 400 of 1,000 workers who worked at that plant.

The minimal decency is to give 60 days. We need more notice if we can get it, and if we do get that notice we can do something to help these citizens preserve their jobs, to get retrained, get reeducated. I think it is appalling and shocking that the President would consider vetoing this bill over a provision which is there to help the workers of this country.

PLANT-CLOSING NOTICE TO WORKERS

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

Mr. MARKEY. Mr. Speaker, the President indicates that he is going to veto the trade bill because of a 60-day notification to workers that plants are going to close. In Japan and other industrialized countries where they give notice to workers it is considered to be good planning, it is considered to be something that helps to give them a competitive advantage over us because they have better worker and employer relationships.

My own belief is, Mr. Speaker, that if we gave people 60 days notice that it would also be giving notice to the local communities and to the States, and like Massachusetts, which has the first plant-closing law, it would give the State a chance to move in and help to save the plant, to perhaps help with a tax deal, to help with some redtape cutting, to help with some additional programs that can keep those plants in operation. We do that in Massachusetts right now, and we do it in a State with 3 percent unemployment, and we have kept plants open where there was notice given not only to the workers but to the State.

Mr. President, if you really care about workers, if you really care about productivity, if you really care about saving jobs, the way to do it is to give the States, to give the local communities, to give the workers the notice so that they can save themselves and save this country in its competitive battle against our economic international rivals.

B-1 BOMBER—EXCELLENT EXAMPLE OF PRODUCTION CAPABILITY

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

Mr. DICKINSON. Mr. Speaker, on Saturday, April 30, 1988, the 100th B-1B was delivered to the Air Force at Palmdale, CA. This event took place just over 6 years from initial contract go ahead and exactly 2 months ahead of the contract schedule. Not surprisingly, this piece of good news about a manufacturing success story has received little attention in the media. Had the contract been completed 2 months behind schedule I am sure we would have been more aware of the event. Regrettably focusing on the negatives about the B-1B rather than the considerable positives has become the standard.

Mr. Speaker, I rise today in an attempt to clarify the record on the matter of the B-1B bomber. For the past year, the Armed Services Committee has conducted an investigation of this program, and I have been an active participant in this entire process.

During our investigation, the committee has primarily focused on some developmental problems that arose during the initial phases of operational deployment. Over the course of our investigation, the majority of these problems, such as fuel leaks, terrain-following radar, weapons separation, and flight control enhancements, have been resolved—just as the Air Force said they would be.

One significant issue, the defensive avionics system, remains unresolved at this time. However, the Air Force has developed a recovery plan that we hope will bring the system to full capability within the next few years. The Air Force has been quite candid as to the challenges that remain in this specific task, but they remain confident that this goal is achievable.

In summary, let me say that I believe our investigation has been thorough and has been useful in helping Members understand the complex technical issues that we face in the development of sophisticated weapons systems such as the B-1B.

However, I am not sure that all aspects of this investigation have been conducted in good faith in that there have been conclusions drawn by some that because of these problems the B-1B does not work and cannot penetrate Soviet airspace. Mr. Speaker, that conclusion is wrong. Not only is it wrong, but it is also irresponsible and could have potentially damaging consequences to strategic deterrence and our Nation's security.

The B-1B does work. It flies fast. It flies low—below enemy radar. And it has a radar cross section that is 100 times smaller than the B-52 which it was meant to replace. It can employ a variety of weapons and, with a highly reliable, state-of-the-art offensive avionics system, deliver them with great accuracy as recent tests have shown. Now I call that performance. Performance that rates far better than the F that some would have you believe.

The B-1B can penetrate Soviet airspace and will be able to continue doing so for many years to come. While it is true that the ECM system is not performing to specified requirements, it does have sufficient capability to supplement the other inherent capabilities of the airplane. To think that penetration capability is totally dependent on ECM is wrong. If this were true, we could still be using B-17's in our strategic force. To mislead others, less technically sophisticated, into thinking the B-1B cannot penetrate because its ECM is not fully capable is irresponsible.

The fact is that penetration capability for any airplane is a function of speed, altitude, and radar cross section, as well as ECM. The B-1B capacity to do the first three better than any other bomber in the world more than makes up for current shortfalls in the ECM. As the ECM improves, and is eventually enhanced, it will assure the B-1's ability to penetrate well into the future.

But don't take my word for it. Talk to the men whom we charge to carry out this most demanding of all missions—whose job is to put their life, and not their political career, on the line. They will tell you, as they have told me, that the B-1B is the best penetrating bomber in the world and is a valuable and necessary addition to our strategic forces.

The B-1 bomber has had a long and, at times, tortuous path to deployment, but it is now a critical part of our force structure. We on the Armed Services Committee have identified the problems, but must also acknowledge the successes of the program. The B-1B is ready, on alert, and represents a credible signal to all of this Nation's military strength and strategic deterrent.

FAMILY AND MEDICAL LEAVE ACT

(Mr. GILMAN asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. GILMAN. Mr. Speaker, as many of us are aware, this Sunday is Mother's Day, a holiday initiated by an act of Congress over 70 years ago. It is no longer adequate for our Nation to recognize the selfless acts of motherhood for just 1 day per year. Congress must address the needs of a society where women now comprise 44 percent of the labor force, 80 percent of which are likely to become mothers during their working lives. Throughout the entire industrialized world, it is already a socially accepted policy to provide paid maternity leave for all women workers.

The House will soon be considering the Family and Medical Leave Act which reinforces our Nation's commitment to the family while addressing the unique needs of our small businessman. A bipartisan compromise will enable certain employees to take up to 10 weeks of unpaid family leave over a 2-year period and up to 15 weeks of unpaid medical leave over 1 year. The bill would exclude employers with less than 50 employees, reduced to 35 employees after the third year of enactment. This proposal exempts over 95 percent of private employers while covering two-fifths of the work force. The GAO has concluded that the only real cost of family leave to affected businesses is the price of continued health insurance coverage for the absent employee, estimated to cost $188 million per year, or less than $1 per American per year.

I ask my colleagues who oppose this landmark bill to question how a compassionate democracy can force a decision between holding a job or caring for a newborn or sick child.

NATIONAL DEFENSE AUTHORIZATION ACT, FISCAL YEAR 1989

The SPEAKER pro tempore (Mr. HUBBARD). Pursuant to House Resolution 436 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 4264.

□ 1216

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4264) to authorize appropriations for the fiscal year 1989 amended budget request for military functions of the Department of Defense and to prescribe military personnel levels for such Department for fiscal year 1989, to amend the National Defense Authorization Act for Fiscal Years 1988 and 1989, and for other purposes, with Mr. ROSTENKOWSKI in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Tuesday, May 3, 1988, amendment No. 49 printed in section 3 of House Report 100-590 offered by the gentleman from Washington [Mr. MORRISON] had been disposed of.

It is now in order to debate the subject matter of appropriate levels of funding for the strategic defense initiative.

Pursuant to House Resolution 436, the gentleman from Wisconsin [Mr. ASPIN] will be recognized for 15 minutes and the gentleman from Alabama [Mr. DICKINSON] will be recognized for 15 minutes.

The Chair recognizes the gentleman from Wisconsin [Mr. ASPIN].

Mr. ASPIN. Mr. Chairman, before we begin the general debate on the SDI, I would like to announce the coming up of two amendments.

First, pursuant to the rule I wanted to give notice of my intention to call up amendment No. 5 in section 2 of House Report 100-590 following completion of the votes on SDI dollar levels.

Second, I also want to give notice of my intention to call up the Bustamante amendment or special isotope separation amendment at the end of today's announced program, provided the compromise version has been worked out.

Mr. Chairman, I yield my time on this side to the gentleman from Missouri [Mr. SKELTON] who will be handling the general debate.

Mr. SKELTON. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia [Mr. OLIN].

Mr. OLIN. Mr. Chairman, first I would like to thank the gentleman for yielding time to me and giving me the opportunity to open this debate on SDI.

It has been 5 years since the President laid out his dream of a shield that would render nuclear weapons obsolete.

We have spent $11 billion in pursuit of that dream and those who have worked on the project and followed it closely have learned a lot about what is possible and desirable.

We now know that the dream cannot be realized against today's multitude of delivery systems, the present quantity of warheads and the probable offensive responses.

But we also know that an effective ballistic missile defense is probably possible under the right circumstances.

We do not yet know a lot of things we will need to know before it makes sense to deploy any system any time soon—what we need most is to continue and complete the rest of the research.

Experts agree that a sustained research effort of $3-$4 billion per year will give the answers we need and yield results.

We will get more information sooner with a steady, sustained effort than if we spent twice as much money, but changed our priorities every year or two based on political whims.

The Bennett amendment keeps a stable program—it will get us the answers we need—and it will not put us in space until we're ready and know where we're going.

Support the Bennett amendment.

□ 1220

Mr. SKELTON. Mr. Chairman, I yield 5 minutes to the gentleman from Florida [Mr. BENNETT].

First of all, Mr. Chairman, I have been studying the SDI Program now for a great number of years, long before the present President became President. As a matter of fact, we spent billions of dollars on this general idea of protection, in the nature of the SDI. I have the honor of serving as cochairman of a task force which was set up, and the cochairman is VIC FAZIO of California.

We must not race ahead with SDI's half-baked proposals to deploy, as planned, 300 satellites in space.

I am convinced and deeply convinced that any SDI could be economically overcome by the simple tactic of increasing ICBM's.

As a matter of fact, Casper Weinberger told President Reagan in 1985 when he was Secretary of Defense, and I am quoting:

> Even a probable Soviet territorial defense would require us to increase the number of our offensive forces and their ability to penetrate Soviet defenses to assure that our plans could be executed.

Well, of course, if that is true for us and how we look at a possible Russian SDI, it is also true about the Russians how they feel about us and they have said so many times.

The obvious answer is to overwhelm SDI with more ICBM's. What a horrible picture.

Most scientists do not think that more than 80 percent can be shot down. And that would leave for us, on the other side, against us, 2,000 rounds, worse than Hiroshima and Nagasaki.

If we deploy SDI, the world will almost inevitably be a much more dangerous place, not a safer one.

Consider the question of what people now think of dinosaurs. They say dinosaurs were wiped off the face of this Earth for the simple reason an inanimate object hit the Earth, kicked up a lot of dust, killed vegetation for awhile and everything died. Well, if that be so, what would you think of thousands and thousands of IBM's, what they would do if they went off? The conclusion is that we would be

very lucky if anything lived on the Earth.

Despite my very grave doubts about SDI being a valuable defense system, we cannot fail to have a robust research program. Why is that? Because we cannot fail to do that because the Soviets undoubtedly have such a program and it would be dangerous for us not to do likewise. So we must study the matter and a robust research program is in order.

Expert testimony to the Committee on Armed Services has shown clearly that a robust research program can be carried out for $3 billion or less per year. As a matter of fact, it is much less than that. This is the testimony of Dr. Robert Sproull of the SDI Science Advisory Board, Dr. Peter Zimmerman of the Carnegie Endowment and Dr. Robert Cooper, former head of the Defense Advance Research Projects Agency in the Reagan administration.

In fact, many experts such as Dr. Harold Brown, former Secretary of Defense consider $3 billion is far too much money and they may be right. So our amendment gives SDI even more than the specialists and experts say it needs; $3.5 billion splits the difference between what the House voted last year and what the conference gave us as a final figure.

Last year the House funded SDI at $3.1 billion. But the conference came out with just under $4 billion. This year the other body wants $4.6 billion. That is vastly too large.

Our amendment stabilizes the SDI Program. All witnesses before the Committee on Armed Services argued for a stable figure. Those that wanted a large figure, those that wanted a smaller figure all said it ought to be a stable figure. Our amendment does just that.

By voting for our amendment the House would prevent a rush to deploy inadequate and destabilizing weapons into space. Over half of the money we authorize will be used by SDI officials to test prototype weapons for their planned strategic defense system and that is not really an ordinary research program. Our amendment prevents a crash program and it preserves all of our very much needed research program.

So I hope everybody will vote for the research, not for the deployment, not for rushing into the deployment of something that may be injurious to our own country and to mankind as a whole.

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

Mr. BENNETT. I yield to the gentleman from Washington [Mr. DICKS].

Mr. DICKS. I thank the gentleman for yielding.

Mr. Chairman, today the House must decide an appropriate funding level for SDI. But this debate cannot occur in a vacuum. It must be examined in the context of our other priorities within the defense budget. It makes no sense to spend billions on long shot futuristic dreams if we starve the readiness and modernization of our military forces.

Mr. SKELTON. Mr. Chairman, I yield 2 minutes to the gentleman from Washington [Mr. DICKS].

Mr. DICKS. I thank the gentleman for yielding further.

Mr. Chairman, in this respect I have a very strong objection to the Kyl amendment. It proposes to delete $400 million in research and development funds from the Army, Navy, and Air Force in order to finance an increase of 20 percent in SDI from last year's levels.

In other words, it argues that the services' R&D accounts which have suffered real reductions in the last several years while SDI funding has increased by 400 percent in 5 years, should take even greater cuts for the sake of a research program that has very real questions about it.

I must tell my colleagues I have taken two nationwide trips to look into the SDI Program. I frankly think that progress has been made, but I am convinced that the phase 1 architecture that we are going to discuss later when we get to the Spratt amendment is premature; that we ought not to rob and take money to fund the near-term deployment of phase 1, that we ought to continue to look at the long-term objectives of this program.

The key today, of course, is a pragmatic decision on the part of the House. I think we should vote to support the Bennett amendment to cut SDI back to $3.5 billion in order to set up a conference agreement with the Senate that will bring us in at about the $4 billion level. I think that is too much for SDI, but pragmatically if we do not vote for Bennett we are going to get an amount much higher than the Committee on Armed Services has recommended.

So I urge some of my southern friends who feel compelled to stay with the committee position to consider this reality.

SDI should not be funded and take money away from DARPA and other important R&D efforts. I am fearful that if the Kyl amendment were enacted that is just what would occur.

So I urge my colleagues today to vote for Bennett and then to vote for Spratt because the restructuring in Spratt will preserve technologies that offer some long-term potential and will help us guard against a breakout by the Soviet Union in this area.

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

Mr. Chairman, once again the House is setting out to go through the charade of considering the proper funding level for SDI. We will spend the next several hours pretending to be open-minded on this issue, but I am afraid that the only hearts and minds that will be won over by the debate on the floor will be those members of the public watching on C-SPAN.

Today the House will consider four SDI funding amendments followed by a series of SDI policy amendments. The funding amendments will be considered in the normal king-of-the-hill fashion with the last adopted amendment carrying the day. And if no amendment is adopted at all, then the committee position will prevail.

I am hopeful and look forward to the day when a majority of the members of the committee, including the chairman, will support the committee position.

The funding amendments, expressed in an apples to apples comparison, using SDI research and development figures, are: First, Mr. KYL will offer an amendment raising the committee-recommended amount to $4.5 billion, the same level as The President's request.

Next, Mr. DELLUMS will offer an amendment to lower SDI funding to $1.3 billion.

Third, I have an amendment that would restore the committee position of $3.7 billion. The SDI issue was debated in committee and a majority of the Committee on Armed Services reported out a $3.7 billion figure. I offer this amendment as a zero real growth amendment, because $3.7 billion is about last year's funding level plus inflation.

Finally, Mr. BENNETT, at $3.2 billion, represents about a 10-percent negative growth compared to last year's funding level.

Mr. Chairman, I have in my possession a letter which I received today from Secretary of Defense Carlucci. He is very concerned about this program.

I would like to read the letter at this time. It says:

DEAR MR. DICKINSON: Last fall, as Assistant to the President for National Security Affairs, I was involved in negotiating the so-called budget summit agreement. Under this agreement, the Congress and the Administration adopted an overall framework for budget reduction. According to this plan, the Department of Defense was required to reduce its planned program for FY 1989 by $33 billion to $299.5 billion. This was well below the level that the Administration felt was necessary for our security, but in the interest of reducing the overall budget we agreed to accept greater risk in our national security posture.

Since assuming my responsibilities as Secretary of Defense in November, the task of making the very difficult decisions required to meet this agreement fell on my shoulders. I cannot overstate how difficult these decisions were. They involved cancelling a number of programs, delaying others, and making reductions in our overall force structure. The budget I submitted represented the soundest overall defense program under

these difficult budgetary constraints. I am gratified that to date, the Congress has not reduced overall defense spending below the level agreed to in the budget summit agreement. However, I am very concerned about Congressional reductions to a central element of our defense program—the President's Strategic Defense Initiative (SDI) program.

SDI is the cornerstone of our overall defense program. It holds the promise of a more stable and effective deterrent posture based on a balance of offense and defense. The hopes we had for a more stable and safe deterrent under the ABM Treaty regime have not been realized. The Soviet Union has continued to modernize and expand both its strategic offensive and defensive forces in an effort to blunt the credibility and effectiveness of our deterrent. It is time we recognized this, and took the steps necessary to rectify an increasingly unstable situation. The case for the SDI program is further strengthened by the disturbing proliferation of ballistic missile technology.

The Administration's request for Department of Defense SDI activities in FY 1989 is $4.5 billion. This figure represents a reduction of $1.7 billion from what we had previously planned to spend in FY 1989. I recommended this reduction to our request with considerable reluctance, as Congressional reductions in SDI funding to date have already resulted in substantial delays in the program. However, I felt that I had made a commitment to present the minimum overall budget request that—while accepting greater risk—was consistent with our security requirements. The request the President submitted for the SDI program reflects a balance between our legitimate security requirements and existing budgetary constraints, and it is a sound technical program. I regret the reductions recommended by the Armed Services Committee because they would cause major restructuring and delays in the program. Further reductions in funding or other restrictions on the program would have the gravest consequences.

I urge you in the strongest possible terms to oppose any such amendments. If the Congress sends the President a defense bill that contains a funding level for SDI that is in my view inadequate, I would have no choice but to recommend a veto of that bill. While I would make such a recommendation with regret, I would not be living up to my responsibilities to the President or the Nation if I failed to do so.

The point, Mr. Chairman, is that we came into this budget cycle with a budget summit agreement providing total defense spending of $299.5 billion. After this agreement the Armed Services Committee took the funding allotted to us for defense spending, went through a series of hearings, and came out with recommended funding levels for research and development, for procurement, for SDI, and for other defense functions.

The committee itself came up with $3.7 billion for SDI. To reduce it further I think is reckless, is counterproductive, and is a breach of faith with the budget summit agreement.

The amendment that I will offer will be $3.7 billion which is simply a restatement of the committee position restated.

I would urge the members of the committee not to cut SDI further. We have already cut the President's request of $4.5 billion down to $3.7 billion. That is enough of a cut.

□ 1235

Mr. SKELTON. Mr. Chairman, I yield 2½ minutes to the gentleman from Oregon [Mr. AuCoin].

Mr. AuCOIN. Mr. Chairman, suppose the SDI Program solves every technical problem it faces, suppose some rich uncle dies and leaves us the trillions to build it. Let's even suppose all offensive countermeasures fail and SDI works 100 percent.

None of these things are going to happen, but let's just suppose they do. In that case, I challenge any SDI supporter to answer two questions—on your own time.

First, how are you going to stop the Russians from building a comparable system?

Second, how are you going to stop the Soviets from using it offensively? How are you going to stop them from pushing the button first, blowing our SDI satellites out of the sky, following up with a nuclear strike, and then using their SDI to protect themselves from whatever retaliation we can make? In short, how are you going to stop the Russians from using SDI to help a nuclear first strike against America?

In all the testimony I've heard in the Defense Appropriations Subcommittee, in all the speeches on this floor, no representative of the administration has ever answered those two questions. So why do you want to spend money on a system that will help a Soviet first strike? Why do you want to build it instead of ban it?

There's another reason why I urge you to vote for the Dellums-Boxer and Bennett amendments.

Savings from those amendments will be used to fund the war on drugs.

After either of those amendments are adopted, we'll follow with a committee amendment moving $300 million in savings to the Coast Guard for drug interdiction.

Now my friends on the Republican right have been complaining, wrongly, that the leadership hasn't allowed any antidrug amendments on this bill.

The truth is, this is your opportunity to fund antidrug efforts.

Your choice is to throw more millions at star wars, a system that won't make America more secure. Or to defend Americans against the real threat, the drug wars on the streets of our cities, in the schools in our communities.

The choice is yours: star wars or drug wars.

I say cut star wars and protect our kids from drug wars. Vote for Dellums-Boxer or Bennett.

Mr. DICKINSON. Mr. Chairman, I yield 4½ minutes to the gentleman from Ohio [Mr. Kasich].

Mr. KASICH. Mr. Chairman, there is going to be a long, drawn out debate obviously on SDI, but I think there is one essential thing we need to recognize as we start the debate which is contrary to a couple of the statements made earlier.

SDI does matter. In fact, the reason why we are not going to be able to achieve a dramatic reduction in strategic long-range nuclear weapons with the Soviets, at least at this point, is because the United States and Ronald Reagan have not been willing to give in to the idea of Gorbachev, which is to cripple the United States SDI Program, so SDI does in fact count. In fact, it can be argued that the reasons why the Soviets came back to the table to begin with once they left Geneva was because of the ability of the United States SDI Program to achieve great success.

The question now is: how fast should we proceed on SDI? And that really is what the battle is about today.

We have a series of amendments before the Committee. One is Mr. Kyl's amendment which has an amount that is less than what the President's original request was, but certainly more than what the committee requested. I intend to support the Kyl amendment because it still is below the President's request.

But, Mr. Chairman, I also want to offer strong support for the Dickinson amendment because the Dickinson amendment represents the committee position, and it says that rather than having an increase in the amount of funding for SDI during tough budgetary periods we ought to go with the committee position and accept the fact that we ought to have zero real growth. I would favor more than that, but I can accept the position that we should stay up with inflation, continue the program, be positive about the program, allow us to investigate all the various technologies and, therefore, I would argue that I hope that the membership can come here, if they cannot support the Kyl amendment, certainly to support the Dickinson committee position which is that SDI continues down the road, gives our negotiators leverage at the bargaining table.

The Bennett amendment and the Dellums amendments are dramatic decreases in the amount of spending for SDI, and, if you really want to limit the ability of our scientists, you vote for them. If you want to continue to support SDI, if you want to continue to support our negotiators and to make sure that we have a robust program that can explore most of the technologies, certainly not all of them that we would like to, but most of the

technologies, then you have to support the Dickinson amendment and support a strong United States SDI Program because ultimately it is going to bring us deep cuts in strategic weapons and, I think, greater security for the people of this country.

Mr. SKELTON. Mr. Chairman, I yield 30 seconds to the gentlewoman from Tennessee [Mrs. LLOYD].

Mrs. LLOYD. Mr. Chairman, the strategic defense initiative is facing a critical period in the next few years. What happens to this year's budget is particularly important as well as the attitude of the next administration toward the prospects for this important program. To assure its healthy future, I would like to see the executive branch pursue SDI in a prudent but determined manner.

I am a strong supporter of SDI at a level of funding consistent with our defense priorities and economic realities. The funding level provided by the committee is within these bounds, and I urge my colleagues to reject significant changes, whether up or down. A drop in funding would cripple the R&D program, and yet a significant increase would be pointless in the present budgetary environment.

Constructive and reasoned congressional direction is needed for SDI at this time. The program's future is threatened from both sides. On one side there are those who wish to kill the entire program. In this regard, we must be cautious about reductions to levels where the program effort becomes unfocused and technological progress is arrested. The majority in Congress has repeatedly accepted the SDI concept; that is, to explore technologies which offer the potential of protection from incoming intercontinental missiles. At the other extreme, a move for excessive funding based on premature deployment would lose the consensus support for SDI.

The most prudent approach for SDI will be to continue our long-term research and development of exotic technologies that will not only permit a hedge against Soviet technological breakthroughs but will also offer us significant civilian benefits. This approach will allow maximum return on investment in the R&D to date and assure a meaningful contribution to U.S. technological competitiveness. The research done on SDI will benefit our civilian space program with development of the heavy lift launch vehicle in which NASA has a significant stake. SDI's space nuclear reactor program done with DOE and NASA—will provide us the first capability to do more than housekeeping in a space station while providing a power technology base for a lunar base or a manned Mars mission. The free electron laser has great potential for the fields of industrial chemistry and medicine while a number of other particle devices will undoubtedly find other applications as have past accelerations.

A rush to deploy a system within the next decade will divert important money from the most promising technologies and I believe we can move to protect against accidental launch without such diversion. I think laser and particle beam technologies are truly exotic in the context of the ABM treaty and allowing for aggressive R&D in these areas may indeed offer a route to orderly deployment within a reasonable international framework. It is important for Congress now to emphasize stability, efficiency, and sustainability. Fragmented and inconsistent guidance will lay us open to the charge of harmful meddling. On the other hand, simplistic urging of acceleration of deployment without allowing for promising technologies to mature will soon bring down the program. The committee has achieved a middle ground; let us stick with it.

Mr. SKELTON. Mr. Chairman, I yield 1 minute to the gentleman from Oregon [Mr. DEFAZIO].

Mr. DEFAZIO. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, we have all seen the news story about the still-unreleased Office of Technology Assessment report on SDI. That report says that it requires an act of faith to believe that star wars will work as advertised. So far we have spent $12 billion on a system that will require an act of faith and ultimately $1 trillion. Today, this body will no doubt authorize a few billion more.

SDI represents a radical change in this Nation's nuclear strategy. SDI will mean the end of arms control if it is ever deployed, and it will be a disaster if it is ever used.

Mr. Chairman, I was reminded recently of the ghost dance ritual that swept through the Plains Indian Tribes in the late 19th century. They believed that ghost shirts would protect them from bullets. Unfortunately for the tribes, faith was not enough to stop the bullets, and the earnest faith of our President, and his generals and many of our colleagues will not turn back the ICBM's.

Mr. Chairman, SDI should be a research program, not a national obsession.

Mr. DICKINSON. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. KEMP].

Mr. KEMP. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, I was listening to the previous comments about an act of faith and the study of OTA. If OTA had been around in 1961 when John F. Kennedy had suggested that this country could put a man on the Moon by the end of the decade in the sixties, OTA and other Luddites would have come out with a study as to why it would not have worked.

How many times in our country's history have we had people tell us things would not work? It was said that radar would not work in the 1930's. The atomic energy capability of this country, we were told would never work. In 1898, the director of the U.S. Patent Office, Charles Duell, said "that everything that can be invented has already been invented," and that was just a few years before the discovery of the law of relativity by Einstein that led to the breakthrough in lasers and so many of the great technologies of the 20th century.

□ 1245

In the 1930's the debate between Churchill and Chamberlain also between Churchill and Prime Minister Stanley Baldwin was whether or not Britain could ever be defended from Nazi bombers. I want to quote from the House of Commons in 1932 the statement made by Stanley Baldwin, who was soon to become Prime Minister of Great Britain. Unfortunately for Britain and the British people and the children and the men and women who were left vulnerable to Nazi bombers and died in those attacks, it was Baldwin who prevailed in the debate in the House of Commons in the 1930's. Baldwin said: "The only defense is in offense."

Baldwin said: "I think it is well for people to realize that there is no power on Earth which can protect people from ever being bombed. Whatever people may tell the men on the street," Baldwin went on to say, "bombers will always get through." He went on to say the only defense for Great Britain was "to kill more women and children more quickly than the enemy if you want to save yourselves."

Churchill from the back benches of the House of Commons stood up and talked about radar, talked about other new technology, courageously talked about an air defense for Great Britain, talked about a ground based defense against the growing Nazi threat from the air, but Baldwin and then Chamberlain kept saying, "Bombers will always get through."

Baldwin and Chamberlain went on to say in the House of Commons debate in the 1930's, "Not only will air defense not work, it would cost too much."

Then what is worse, they said an air defense system would provoke Adolf Hitler.

Mr. Chairman, it was not the strength of the British or the French that provoked Adolf Hitler in the 1930's. It was the weakness of the French and the British defense systems. It was the weakness of the U.S. Congress in the 1930's which passed the Neutrality Act which encouraged

Nazi Germany to invade other countries. Weakness led to the invasion of Austria, Czechoslovakia, and finally to the invasion of Poland. The bombers got through all right. They got through because Britain had no defense and didn't listen to Churchill.

Churchill lost the debate in the House of Commons over air defense in the thirties, but he finally was asked to come back and become the Prime Minister in 1939, and his wilderness years ended; but it is a fact that in 1944 when the Nazi—V-1 buzz bombs——

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). The time of the gentleman from New York has expired.

Mr. DICKINSON. Mr. Chairman, I yield 1 additional minute to the gentleman from New York, and in doing so observe, I think, that the ghosts of Mr. Baldwin and Mr. Chamberlain still inhabit this Chamber.

Mr. KEMP. I agree. Obviously, no parallel in history is ever perfect, but the same arguments are being made that (A) SDI will not work and (B) it costs too much and that it is provocative for America to defend itself.

How can we measure the loss of lives in terms of a few billion dollars, which is about 1 percent or more of the total defense budget?

I am going to support the Kyl amendment. I am also going to support the Dickinson amendment. Congress has been cutting SDI, and I think its a dangerous mistake. I just traveled the country for a year and found that people around this country do not know today that we have absolutely no defense. None whatsoever. They were surprised that we have no defense against Soviet ICBM's.

We are debating in 1988 whose finger we want on the button of nuclear retaliation. We should rather be debating what kind of button it is. Why should not President Dukakis or President Bush be able to put a finger on a button that could defend lives?

A year ago in the Persian Gulf, the U.S.S. *Stark* was hit and 37 men's lives were lost because the ship's missile defense against the Exocet Iraqi missile was not operational and was not used.

What kind of nonsense is it to say that it is immoral to build a defense system? I think the moral position is for defense. I think it is for SDI. I think it is for the Kyl amendment.

I plan to propose an amendment that will accelerate the accidental launch protection system for America, and I hope the Members will support that as well.

Vote for Kyl. Vote for Dickinson.

The CHAIRMAN pro tempore. The gentleman will suspend.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The Chair will remind all persons in the gallery they are here as guests of the House and that any manifestation of approval or disapproval of proceedings here is in violation of the rules of the House.

The gentleman from Missouri [Mr. SKELTON] is recognized.

Mr. SKELTON. Mr. Chairman, I yield 1 minute to the gentleman from Maine [Mr. BRENNAN].

Mr. BRENNAN. Mr. Chairman, today, we have the opportunity to rein in a program which has seen tremendous growth from $991 million in fiscal year 1984 to the committee mark of $4.1 billion, about a 415 percent increase in 6 years.

This amount of growth for SDI is excessive and is taking scarce budget dollars from many other necessary programs like the war on drugs.

Program manager General Abrahamson has been unable to disclose an estimate of the total costs associated with this massive and complicated program. Is it $1 trillion?

They have also described a system which is vastly different from the program President Reagan unveiled in March of 1983. Their SDI Program is not an astrodome-type shield above the United States to protect our citizens from a massive ICBM attack.

I am not the only person who has severe doubts about this program and whether it can meet the objectives set forth by the President.

A poll taken in October 1986 by Cornell University revealed that the prestigious National Academy of Sciences membership opposed SDI as unworkable by a margin of 8 to 1.

For the SDI Program in that past 5 years we have spent over $13 billion. What have we gotten for that exhorbitant sum?

We have embarked upon a crash research program which some have criticized, for pursuing early deployment of the system.

Some of us believe the push for deployment is geared toward developing some type of system to lock us into further funding for the program.

I am deeply concerned about this crash course of research and possible early deployment.

We should keep in mind the SDI Program is contradictory to the 1972 ABM Treaty. This House voted last week 252 to 159 to adhere to the narrow interpretation of the ABM treaty. Any advanced testing and deployment of the SDI Program will likely result in a violation of the treaty.

Without question, the SDI Program is a massively complicated and difficult technology to integrate into a workable system. Common sense and tight budget dollars tells us we should not rush full bore into developing a system which:

Fails to achieve the original objectives established by the President;

Will violate the 1972 ABM Treaty;

Will not provide a leak-proof shield for population protection; and

By some estimates could cost $1 trillion to develop and $200 billion annually to maintain.

I support SDI research. However, I only support providing enough funding which allows necessary research to take place which will provide solid scientific evidence to make an informed decision.

For that reason, I support the Dellums amendment which calls for $1.2 billion in SDI research funding. I believe we can secure a significant amount of research for $1.2 billion.

I urge my colleagues to support a prudent and wise course regarding this significant defense program and support the funding level provided by the Dellums amendment.

Mr. DICKINSON. Mr. Chairman, I yield the balance of my time to the distinguished gentleman from Arizona [Mr. KYL].

Mr. KYL. Mr. Chairman, in the very short time remaining, I would like to do two things: first of all to suggest that the Washington Post story on the OTA report ought not to be relied upon by my colleagues on the left, because according to a letter to the editor Ben Bradley, dated May 2, from John Gibbons, the Director of the OTA and General Abramson, Director of SDI, and I am now quoting:

> We take serious issue with the April 24 Washington Post story on the new OTA study of the Strategic Defense Initiative. * * * The Post story offered an inaccurate and incomplete picture of the OTA findings. * * * We regret the misleading characterization of our position in the April 24 Post story and look forward to a fuller, more accurate and more productive airing of these issues when the OTA report is published.

My colleagues who argue from that story will do so at their peril.

Second, Mr. Chairman, I would like to quote two other points from Secretary Carlucci's letter to Mr. DICKINSON and to Mr. ASPIN, and I submit that in speaking with General Powell, the National Security Adviser this morning, he indicated to me that he concurred fully in these comments by Secretary Carlucci.

The letter says:

> The request of the President on SDI reflects a balance between our legitimate security requirements and existing budgetary constraints. I regret the reductions recommended by the Armed Services Committee, because they will cause major restructuring and delays in the program. Further reductions in funding or other restrictions on the program would have the gravest consequences.

And he concludes in this fashion:

> I urge you in the strongest possible terms to oppose any such amendments. If the Congress sends the President a defense bill that contains a funding level for SDI that is in my view inadequate, I would have no choice but to recommend a veto of that bill.

Mr. SKELTON. Mr. Chairman, I yield myself the remaining time.

Mr. Chairman, recently back in Missouri a lady asked me why we do not go ahead and build the SDI and put it in place? I attempted to explain to her that this is a multifaceted program consisting of some eight subsystems that are basically in the research and development stage, and I attempted to explain the research and development aspect of it.

According to the budgetary agreement between Congress and the President this last November, our part of the budgetary pie is $299.5 billion. From that figure, we must do many things, whether it be training, whether it be taking care of the troops overseas, building ships, buying airplanes, making military construction throughout the world, and making things better for our young people. We are doing the best we can in the Armed Services Committee to meet the very important steps, that is, for the SDI, and frankly, Mr. Chairman, I think that we should use the correct term, SDI, rather than the figure of speech of "star wars" when we speak of it.

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). All time for general debate has expired.

It is now in order to consider the amendments relating to funding for the strategic defense initiative printed in section 1 of House Report 100-590, by, and if offered by, the following Members or their designees, which shall be considered in the following order only:

(A) Representative KYL;
(B) Representative DELLUMS;
(C) Representative DICKINSON; and
(D) Representative BENNETT.

If more than one amendment is adopted, only the last such amendment which is adopted shall be considered as finally adopted and reported back to the House.

AMENDMENT OFFERED BY MR. KYL

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. KYL: Strike out section 211 (page 19, line 13 through line 18) and insert in lieu thereof the following:

SEC. 211. SDI FUNDING FOR FISCAL YEAR 1989.

(a) AMOUNT AUTHORIZED.—Of the amount appropriated pursuant to section 201 or otherwise made available to the Department of Defense for research, development, test, and evaluation for fiscal year 1989, not more than $4,500,000,000 may be obligated for the Strategic Defense Initiative.

(b) AUTHORIZATION ADJUSTMENTS.—The amounts authorized in section 201 are hereby adjusted as follows:

(1) The amount authorized for the Army is reduced by $192,000,000.

(2) The amount authorized for the Navy is reduced by $130,000,000.

(3) The amount authorized for the Air Force is reduced by $76,000,000.

(4) The amount authorized for the Defense Agencies is increased by $398,000,000.

The CHAIRMAN pro tempore. Pursuant to the rule, the gentleman from Arizona [Mr. KYL] will be recognized for 12½ minutes and Member in opposition will be recognized for 12½ minutes.

The Chair recognizes the gentleman from Arizona [Mr. KYL].

Mr. KYL. Mr. Chairman, when Secretary of Defense Frank Carlucci took office he was requested by Members of this body to come to the Congress, unlike his predecsessor, with his bottom line—not an unrealistic request for defense spending generally or specifically for programs like the SDI. He did that.

As a matter of fact, when he came before the Armed Services Committee, our chairman, the gentleman from Wisconsin [Mr. ASPIN] said this: "Every Secretary of Defense comes into office with certain strengths, and I think all members of this committee would agree that dealing with Congress was not one of Cap's strong suits. But your cooperation has been really exceptional, not just by comparison with you immediate predecessors, but by any standard I can think of."

Mr. Chairman, Secretary Carlucci was very cooperative. He came to us with his bottom line, not the $6.2 billion that had originally been requested, but a pared-down request of $4.5 billion. That represents 1.5 percent of our total defense budget. That is not too much money.

Well, what did the Congress do? What did the House Armed Services Committee do with this newly cooperative Secretary of Defense? We really kicked him in the shins, because we cut his bare-boned request by another 20 percent down to $3.7 billion.

Now, we can argue here all day about assertions, about experts, about our own opinions of things, but I believe that we ought to rely upon the people who we have put into positions of responsibility to come to us with recommendations for how we ought approach this research program of SDI.

We asked Secretary Carlucci to come up with a bare-bones request, and he did so.

I read before from his letter to the chairman and to the ranking member of this committee. I had to read too fast, because time was short. I would like just to reiterate one of the things he said and to again emphasize that this morning General Powell, the National Security Adviser, told me that he concurred fully with Secretary Carlucci's remarks. I do this to make the point that this is not some rightwing bomb thrower talking. This is not a bipartisan Republican versus Democrat issue. This is the National Security Advisor of the United States, Colin Powell, a much respected man. And Secretary of Defense Frank Carlucci, who has become very respected because of his honesty in approaching these budgeting questions. These are the people who are saying these words. The Secretary of Defense said:

I regret the reductions recommended by the Armed Services Committee because they would cause major restructuring and delays in the program.

He said:

I urge you in the strongest possible terms to oppose any such amendments—

Referring to the amendments to decrease the amount of funding below that which he requested.

Again he said:

If the Congress sends the President a Defense bill that contains a funding level for SDI that is in my view inadequate, I would have no choice but to recommend a veto of that bill.

He concludes with these words:

While I would make such a recommendation with regret, I would not be living up to my responsibilities to the President or to the nation if I failed to do so.

My point again in quoting these words is to try to elevate this debate, to get away from the assertions and counter assertions and the rather low level that has characterized much of the contentious argument in the past, and instead to try to point out that those people in whom we ought to have the most respect and confidence have told us that $4.5 billion is the appropriate budget level for SDI for this year.

We ignore these respected people's advice at our peril.

Mr. SKELTON. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia [Mr. OLIN].

Mr. OLIN. Mr. Chairman, I thank the gentleman from Missouri for yielding this time.

Mr. Chairman, the Kyl amendment would raise the SDI outlays about $400 million above the DOD request. This would have the effect of accelerating the phase 1 deployment which is currently being worked on.

There really is no official estimate, but experts agree, I think, that the cost of phase 1 would be somewhere in the range of $75 to $150 billion by the mid to late 1990's. If we had that much money, which we do not, we do not, we should not spend it on partial deployment of technology that could soon be rendered obsolete.

□ 1300

The proposed system at best would let through about half of the anticipated attacking warheads, more than enough to destroy this Nation. Phase 1 has already cut into the basic research necessary to create the ultimate hardware that could supply us an efficient and effective defense. Phase 1 would

be destabilizing and premature and could be a disaster, but more likely it will expire by its own weight.

It is important for all of us to recognize that we do not know how much it would cost, how to protect it from attack, how it will discriminate between attacking warheads and decoys, how we would lift it into space, how we are going to design components we can afford, and how we could arrange to have the system debugged.

Phase 1 is a premature concept that should be put on the shelf.

Please vote against Kyl and for the Bennett amendment when it comes to the floor.

Mr. KYL. Mr. Chairman, I yield 4 minutes to the gentleman from New York [Mr. KEMP].

Mr. KEMP. Mr. Chairman, I want to congratulate the gentleman from Arizona [Mr. KYL] for his efforts not only on this amendment but on this whole debate over the defense bill. Certainly the ultimate question of defense is how do we protect ourselves against the threat of a nuclear attack and also against an accidental launch, which is something that I plan to be talking about a little bit later in the debate.

In terms of cost, I want to remind my colleagues who talk about the cost of SDI ad nauseam, that the Kyl SDI amendment, I believe, is around 1.5 percent of the total defense effort of the United States of America. To go below that level it seems clear to many of us who have been watching this SDI Program for a number of years, is going to jeopardize early deployment and cut back on the whole SDI effort which is needed, in my view, to help accelerate building a strategic defense. I do not need to tell anybody, and I do not believe we ought to spend money just because the Soviet Union is spending money, but it is obvious they are up to something with their ABM system around Moscow, their incredible effort on ballistic missile defense, antitactical ballistic missile defense, air defense, civil defense, and SDI defense. Whether these figures are totally accurate or not is subject to speculation but according to the Department of Defense later and publication on Soviet military power, the assessment is, the Soviet space program is about $80 billion over the last 10 years, their strategic defense program is $200 billion in the decade of the 1980's. Notwithstanding the fact we will not spend $200 billion on SDI in the 1980's, we are not going to spend anywhere near it, we are talking about an effort to bring an acceleration or bring the program back to its original design. I strongly favor it. I think this is a key SDI vote in 1988.

Earlier I had gotten up and spoke during general debate and pointed out that Churchill told the House of Commons in 1944 that the Germans launched 2,750 flying bombs, V-1 bombs. Churchill went on to say thanks to air defense, which the British had because of Churchill's leadership, a large proportion of those buzz bombs or V-1 rockets had been shot down. Churchill concluded by noting that the air force, confronted with the somewhat novel task of facing a projectile, found new methods of defense every day.

The question of faith always comes up. Who do we have more faith in, American technology and our scientific community or Members of Congress and the so-called OTA who do nothing but criticize the SDI Program and tremendous application of technology that has been accelerating and has been coming on stream in the last several years? As the author Tom Clancy wrote in the Wall Street Journal the other day, these critics are 20th century Luddites.

I just want to say I do not think we have to put faith in the Kyl amendment or in Kemp or in Stratton or Dickinson or any one person but it is the same faith in American technology that John F. Kennedy spoke of in 1961 when he said America is going to go to the Moon. He did not say that we are going to research it. He said we are going to go to the Moon because it is in the best interests of this country to put a man on the Moon in the 1960's. Let me tell my colleagues that it is much more important to protect America and our allies and the American people and our defense deterrent from the threat of a nuclear attack on the United States of America. I think it helps ensure that the arms control process will work. I strongly favor the Kyl amendment and I want to thank the gentleman from Arizona for taking the lead in this "House of Commons" in the 1980's. He is Churchillian in his perception of the threat that we face and the national effort that we need to make sure America is defended against this threat.

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

Mr. Chairman, I am driven to make a slight historical correction to the gentleman from New York.

I do admire his recollection of the battle against the V-1's, but it should also be pointed out that 25 percent of them fortunately never made it to the coast of Great Britain, and ended up in the English Channel.

Mr. Chairman, I yield 4 minutes to the gentleman from Florida [Mr. BENNETT].

Mr. BENNETT. Mr. Chairman, something has changed a little bit from last year. I have been trying to keep to the best of my ability, with others, these figures within some realm of logical effect. Mr. Chairman, $3 billion is the maximum amount really that is needed for a research program and that is the kind of evidence we have. Yet we have General Abrahamson suggesting he would like to have $45 billion more to be distributed in this program of preliminary activity with regard to SDI. This is in the reserach program.

What has that brought about? What has that push for additional money done? I find in many congressional districts Congressmen are now telling me that, "I now have a parochial interest. It is now difficult for me to be with you on SDI because we have blue collar jobs."

I now find when I talk to people about SDI that most of the people that turn me down in my efforts to have a reasonable forward-pushing thing for just adequate research and not any great expansion, many of them are telling me that, "Now I cannot do that because I have a parochial interest in my district," or they say sometimes, "in my State."

That is a very alarming thing because if that continues there is no way which we can stop this program if it is a bad program. It will just continue to roll over and we will spend more and more money on it. What does that do to the national defense of our country? I will tell my colleagues what it does. I am chairman of the Subcommittee on Seapower and Strategic and Critical Materials and I see a fight to try to get 15 carriers when in fact the Joint Chiefs of Staff say that we ought to have 21 carriers, but that they will settle for 15. I have a hard time getting 15 carriers because there is not enough money. There are three times the number of Warsaw Pact tanks today in Europe that we have, three times the artillery, and we are not taking care of our conventional weaponry. That is the real kind of war which is likely to be the one actually to be fought. We are dreaming about a type of war that is not likely to ever occur.

I will give my colleagues an illustration in my own experience. I was an infantry soldier in World War II in the Pacific. I fought against the Japanese. In many places the Japanese would be in a nipa hut. Against a nipa hut I could take one of my chambers of my weapon and I could empty it in a nipa hut and kill every Japanese soldier in that hut without any difficulty. I myself could do it alone.

When I approached, as I often did, a cave that had been dug out perhaps from a rocky location and was used by the Japanese soldiers, I had to take at least a squad, probably a platoon, and put more stuff on it. That is exactly the situation with regard to this approach for SDI. Nobody, Mr. Chairman, nobody, no scientists say this can be an umbrella over all of the United States. They all say a certain percent-

age will get through. Most of them say not 50 percent can be stopped.

I am a combat soldier. I had 5 years in the infantry in World War II. I know what I am talking about. I know when we can penetrate a shield that then we put all the more weapons we can possibly put on it. What is going to happen here? The Russians already have 10,000 rounds. Suppose we stop 90 percent from coming in? That 10 percent that gets through could kill my hometown, the 17th largest city in the United States. It could kill all the towns larger and they would still have 980 rounds left for the rest of the United States, 980 rounds. Each of those are much more powerful than the Hiroshima and Nagasaki bombs. What a disaster. What a disaster.

That is what we are asking for in this escalation of this funding.

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

Mr. BENNETT. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I want to rise in strong support of the Bennett amendment. I know we are discussing the Kyl amendment, but I rise in support of the Bennett amendment.

Mr. Chairman, to go above the committee number here would be a serious mistake. This program has fundamental problems. It should be a research program. This rush to deployment under phase 1 is a mistake.

We all have read the OTA statement, and I resent very much the gentleman saying that we should not rely on it.

I have read it. The OTA statement is a strong indictment of this entire program.

Mr. SKELTON. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. DELLUMS].

Mr. DELLUMS. Mr. Chairman, I thank the distinguished gentleman from Missouri [Mr. SKELTON] for yielding me this time.

Mr. Chairman, later in this debate we will be offering an amendment, perhaps the only amendment that raises the policy consideration, one not dealing simply with dollars, but in the few moments that I have I would like to address the dollars issue because two of my colleagues have stated on the floor that the amount of money that we are talking about there is slightly in excess of 1 percent of the total military budget.

I would like to assert that that is, with all due respect, a rather superficial presentation of what the economic impact of all of this really is. Many of my colleagues have already stated, and later in the day will again point out, the absurdity and lack of effectiveness of this potential weapons system. Let us focus on the dollars, however. General Abrahamson, who is the Director of the Strategic Defense Initiative Office, has stated clearly and without equivocation that over the next 5 years there will be a need to authorize and appropriate $45 billion just to determine at the end of that expenditure whether it is even feasible to go forward or not. So we will be expected to pump in $45 billion additional over a 5-year period just to determine that question.

One does not have to be a brilliant mathematician to understand the economic budgetary implication of that. That means that we will have to spend approximately $9 billion per year for the next 5 years just to get to answer the question of feasibility. My colleagues and I operate within the confines of the gestalt, the total of our budget. We are here charged with the responsibility of determining priorities. We are operating within the statutory constraints of Gramm-Rudman which requires that we deal with the deficit.

How are we going to expend an average of $9 billion per year for the next 5 years just to answer the question of feasibility and address the myriad of problems that confront us as well particularly in view of the OTA report and other significant Nobel laureates who have come to realize that this is a futile program?

The second economic issue that needs to be looked at is that General Abrahamson again states that if we go forward with phase 1, and we are going to demonstrate during the course of time that we command the time on this floor that we are talking about maybe a 30-percent-effective system, but General Abrahamson says it will cost us between $75 and $150 billion in order to arrive not at a system that will give the American people a population defense shield but a system that will only defend nuclear weapons and only do that to the degree of 30 percent effectiveness.

Mr. Chairman, $9 billion per year for the next 5 years will decimate us, $75 to $150 billion with a megabillion-dollar deficit will decimate us. We cannot continue on an irrational basis to go forward propagandizing the American people that we are going to build a Houston Astrodome over America when we know that even the Pentagon has stated that we are talking about point defense.

□ 1315

Mr. SKELTON. Mr. Chairman, I yield 1 minute to the gentleman from South Carolina [Mr. SPRATT].

Mr. SPRATT. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, may I ask the gentleman from Arizona [Mr. KYL], who is the sponsor of this amendment, I believe this amendment increases the authorization for SDI by $800 million over the committee's approval?

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

Mr. SPRATT. I will be happy to yield to the gentleman.

Mr. KYL. That is correct.

Mr. SPRATT. That $800 million under our rule has to come from somewhere. Where did it come from with respect to the Army, the Navy, Air Force programs? What are we taking out of this program in the way of conventional and other defense to provide this $800 million?

Mr. KYL. The real answer is we are not taking anything. The original was $4.5 billion, and then the House Committee on Armed Services reduced the $4.5 billion down to $3.7 billion, and it redistributed that $192 million to the Army, $130 million to the Navy, $76 million to the Air Force, $402 million to defense agencies, and that money was not originally provided for those agencies, but was taken away from SDI, given to those agencies, and I would propose that they be returned to SDI.

Mr. SPRATT. Those technologies that would have been purchased with that $800 million include, as I understand it, submarine research, antiarmor research in the Army, conventional add-ons on other research in the Air Force. Can you identify what we are eliminating that was added into the budget if your amendment is adopted?

The SPEAKER pro tempore. (Mr. GRAY of Illinois). The time of the gentleman from South Carolina has expired.

Mr. KYL. Mr. Chairman, let me take a minute to respond to the gentleman from South Carolina [Mr. SPRATT].

As the gentleman is aware, the programs to which he referred were already being funded. These were not programs only funded by this money redistributed from SDI. These moneys were merely being added to already existing programs. Second, the gentleman from Washington had earlier indicated that same argument, and I point out to him this money is simply being redistributed back to SDI.

The gentleman from Florida [Mr. BENNETT] has made a point about funding, the need to fund other programs as well, conventional programs and others, and I think that is certainly a valid point.

That is why I proposed a couple of days ago to steadily and slowly increase defense spending. We need increases across the board. We do not need to take it at the cost of SDI.

Let me reiterate the numbers, Mr. Chairman. Out of a $300-billion defense budget, we are here talking either about the Carlucci proposal which is my amendment at 1½ percent of the entire defense budget or the committee proposal which is 1¼ percent of the entire defense budget.

I think it is a ludicrous argument to contend that the SDI Program is stealing money from other programs and is breaking the back of these other programs. The fact of the matter is that, like, the gentleman from California [Mr. DELLUMS] has indicated before, he would just as soon there would be no SDI Program and has called for an honest debate about whether we ought to have any spending for it rather than simply letting it starve by amounts of funding that permit it to starve but do not actually cut it off.

Mr. Chairman, I suggest we ought to be restoring the funding level suggested by Secretary Carlucci.

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

Mr. KYL. I will be happy to yield to the gentleman.

Mr. KEMP. Mr. Chairman, I thank the gentleman for yielding.

I want to respond to the argument made by the gentleman from California who is always so articulate in his objections to the purpose of a strategic defense for America which is not to put a shield or a dome or Astrodome over the United States.

We all recognize that that is not possible, but it is possible to introduce doubt into the minds of the Soviet Union as to the efficacy or ability or efficiency of ever attacking the United States of America with impunity, and if we can introduce that doubt into their mind, it will reduce the chances of nuclear war, and since the gentleman from California is in favor of reducing those either by accident or by design, it seems to me he should not be saying, as he does, the purpose of SDI is to shield the whole country. It is to introduce doubt as to the ability of the Soviets ever to attack the United States.

I think that this is well worth the money that is being spent.

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

Mr. KYL. I am happy to yield to the gentleman.

Mr. KASICH. Mr. Chairman, I think it is worth pointing out that we have heard discussion about Nobel laureates, and the Democrats' expert extraordinaire on defense, SAM NUNN, has now come out in favor of the concept of a limited defense.

You do not have to have a total shield in order for an SDI Program, in order for it to be effective, and I happen to agree with that Democrat. He may be on the ticket, and the Democrats may be looking for somebody who can have a more moderating position on defense, and I endorse what Senator NUNN says.

It is very, very significant that he believes like we do that these first steps are absolutely critical and perfection is not the only thing we are looking for, as the gentleman from New York just pointed out.

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

Mr. KYL. I yield to the gentleman.

Mr. LAGOMARSINO. Mr. Chairman, I support the gentleman's amendment and urge my colleagues to support it.

Mr. Chairman, I rise in support of the strategic defense initiative and in opposition to the amendments that further reduce funding for this important defense program.

During the past three decades deterrence has been based on our ability to use offensive nuclear weapons to retaliate against any attack. Sadly, we once did have to use these awful weapons in defense—we bombed Hiroshima and Nagasaki. Isn't it time we took steps that will permit us to do something to counter nuclear weapons, rather than live with them in fear? Many of my colleagues believe the answer lies not in the SDI but only in reaching further arms control agreements. Despite serious Soviet violations to present arms control agreements, these same members ignore Soviet noncompliance and tell us that greater trust and understanding will lead to arms control. I guess that's the same trust and understanding the Afghan people had with the Soviets. It nearly cost the Afghans their country and it did cost the lives of hundreds of thousands of their countrymen. Examining the track record of Soviet compliance with arms control agreements, I believe that realism, not just trust, will lead to arms control. Realism dictates that there is a need for a strategic defense to complement our arms control efforts.

Also, to the extent that arms control reduces the number of nuclear warheads the more effective a SDI system can be.

The concept of pursuing defenses is not new. In fact, it is wholly consistent with deterrence. It was actually being pursued during the Carter administration, but not in a very comprehensive or cohesive way. The reasoning is very logical. The policy of mutually assured destruction [MAD] has worked thus far, but the costs of a potential breakdown are great. I believe it is far safer to protect America with a "shield" than with the present "sword"—the threat of an unsurvivable nuclear holocaust should deterrence breakdown. In addition, an effective strategic defense can enhance deterrence by greatly complicating the war plans of the attacking nation. If greater uncertainty about the outcome of initiating such an attack can be achieved, defenses will have contributed to deterrence and stability.

Great strides have been made in our ability to track and intercept missiles before they reach their targets. The goal we seek is a system that can intercept deadly ballistic missiles in all phases of their flight. In this debate many opponents of the SDI will cite Nobel laureates and other distinguished physicists in arguing that the SDI is not feasible or safe. I urge these members to carefully examine the details of the reports they are quoting. Unfortunately, many are flawed in important respects and include misleading information. My well-informed friend, Mr. HYDE of Illinois, has provided me with a brief article written by an expert physicist with 25 years experience in defense work that analyzes these "great scientists" reports in layman's terms. I shall submit this brief analysis for the RECORD. I think you will be very surprised at how much wrong information on the SDI there has been and how little true facts have been considered. I urge my colleagues to review this short analysis.

While there has been much debate on the American SDI Program, many have conveniently ignored or denied the Soviet SDI Program. The Soviet Union has always considered defense to be a central part of its national security policy. In addition to their comprehensive air defense and civil defense network, the Soviets are engaged in developing a rapidly deployable anti-ballistic missile [ABM] system that could be deployable within 10 years. Thus, the SDI is a very prudent response to the very active Soviet ABM development and provides insurance against Soviet breakout.

I will give Mikhail Gorbachev credit for the good PR work he has done. His propaganda against our defensive efforts have pulled the wool over many folk's eyes. In discrediting our legitimate defensive needs he has managed to distract attention from his own greater, more intensive strategic defense system. Within the last decade the CIA estimates that the Kremlin has spent $150 billion, yes, that's $150 billion, on its version of the SDI. According to a respected group of Soviet dissident scientists, including some we in Congress helped emigrate, the Soviets devote much more of its efforts and resources into its own SDI Program than we do. They also warned that the Soviet Union would likey continue to proceed with its SDI even if it signed an agreement not to. They recommended that we not yield on development of the strategic defense peace shield.

The Soviets, in violation of the ABM Treaty, have developed a countrywide ABM capability. The Krasnoyarsk radar proves that. They are developing a new ABM system, based on two-layers of defense: silo-based Galosh missiles for long-range interception and silo-based high-acceleration missiles which can discriminate between real reentry vehicles and decoys inside the atmosphere. Soviet advances in conventional surface-to-air missiles

have given many battlefield SAMS ABM capabilities. The Soviets are way ahead in laser technology developments. They also continue research and development of particle beam weapons, radio-frequency weapons, kinetic energy weapons, and computer and sensor technologies. Contrary to their propaganda, which many of my colleagues seem to be taking at face value, the Soviets are very interested and deeply committed to their own SDI. In fact, Soviet ballistic missile defense activities are so extensive that Moscow now has the potential to break out of the ABM Treaty much more rapidly than the United States can respond. It is clear beyond a doubt that the Soviets are moving right along at a quick pace to deploy their own strategic defense while we debate abouts sums that are only drops in the bucket compared to their extensive program.

Critics assert that the SDI cripples arms control. This is not true. Obviously the Soviets believe the two go together—they are pursuing strategic defense and claim they are serious about arms control. As Zbigniew Brzezinski, President Carter's national security adviser, said, the Soviets would not even be at the negotiating table with our country had it not been for the President's commitment to the SDI. The SDI is a very promising arms control mechanism. By providing a defensive shield, it reduces the need for nuclear missiles making reduction agreements more attractive and obtainable. The SDI coupled with arms reductions makes the argument that the Soviets can overwhelm our defenses moot. Even at partial effectiveness, the SDI denies any power the ability to carry out a successful first strike—further enhancing deterrence and making arms reduction proposals more acceptable. I urge Members to note that while we have been pursuing the SDI real progress has been made in arms control: The INF Treaty and advances on start. With the Moscow summit just around the corner, and with our negotiators making progress in Geneva, it is unwise for Congress to restrict this important program. The SDI, in addition to providing America with a sound defense, also keeps the Soviets serious at the negotiations table. Congress would be sending a very negative signal to the negotiations if we reduce SDI funding.

The SDI is already providing us with numerous spin-offs allowing us to make advances in medicine, materials construction, food irradiation, and engines—for automobiles, jets, and rockets. The nonmilitary benefits of the SDI are numerous and are conveniently ignored by SDI critics.

The SDI provides America with an alternative to our current dependence on nuclear weapons for national defense. It also provides protection against an accidental launch by the Soviets or some other power—a capability we are dangerously lacking today. I urge my colleagues to ignore what the Soviets are saying about the SDI—look at their actions. They are developing an SDI at a greater pace. With our commitment to the SDI, they have come to the arms control table. Actions speak louder than words. Let's take action now and preserve the necessary funding for the SDI and show the world we are committed to peace and security based on full armor—a shield and a sword, not just the bloody sword.

[From the National Review, May 4, 1987]

SDI WATCH

A committee of distinguished physicists released a report on SDI a few weeks ago that said that substantial progress had been made, but that it will take ten years or more to find out whether the U.S. can shoot down Soviet ICBMs with lasers and particle beams.

The report was commissioned by the American Physical Society, the nation's leading organization of physicists, and prepared by "scientists of great eminence," as the New York Times pointed out, including three Nobel laureates. Its view of SDI is more pessimistic than the one held by scientists in the government, who believe that within five to seven years they can reach a decision on whether to go ahead with laser weapons and the like.

The committee of physicists considered only lasers and particle beams—the more exotic components of SDI research. It did not discuss the only kind of missile defense actually being considered by the Department of Defense for deployment in this century. This defense involves the humdrum technology of heat-seeking missiles like the Sidewinder, which are routinely used in air defense. The heat-seeking missile homes in on and collides with its quarry, attracted by the heat it emits, and destroys it by the force of the impact.

These heat-seeking missiles in their "Star Wars" form are stored in pods on satellites and are called SBKKVs, which stands for space-based kinetic kill vehicles (the name comes from the fact that the kinetic energy released in the collision "kills" the ICBM). SBKKVs received high marks recently from the Marshall Institute and in a congressional testimony by General Abrahamson, director of the SDI project. They do not require any radical new developments in technology, and the annual cost for building a defense around them would be only a few percent of the total defense budget.

When the scientists working for SDI started their labors three years ago, defenses using lasers, particle beams, and kinetic kill vehicles or heat-seeking missiles were all considered to be good possibilities. They still are. But over the course of these three years of research, it gradually became clear that the heat-seeking missile was a more mature technology than the laser or the particle beam, and was the best bet for a defense to meet the Soviet missile threat in this century.

At any rate, the report by the physicists' committee focused on lasers and particle beams, and left out SBKKVs. The result is a very impressive document, loaded with equations and written by physicists for physicists. Needless to say, it has been examined with some curiosity by the scientists at Los Alamos and Livermore whose work was the main basis of the government's faster timetable for an SDI decision.

These government scientists started from the same facts and used the same basic equations as the outsiders. It is hard to see how one group of scientists could decide that the country might have the answers on a Space Shield in as little as five years, while another group, using the same facts and equations, says it will take at least ten years. Presumably the physicists and the Nobel Prizes are right. Where did the ones working for the government go wrong?

Hoping to find out, the government physicists got copies of the report. They were prepared to be impressed, and maybe to learn something. They poked around, and they found some peculiar things.

For example, the report says that one hundred nuclear reactors would have to be put into orbit to provide "housekeeping" power for the one hundred laser-equipped satellites that would make up the heart of the defense. "Housekeeping" means operating the satellite's computers and radios, keeping its temperature right, firing the little rockets that adjust its altitude, and so on. This was an important conclusion, because the image of one hundred large chunks of radioactive material whizzing overhead is disturbing. As the New York Times pointed out, "It undercuts the assertion that the defense would be non-nuclear."

Well, the prediction of one hundred nuclear reactors depends on an assumption made by the committee of physicists. The assumption is that satellite housekeeping requires between 100,000 and 700,000 watts of electric power. Providing a continuous supply of that much electric power in space would certainly require nuclear reactors.

But the amount of power needed for satellite housekeeping is well known. It is not hundreds of thousands of watts, it is only a few thousand watts—one hundred times less than the report said. This relatively small amount of power—about what an average household uses—is routinely supplied to a satellite by solar cells on the sunlit side of its orbit, and by storage batteries on the dark side. Nuclear reactors are not needed.

Why did the committee of physicists make an error by a factor of one hundred on the housekeeping requirements of the laser satellites? They mention that power is needed to operate radars on the satellites, and indeed a microwave radar does take a lot of power—but SDI does not plan to use any power-hungry microwave radars on its satellites. And they mention the power needed to cool the laser mirrors—but those mirrors only need heavy cooling during the few minutes the actual battle lasts, and even that cooling is accomplished by circulating fluid through the mirrors, and not with electricity.

The report also mentions that one billion watts of power is needed to run a neutral-particle-beam weapon. That might indeed be a daunting requirement. But the neutral-particle-beam weapon is being designed to produce one-hundred-million-volt particles with a current of one-tenth of an ampere. From Physics I, watts=volts x amps, and that gives ten million watts for the power of the beam produced by this gadget. For every watt that comes out, about three watts has to be put in, which means thirty million watts of power has to be supplied to run the device.

So thirty million watts is the requirement for a particle-beam weapon. But the report

by the committee of physicists says one billion watts is needed. That is roughly thirty times more than the right answer.

As with the excess factor of one hundred for housekeeping power, this error by a factor of thirty is in a direction that makes defending the U.S. against Soviet missiles seem harder than it really is and the timetable for reaching the SDI goal seem longer.

It is beginning to be clear why the committee of physicists said the U.S. would need ten years to make a decision on SDI's laser weapons. It is also clearer how two competent groups of scientists, both working with the laws of nature, could reach different conclusions. The calculations by the committee of physicists were first-class, but some of their assumptions were flawed and so, therefore, were their conclusions.

Another important finding in the committee's report—item number one in the executive summary—says that chemical lasers have only been tested at a power somewhat above 200,000 watts, and must still be beefed up by another two "orders of magnitude" to be effective as space weapons. An "order of magnitude" means a factor of ten, and two "orders of magnitude" means a factor of one hundred. A hundredfold increase in the power of a 200,000-watt laser means building a laser with a power of many millions of watts.

But SDI demonstrated a multimillion-watt laser more than a year ago, and the Soviets have had multimillion-watt lasers in their own "Star Wars" program for several years. In fact, the Soviets have a number of multimillion-watt lasers operating in their weapons labs right now. Soviet scientists claim these are for "medical research," but since they can blow a hole a foot in diameter in your body in one second, that seems unlikely.

As the physicists' report notes, "substantial progress" is being made in the field of ultra-powerful lasers. That seems to be so in the Soviet Union as well as in the United States. Why, then, the pessimism? Part of the problem seems to be that the basic assumptions in the report are biased toward a pessimistic conclusion. The remainder of the difficulty may be connected with the mentality of some research scientists. As one of their own observed recently, that mentality is like a laser beam—very penetrating, but very narrow. Scientists have always been poor at forecasting progress in practical applications of their research. Perhaps the most famous forecast, and the one most germane to SDI, was offered by Vannevar Bush, science czar for the government during World War II, who said to President Truman after the war, "People . . . have been talking about a three-thousand-mile rocket going from one continent to another carrying an atomic bomb . . . I think we can leave that out of our thinking."

Mr. SKELTON. Mr. Chairman, I yield 30 seconds to the gentleman from California [Mr. DELLUMS].

Mr. DELLUMS. Mr. Chairman, I will simply respond to my colleagues that remember the President of the United States, President Reagan, sold the strategic defense initiative to the American people as a population-defense shield. He apparently is the only American citizen who was in elective office, well, two, Mr. DORNAN, who believes that is feasible. Only two people in America who are in elective office believe that can take place.

Even the gentleman from New York [Mr. KEMP] says that that cannot happen, and that is a major and important ingredient.

Mr. KYL. Mr. Chairman, I think the last argument is really a red herring. The fact of the matter is that National Security Adviser Colin Powell, Secretary of Defense Carlucci, General Abrahamson, and other experts who have appeared before us have made it crystal clear how this phased program, beginning with a research program, evolving into a first phase, and evolving into a follow-on phase, can provide the deterrence.

What the gentleman from New York [Mr. KEMP] pointed out is that it puts significant doubt into the minds of the Soviet planners so as to preclude them from launching this kind of devastating attack.

I would like to conclude by saying all my amendment does is restore the amount of funding requested by Secretary Carlucci when he came before the committee.

We are talking about 1½ percent of the entire defense budget. This will not cripple defense spending in other areas, and it is a legitimate request of the experts in which this Congress ought to have some confidence.

I hope the Members will support this effort and at a minimum will support the request for the $3.7 billion spending level.

Mr. SKELTON. Mr. Chairman, I yield myself such time as I have remaining.

I am recalling the words of my fellow Missourian, Mark Twain, who once said, "The more you explain it to me, the more I don't understand it."

As a result of this debate, those of us who are about to cast a vote on this very, very important, terribly important, issue, I think we should probably recapitulate and see where we are and what the issues before us are at this moment.

First, let us look at the figures, because this is a monetary debate. We are looking at figures as opposed to facts supporting it, because we all know that this SDI system is a terribly important system.

Fiscal year 1988, and that is last year's appropriation, was $3.9 billion. The request this year coming from the administration is $4.9 billion. Not long ago the Committee on Armed Services came forth with a recommendation of $4.1 billion based upon the limits I had heretofore mentioned, the various constraints and various other areas which we wished to fund.

Also, taking into this equation, we must see that the Senate Armed Services Committee authorized $4.6 billion. In line with that, we have four amendments that are before us in the next several minutes.

The first is from the gentleman from Arizona [Mr. KYL], who would put the figure at $4.9 billion.

Mr. DREIER of California. Mr. Chairman, one of our colleagues who is opposed to the development and deployment of a strategic defensive weapons system has stated that, "SDI is not just another research program. It represents a radical shift in the Nation's nuclear strategy." While our colleague correctly notes that SDI is a shift in our nuclear strategy, he appears to have missed the significance of this "shift."

President Reagan's strategic defense initiative [SDI] is the most significant policy development since the beginning of the nuclear era. It represents a shift toward deterrence based primarily on strategic defenses and away from our current deterrent. Today, the United States can only defend against a nuclear attack by increasing the number and sophistication of our offensive nuclear arsenal. This policy of deterrence by nuclear terror, better known by its acronym MAD [or mutually assured destruction], is loosing its effectiveness as the Soviet Union accelerates the development of its own strategic defense program.

I support the Kyl amendment to increase the Armed Services Committee authorization of $4.1 billion for SDI in fiscal year 1989 to the requested level of $4.9 billion. I also oppose amendments which reduce the committee funding level or would micromanage allocation of SDI funds within the overall SDI budget. Reductions and restrictions of this type would further hamper efforts to provide continuity in SDI's critical research programs on which our current national security systems depend. In addition, these reductions and restrictions would force premature choices and cancellation of competition in several of the key SDI projects. I should not need to point out that this competition helps to assure cost-efficient and effective programs. These amendments are thinly disguised attempts to sabotage any prospects for near-term deployment.

The Director of the Strategic Defense Initiative Organization [SDIO], which oversees the entire project, has warned that in limiting the funds available for phase 1, the Spratt amendment would also constrain important follow-on technologies. This action, coupled with overall funding reductions, would result in further delays in the program.

Mr. Chairman, I would like to read a statement by General Secretary Gorbachev of November 30, 1987, in which he acknowledged that the Soviet Union is involved in strategic defense research. "The Soviet Union is doing all that the United States is doing, and I guess we are engaged in research, basic research, which relates to these aspects which are covered by the SDI of the United States." Mr. Gorbachev only failed to note that the Soviet Union has been conducting such research since the 1970's and that the Soviet effort into all aspects of strategic defense has been consistently far more vigorous than that of the United States.

While United States leaders have consistently maintained that a nuclear war cannot be won and should never be fought, Soviet civil-

ian and military leaders have historically indicated their belief that such a war may well be fought, and won, under certain circumstances. Fortunately for the Kremlin, it does not have the United States Congress to tie its hands in the development and deployment of forces necessary to support a nuclear-war-winning strategy.

I urge my colleagues to join me in supporting the Kyl amendment, which provides for the President Reagan's requested funding for SDI, in order to ensure its rapid development and early deployment.

The CHAIRMAN pro tempore. All time has expired.

The question is on the amendment offered by the gentleman from Arizona [Mr. KYL].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 105, noes 312, not voting 14, as follows:

[Roll No. 98]

AYES—105

Archer	Gingrich	Oxley
Armey	Hall (TX)	Packard
Badham	Hammerschmidt	Parris
Baker	Hansen	Pashayan
Bartlett	Harris	Porter
Barton	Hefley	Quillen
Bateman	Hiler	Rhodes
Bentley	Holloway	Richardson
Bevill	Houghton	Robinson
Bilirakis	Hunter	Schaefer
Billey	Hyde	Shaw
Broomfield	Inhofe	Shumway
Bunning	Ireland	Shuster
Burton	Kasich	Skeen
Callahan	Kemp	Slaughter (VA)
Cheney	Kyl	Smith (TX)
Coleman (TX)	Lagomarsino	Smith, Robert (NH)
Combest	Latta	
Courter	Lent	Solomon
Craig	Lewis (CA)	Spence
Crane	Lewis (FL)	Stratton
Dannemeyer	Livingston	Stump
Davis (IL)	Lott	Sundquist
DeLay	Lowery (CA)	Sweeney
DeWine	Lujan	Swindall
Dickinson	Lukens, Donald	Taylor
DioGuardi	Lungren	Vander Jagt
Dornan (CA)	Mack	Vucanovich
Dreier	Martin (NY)	Walker
Edwards (OK)	McCandless	Weber
Emerson	McCollum	Wilson
Erdreich	McCrery	Wolf
Fields	McEwen	Wortley
Flippo	Michel	Young (FL)
Gallegly	Miller (OH)	
Gekas	Moorhead	

NOES—312

Ackerman	Bilbray	Byron
Akaka	Boehlert	Campbell
Alexander	Boggs	Cardin
Anderson	Boland	Carper
Andrews	Bonior	Carr
Annunzio	Bonker	Chandler
Anthony	Borski	Chapman
Applegate	Bosco	Chappell
Aspin	Boucher	Clarke
Atkins	Boxer	Clay
AuCoin	Brennan	Clement
Ballenger	Brooks	Clinger
Barnard	Brown (CA)	Coats
Bates	Brown (CO)	Coble
Beilenson	Bruce	Coelho
Bennett	Bryant	Coleman (MO)
Bereuter	Buechner	Collins
Berman	Bustamante	Conte
Conyers	Kaptur	Ravenel
Cooper	Kastenmeier	Regula
Coughlin	Kennedy	Ridge
Coyne	Kennelly	Rinaldo
Crockett	Kildee	Ritter
Darden	Kleczka	Roberts
Davis (MI)	Kolbe	Rodino
de la Garza	Kolter	Roe
DeFazio	Konnyu	Rogers
Dellums	Kostmayer	Rose
Derrick	LaFalce	Rostenkowski
Dicks	Lancaster	Roth
Dingell	Lantos	Roukema
Dixon	Leach (IA)	Rowland (CT)
Donnelly	Leath (TX)	Rowland (GA)
Dorgan (ND)	Lehman (CA)	Roybal
Dowdy	Lehman (FL)	Russo
Downey	Leland	Sabo
Durbin	Levin (MI)	Saiki
Dwyer	Levine (CA)	Savage
Dymally	Lewis (GA)	Sawyer
Early	Lightfoot	Saxton
Eckart	Lipinski	Scheuer
Edwards (CA)	Lloyd	Schneider
English	Lowry (WA)	Schroeder
Espy	Luken, Thomas	Schuette
Evans	MacKay	Schulze
Fascell	Madigan	Schumer
Fawell	Manton	Sensenbrenner
Fazio	Markey	Sharp
Feighan	Marlenee	Shays
Fish	Martinez	Sikorski
Flake	Matsui	Sisisky
Florio	Mavroules	Skaggs
Foglietta	Mazzoli	Skelton
Foley	McCloskey	Slattery
Ford (MI)	McCurdy	Slaughter (NY)
Ford (TN)	McDade	Smith (FL)
Frank	McGrath	Smith (IA)
Frenzel	McHugh	Smith (NE)
Frost	McMillan (NC)	Smith (NJ)
Gallo	McMillen (MD)	Smith, Denny (OR)
Garcia	Meyers	
Gaydos	Mfume	Smith, Robert (OR)
Gejdenson	Miller (CA)	
Gephardt	Miller (WA)	Snowe
Gibbons	Mineta	Solarz
Gilman	Moakley	Spratt
Glickman	Molinari	St Germain
Gonzalez	Mollohan	Staggers
Goodling	Montgomery	Stallings
Gordon	Moody	Stangeland
Gradison	Morella	Stark
Grandy	Morrison (CT)	Stenholm
Grant	Morrison (WA)	Studds
Gray (IL)	Mrazek	Swift
Gray (PA)	Murphy	Synar
Green	Murtha	Tallon
Gregg	Myers	Tauke
Guarini	Nagle	Tauzin
Gunderson	Natcher	Thomas (CA)
Hall (OH)	Neal	Thomas (GA)
Hamilton	Nelson	Torres
Hatcher	Nichols	Torricelli
Hayes (IL)	Nielson	Towns
Hayes (LA)	Nowak	Traficant
Hefner	Oakar	Traxler
Henry	Oberstar	Upton
Herger	Obey	Valentine
Hertel	Olin	Vento
Hochbrueckner	Ortiz	Visclosky
Hopkins	Owens (NY)	Volkmer
Horton	Owens (UT)	Walgren
Hoyer	Panetta	Watkins
Hubbard	Patterson	Weiss
Huckaby	Pease	Weldon
Hughes	Pelosi	Wheat
Hutto	Penny	Whittaker
Jacobs	Pepper	Whitten
Jeffords	Perkins	Williams
Jenkins	Petri	Wise
Johnson (CT)	Pickett	Wolpe
Johnson (SD)	Pickle	Wyden
Jones (NC)	Price	Wylie
Jones (TN)	Pursell	Yatron
Jontz	Rahall	Young (AK)
Kanjorski	Rangel	

NOT VOTING—14

Biaggi	Hastert	Stokes
Boulter	Hawkins	Udall
Daub	Martin (IL)	Waxman
Duncan	Mica	Yates
Dyson	Ray	

□ 1342

The Clerk announced the following pair:

On this vote:

Mr. Boulter for, with Mr. Daub against.

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

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

The CHAIRMAN pro tempore. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. ASPIN. Mr. Chairman, I yield for the purpose of engaging in a colloquy to the gentleman from New York [Mr. HOCHBRUECKNER].

Mr. HOCHBRUECKNER. Mr. Chairman, this Congress has demonstrated its continued support for the Anti-Ballistic Missile [ABM] Treaty. We have also shown our support for carrying out the strategic defense initiative [SDI] Program in compliance with this treaty's provisions.

Mr. ASPIN. That's correct. Last year the administration agreed that no tests under the SDI Program will violate the traditional interpretation of the ABM Treaty.

Mr. HOCHBRUECKNER. It has come to my attention that the flight measurement test of one SDI project, the airborne optical adjunct [AOA], is planned for fiscal year 1989. As you know, this test would involve an aircraft with an infrared sensor that could detect and track ballistic missile warheads in flight trajectory. To some, including the legal counsel to the U.S. ABM negotiations, testing of the AOA will appear to be a violation of the ABM Treaty's ban on air-based components that can substitute for an ABM radar.

Mr. ASPIN. Yes, the ABM Treaty bans air-based components that can substitute for ABM radars. However, SDIO has stated that the AOA test will not violate the treaty. Nevertheless, this test involves a gray area of the treaty in which definitions of ABM components are not clear. Without United States cooperation, the Soviets will be unable to verify if an AOA test is ABM compliant, creating a political problem and giving the Soviets an excuse to respond in kind. Clearly, the United States should try to reach common understandings with the Soviets in gray areas.

Mr. HOCHBRUECKNER. According to information submitted to the House Armed Services Committee earlier this year, the AOA is scheduled to be tested in fiscal year 1989. If the AOA test is carried out in fiscal year 1989, this may put the next President in an awkward position and tie his hands on policies regarding the ABM Treaty, SDI Program and United States-Soviet relations. This concern has prompted

me to prepare an amendment to this bill to delay the first AOA flight experiment until June of fiscal year 1989. Can we establish the date at which the SDIO plans to test the AOA?

Mr. ASPIN. I understand that the date of the AOA test has been changed. SDIO now plans the first flight experiment no sooner than June 1989, according to a recent letter from Lieutenant General Abrahamson. I submit this letter for the RECORD:

STRATEGIC DEFENSE INITIATIVE ORGANIZATION,
Washington, DC, April 26, 1988.

Hon. LES ASPIN,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to express my concern about a proposed amendment to the Defense Authorization Bill which would terminate ongoing testing of the SDI Airborne Optional Adjunct (AOA) until that project can be reviewed by the next Administration.

I believe the amendment is both unnecessary and counterproductive. The AOA flight experiments have been certified as fully compliant with the restrictive interpretation of the 1972 ABM Treaty for several reasons:

AOA cannot perform the basic radar functions of acquisition and closed loop tracking of an uncooperative target.

The target must travel along a programmed trajectory.

The experimental device has limited sensor elements, a small instantaneous field of view, slow slewing rate, no control feedback loop which prohibits closed loop tracking of even a single uncooperative target, inadequate sensor range, limited data and sensor processing capability and platform limitations for platform altitude and time on station.

The Airborne Optical Adjunct (AOA) is a test bed which incorporates stressing technologies. Testing is an integral part of the system assembly and check-out for experiments. Staged testing is necessary to verify flight worthiness; different levels of testing have already begun. Delay of further testing until February 1989 will seriously delay sensor completion and integration and planned experiments.

Earliest possible flight tests of the complete AOA system would not take place until well after January 1989 in any case. Earliest possible dates:

March 1989: shakedown of the integrated components of the AOA over the continental United States.

June 1989: flight experiments over the Kwajalein missile range.

While these are the earliest possible dates, completion of the shake-down could take up to six months, and the onset of experiment flights could be delayed up to a year. In any case, flight tests will occur after the change of Administration.

Thank you for your interest and support in this matter. If I can be of any further assistance please contact me.

Sincerely,

JAMES A. ABRAHAMSON,
Lieutenant General, USAF, Director.

Does this settle your concern regarding testing of the AOA in fiscal year 1989?

Mr. HOCHBRUECKNER. Yes, it does. By testing the AOA no earlier than June 1989, our next President will have the ability to assess United States policy regarding SDI testing and compliance with the ABM Treaty, as well an opportunity to negotiate with the Soviets regarding gray areas in the ABM Treaty. I agree with you that the next administration should take a hard look at these areas, such as infrared sensors, and use the Standing Consultative Commission to clarify gray areas. Thank you, Mr. Chairman, for clarifying this issue. I no longer need to offer my amendment.

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). Under the rule, the next amendment in order will be offered by the gentleman from California [Mr. DELLUMS].

AMENDMENT OFFERED BY MR. DELLUMS

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment Offered by Mr. DELLUMS: Page 17, Strike out line 1 and insert in lieu thereof the following:

For the Defense Agencies, $6,169,304,000.

Strike out section 211 (page 19, lines 13 through 18) and insert in lieu thereof the following:

SEC. 211. TERMINATION OF STRATEGIC DEFENSE INITIATIVE.

(a) AMOUNT AUTHORIZED.—Of the amount authorized in section 201 for research, development, test, and evaluation for the Defense Agencies, no funds are available for the Strategic Defense Initiative Program.

(b) TERMINATION OF SDIO.—The Strategic Defense Initiative Organization (SDIO) is hereby terminated.

SEC. 212. STRATEGIC TECHNOLOGY RESEARCH.

(a) CREATION OF STRATEGIC TECHNOLOGY RESEARCH OFFICE.—The Secretary of Defense shall establish a Strategic Technology Research Office (STRO) within the Defense Advanced Research Projects Agency (DARPA). The STRO shall have responsibility for managing all research authorized under this part and all research previously managed by the SDIO.

(b) GUIDELINES FOR STRATEGIC TECHNOLOGY RESEARCH.—(1) Programs authorized under this part shall be designed to—

(A) increase the strategic surveillance and early warning capabilities of the United States;

(B) increase United States options for responding to potential future Soviet breakout from the 1972 Anti-Ballistic Missile (ABM) Treaty;

(C) explore technologies with a long-term potential for defending the United States against a responsive Soviet offensive nuclear threat; and

(D) complement other programs authorized in this and subsequent Acts to enhance the national security of the United States and not rquire resources which would undercut other pressing defense needs.

(2) The STRO shall avoid premature commitments to the development and testing of limited capability systems which have minimal potential to respond to Soviet offensive developments.

SEC. 213. FUNDING LEVEL FOR TECHNOLOGY BASE RESEARCH.

(a) AMOUNT AUTHORIZED.—Of the amounts authorized on page 17, line 1, not more than $1,265,000,000 is available for the STRO to conduct research authorized under this part.

(b) OBLIGATION LIMITATION.—Funds appropriated or otherwise made available to the Department of Defense under subsection (a) may be obligated or expended only for technology base research and may be obligated or expended for non-technology base experiments or demonstration projects.

(c) MANAGEMENT AUTHORITY.—Notwithstanding subsection (b), the Secretary of Defense may transfer management authority for a specific program, project, or activity from the STRO to the military departments or other defense agencies if such program, project, or activity has met all DARPA review criteria and if—

(1) the Secretary informs Congress of such transfers in the report specified in section 215; and

(2) such program, project, or activity complies with the restrictions and guidelines specified in sections 212(b) and 214.

SEC. 214. OBLIGATION RESTRICTIONS.

None of the funds appropriated or otherwise made available under this Part may be obligated or expended for—

(1) any program, project, task, or activity to develop, test, or deploy an antiballistic missile (ABM) system or component which is sea-based, air-based, space-based, or mobile land-based;

(2) the development or testing of any component, system, or concept which makes use of nuclear detonation;

(3) any activity, excluding technology base research, related to, and in support of the Space-based Interceptor Experiment; or

(4) flight tests of the Airborne Optical Adjunct.

SEC. 215. REPORTING REQUIREMENTS.

(a) Within 90 days of enactment of this Act, the Secretary shall submit to the Congress a report on the termination of the SDIO and the establishment, organizational structure, and allocation of funds to the STRO.

(b) As part of the fiscal year 1990 budget request for the Department of Defense, the Secretary shall submit to the Congress reports:

(i) outlining a ten-year program for research to be conducted under the STRO;

(ii) analyzing the feasibility, cost, potential missions, and advisibility of the United States deploying a single, fixed land-based anti-ballistic missile defense system, as permitted under the 1972 AMB Treaty; and

(iii) on the necessity, appropriateness, and cost of a program to conduct research into ways to decrease the possibility of the accidental explosion of nuclear devices targeted upon the United States, including, but not limited to, active defense against the accidental launch of nuclear-armed ballistic missiles.

Page 208, Strike out lines 10 and 11.

Page 210, Strike out lines 10 and 11.

Page 226, Strike out $252,254,000 on line 20 and insert in lieu thereof "no funds".

Page 237, Strike out $285,000,000 on line 7 and insert in lieu there of "$32,746,000.

Mr. DELLUMS. Mr. Chairman, it is my distinct pleasure to yield 6 minutes to the distinguished gentlewoman from California [Mrs. BOXER], the co-author of the amendment.

Mrs. BOXER. Mr. Chairman, I thank the gentleman from California for yielding this time to me, and I thank his staff for working with our staff on this amendment. It is his amendment, and he gave me the privilege of working with him, and I am very grateful.

□ 1350

Mr. Chairman, in our esteemed House of Representatives, we engage quite properly in diplomatic talk. If we think a colleague is wrong, we do not say, "You are wrong." What we do is say, "The gentleman is missing the point."

If we do not like a program, we do not say, "The program is awful." We say, "It is not meeting its objective."

Well, I am going to talk straight about star wars. I think star wars is a ripoff, plain and simple. It is a totally flawed concept. It is a boondoggle, the biggest bait and switch scam ever, as deceptive as the "Wizard of Oz." It is a dream of laser weapons powered by nuclear explosions, particle beam weapons, chemical rockets, and space-interceptors parked in "garages," in orbit.

And in reality, it is a no-go, as wimpy as the little man who made believe he was the "Wizard of Oz."

Now, that is pretty plain talk, but I want to prove to you that what I say is backed up by the Joint Chiefs of Staff who say that at best star wars will only be 30 percent effective against the majority of Soviet missiles.

It is backed up by former Assistant Secretary of Defense Richard Perle, who said that star wars was never meant to be more than a partial defense. It is backed up by the Associate Director at Lawrence Livermore Labs, who says a partial defense will easily be overcome by thousands of Soviet nuclear warheads and decoys.

It is backed up by Loren Thompson of Georgetown University, who told the Wall Street Journal that it makes no sense to deploy star wars as long as there is no defense against Soviet bombers and cruise missiles.

Now, my colleagues, let us visualize together how ineffective star wars is.

Mr. Chairman, there are 1,400 Soviet ICBM's. With 30-percent star wars effectiveness, 980 would get through, and I want you to look at this chart. The red X's show where star wars could knock out these missiles. All of these missiles, 980 that get through, each one of them is 10 times the power of the bomb that hit Hiroshima. We would be history with this.

I would like to show you the next chart. The next chart shows stars wars effective against submarine-launched missiles. Again the Joint Chiefs of Staff say 30-percent effectiveness. There are 400 such missiles, and 280 would get through, again each one of these missiles 10 times the power at least of Hiroshima.

And another chart that shows the effectiveness of star wars against air-launched missiles. Zero percent effectiveness. Each and everyone of these missiles would get through.

Finally, if I could sum up these charts by showing you the last chart, what we have here is the total. Out of the total missiles, 2,600, the missiles that penetrate star wars, 2,060 for a rate of 21.1-percent effective passing.

Now, I think if we had to view any of the programs in this country and it was 21-percent effective, we would either cancel it or change it dramatically.

What our amendment does is changes it dramatically, takes it back to where it would most effective, keeps it as a research program.

Now, so far we have spent $12 billion on star wars.

Let us put it into context: $12 billion is 2½ times what we spend on elementary and secondary education in 1 year in our budget.

It is 3½ times what we spend on mass transit in this country in 1 year.

It is 120 times what we spend on international narcotics control in 1 year.

It is 24 times what we spend on maternal and child health in 1 year.

I know this is painful information to some people, but I think the American people have the right to see what we have been spending $12 billion on.

I say it is time to cut our losses. We need to fight drugs. We need to fight cancer and AIDS. We need to take care of our needy. We need to educate our children and retrain our workers and help our farmers. We need to cut the deficit. We need to have weapons that work and soliders that are prepared.

We do not need star wars. The proof is right here. It does not work. I say to my colleagues on both sides of the aisle, whether you are a hawk or you are a dove, or a liberal or a conservative, let us fund programs that work. This one was an astrological dream that our President decided to pursue. It is time to say, "Wake up, Mr. President, Wake up, America. Let us spend our money on what works and let us cut the deficit."

The CHAIRMAN pro tempore. Does the gentleman from Arizona [Mr. KYL] desire to rise in opposition to the pending amendment?

Mr. KYL. Yes, I do, Mr. Chairman.

The CHAIRMAN pro tempore. The gentleman from Arizona [Mr. KYL] is recognized for 12½ minutes.

Mr. KYL. Mr. Chairman, I yield 2½ minutes to the gentleman from California [Mr. DORNAN].

Mr. DORNAN of California. Mr. Chairman, to quote the distinguished gentlewoman from California, she is the one who is missing the point. You cannot cover up some very ugly rhetoric with the term "plain talk."

To say that strategic defense for our homeland is a boondoggle, a ripoff, a no-go, or a fraud, is insincere under this amendment, because if the gentleman from California [Mr. DELLUMS] truly believes, as the gentlewoman has said, that it is a fraud, hopelessly flawed, never will work, why does the gentleman want to put $1,300,000,000 into the program?

Have the courage of your conviction and stand up and zero this out.

I know that a lot of people in Berkeley do not want to spend a nickel on this, so why are we going to spend $1,300,000,000 on something that you think is a boondoggle or a ripoff, a no-go and a fraud? It is insincere in the extreme.

Now, the gentlewoman quoted the Joint Chiefs. I was with one of the Chiefs the other day, and he told me something I find astounding, that the Chief of Staff of the U.S. Air Force, has not been called before the Armed Services Committee to give testimony, open or closed, in the past 2 years.

The commanding officer of the Strategic Air Command, General Chain, told me that not only has he not been invited to testify before the House Armed Services Committee, but has only been invited to testify before the highly vaunted Senate Armed Services Committee, three times in 2 years.

So if we are going to hear from the Joint Chiefs of Staff, show us the documentation for those charts. Tell us what they really say. It is insincere to quote them out of context.

The CHAIRMAN pro tempore. The time of the gentleman from California has expired.

Mr. KYL. Mr. Chairman I yield 30 additional seconds to the gentleman.

Mr. DORNAN of California. If we go back to the analogy of the thirties, which we are reliving as though we are under a curse, in the early days of the German blitz on London, the RAF with older Hurricanes, did not get 10 percent of the German bombers. When the Heinkels were coming over, if they got 1 out of 20, 5 percent, they thought they were doing well. It wasn't until the Spitfires came on line, produced over the objections of the liberals in the House of Commons, that Great Britain started to increase its effective defenses to 10, 20, and even 30 percent. If Los Angeles and Orange Counties are in that minimal 30 percent, I would be happy for stopping 30 percent. But in reality the first phase of SDI will exceed 90 percent effectiveness.

Mr. DELLUMS. Mr. Chairman, as I understand it, since the distinguished gentleman from Arizona [Mr. KYL] represents the committee position, the gentleman is entitled to close the debate. We only have one remaining

speaker on this side, so I would appreciate if the gentleman from Arizona [Mr. KYL] would wind his speakers down to the last speaker and then this gentleman will close debate on this side and the gentleman from Arizona [Mr. KYL] can close debate on his side.

The CHAIRMAN pro tempore. The gentleman from California is correct. The gentleman from Arizona [Mr. KYL] is entitled to close debate.

The gentleman from Arizona has 10 minutes remaining.

Mr. KYL. Mr. Chairman, I will wind it down somewhat. I am not sure how I am going to wind it down, but I yield 2 minutes to the gentleman from Ohio [Mr. KASICH].

Mr. KASICH. Mr. Chairman, I do not see a need to be very emotional on this issue, because emotionalism will simply cloud people's judgments.

A vote for the Dellums amendment, plain and simple, is a vote to kill SDI. People talk about its degree of ineffectiveness, but I want to tell you, I had the opportunity to meet at the request of the gentleman from New York [Mr. DOWNEY] the chief Soviet scientist, Dr. Velikhov. The gleam in Dr. Velikhov's eye was very easy to explain. That gleam represented his belief that the Soviets somehow could kill the United States SDI program. Why? Because clearly, as the gentleman from New York [Mr. KEMP] indicated earlier, SDI has great potential for becoming very, very effective.

The tragedy is at this point in time that the Soviets have walked away from the negotiations to reduce our strategic arsenals in half as the result of their inability to kill the SDI Program.

Let us not vote for the Dellums amendment, because the Dellums amendment will do what the President has resisted doing and will do what the Soviet negotiators hoped to achieve, and that is to eliminate our ability to develop an SDI Program to a high degree of effectiveness.

The debate no longer is whether we ought to have an SDI Program or not. The experts on both sides, Senator NUNN on the Democratic side, the strong thinkers on the Republican side, all support the basic concept of SDI.

It really comes down to a level of funding. If you support the amendment of the gentleman from California [Mr. DELLUMS], and I believe he offers it in good faith, then you really are destroying the program, eliminating our ability to make it effective. If you support the Dickinson amendment, which is the committee position, it permits the continued orderly development of SDI.

There is no reason to get emotional. All we have to do is look at the facts. The Soviets want to kill our system. The chief Soviet scientist told me that himself. We need to keep it going, because it offers us a great degree of hope. The technologies that can be developed over the next several decades can be crucial in giving us the kind of security that the American people really want.

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

Mr. HUNTER. Mr. Chairman, I think the House should be disturbed by the fatalism that we hear coming from the other side of this argument. The argument that was posed by the gentlewoman from California is that some of these missiles are going to get through. We cannot have a leak-proof defense, and therefore we should not try to build any type of defense against incoming intercontinental ballistic missiles.

Most people in this country, our polls show, think that this Congress has already taken care of it. They think that we do have a defense against incoming ballistic missiles.

We have not been candid with them. We do not have that defense.

I am reminded about what Churchill said after the bomb hit Hiroshima.

He said, "Thank God we developed this terrible technology before Mr. Hitler did, because the world would be a very different place if we hadn't done that."

Now, it is terrible technology, but as the gentleman from Ohio [Mr. KASICH] mentioned, there are many very expert authorities in the world on our side and the Soviet side who think it is possible to stop incoming ballistic missiles.

□ 1405

Mr. Velikov is one of those people.

We are asking a question of this research. Our question is, can we build an effective SDI system? We have to devote resources to this question to give to our scientists so that they can do experiments, do the laboratory work, and so they can answer the question for this Congress and for the American people of whether we can build an effective SDI.

The more resources we put into this issue, the faster we are going to have the answer and it is in the national interests of this country to receive that answer as quickly as possible.

The gentleman from Oregon [Mr. AUCOIN] said, "What if the Soviets build this shield, also?"

My answer is that I would rather have the Soviets with a shield, and I think they are going to build it as soon as they can regardless of our actions, I would rather they had a shield and we had a shield than have the communities of the United States rely on the mercy of the Soviet Union.

Mr. DELLUMS. Mr. Chairman, I yield myself the remaining 6½ minutes of my time.

Mr. Chairman, we are at a significant moment here. There are Members in this body who have made up their minds that it is necessary to go forward full steam with this system. There are some Members in this body who believe that it ought to be terminated.

At least half of my colleagues in this body are languishing somewhere in the middle. We all in this room understand that the political struggle is over where all of my colleagues who are in the middle, where they come down. I choose to address you today.

The gentlewoman from California [Mrs. BOXER] and I have stated over and over again that this was never a population shield, that it would come down to a point defense. That is now a matter of fact, not conjecture.

We said that this system could be underflown, and that is not conjecture, it is now fact. No one can argue that this system can shoot down cruise missiles or low-trajectory submarine-launched missiles or bombers.

My distinguished colleague, the gentlewoman from California, in her chart showed the futile nature of trying to defend against weapons systems that can underfly this system.

We told our colleagues that it could be outfoxed. That is now fact, not fantasy.

We told our colleagues that it could be overwhelmed. The gentlewoman from California showed with brilliant exposition by the charts that this system could be outfoxed.

Mr. Chairman, this is now the time to make a decision. This is not a moment to languish in the center with both feet in both camps. Make a judgment. Make a decision. We think that the amendment before this body to terminate is the only rational and cogent judgment that my colleagues can make.

In arguing in support of the Dellums-Boxer amendment, I would make the following points. First we want to terminate President Reagan's SDI Program and move the fundamental and necessary basic research away from the politically motivated SDI organization and place it in the Department of Defense, in DARPA where it ought to be.

Second, we would argue that the logic of the ABM Treaty continues to be present at this moment. The people who came together to sign the ABM Treaty realized that without a treaty we would go forward in a defensive missile race and of course an offensive missile system race. The logic goes as follows: we place an SDI, no matter how flawed, in the atmosphere. The most reasoned and logical response of the Soviet Union, and frankly cheaper, would be to accelerate and expand their arsenal of offensive nuclear missiles by several hundred, even several

thousand. I have been here now almost 18 years and I know what the dynamics will be. The Pentagon will come back and say, "Look, they are expanding their offensive missiles. We must now correspond."

So we would have another ongoing race that would take us ad infinitum into the future with incredible danger militarily as well as economic chaos that would result. Also the competition would be between the two defensive systems so an arms race offensively and an arms race defensively would result. That is why the treaty in the first place.

Third, we would place $1.3 billion in basic research so that we might determine whether the Soviets are breaking out, we could continue to engage in research advancement. All of these things are taken care of to the tune of $1.3 billion. We do not allow engaging in testing and development that would abrogate the ABM Treaty. We do not allow spending money to bend metal to develop a system that costs between $75 and $150 billion in the first phase that the gentleman from California points out, that at best would be 30-percent effective.

Would any of my colleagues with their best clothes on walk out in the rain with an umbrella that was 30-percent effective?

In the context of a nuclear war that is a gross absurdity and a complete waste.

Next, we prohibit research that would violate the narrow interpretation of the ABM Treaty. Last week the overwhelming majority of my colleagues in this body voted to maintain the integrity of the narrow interpretation of the ABM Treaty. Unless my brain has taken flight, that means that the majority of my colleagues in this body chose not to violate the integrity of the ABM Treaty. I will make three points on that. First, the ABM Treaty and SDI are logically inconsistent. They are logically inconsistent.

Second, for the SDI to continue, it would be necessary to violate the ABM Treaty. That is not RON DELLUMS talking, let me quote General Abrahamson, the executive director of the SDI organization. In an article published recently in the Washington Times, which I will quote, the article said:

> The Pentagon's Strategic Defense Initiative director said yesterday the government will have to decide by 1993 whether to kill the program or back out of the 1972 antiballistic missile treaty, which sharply limits superpower missile defenses.

The article goes on to say:

> But before that can be undertaken, Congress and the future administation will have to determine if the program should continue thereby violating the "narrow" interpretation of the treaty, he said.

Mr. Chairman, I would suggest to my colleagues that the more than 200 Members who voted for the narrow interpretation of ABM indicate that logic and consistency and continuity cry out for them to vote for this amendment. To do anything other than that is a violation of your own vote, of your own politics, and a violation of your own logic.

Next, the administration continues to propagandize that in some way we are building this Astrodome where our young children can sleep and take us back to the naive days when there were no missiles.

Mr. KYL. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. DAVIS].

Mr. DAVIS of Illinois. Mr. Chairman, I thank the gentleman from Arizona for yielding me this time. Mr. Chairman, it seems to me it is always difficult to follow the prior speaker who is so eloquent in his opposition to SDI. I only wish all of the opponents would have the courage to put a zero-dollar figure on SDI and kill it outright rather than fool around with $1.2 billion, rather than trying to salve their conscience to tell the American people that we are still going to do research.

My colleagues have heard earlier today, and will hear again that there are scientists, those of the opponents, who say, "Gosh, it will never work. It is suspect. The software will not work." Our scientists say it will work, just give us a little time and we will work it out.

I say to my colleagues, we do not know who to believe, do we? I think one group believes that SDI will work more than any other group and that is the Soviet Union. They believe SDI will work and they are responding to that. How do my colleagues think we got to Reykjavik last year? How do my colleagues think we got to INF Treaty last year? How do my colleagues think we got so far along in Geneva on START this year?

The President will not sign a START agreement in Moscow in the next 2 or 3 weeks, but those negotiations are ongoing and SDI is the fuel driving that engine toward an ultimate nuclear reduction to zero throughout the world, and to rid ourselves of nuclear weapons.

The argument is really simple. There are two acronyms for this nuclear activity that has occurred since World War II with us and the Soviets and now others, and they both spell the word MAD, mutual assured destruction, and mutual assured defense.

Which would my colleagues pick?

Mr. KYL. Mr. Chairman, I yield 30 seconds to my colleague, the gentleman from California [Mr. DELLUMS].

Mr. DELLUMS. Mr. Chairman, I thank the gentleman from Arizona, who differs with me politically, for his incredible generosity.

Mr. Chairman, first I would like to point out that the phase one system does not take us away from mutual assured destruction. As a matter of fact it only reinforces it.

In my final seconds, let me say that we are supported in this amendment by the Union of Concerned Scientists, and the Federation of American Scientists with membership including scores of Nobel laureates who have come to this position that we espouse. Members of the Congress who support a robust strategic defense research and strict adherence to the traditional interpretation of ABM should support the Dellums-Boxer amendment. That is an important endorsement as I see it. I hope my colleagues will understand the tremendous power of that kind of rational understanding of what this amendment is all about.

Mr. KYL. Mr. Chairman, I yield 2½ minutes to the gentleman from New Jersey [Mr. COURTER].

Mr. COURTER. Mr. Chairman, I thank the gentleman from Arizona for yielding this time.

First of all, I would just like to mention a couple of words with respect to the gentlewoman from California [Mrs. BOXER]. I am not sure where she got her information on it. I would like to have a copy of the letter if she has it. I requested her to yield and she would not, therefore in my 2 minutes I cannot yield to the distinguished gentlewoman from California, but she said that the Joint Chiefs of Staff official position is that strategic defense is 30-percent effective.

That is wrong. That is not their position. That is as far from their position as one can possibly be.

Second of all, the gentlewoman from California [Mrs. BOXER] quoted individuals such as Richard Perle. Richard Perle is in favor of full funding for the strategic defense initiative. To use the name of Richard Perle to justify a slash of about 80 percent in the SDI budget is, in my mind, also misleading.

Finally, I would like to indicate as far as I am concerned that the Dellums amendment will not pass. I know it will not pass. We have gone through this debate a number of times. The high figure does not pass, although it should, and in essence the de facto zero which is the Dellums amendment will not pass. The gentleman from California [Mr. DELLUMS] wants to eliminate it as far as we understand. I understand where the gentleman from California is coming from, I understand his philosophical perspective. I do not appreciate it, I do not like the fact that if the world desired by the gentleman from California prevails, the United States will remain vulnerable to a ballistic missile attack whether it be by mistake, by error, or by design by Mu'ammar Qadhafi with a nuclear weapon, the United States will remain totally inevitably and perpetually vulnerable to an attack, or a

threatened attack by whatever country it may be. It is not necessarily going to come from the Soviet Union. It may come from a Third World country that inherits the capability of deploying not only a ballistic missile but the warhead that goes with it.

The Dellums amendment is going to be defeated. It should be defeated. America must not remain completely vulnerable to a ballistic missile attack or threat of the same.

Mr. Chairman, if America is going to move from the doctrine of mutual assured destruction, which I cannot justify from a moral standpoint, I cannot justify it from a strategic standpoint, we will have the capability to do it.

There were those a few years ago, Mr. Chairman, that said we could not down an airplane, we could not stop a tank, we could not stop anything.

□ 1440

They were proved to be wrong. Let us proceed with SDI.

Mr. KYL. Mr. Chairman, I yield myself such time as I have remaining.

Mr. Chairman, in the final minute we have here, I would like to tell the gentleman from California [Mr. DELLUMS] something from the bottom of my heart regarding how he has argued that it is futile to try to defend against bombers or low-trajectory missiles, ICBM's. One reason I sought to become a U.S. Congressman was to make this world safer for my children. For their sake, I reject the fatalism of the gentleman from California [Mr. DELLUMS], my colleague.

I thank God we have people in this country who believe in science, believe in research and believe we can perfect a system to protect this country.

This is no time to kill SDI, which the gentleman candidly admits is the intent of his amendment. We disagree about the funding levels, but I hope we settle on the $3.7 billion level agreed to by the committee.

This vote on the Dellums amendment must be a "no" vote.

PRIVILEGED MOTION OFFERED BY MR. DELLUMS

Mr. DELLUMS. Mr. Chairman, I offer a privileged motion.

The CHAIRMAN pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. DELLUMS moves that the Committee rise and report the bill to the House with the recommendation that the enacting clause be stricken.

The CHAIRMAN pro tempore. The gentleman from California [Mr. DELLUMS] is recognized for 5 minutes and a Member in opposition will be recognized for 5 minutes.

Mr. DELLUMS. Mr. Chairman, I bring this privileged motion to the floor not for the purposes of executing it but for the purposes of seeking some time.

It is almost an embarrassment that we find ourselves constrained into these narrow confines of time, because we all know it is important to be able to talk.

Mr. Chairman, I rise because I cannot appreciate the shots that get fired after the fact. This gentleman has always been willing to take the floor, to take any Member of this body on any of these issues before us, and I have tried to do it with dignity, tried to do it with respect. I have never tried to challenge the motives of Members, never tried to challenge behavior of Members, have never tried to suggest in any way that Members are coming in other than intellectually honest terms, whether I disagree with them politically or disagree with them logically. I have never presented it any other way.

I do not appreciate the distortion of what we are attempting to do here. Yes, we want to terminate the strategic defense initiative, because we believe it is unnecessary, it will be ineffective, and that it will bankrupt this country. Those are, in my humble opinion, rational, cogent and intelligent arguments, and if we had several hours to debate this issue, I feel supremely confident to a moral certainty that we could convince the American people of the efficacy of what we are doing here.

My colleagues know that the gentleman from New Jersey and I have talked about this, but this debate does not occur in this body. We get up and read our various speeches, and rarely do we engage.

This gentleman has always been prepared intellectually and politically to debate on this matter.

The sum of $3.7 billion is enough for basic research, and we do not have to bend metal. Mr. Chairman, we do not have to go forward to abate the ABM Treaty, and those who do not want to abrogate the ABM Treaty, I believe, have a moral obligation to those who are fiscally conservative and who believe in funding these programs, that Members have a moral obligation to support this amendment, because a 21.1-percent-effective system in any other program, as the gentlewoman points out, would be laughable.

I would yield to the gentlemwoman from California.

Mrs. BOXER. Mr. Chairman, I thank the gentleman for yielding.

Let me just quickly say to the gentleman from Arizona [Mr. KYL] that I am not a fatalistic person. I am an optimistic person, very optimistic. That is why I ran for Congress. But I am also not dumb, and I know when something does not work, and we are spending billions, and it is the biggest program in the defense budget that I, representing my constituents, am not going to spend their good money for a bad program.

I would also like to say to the gentleman from New Jersey [Mr. COURTER], my good friend, that I will send him each and every copy of all the documentation supporting those charts. I will be happy to do that.

Mr. DELLUMS. Mr. Chairman, reclaiming my time for just a moment, there is a response. Star Wars is not the response. Negotiating an arms treaty and moving this country and this world in the context of arms control and moving away from the bizarre notions of nuclear war is the way we protect the next generation of our children and their children and their children's children. It is not engaging in some bizarre technology in space that is going to ruin us economically and militarily.

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

Mr. DELLUMS. I yield to the gentleman.

Mr. AUCOIN. Mr. Chairman, I thank the gentleman for yielding.

I appreciate his leadership in bringing this, and I would like to address a couple of issues.

One is whether SDI would work against ballistic missiles. Everyone who has testified before my Subcommittee on Defense of the Committee on Appropriations has vouchsafed for the fact that against cruise missiles, SDI is zero effective.

What will we buy for the trillion dollars we have put into space? We would simply, if it worked 100 percent against ballistic missiles, we would simply change the nature of the arms race and have a trillion dollars of expenditures, and have a cruise missile race against the Soviet Union.

Now I would like to quote Ronald Reagan, because we have heard about bargaining chips, and let me quote from March 23, 1988, where he said, "SDI is not a bargaining chip." He said, "We will research it; we will develop it; and when it is ready we will deploy it."

Do not give us bargaining chip stuff. Its advocates want it deployed, and it is not going to work. It does not add to America's security.

Mr. DELLUMS. Mr. Chairman, I yield to the distinguished gentleman from New York [Mr. DOWNEY].

Mr. DOWNEY of New York. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, this really boils down to a debate between people who believe that another weapon system at the expense of someone else's security will provide greater security, versus those peopole who recognize the reality that the next generations of first-strike weapons will not bring us closer to security; it will bring us that much closer to insecurity.

Mr. KYL. Mr. Chairman, I rise in violent opposition to the amendment proffered by the gentleman from California [Mr. DELLUMS], my friend.

I yield 2 minutes to the gentleman from California [Mr. HUNTER], my colleague.

Mr. HUNTER. Mr. Chairman, I am glad we have had this extra several minutes, because it is apparent from the debate on this side of the aisle that we are really talking about two questions here. We are talking about the political question and the technical question.

I can respect my colleague from California if he thinks that politically it is not wise to defend the United States against incoming ballistic missiles. His position is that it is wise to remain mutually vulnerable and that will be a deterrent in some way. That is his opinion.

Mr. DELLUMS. Mr. Chairman, will the gentleman yield, since he brought up my name?

Mr. HUNTER. Mr. Chairman, I would be happy to yield to the gentleman from California for a few seconds.

Mr. DELLUMS. Mr. Chairman, let me say to the gentleman that I respect the gentleman asserting his argument, but to attempt to be characterizing this gentleman's argument, I think, is beneath my distinguished colleague——

Mr. HUNTER. Mr. Chairman, I do not think that I have in any way spoken ill of the gentleman but of his arguments. The point is that the Afghan people placed themselves at the mercy of the Soviet Union, and a million Afghans are dead today.

I do not think the American people want to place their security at the mercy of the 12 people who run the Politburo of the Soviet Union. That is the political question.

The technical question is another question. The man who gave us the hydrogen bomb, Dr. Edward Teller, tells us there is a way to defend against the hydrogen bomb, and it is at least worth the time of this Congress to explore that question. Can we develop an effective SDI deterrent? Unless we spend some money on asking that question of our technical people, we will not get an answer.

It is important for us to devote substantial resources to this question, and that is exactly what we are debating today, and to kill this program would be a major disservice to the people of the United States who are not defended today against incoming ballistic missiles.

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

Mr. KYL. I yield to the gentleman from Ohio.

Mr. KASICH. Mr. Chairman, I do not think there is any question that anybody would argue that with a cruise missile, that cannot be effective. Everybody knows it cannot. We sat in committee, and we listened to that. But when you look at the war between Iran and Iraq and the incredible increase in the number of ballistic missile attacks in that war, we would be foolhardy not to move forward with this kind of a system.

Mr. KYL. Mr. Chairman, I yield 1 minute to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Chairman, there is nothing more important than the security of this Nation, and if a missile is launched by some crazy person, whether it be from the Soviet Union or from Iran or wherever, we must protect our citizenry, and right now we do not have the ability to do that. If someone launches a missile at New York, Los Angeles, or Chicago, we are going to lose several million human beings. That is the bottom line.

□ 1430

And to not pay attention to that eventuality is to be irresponsible. And we in this body must do everything we can to protect the people of this Nation.

There were people at the turn of the century that said we should close the U.S. Patent Office because there was not anything left to invent. But there were more things to invent. SDI will work. The human mind, if it can conceive of a program that will shoot down incoming missiles if we appropriate the funds to do it, it will work.

Mr. Carlucci just said recently that saying SDI will not work is like saying helicopters would not work 10 years before we invented them. We should give this program a chance to continue.

Mr. KYL. Mr. Chairman, I yield the balance of my time to the gentleman from New Jersey [Mr. COURTER].

Mr. COURTER. I thank the gentleman for yielding.

Mr. Chairman, first of all it was mentioned by Mr. AUCOIN that strategic defense cannot defend or is not designed to defend against cruise missiles or bombers. No. 1, that is not the case; strategic defense can be multilayered in its ability to defend against projectiles. No. 2, we are spending, I think in the gentleman's subcommittee if I am not mistaken—and let me finish my statement—if I am not mistaken we are spending hundreds of millions of dollars in one of the gentleman's subcommittees researching the issue of how to protect ourselves more effectively against bombers and cruise missiles. It seems to me if the United States is going to defend itself against bombers, we should defend ourselves against cruise missiles and if cruise missiles, obviously strategic missiles as well.

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

Mr. COURTER. I will yield to the gentleman very quickly.

Mr. AUCOIN. I thank the gentleman for yielding.

Mr. Chairman, I would just tell the gentleman that General Abrahamson, his guru on this subject, has testified before our committee and I assume his committee as well that SDI cannot work against—it has not solved the problems against cruise missiles.

Mr. COURTER. There are space-based assets with regard to SDI that are uniquely suited for the purpose of stopping ballistic missiles outside of the atmosphere. I will take back my time. There are other aspects on components and different types of strategic defense that are designed to defend against the cruise missile. It stands to reason a cruise missile goes slower, a cruise missile goes through the atmosphere and gives a large signal, a cruise missile does not go any faster than an airplane. It seems to me if we can stop a ballistic missile going through space at thousands of miles an hour, logic would dictate that we can stop a cruise missile going through the atmosphere at a much lower rate.

Let me just mention the fact that one time, Mr. Chairman, I was in New York City debating this particular issue. And one of the adversaries, one of the people that from my perspective and view of the world liked the fact that America is vulnerable, and I do not, I asked the gentleman what is protecting us now and he said——

POINT OF ORDER

Mr. DELLUMS. Mr. Chairman, point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. DELLUMS. Mr. Chairman, I move that the gentleman's words be taken down. The gentleman has cast aspersions upon the motives of people in this body who are on this side of the issue.

The CHAIRMAN pro tempore. Will the gentleman from California please state the words that he is objecting to?

The Clerk will report the words to be taken down.

Mr. DELLUMS. Mr. Chairman, the gentleman said that proponents did not——

The CHAIRMAN pro tempore. The Clerk will report the words taken down.

The gentleman will please suspend. The Clerk will report the words that the gentleman objects to that are to be taken down.

While we are waiting, the Chair will state that the time of the gentleman from New Jersey has expired. All time has expired on the preferential motion.

The CHAIRMAN pro tempore. For what purpose does the gentleman from California rise?

Mr. DELLUMS. Mr. Chairman, I have discussed the matter with my distinguished colleague and there is no controversy at this point. I withdraw my point of order.

The CHAIRMAN pro tempore. The gentleman from California [Mr. DELLUMS] withdraws his request.

The question is on the preferential motion offered by the gentleman from California [Mr. DELLUMS].

The preferential motion was rejected.

Ms. PELOSI. Mr. Chairman, I rise today in support of the Dellums-Boxer amendment which would cut the President's request of $4.5 billion to $1.3 billion for the strategic defense initiative in fiscal year 1989. The amendment terminates the administration's Strategic Defense Initiative Organization [SDIO] and creates the Strategic Technology Research Office [STRO]. The $1.3 billion figure is the amount the SDIO requested for basic research for SDI.

Mr. Chairman, in 1972 our country signed the Antiballistic Missile [ABM] Treaty with the Soviet Union. This treaty is significant because without it the defensive missile race will escalate, creating a corresponding offensive arms race to overwhelm the developing defensive systems. This treaty made sense in 1972 and it makes sense today. By escalating the star wars program, the administration is encouraging the Soviets to develop new, more advanced offensive systems, which is exactly what the ABM Treaty sought to prevent. This is only one of many reason why SDI should be terminated.

We must add to this the hard fact that SDI may not be deployable. No one knows if SDI will work. I do not understand how this administration can justify spending billions of taxpayer dollars on a system that, by definition, must someday violate the ABM Treaty, when this same administration is not even sure if it will work. This would be understandable if SDI could be viewed as a deterrent to nuclear annihilation, but SDI only serves to perpetuate and accelerate the arms race.

We have over 20 million people in our country living in poverty and over a million who have no place to live but in the streets. The billions of dollars already spent on SDI and the hundreds of billions of dollars projected for the future of SDI would be better spent on Americans who truly need help.

I urge my colleagues to join me in supporting the Dellums-Boxer amendment that takes strides toward the eventual elimination of the costly and questionable star wars program. Thank you.

Mr. DORGAN of North Dakota. Mr. Chairman, building a strong defense requires tough choices, especially during a time when we are wrestling to reduce budget deficits. Against the backdrop of $200 billion deficits, it's no surprise that a massive spending program for a questionable strategic defense initiative [SDI] has sparked so much debate and controversy.

To get a clearer picture on SDI, the Office of Technology Assessment recently completed an extensive review of the SDI Program. Drawing upon a nonpartisan panel of the Nation's top scientists and engineers, OTA concluded the present SDI Program raises more questions that it answers; that it offers not a secure defense against nuclear attack, but only the illusion of defense. I include for the RECORD a summary of the OTA report as described in the Washington Post on April 24, 1988.

The OTA project determined that SDI as now conceived could not protect itself against antisatellite attacks and enemy countermeasures; could not demonstrate its cost effectiveness; could not solve the enormous software problem of coordinating an integrated battle management system; and generally could not achieve SDI's announced goals. Even more damning, the OTA report concluded:

There would be a significant probability that the first (and presumably only) time the ballistic missile defense system were used in a real war, it would suffer a catastrophic failure.

This is not the kind of system in which we should invest another $6 billion next year, on top of the $12 billion already expended. Instead, it's time to remold the program and set it on a more realistic budget track, as urged by the Federation of American Scientists.

I suggest that the Dellums amendment will permit us to do so. It will provide $1.2 billion next year—or twice the annual expenditure level for strategic programs of the 1970's. It will enable us to pursue a robust research program on the most promising strategic defense technologies, including surveillance, tracking, and kill assessment; directed energy weapons; kinetic energy weapons; and battle management research. But it will so at a level and in a manner that prevents us from bleeding research and development accounts for other vital defense programs and from rushing into a wasteful and provocative scheme of early SDI deployment.

A vigorous research program on strategic defense can offer leverage in negotiating arms reductions with the Soviets. But I would caution against becoming so enamoured of new weapons—even defensive ones—that we lose sight of even more promising and inexpensive ways to reduce the risks of accidental war.

I refer specifically to the need to press forward with an expanded role for the newly established nuclear risk reduction centers. I refer as well to the need to begin a sturdy program of research on accidental launch prevention and recall systems, including self-destruct capabilities for already launched ICBM's. As it now stands, we can destroy errant test missiles at the launch site; we cannot, however, recall or destroy a nuclear-armed missile—even though it was launched in error. Nor can the Soviets do likewise. We also need improved protection systems against accidental or unauthorized launches by any nation of submarine launched ballistic missiles.

In a word, let's pursue a vigorous program of research on promising strategic defense technologies. But let's do so without forgetting wider defense requirements, without ignoring the need to reduce budget deficits, and without shortchanging more likely ways to prevent the risks of nuclear war.

[From the Washington Post, Apr. 24, 1988]

SDI FAULTED IN 2-YEAR HILL STUDY

(By R. Jeffrey Smith)

President Reagan's proposed missile defense system likely would "suffer a catastrophic failure" the first—and therefore only—time it was used to protect the United States against a Soviet nuclear attack, the congressional Office of Technology Assessment (OTA) has concluded after a study of almost two years.

The nonpartisan scientific group, taking sharp issue with Reagan's vision of the Strategic Defense Initiative (SDI), said in a report not yet released to the public that the detailed computer instructions needed to destroy thousands of warheads streaking towards the United States probably cannot "be produced in the foreseeable future."

It also said that the timetable for missile defense deployment in the mid-1990s established by SDI officials requires "an act of faith" in assuming that the system could indefinitely stop a substantial portion of Soviet missiles because there is no scientific evidence to date to support that assumption.

The conclusions are among the principal findings of a 900-page report on SDI prepared by OTA's staff, which was given access to classified SDI data and drew advice from an expert panel containing SDI supporters and opponents.

Public release of an unclassified version of the report has been withheld for seven months by Pentagon officials, who say it contains sensitive information. Although three of the report's chapters remain in dispute, SDI officials last month cleared nine others, including a summary chapter obtained by The Washington Post.

The Pentagon is pursuing a planned first phase missile defense deployment at an estimated cost of $150 billion. Congress has already slashed the Reagan administration's annual requests for SDI funds by roughly 30 percent and barred elaborate tests of the space weapons needed in the initial antimissile scheme.

Reagan has asserted that the program can ultimately be a "space security shield" for the U.S. population, and has resisted efforts by the Soviets to restrict its development as part of a future arms treaty with the Soviet Union. The Soviets' demand for such restrictions was reiterated during Moscow meetings last week between Secretary of State George P. Shultz and Soviet leader Mikhail Gorbachev.

The OTA report's overall conclusion is that, despite five years and $12 billion worth of scientific research, "many questions remain about the feasibility of meeting SDI goals," which include at the outset substantial disruption of a Soviet missile attack and in later stages "elimination of the threat posed" by Soviet missiles.

Noting that the nation "would not want to base a major change in its nuclear strategy on a [missile defense] . . . in which it had little confidence," the OTA report cautioned that the system's sheer complexity suggested "there would always be irresolvable questions about how dependable . . . [the computer] software was."

OTA noted that "no existing [military or civilian] systems must operate autonomously in the face of deliberate enemy attempts to destroy them," making the design of SDI software an unprecedented challenge, with proof of success impossible.

"Extrapolating from past experience . . . it appears to OTA that the complexity of [ballistic missile defense], the uncertainty . . . of the requirements it must meet, and the novelty of the technology it must control would impose a significant probability of software-induced catastrophic failure in the system's first real battle," the report said.

The OTA report said missile defense scientists and engineers have produced "im-

pressive technical achievements" over the past 30 years and recently identified "most of the gaps between today's technology and that needed for highly effective ballistic missile defenses."

It said "there is broad agreement in the technical community that significant parts of the research being carried out under the SDI [program] are in the national interest," and did not entirely rule out that "such achievements may someday (ac)cumulate to form the basis for a highly effective missile defense system."

But the report also expressed skepticism that the remaining technical problems could eventually be solved and called fresh attention to a host of potential Soviet measures to counter a ballistic missile defense, which it said had not been adequately studied by SDI managers.

O'Dean P. Judd, the chief scientist for SDI, said yesterday that "while it is not our practice to comment on reports before they are released, the SDI Organization believes the recent OTA report reflects a decidedly more constructive assessment than previous reports . . . by OTA" on the program.

Judd, who served on the study's advisory group before he came to SDI from the Los Alamos National Laboratory in Albuquerque, was apparently referring to a 1985 OTA study stating that an effective U.S. missile shield could not be devised "if the Soviets are determined to deny it to us."

Judd said "in some areas, we find some of the [OTA] report's conclusions to be unduly pessimistic," but he declined to comment more specifically until it is formally released next month.

One of the report's principal themes is that potential Soviet countermeasures to a U.S. space-based missile defense could be less challenging and less costly to develop than the exotic space-based weaponry and associated sensors currently on Defense Department drawing boards.

"Every part of the complex development, production and deployment scheme [for an initial missile defense] would have to work well and on schedule," the report said. "Otherwise, the Soviets could be well on the way to neutralizing" it before it was completed.

But the difficulty, according to OTA, is that the proposed starting point for full-scale development of an initial missile defense system is so early that SDI managers will have no way of ensuring they could, in effect, neutralize likely Soviet countermeasures with more effective weapons later on.

Exotic, space-based lasers and particle beams, which could potentially defeat early Soviet countermeasures in the third phase of an SDI deployment will not be proven feasible for at least a decade, the report said. As a result, U.S. "commitment in the mid-1990s to phase-one deployment would require an act of faith that phase three would prove feasible."

The OTA report said potential Soviet countermeasures include firing missiles carrying nuclear warheads at U.S. space weapons orbiting overhead, launching thousands of warhead replicas or decoys and deliberately jamming U.S. radars.

The report said that, despite SDI claims that these and other threats have been studied in depth, a search of SDI and contractor files turned up "Little analysis of any kind" of Soviet space weapons that could be used to attack a U.S. missile defense, swiftly degrading its effectiveness.

OTA said SDI officials maintain that U.S. space weapons could be designed to survive a direct nuclear attack. But the investigators concluded instead that such an attack "would pose a significant threat to all three defense system phases" envisoned by the Pentagon for deployment between 1995 and 2015.

If the Soviets wanted to, they could resort to such an attack "before the [initial] system was fully deployed," when it is most vulnerable, effectively preventing its operation, the report said.

EXCERPTS FROM OTA REPORT

Excerpts from the Office of Technology Assessment report on the Strategic Defense Initiative:

"After 30 years of [missile defense] research . . . the dedication and ingenuity of thousands of U.S. scientists and engineers have produced many impressive technical achievements . . . For now, however, many questions remain about the feasibility of achieving SDI goals."

"Nobody now knows how to calculate, let alone demonstrate to the Soviets . . . whether the criterion of 'cost effectiveness at the margin' has been met by any proposed [missile defense] system."

"In general, many scientists and engineers working on the SDI have agreed that [Soviet] countermeasures may well be feasible . . . in the near term. However, both within and outside SDIO, there is some dissent on the potential type, quality, number, and deployment times of Soviet countermeasures."

"There is widespread agreement that much more experimentation is needed on . . . [warhead] decoys. Very little SDI money has gone to [their] . . . design, construction, and testing."

"There has been little analysis of any kind of space-based threats to . . . system survivability. . . . In particular, SDIO and its contractors have conducted no serious study of the situation in which the United States and the Soviet Union both occupy space with comparable [missile defense] systems."

"It appears that direct-ascent nuclear antisatellite weapons would pose a significant threat to all three defense system phases [envisioned by SDI officials], but particularly to the first two."

"A [comprehensive ballistic missile defense] . . . is likely to be the most complex system ever constructed. . . . There may always be irresolvable questions about how dependable . . . software would be. . . . The relatively slow rate of improvement in software engineeting technology makes it appear unlikely to OTA that this situation will be substantially alleviated in the foreseeable future."

"In OTA's judgment, there would be a significant probability that the first (and presumably only) time the ballistic missile defense system were used in a real war, it would suffer a catastrophic failure."

Mr. FORD of Tennessee. Mr. Chairman, today we will decide how much we are going to be spending on something that will never work the way it is supposed to. Something which would suffer, according to the Office of Technology Assessment, "a catastrophic failure" if it is ever needed. Something which may actually call down the nuclear strike it is designed to prevent. Yet here we stand—not debating if SDI is in the best interests of this country. But debating what level we will spend on a program that we can never be sure of.

Mr. Chairman, in all likelihood we will approve an amendment which authorizes $3.5 billion for SDI. Just think what else we could do with this money. We could put food on the table for thousands of hungry children. We could provide child care and job training for mothers trapped in poverty. We could provide prenatal care so that our future children might have an opportunity to grow up healthy. We could improve the educational opportunities for disadvantaged youths. We could provide quality housing for those without. All of these things are within our grasp, yet we're letting them slip through our fingers by throwing our money away by putting lasers and other high technology equipment into space—unsure if it will work at all.

Let's support the Dellums-Boxer amendment. Let's take the toys away from the Pentagon. Instead of providing bombs in space, let's provide hope for those without it. We can do it, if we have the conscious. If we have the will.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from California [Mr. DELLUMS].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device.

□ 1445

VACATING ROLLCALL NO. 99

The CHAIRMAN pro tempore (Mr. GRAY of Illinois) (during the vote). The Chair will announce that this vote by electronic device is being vacated due to a malfunction in the system.

The Clerk will call the roll.

The question was taken; and there were—ayes 118, noes 299, not voting 14, as follows:

[Roll No. 99]

AYES—118

Ackerman	Espy	Martinez
Alexander	Evans	Matsui
Atkins	Feighan	Mavroules
AuCoin	Flake	Mfume
Bates	Foglietta	Miller (CA)
Beilenson	Ford (MI)	Mineta
Berman	Ford (TN)	Moakley
Bonior	Frank	Moody
Bonker	Garcia	Morrison (CT)
Boxer	Gejdenson	Mrazek
Brennan	Gephardt	Oakar
Brooks	Glickman	Oberstar
Brown (CA)	Gonzalez	Obey
Bruce	Gray (PA)	Owens (NY)
Bryant	Guarini	Panetta
Carper	Hall (OH)	Pease
Clay	Hayes (IL)	Pelosi
Coelho	Hertel	Perkins
Collins	Jacobs	Rangel
Conte	Jontz	Rodino
Conyers	Kastenmeier	Rostenkowski
Coyne	Kennedy	Roybal
Crockett	Kildee	Russo
DeFazio	Kleczka	Sabo
Dellums	Leach (IA)	Savage
Dixon	Lehman (CA)	Sawyer
Dorgan (ND)	Lehman (FL)	Scheuer
Downey	Leland	Schneider
Durbin	Levin (MI)	Schroeder
Dymally	Levine (CA)	Schumer
Early	Lewis (GA)	Shays
Eckart	Lowry (WA)	Sikorski
Edwards (CA)	Markey	Skaggs

Smith (FL)	Torres	Weiss
Solarz	Towns	Wheat
St Germain	Traficant	Williams
Stark	Traxler	Wolpe
Studds	Visclosky	Wyden
Swift	Walgren	
Synar	Waxman	

NOES—299

Akaka	Frenzel	Mazzoli
Anderson	Frost	McCandless
Andrews	Gallegly	McCloskey
Annunzio	Gallo	McCollum
Anthony	Gaydos	McCrery
Applegate	Gekas	McCurdy
Archer	Gibbons	McEwen
Armey	Gilman	McGrath
Aspin	Gingrich	McHugh
Badham	Goodling	McMillan (NC)
Baker	Gordon	McMillen (MD)
Ballenger	Gradison	Meyers
Barnard	Grandy	Michel
Bartlett	Grant	Miller (OH)
Barton	Gray (IL)	Miller (WA)
Bateman	Green	Molinari
Bennett	Gregg	Mollohan
Bentley	Gunderson	Montgomery
Bereuter	Hall (TX)	Moorhead
Bevill	Hamilton	Morella
Bilbray	Hammerschmidt	Morrison (WA)
Bilirakis	Hansen	Murphy
Billey	Harris	Murtha
Boehlert	Hatcher	Myers
Boggs	Hayes (LA)	Nagle
Boland	Hefley	Natcher
Borski	Hefner	Neal
Bosco	Henry	Nelson
Boucher	Herger	Nichols
Broomfield	Hiler	Nielson
Brown (CO)	Hochbrueckner	Olin
Buechner	Holloway	Ortiz
Bunning	Hopkins	Owens (UT)
Burton	Horton	Oxley
Bustamante	Houghton	Packard
Byron	Hoyer	Parris
Callahan	Hubbard	Pashayan
Campbell	Huckaby	Patterson
Cardin	Hughes	Penny
Carr	Hunter	Pepper
Chandler	Hutto	Petri
Chapman	Hyde	Pickett
Chappell	Inhofe	Pickle
Cheney	Ireland	Porter
Clarke	Jeffords	Price
Clement	Jenkins	Pursell
Clinger	Johnson (CT)	Quillen
Coats	Johnson (SD)	Rahall
Coble	Jones (NC)	Ravenel
Coleman (MO)	Jones (TN)	Regula
Coleman (TX)	Kanjorski	Rhodes
Combest	Kaptur	Richardson
Cooper	Kasich	Ridge
Coughlin	Kemp	Rinaldo
Courter	Kennelly	Ritter
Craig	Kolbe	Roberts
Crane	Kolter	Robinson
Dannemeyer	Konnyu	Roe
Darden	Kostmayer	Rogers
Davis (IL)	Kyl	Rose
Davis (MI)	LaFalce	Roth
de la Garza	Lagomarsino	Roukema
DeLay	Lancaster	Rowland (CT)
Derrick	Lantos	Rowland (GA)
DeWine	Latta	Saiki
Dickinson	Leath (TX)	Saxton
Dicks	Lent	Schaefer
Dingell	Lewis (CA)	Schuette
DioGuardi	Lewis (FL)	Schulze
Donnelly	Lightfoot	Sensenbrenner
Dornan (CA)	Lipinski	Sharp
Dowdy	Livingston	Shaw
Dreier	Lloyd	Shumway
Dwyer	Lott	Shuster
Edwards (OK)	Lowery (CA)	Sisisky
Emerson	Lujan	Skeen
English	Luken, Thomas	Skelton
Erdreich	Lukens, Donald	Slattery
Fascell	Lungren	Slaughter (NY)
Fawell	Mack	Slaughter (VA)
Fazio	MacKay	Smith (IA)
Fields	Madigan	Smith (NE)
Fish	Manton	Smith (NJ)
Flippo	Marlenee	Smith (TX)
Florio	Martin (IL)	Smith, Denny (OR)
Foley	Martin (NY)	
Smith, Robert (NH)	Sweeney	Walker
Smith, Robert (OR)	Swindall	Watkins
Snowe	Tallon	Weber
Solomon	Tauke	Weldon
Spence	Tauzin	Whittaker
Spratt	Taylor	Whitten
Staggers	Thomas (CA)	Wilson
Stallings	Thomas (GA)	Wise
Stangeland	Torricelli	Wolf
Stenholm	Upton	Wortley
Stratton	Valentine	Wylie
Stump	Vander Jagt	Yatron
Sundquist	Vento	Young (AK)
	Volkmer	Young (FL)
	Vucanovich	

NOT VOTING—14

Biaggi	Hastert	Ray
Boulter	Hawkins	Stokes
Daub	McDade	Udall
Duncan	Mica	Yates
Dyson	Nowak	

□ 1510

The Clerk announced the following pairs:

On this vote:

Mr. Yates for, with Mr. Boulter against.

Mr. Hawkins for, with Mr. Daub against.

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIR

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). The Chair will announce that prior to the next vote Members will be advised whether or not the electronic voting system is operating.

The technicians are working on the system and hopefully by the time we complete debate on the next amendment the system will be operational.

AMENDMENT OFFERED BY MR. DICKINSON

Mr. DICKINSON. Mr. Chairman, pursuant to the rule, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. DICKINSON: Strike out section 211 (page 19, line 13 through line 18) and insert in lieu thereof the following:

SEC. 211. FUNDING FOR FISCAL YEAR 1989.

Of the amounts appropriated pursuant to section 201 or otherwise made available to the Department of Defense for research, development, test, and evaluation for fiscal year 1989, not more than $3,701,000,000 may be obligated for the Strategic Defense Initiative.

The CHAIRMAN pro tempore. Under the rule, the gentleman from Alabama [Mr. DICKINSON] will be recognized for 5 minutes and a Member in opposition will be recognized for 5 minutes.

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

The CHAIRMAN pro tempore. The gentleman from Florida [Mr. BENNETT] will be recognized for 5 minutes in opposition to the amendment.

The Chair recognizes the gentleman from Alabama [Mr. DICKINSON].

□ 1525

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). The Chair thanks all the Members for their patience in the last rollcall which was unavoidable.

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

As I stated earlier, my amendment to fund SDI at $3.7 billion is the same as the Armed Services Committee figure. I am compelled to offer this amendment because the "king of the hill" does not allow the committee position to be considered or voted on.

I think it is important for the House to have an opportunity to vote up or down on the recommendation of the committee on an issue as important as SDI. The committee's figure of $3.7 billion had strong bipartisan support when we marked up this year's bill, including my support and that of Chairman ASPIN.

I have heard several of my Democrat colleagues argue here today that $3.7 billion is where they would like SDI to end up after conference. Just once I wish the House would stand up and be counted on what it honestly believes is the right figure for SDI.

Let me just emphasize that providing $3.7 billion for SDI represents no real growth over the fiscal year 1988 SDI budget. It provides approximately 3-percent inflation only.

Moreover, $3.7 billion is an 18-percent reduction from the President's amended budget figure for SDI, and a 40-percent reduction from the President's original fiscal year 1989 budget.

If, as I expect, the House adopts the Bennett amendment, it will have reduced the fiscal year 1989 SDI budget by 50 percent. There is only one way that the House can approve the committee's position on SDI funding—it must defeat the Bennett amendment which will be voted on after this amendment.

Providing no real growth for a President's highest priority program is bad policy. Let's not make the problem worse. I urge my colleagues to vote for my amendment and, more importantly, to vote "no" on the Bennett amendment.

Mr. Chairman, I yield the balance of my time to the distinguished gentleman from New Jersey [Mr. COURTER], who has long had a real interest in this program.

Mr. COURTER. Mr. Chairman, I thank the gentleman from Alabama [Mr. DICKINSON] for yielding me the remaining time on this important amendment.

The one point I guess I want to make very clear is the fact that is the committee position. As much as the rules require, because of the king-of-the-hill situation, we have the Dickinson amendment at $3.7 billion. It is important to keep in mind for everybody

that comes to the floor and votes and who may not be present at this particular juncture that this is the bipartisan position. This is the Committee on Armed Services position. This is the position of the gentleman from Wisconsin [Mr. ASPIN], the chairman of the Committee on Armed Services. He voted $3.7 billion. This position is not a real growth over last year. It is flat from last year.

This is the position certainly that this body ought to vote for. You must vote on the committee position. It is the Aspin position, the Dickinson position, $3.7 billion. This is the key vote.

The second thing I wanted to say is we have had, because of this debate, extreme positions, extremely high, according to some perspectives, extremely low, according to other perspectives. This particular position means that all of the essential programs that are so important for the research, the development, in order to prove that the United States can defend itself against an attack, whether that attack is launched by mistake or computer error.

Talking about computer errors, we just had one in this body as we were sitting here; we saw the lights flash, and Members' "no" votes were put on the "yes" column, and "yes" votes were put on the "no" column. There was a gentleman who correctly pointed out that there was a software problem. But if you have a software problem in a ballistic missile program, it can be launched by error. This body should vote yes on this $3.7 billion, the position of the Committee on Armed Services, and no real increase over last year.

It has been said that in life you can go up or you can go down. We are not asking certainly for less funding in strategic defense this year over last year. We are not, by virtue of this Dickinson amendment, asking for an appreciable increase over the level of essential funding.

If you talk to Abe Abrahamson, who is the head of the SDI office, he will say that this is the very bare minimum they need in order for full research in the various types of components and programs essential for researching the possibility of protecting our homeland, protecting America against a threat of a ballistic missile strike.

Mr. BENNETT. Mr. Chairman, I yield such time as he may consume to the gentleman from Wisconsin [Mr. ASPIN], the chairman.

Mr. ASPIN. Mr. Chairman, I would like to just say that my position is, on this amendment, that I am, in fact, going to support the Bennett amendment at this time.

I did support in the committee, and I do believe that where the committee has come out is about the right place to come out, but where we hit, where we came out in the committee was before the Senate had a chance to vote on this issue. If the Senate had come in at a reasonable level, I would still be supporting the committee position.

The Senate number is $4.6 billion. If we now support the Bennett amendment, we will end up, if we split the difference, at about where the committee position is.

I think the right move for the House right now is to support the Bennett amendment.

Mr. BENNETT. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri [Mr. SKELTON].

Mr. SKELTON. Mr. Chairman, earlier during the debate I intended to set forth all of the various aspects of the amendments, and in so doing, I had hoped to separate the wheat from the chaff.

Let me briefly reiterate what we are doing here on all of these SDI amendments. Taking into consideration that the committee came out with a $4.1 billion figure, and that the Senate Armed Services Committee came out with a $4.6 billion figure, now, the figures I gave and give include research and development, Department of Energy money and military construction money.

We have already voted on two amendments. The gentleman from Arizona [Mr. KYL] sought 4.9, and had that been adopted and a split between the Senate position and ours, we would have come out with 4.7. The gentleman from California [Mr. DELLUMS] had $1.3 billion, and a split with the Senate, we would have come out with $3 billion. The gentleman from Alabama has the figure that was agreed upon in the Committee on Armed Services, $4.1 billion, and a split with the Senate would end up 4.3.

The gentleman from Florida [Mr. BENNETT] has an amendment which will be heard shortly at $3.5 billion, and split with the Senate, it will end up at $4.1 billion, which coincidentally is the figure that the committee agreed upon a bit earlier.

I think this may give us a bit better idea as to what we are doing and where we are going, separating the facts as we now know them.

Mr. BENNETT. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. RIDGE].

Mr. RIDGE. Mr. Chairman, I would like to remind our colleagues basically what happened last year when we addressed this issue in a similar fashion.

Congressman BENNETT and those who supported his amendment capped spending in this Chamber at $3.1 billion, but once it was reported back of conference, the SDI Program received a very hefty increase taking us, I think, to the area of $3.9 billion.

I certainly think we can anticipate that history will repeat itself, and I think we have to be mindful of that. Second, this amendment is somewhat illusory, because it says the spending is going to be capped at $3.7 billion. Please understand that there are $300 to $400 million in SDI related programs in the DOE. These are programs that will promote additional research programs in SDI, and I hope my colleagues are mindful of that. Third, when this program was initiated, we thought it was prudent for this country to engage and embark upon a course that took us into a prudent, long-term careful research program for ballistic-missile defense. Clearly that should remain our objective rather than rushing out to the early deployment. We have seen during the past couple of years a successive variety of technologies that pro-SDI scientists have researched and found to be inadequate. I urge my colleagues to vote against this amendment. The next vote on the Bennett amendment authorizes the most appropriate form of funding.

□ 1535

Mr. BENNETT. Mr. Chairman, I yield my remaining 1 minute to the gentleman from New York [Mr. HOCHBRUECKNER].

Mr. HOCHBRUECKNER. Mr. Chairman, I rise in opposition to the Dickinson amendment. I believe that $4.1 billion is clearly overkill relative to the work that we need to do to have a robust research program for star wars.

I would like to point out that the final budget that we will spend this year in terms of defense will be $299.5 billion, and clearly there are many conventional programs that need to be supported.

I have in my hand an E-2 Grumman Hawkeye aircraft model. The Coast Guard has used two of these aircraft very effectively to reduce the flow of narcotics into Florida and the Caribbean area over the past 2 years. Clearly if the Dickinson amendment is passed we will lose the opportunity to provide additional money for this kind of conventional defense support.

This is where we need to put the money. So the choice we have today is to put money into a theoretical star wars in space or to put our taxpayers money into the drug war here on Earth. I vote for Earth. Let us wait for space later.

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). All time has expired.

The question is on the amendment offered by the gentleman from Alabama [Mr. DICKINSON].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 190, noes 227, not voting 14, as follows:

[Roll No. 100]

AYES—190

Anderson	Hiler	Quillen
Archer	Holloway	Ravenel
Armey	Hopkins	Regula
Badham	Houghton	Rhodes
Baker	Hubbard	Richardson
Ballenger	Huckaby	Rinaldo
Barnard	Hunter	Ritter
Bartlett	Hutto	Roberts
Barton	Hyde	Robinson
Bateman	Inhofe	Rogers
Bentley	Ireland	Roth
Bereuter	Jenkins	Rowland (CT)
Bevill	Johnson (CT)	Rowland (GA)
Bilirakis	Kasich	Saiki
Billey	Kemp	Saxton
Boehlert	Kolbe	Schaefer
Broomfield	Konnyu	Schuette
Brown (CO)	Kyl	Schulze
Buechner	Lagomarsino	Sensenbrenner
Bunning	Latta	Shaw
Burton	Leath (TX)	Shumway
Byron	Lent	Shuster
Callahan	Lewis (CA)	Sisisky
Chappell	Lewis (FL)	Skeen
Cheney	Lipinski	Skelton
Clinger	Livingston	Slaughter (VA)
Coleman (MO)	Lloyd	Smith (NJ)
Coleman (TX)	Lott	Smith (TX)
Combest	Lowery (CA)	Smith, Denny (OR)
Coughlin	Lujan	
Courter	Lukens, Donald	Smith, Robert (NH)
Craig	Lungren	
Crane	Mack	Smith, Robert (OR)
Dannemeyer	Madigan	
Darden	Marlenee	Solomon
Davis (IL)	Martin (IL)	Spence
Davis (MI)	Martin (NY)	Spratt
DeLay	McCandless	Stallings
DeWine	McCollum	Stangeland
Dickinson	McCrery	Stenholm
DioGuardi	McCurdy	Stratton
Dornan (CA)	McDade	Stump
Dreier	McEwen	Sundquist
Edwards (OK)	McGrath	Sweeney
Emerson	McMillan (NC)	Swindall
English	McMillen (MD)	Tauzin
Erdreich	Michel	Taylor
Fawell	Miller (OH)	Thomas (CA)
Fields	Miller (WA)	Thomas (GA)
Flippo	Molinari	Upton
Frenzel	Montgomery	Vander Jagt
Gallegly	Moorhead	Vucanovich
Gallo	Morrison (WA)	Walker
Gekas	Murtha	Weber
Gilman	Myers	Weldon
Gingrich	Nelson	Whittaker
Gregg	Nichols	Whitten
Hall (TX)	Nielson	Wilson
Hammerschmidt	Oxley	Wolf
Hansen	Packard	Wortley
Harris	Parris	Wylie
Hatcher	Pashayan	Young (AK)
Hefley	Petri	Young (FL)
Hefner	Pickle	
Herger	Porter	

NOES—227

Ackerman	Boucher	Conte
Akaka	Boxer	Conyers
Alexander	Brennan	Cooper
Andrews	Brooks	Coyne
Annunzio	Brown (CA)	Crockett
Anthony	Bruce	DeFazio
Applegate	Bryant	Dellums
Aspin	Bustamante	Derrick
Atkins	Campbell	Dicks
AuCoin	Cardin	Dingell
Bates	Carper	Dixon
Bellenson	Carr	Donnelly
Bennett	Chandler	Dorgan (ND)
Berman	Chapman	Dowdy
Bilbray	Clarke	Downey
Boggs	Clay	Durbin
Boland	Clement	Dwyer
Bonior	Coats	Dymally
Bonker	Coble	Early
Borski	Coelho	Eckart
Bosco	Collins	Edwards (CA)
Espy	Kostmayer	Rahall
Evans	LaFalce	Ridge
Fascell	Lancaster	Rodino
Fazio	Lantos	Roe
Feighan	Leach (IA)	Rose
Fish	Lehman (CA)	Rostenkowski
Flake	Lehman (FL)	Roukema
Florio	Leland	Roybal
Foglietta	Levin (MI)	Russo
Foley	Levine (CA)	Sabo
Ford (MI)	Lewis (GA)	Savage
Ford (TN)	Lightfoot	Sawyer
Frank	Lowry (WA)	Scheuer
Frost	Luken, Thomas	Schneider
Garcia	MacKay	Schroeder
Gaydos	Manton	Schumer
Gejdenson	Markey	Sharp
Gephardt	Martinez	Shays
Gibbons	Matsui	Sikorski
Glickman	Mavroules	Skaggs
Gonzalez	Mazzoli	Slattery
Goodling	McCloskey	Slaughter (NY)
Gordon	McHugh	Smith (FL)
Gradison	Meyers	Smith (IA)
Grandy	Mfume	Smith (NE)
Grant	Miller (CA)	Snowe
Gray (IL)	Mineta	Solarz
Gray (PA)	Moakley	St Germain
Green	Mollohan	Staggers
Guarini	Moody	Stark
Gunderson	Morella	Studds
Hall (OH)	Morrison (CT)	Swift
Hamilton	Mrazek	Synar
Hayes (IL)	Murphy	Tallon
Hayes (LA)	Nagle	Tauke
Henry	Natcher	Torres
Hertel	Neal	Torricelli
Hochbrueckner	Nowak	Towns
Horton	Oakar	Traficant
Hoyer	Oberstar	Traxler
Hughes	Obey	Valentine
Jacobs	Olin	Vento
Jeffords	Ortiz	Visclosky
Johnson (SD)	Owens (NY)	Volkmer
Jones (NC)	Owens (UT)	Walgren
Jones (TN)	Panetta	Watkins
Jontz	Patterson	Waxman
Kanjorski	Pease	Weiss
Kaptur	Pelosi	Wheat
Kastenmeier	Penny	Williams
Kennedy	Pepper	Wise
Kennelly	Perkins	Wolpe
Kildee	Pickett	Wyden
Kleczka	Price	Yatron
Kolter	Pursell	

NOT VOTING—14

Biaggi	Dyson	Ray
Boulter	Hastert	Stokes
Daub	Hawkins	Udall
de la Garza	Mica	Yates
Duncan	Rangel	

□ 1555

The Clerk announced the following pairs:

On this vote:

Mr. Boulter for, with Mr. Yates against.

Mr. Daub for, with Mr. Hawkins against.

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

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

(By unanimous consent, Mr. MICHEL was allowed to speak out of order.)

LEGISLATIVE PROGRAM

Mr. MICHEL. Mr. Chairman, I take this time for the purpose of inquiring of the distinguished majority leader if he might enlighten us on the program for the balance of today and tomorrow and, frankly, for the duration maybe of this bill, whatever is in store for the membership.

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

Mr. MICHEL. I yield to the gentleman from Washington, the distinguished majority leader.

Mr. FOLEY. I thank the distinguished minority leader for yielding to me.

Mr. Chairman, the purpose of this announcement is not to inform Members on the details of next week's schedule but, after consulting with the distinguished gentleman from Illinois [Mr. MICHEL] and the chairman of the committee, the gentleman from Wisconsin [Mr. ASPIN] and the ranking minority member, the gentleman from Alabama [Mr. DICKINSON] it seemed advisable to perhaps give Members a general idea of the plan for the rest of this week.

It is the intention of the committee to proceed to finish the section on SDI and to consider the possibility of the Aspin amendment. The thought is that would probably be concluded about 6 p.m. this evening, or before.

At that point the chairman will move that the Committee rise and we will take up a concurrent resolution regarding exports from Alaskan oil.

When that is concluded, we expect about 7:30, the House would conclude its business for today.

We will return tomorrow and continue consideration of the DOD authorization bill with the program worked out between the two leaders of the committee. We would expect to conclude the business of the House by 4 to 5 o'clock tomorrow afternoon at which point the House would adjourn to meet at noon on Monday, there being no votes on Friday.

On Monday we would take up debate only on suspensions and put over the votes ordered on Monday's suspensions until Tuesday. I now pause for applause from both sides of the aisle.

We will continue consideration of the Suspension Calendar on Tuesday. Votes on suspensions on both Monday and Tuesday will be taken on Tuesday and we will return to this bill on Wednesday with the understanding we would hope to finish it on that day.

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

Mr. MICHEL. I yield to the distinguished ranking member of the committee.

Mr. DICKINSON. I thank the gentleman for yielding.

Mr. Chairman, I would like to inquire of the distinguished majority leader, I am not sure whether he misspoke or I misunderstood. Reading from the printed program that had been planned for today, the next item of business would be the offer of the gentleman from Florida's [Mr. BENNETT] 10-minute amendment. Then we would go into SDI phase 1, general debate 60 minutes, and then that

would be followed by the Spratt amendment of 10 minutes.

Now following that it had been the intention of the chairman, as I understand it, to go to en bloc amendments and possibly then to add-back, to take up the money that had been made available from whatever deletions there might be from the SDI Program.

The leader referred to the Aspin amendment. I do not know what that is.

Mr. FOLEY. If the gentleman will yield, I misspoke; the add-back amendment was the amendment I was referring to.

Mr. DICKINSON. Did I recount the sequence of events as the chairman of the committee understands them?

Mr. ASPIN. If I may respond to the gentleman from Alabama, it is the intention of what we would like to finish today between now and 6 o'clock tonight when we yield the floor to the concurrent resolution, to do the 10 minutes, then vote on the Bennett amendment; to do the 60 minutes, and the 10 minutes on the Spratt amendment, to do the add-back amendment and to do the en bloc amendment. We would like to do all four of those between now and 6 p.m. If we cannot complete the whole program, we will do as much of it as we can.

Mr. DICKINSON. But the gentleman would take the add-back prior to the en bloc?

Mr. ASPIN. Yes, the gentleman is correct.

Mr. DICKINSON. I thank the gentleman for yielding.

AMENDMENT OFFERED BY MR. BENNETT

Mr. BENNETT. Mr. Chairman, pursuant to the rule, I offer an amendment.

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BENNETT: Strike out section 211 (page 19, line 13 through line 18) and insert in lieu thereof the following:

SEC. 211. FUNDING FOR THE STRATEGIC DEFENSE INITIATIVE FOR FISCAL YEAR 1989.

Of the amounts appropriated pursuant to section 201 or otherwise made available to the Department of Defense for research, development, test, and evaluation for fiscal year 1989, not more than $3,183,000,000 may be obligated for the Strategic Defense Initiative (SDI).

Page 17, line 1, strike out "For the Defense Agencies, $8,604,304,000" and insert in lieu thereof "For the Defense Agencies, $8,087,304,000".

Page 208, line 11, strike out "Falcon Air Force Station, Colorado, $65,000,000" and insert in lieu thereof "Falcon Air Force Station, Colorado, $54,000,000".

Page 212, line 8, strike out "$748,000,000" and insert in lieu thereof "$737,000,000".

Page 212, line 11, strike out "$260,761,000" and insert in lieu thereof "$249,761,000".

Page 214, insert the following after line 4:

(c) RESTRICTION ON CERTAIN FUNDING.—Of the amounts appropriated pursuant to this section or otherwise made available to the Department of Defense for fiscal year 1989, not more than $54,000,000 may be obligated or expended for use in planning and construction of a National Test Facility for the Strategic Defense Initiative at Falcon Air Force Base, Colorado.

Page 237, strike out lines 2 through 9 and insert in lieu thereof the following:

(a) PROGRAMS, PROJECTS, AND ACTIVITIES OF THE DEPARTMENT OF ENERGY RELATING TO THE STRATEGIC DEFENSE INITIATIVE.—Of the funds appropriated to the Department of Energy for fiscal year 1989 for operating expenses and plant and capital equipment, not more than $245,000,000 may be obligated or expended for programs, projects, and activities of the Department of Energy relating to the Strategic Defense Initiative.

The CHAIRMAN pro tempore. Pursuant to the rule, the gentleman from Florida [Mr. BENNETT] will be recognized for 5 minutes and the Member opposed will be recognized for 5 minutes.

The Chair recognizes the gentleman from Florida [Mr. BENNETT].

Mr. BENNETT. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. FOGLIETTA].

Mr. FOGLIETTA. Mr. Chairman, I rise in support of the amendment offered by Mr. BENNETT and Mr. RIDGE to limit SDI funds to $3½ billion. I use the word "limit" here in a loose fashion given that that level actually represents a $400 million increase over the amount authorized by the House last year. This is not a reduction; it is a sensible level which adequately reflects the times.

Five years ago, when President Reagan made his now-famous star wars speech, the Defense budget was rapidly rising with wide congressional and public support. Furthermore, United States-Soviet arms control negotiations were deadlocked, with both Nation's festering a climate of accusation and hostility.

We are now in a new era which demands changed priorities. First off, public support for higher Defense spending has evaporated; the enormous budget deficit and its implications for our economy have forced all of us to search for ways to trim the budget. Defense spending has reached a plateau and previous budget projections have been scrapped in favor of more reasonable levels.

Second, the prospects for a historic arms reduction agreement have never been greater. As President Reagan prepares for his fourth, and probably final meeting with Soviet General Secretary Gorbachev, 50-percent reductions in the long-range, strategic nuclear missiles is a viable possibility—so long as the SDI question is settled.

Does Congress want to divert money from much-needed conventional programs, readiness, and sustainability for this pie-in-the-sky missile defense? Does Congress want to actually lower our capability to deter nuclear war? Does Congress want to send a signal to the Soviets that the United States is rushing ahead with an uncontrolled SDI Program, undercutting the opportunities to reverse the arms race.

It is obvious to me that the answer to all of these questions is a resounding "no." Congress should say "yes" to this critical amendment.

Mr. BENNETT. Mr. Chairman, I yield 30 seconds to the gentleman from Oregon [Mr. AUCOIN].

Mr. AUCOIN. Mr. Chairman, last week the gentleman from Pennsylvania [Mr. WALKER] said on the floor that the leadership was refusing to allow even one antidrug amendment on this bill, and he said that was "appalling."

Well, he was wrong.

Let me put it to my friends on the Republican right: Here's your antidrug vote opportunity.

Pass the Bennett amendment and we'll follow with a transfer of $350 million in star wars savings to drug interdiction.

Vote down the Bennett amendment, and you take $300 million from the war on drugs.

Of course, you do have to choose between star wars or drug wars. But that's OK. The American people want to know your priorities.

□ 1605

Mr. BENNETT. Mr. Chairman, I yield 1 minute to the gentleman from South Carolina [Mr. SPRATT].

Mr. SPRATT. Mr. Chairman, I rise in support of this amendment for the same reasons that the chairman of our Committee on Armed Services has stated previously. I voted for the Dickinson position just a minute ago. I voted in committee to have an SDI budget that included inflation for this year, but I feel, if we are going to obtain that level of funding, our best position is to go into conference at the level the gentleman from Florida [Mr. BENNETT] proposes, because inevitably, looking back over the history of the last 3 years dealing in conference, we will end up about where the committee was.

So, for that reason above all I support the gentleman's position and urge others to do the same.

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

The SPEAKER pro tempore (Mr. GRAY of Illinois). The gentleman from Alabama [Mr. DICKINSON] is recognized for 5 minutes to speak in opposition to the amendment.

Mr. DICKINSON. Mr. Chairman, I would hate very much if anyone would interpret an add back of any portion of this bill for drug purposes, drug interdiction, as a partisan issue. Nothing could be further from the truth. The chairman and I have discussed this. I know exactly how much is going back in.

As a matter of fact, we have agreed that of the amount going back in, about 60 percent goes in for procurement, and about 40 percent for operation and maintenance.

The Members on my side of the aisle over here would like to see more activity in the antidrug enforcement, and certainly there is nothing partisan about this. There is no Democrat stamp on it. Nobody is claiming credit for it. But, Mr. Chairman, I guess it is only natural that some people would like to claim credit for it. This is not the case, Mr. Chairman. We are just as much, if not more so, in favor of more strict drug enforcement than the gentleman that just spoke.

Let me say the committee position is $3.7 billion for SDI. Mr. BENNETT will take a half a billion dollars out of this, which is totally unacceptable according to the administration, to General Abramson, who is head of the SDI effort, and to the Department of Defense.

If my colleagues vote "no" on the Bennett amendment, my colleagues support the committee, support the committee position, and I would urge the Members to support the committee that has jurisdiction, that has heard the argument, knows the facts and reported out even with the chairman's vote, the 3.7 that would be the committee position, and my colleagues will get that position by voting "no" to Bennett to take out half a billion dollars more.

Mr. Chairman, I yield such time as he may consume to the very distinguished gentleman from Ohio [Mr. KASICH].

Mr. KASICH. Mr. Chairman, I would like to reemphasize the gentleman's position, and that is that we already have cut the amended request about $1.7 billion. Now we are going to go even further and make a reduction of another half a billion dollars, which I think is really going to jeopardize much of the vital research that has to be done on the SDI Program.

Mr. Chairman, with the reports of Saudi purchases of surface-to-surface missiles from the Chinese with 1,600 miles in range, with the recent reports of Libya attempting to buy surface-to-surface missiles from Brazil, with the spread to Third World countries of the use of surface-to-surface missiles, now is not the time to make a half-a-billion-dollar additional cut in the SDI Program and delay our ability to do the kind of effective research that needs to be done in order to make some very vital determinations.

Mr. DICKINSON. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. PICKLE].

Mr. PICKLE. Mr. Chairman, we face several amendments today which propose to cut funding for the strategic defense initiative, and several more proposals to restructure the SDI Program.

It is obvious that many attitudes are changing on these issues, even within the administration. Scientists are rethinking their positions on the viability of the system. This sort of scientific debate is healthy and should be expected. At the same time, our negotiators are attempting to overcome obstacles in achieving an arms control agreement with the Soviets. Once again, there is much debate on the proposed SDI system.

Since this program was unveiled, billions of dollars have been spent to research and develop the technologies which might support creation of a space-based defensive system. Our Government has encouraged and funded research on the part of private companies and institutions in developing and improving these important technologies.

Mr. Chairman, it's hard to argue against research and development. Such research always produces civilian spinoffs, even though it is impossible for us to calculate today what they might be. We are all familiar with the spinoffs from research in the early years of our Space Program—ranging from freeze-dried food to new medical technologies. The technology currently being developed for SDI, like that of the Space Program, holds the opportunity for limitless commercial spinoffs; for example, more sophisticated computers, enhanced radar detection and tracking, improvements in conventional weaponry, to name just a few.

We should not, on the basis of policy differences, decide to terminate or curtail this sort of groundbreaking research and development. The scientific community deserves our continued interest and support. Mr. Chairman, even if this SDI system is never deployed, I maintain that there will be a wealth of technology springing from the laboratories of our Nation that will benefit our society and our economy. I want to urge my colleagues to consider this aspect of the SDI debate when you cast your votes on the measures before us. Do not suffocate vital scientific exploration by cutting off the air for SDI research.

Thus, Mr. Chairman, I do not favor the reduction of SDI funds as proposed by Mr. BENNETT. We have reduced the SDI funds enough this year, and we ought not to reduce them further. We should support the committee.

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

Mr. BENNETT. Mr. Chairman, I yield 1½ minutes to the gentleman from Pennsylvania [Mr. RIDGE].

Mr. RIDGE. My colleagues, I want the Members to recall the historic characterization of the SDI Program as it was initially conceived. My colleagues remember some of the TV advertisements in support of that program. Remember the nonnuclear, absolutely fail-safe astrodome concept that was going to protect everybody everywhere? That was the mission, and that was the architecture, and that was the characterization of the SDI Program.

We have seen during the past 5 or 6 years that both the mission and the architecture have begun to change. We are beginning to see that scientists, pro-SDI scientists, as they go through the process of examining and then eliminating technologies which apply and do not apply, have run into some very, very difficult problems, so let us not kid ourselves that we should not continue a level of funding for basic, prudent, reasonable research. Everyone who supports the Bennett amendment is certainly supporting that in a very, very aggressive fashion.

Let us not forget as well, my colleagues, that last year, when we capped spending in this body at 3.1, we reported it back out of conference at almost $4 billion, and, deja vu, it will happen again this year. And, if any of my colleagues had any assurance that the Dickinson amendment would prevail in conference, 3.7, the gentleman from Florida and I would not be offering this amendment.

Everybody said that 3.7 is the mark. Well, it may be the mark, but we know that unless you adopt the Bennett amendment we are not going to see it when it is reported back.

□ 1615

Mr. BENNETT. Mr. Chairman, I yield 1 minute to the gentleman from Virginia [Mr. OLIN].

Mr. OLIN. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, it is very evident to everybody here, I think, that the majority of this House support the SDI program. We do that really for two reasons. One is that we think this program will help us keep from being surprised by the Soviet military one of these days in this area.

We also think we can find out whether it is going to be possible to develop a ballistic missile defense system that will increase military stability in the world. Both of these objections can be achieved through a robust research program that has consistent funding.

Many of us do not want to get sidetracked on an escalation of the program through early deployment which we are not ready for, which is premature and would cut into the fundamental research that is needed.

The point of the Bennett amendment, which has been demonstrated I think here many times, is to keep the funding level for SDI level at $4.1 billion. That is plenty of money to do this program. We are going to need to stick with that for a number of years to get the program done.

So I urge the Members to consider that fact. Remember that the Bennett

amendment is right for the SDI. Vote for it.

Mr. BENNETT. Mr. Chairman, I yield the balance of my time to the gentleman from California [Mr. FAZIO].

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

Mr. FAZIO. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I rise in strong support of the Bennett amendment.

Mr. FAZIO. Mr. Chairman, I rise in strong support of the amendment offered by the gentleman from Florida [Mr. BENNETT] and the gentleman from Pennsylvania [Mr. RIDGE].

Mr. Chairman, I think it is very important that we support the Bennett amendment to reach the committee's goal of about $4.1 billion in the next fiscal year, because we have got to look down the road at the additional defense costs that are accruing.

We talked a lot about the INF agreement and the additional conventional costs that will occur as the result of the signing of that treaty, which we all support.

Most of us are not aware, as Gen. Brent Scowcroft has told us, that if we get a START agreement similar to the one that has been offered we are going to have to pay more to modernize our strategic forces to disperse our launchers so that we do not have all our birds on a few Tridents and a relatively few MX missiles.

We have already heard from Mr. Carlucci that we are going to have to cut $250 billion in the next 5 years out of anticipated defense expenditures if we have 2 percent real growth, and I do not think very many of us expect to have 2 percent real growth for the next several years. We simply cannot afford to force feed more into the SDI.

This is a balanced, modest amendment.

The amendment does not gut SDI. The amendment provides $3.5 billion for a substantial research program, $400 million more than the House approved last year.

What this amendment seeks to do is simply provide some funding stability to the program.

SDI has grown faster than almost any other weapons program in history, growing from $1 billion in fiscal year 1984 to over $4 billion in the current fiscal year. Last year, the SDI budget jumped 11 percent even while the rest of the defense budget declined by 3 percent.

Even those most optimistic about the potential effectiveness of some of the SDI technologies cannot escape the unavoidable and nearly unfathomable price tag of this program.

During a recent meeting with General Abrahamson, I asked him how we could afford SDI, and he simply stated that the administration's request for SDI in fiscal 1989 fits within the administration's request for defense and that number is consistent with the budget summit.

But what about fiscal 1990, or fiscal 1991 or the year after that?

General Abrahamson had no answers, in essence deferring to Congress to find the funds and set the priorities.

It's time that we limit funding for SDI in an effort to curb demands on the defense budget in the future.

By General Abrahamson's own estimates, the first phase of SDI alone will have a price tag of up to $150 billion.

In a time of limited growth in our defense budgets, can we afford to spend $150 billion on a deployment scheme that even the Joint Chiefs of Staff admit would stop—at most—30 percent of the warheads in a full-scale Soviet attack?

Can we afford to gut our strategic modernization program or conventional forces or our critical readiness accounts, giving us a hollow military, to invest in a system that the Office of Technology Assessment says would likely suffer a "catastrophic failure" the first, and presumably only, time it is used?

The answer to all of these questions is clearly no, we can't afford it.

I support a substantial SDI research program; $3.5 billion is a significant investment in SDI. But a true defense that improves crisis stability and enhances national security will not be brought about by throwing money at SDI.

Mr. Chairman, under the Bennett amendment, funding SDI at $3.5 billion in fiscal 1989, we can maintain a substantial research program that will leave us with more than an ineffective, destabilizing defense based on 30-year-old kinetic energy technology and conventional and strategic forces that have been hollowed out by years of lost battles over limited defense modernization dollars.

I urge adoption of the amendment that will start us down the path of responsible strategic defense budgets and goals; I urge adoption of the Bennett-Ridge amendment.

Mr. DICKINSON. Mr. Chairman, the amendment of the gentleman from Florida [Mr. BENNETT] and his supporters reminds me of the little boy who did not want to hurt his puppy, so he just cut off his tail one inch at a time.

Mr. Chairman, I yield the balance of our time to the gentleman from New Jersey [Mr. COURTER].

Mr. COURTER. Mr. Chairman, I do not know whether I can do any better than that.

When the SDI Program was originally conceived, we knew that it would take about $26 billion over 5 years to do the type of dedicated research in order to have a defensive system that we could use.

There are consequences to every vote. I think a lot of people in this Chamber are saying, "I believe in SDI, but I want to cut significant money from it."

The Bennett amendment cuts $600 million from basic research necessary to achieve the idea of America defending itself. That $600 million has consequences.

The $26 billion over a period of time is going to be needed whether we have the Bennett amendment or not. The point is, we have to prove this technology as soon as possible.

This amendment will mean we are going to shove off that day while the Soviet Union does their research, when they have all their scientists, when they are spending as much on defense that they spend on offense, we are going to have a date further on the horizon before we can justify deployment of this system.

Vote no on the Bennett amendment. It is going to hurt significantly the research program.

Mr. FRENZEL. Mr. Chairman, I have never supported SDI at the level requested by the President. But I believe that the SDI research should go forward. Each year I try to support an affordable, viable level of spending, usually opposing large increases.

Based on my previous years' record, I am tempted to vote for the Bennett amendment. I would like to see SDI appropriations either frozen or held to a small increase. A vote for the Bennett amendment would be based on the assumption that the Senate would increase the amount somewhat in conference.

However, despite the fact that I voted for a Bennett amendment last year, I will support the committee's figure—that is, the Dickinson amendment—this year. Part of the difference is that I have more confidence in the more realistic approach of Secretary Carlucci this year. The rest of the difference is that I would prefer not to give the impression that the United States is willing to reduce this program as we negotiate with the U.S.S.R., which seems to be nervous about it.

I believe the Dickinson figure is about right. I think we should not reduce any incentive the Soviets may have to negotiate substantial nuclear arms reductions.

The CHAIRMAN pro tempore. (Mr. GRAY of Illinois). All time has expired.

The question is on the amendment offered by the gentleman from Florida [Mr. BENNETT].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 223, noes 195, not voting 13, as follows:

[Roll No. 101]

AYES—223

Ackerman	Bonker	Coats
Akaka	Borski	Coble
Alexander	Bosco	Coelho
Anderson	Boucher	Collins
Annunzio	Boxer	Conte
Anthony	Brennan	Conyers
Applegate	Brooks	Cooper
Aspin	Brown (CA)	Coyne
Atkins	Bruce	Crockett
AuCoin	Bryant	de la Garza
Bates	Bustamante	DeFazio
Bellenson	Campbell	Dellums
Bennett	Cardin	Dicks
Bereuter	Carper	Dingell
Berman	Carr	Dixon
Bilbray	Chandler	Donnelly
Boggs	Clarke	Dorgan (ND)
Boland	Clay	Dowdy
Bonior	Clement	Downey

Durbin	Kildee	Ridge
Dwyer	Kleczka	Rodino
Dymally	Kostmayer	Roe
Early	LaFalce	Rose
Eckart	Lantos	Rostenkowski
Edwards (CA)	Leach (IA)	Roth
Espy	Lehman (CA)	Roukema
Evans	Lehman (FL)	Roybal
Fascell	Leland	Russo
Fazio	Levin (MI)	Sabo
Feighan	Levine (CA)	Sawyer
Fish	Lewis (GA)	Scheuer
Flake	Lightfoot	Schneider
Florio	Lowry (WA)	Schroeder
Foglietta	Luken, Thomas	Schumer
Foley	MacKay	Sharp
Ford (MI)	Manton	Shays
Ford (TN)	Markey	Sikorski
Frank	Martinez	Skaggs
Frost	Matsui	Slattery
Garcia	Mavroules	Slaughter (NY)
Gejdenson	Mazzoli	Smith (FL)
Gephardt	McCloskey	Smith (IA)
Gibbons	McHugh	Snowe
Gilman	Meyers	Solarz
Glickman	Mfume	Spratt
Gonzalez	Miller (CA)	St Germain
Gordon	Mineta	Staggers
Grandy	Moakley	Stallings
Grant	Moody	Stark
Gray (IL)	Morella	Studds
Gray (PA)	Morrison (CT)	Swift
Green	Mrazek	Synar
Guarini	Murphy	Tallon
Gunderson	Nagle	Tauke
Hall (OH)	Natcher	Torres
Hamilton	Neal	Torricelli
Hayes (IL)	Nowak	Towns
Hayes (LA)	Oakar	Traficant
Henry	Oberstar	Traxler
Hertel	Obey	Valentine
Hochbrueckner	Olin	Vento
Horton	Ortiz	Visclosky
Hoyer	Owens (NY)	Walgren
Hughes	Owens (UT)	Watkins
Jacobs	Panetta	Waxman
Jeffords	Pease	Weiss
Johnson (SD)	Pelosi	Wheat
Jones (NC)	Penny	Whitten
Jones (TN)	Pepper	Williams
Jontz	Perkins	Wise
Kanjorski	Pickett	Wolpe
Kaptur	Price	Wyden
Kastenmeier	Pursell	Wylie
Kennedy	Rahall	
Kennelly	Richardson	

NOES—195

Andrews	DeLay	Hunter
Archer	Derrick	Hutto
Armey	DeWine	Hyde
Badham	Dickinson	Inhofe
Baker	DioGuardi	Ireland
Ballenger	Dornan (CA)	Jenkins
Barnard	Dreier	Johnson (CT)
Bartlett	Edwards (OK)	Kasich
Barton	Emerson	Kemp
Bateman	English	Kolbe
Bentley	Erdreich	Kolter
Bevill	Fawell	Konnyu
Bilirakis	Fields	Kyl
Bliley	Flippo	Lagomarsino
Boehlert	Frenzel	Lancaster
Broomfield	Gallegly	Latta
Brown (CO)	Gallo	Leath (TX)
Buechner	Gaydos	Lent
Bunning	Gekas	Lewis (CA)
Burton	Gingrich	Lewis (FL)
Byron	Goodling	Lipinski
Callahan	Gradison	Livingston
Chapman	Gregg	Lloyd
Chappell	Hall (TX)	Lott
Cheney	Hammerschmidt	Lowery (CA)
Clinger	Hansen	Lujan
Coleman (MO)	Harris	Lukens, Donald
Coleman (TX)	Hatcher	Lungren
Combest	Hefley	Mack
Coughlin	Hefner	Madigan
Courter	Herger	Marlenee
Craig	Hiler	Martin (IL)
Crane	Holloway	Martin (NY)
Dannemeyer	Hopkins	McCandless
Darden	Houghton	McCollum
Davis (IL)	Hubbard	McCrery
Davis (MI)	Huckaby	McCurdy
McDade	Rhodes	Smith, Robert (OR)
McEwen	Rinaldo	Solomon
McGrath	Ritter	Spence
McMillan (NC)	Roberts	Stangeland
McMillen (MD)	Robinson	Stenholm
Michel	Rogers	Stratton
Miller (OH)	Rowland (CT)	Stump
Miller (WA)	Rowland (GA)	Sundquist
Molinari	Saiki	Sweeney
Mollohan	Savage	Swindall
Montgomery	Saxton	Tauzin
Moorhead	Schaefer	Taylor
Morrison (WA)	Schuette	Thomas (CA)
Murtha	Schulze	Thomas (GA)
Myers	Sensenbrenner	Upton
Nelson	Shaw	Vander Jagt
Nichols	Shumway	Volkmer
Nielson	Shuster	Vucanovich
Oxley	Sisisky	Walker
Packard	Skeen	Weber
Parris	Skelton	Weldon
Pashayan	Slaughter (VA)	Whittaker
Patterson	Smith (NE)	Wilson
Petri	Smith (NJ)	Wolf
Pickle	Smith (TX)	Wortley
Porter	Smith, Denny (OR)	Yatron
Quillen	Smith, Robert (NH)	Young (AK)
Ravenel		Young (FL)
Regula		

NOT VOTING—13

Biaggi	Hastert	Stokes
Boulter	Hawkins	Udall
Daub	Mica	Yates
Duncan	Rangel	
Dyson	Ray	

□ 1637

The Clerk announced the following pair:

On this vote:

Mr. Hawkins for, with Mr. Daub against.

Mr. McMILLEN of Maryland and Mr. VOLKMER changed their votes from "aye" to "no."

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

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). It is now in order to debate the subject matter of phase 1 of the strategic defense initiative.

Pursuant to the rule, the gentleman from Wisconsin [Mr. ASPIN] will be recognized for 30 minutes and the gentleman from California [Mr. BADHAM] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Wisconsin [Mr. ASPIN].

Mr. ASPIN. Mr. Chairman, on our side of the aisle the Member controlling the time will be the gentleman from South Carolina [Mr. SPRATT].

The CHAIRMAN pro tempore. The gentleman from South Carolina will be recognized for 30 minutes.

The Chair recognizes the gentleman from South Carolina [Mr. SPRATT].

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

Mr. Chairman, I will presently yield to the gentleman from Wisconsin [Mr. ASPIN] the chairman of the Committee on Armed Services, and to the gentleman from New Mexico [Mr. RICHARDSON] for a brief colloquy about this particular amendment.

First let me state the purpose of the amendment. The Spratt-Hochbrueckner-McCloskey amendment proposes to retain the current allocation of SDI funding for near-term systems, or phase 1, at 40 percent which is the current level or allocation, blocking the increase to 50 percent of total funding for phase 1 or the near-term system in fiscal 1989 as the SDIO had requested. Our amendment would not dictate otherwise how the managers of the SDI program must spend the money that is budgeted for them. Our amendment simply would stabilize funding for the longer term technologies, the laser programs, the directed energy research effort, the longer term technologies so that these funds supporting these programs are not syphoned in the near-term phase 1 systems and the near-term deployment.

Mr. Chairman, that is the thrust and purpose of our amendment. We will go into debate with an explanation of it in just a moment.

Mr. Chairman, I yield such time as he may consume to the gentleman from Wisconsin [Mr. ASPIN] so that he might engage in a colloquy with the gentleman from New Mexico [Mr. RICHARDSON].

Mr. ASPIN. Mr. Chairman, first I will yield to the gentleman from New Mexico.

Mr. RICHARDSON. Mr. Chairman, I would like to express my strong support for the amendment offered by the gentleman from North Carolina. The Spratt amendment would maintain current levels of phase 1 funding of the SDI Program at 40 percent instead of the proposed increase to 50 percent in fiscal year 1989. The pursuit of phase 1 is simply premature—the Spratt amendment would stabilize funding for directed energy research programs and long-term research programs.

New Mexico is taking a leading role in directed energy research. The ground-based free electron laser project is located at the White Sands Missile Range in New Mexico. The primary purpose of this experiment is to determine that a high energy free electron laser beam can be generated and steered effectively through the atmosphere from a ground-based facility. This advanced technology is not only the next logical step in laser experimentation, but will lead to significant laser advances with numerous industrial and medical application. The success of this experiment requires construction of state-of-the-art facilities.

Mr. Chairman, is the engineering and construction of these facilities one of the committee's priorities in the directed energy program?

Mr. ASPIN. Yes. The fiscal year 1988 construct and design funding level for the Ground-Based Laser Program is $5.6 million, a substantial reduction from the anticipated level of $40 to $59 million. As a result, the

overall design and construction program has been scaled back and stretched out. Maintaining the present pace will require a minimum of $22 million in fiscal year 1989.

Mr. RICHARDSON. Does the chairman agree with my conclusion that every effort should be made to accommodate this funding level within the SDIO budget?

Mr. ASPIN. Yes.

Mr. RICHARDSON. Mr. Chairman, another promising project in this area is the Full Moon laser project being conducted by the Mission Research Corp. in Los Alamos, NM. The Full Moon project is providing leadership in pulsed laser technology that will enable important tactical weapons applications. The armed services have expressed significant interest in the research on this project. Analysis of the Full Moon Program indicates that impulse lethality will require less energy, less advice volume, and less total weight than thermal lethality approaches for tactical missions.

Mr. Chairman, is the type of research conducted in the Full Moon project one of the committee's priorities in the directed energy program?

Mr. ASPIN. Yes.

Mr. RICHARDSON. Does the chairman agree with my conclusion that every effort should be made to accommodate funding for research projects such as the Full Moon Program?

Mr. ASPIN. Yes.

Mr. RICHARDSON. Mr. Chairman, the SDI Program has come under serious criticism in the past year for its emphasis on kinetic rather than directed energy programs. In fact, there exists speculation that much of SDI's fiscal year 1989 phase 1 funds would be allocated to the kinetic energy programs. Is this the intent of the Armed Services Committee?

Mr. ASPIN. No.

Mr. RICHARDSON. I want to thank the chairman for our informative exchange.

Mr. BADHAM. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. KASICH].

Mr. KASICH. Mr. Chairman, it is with some reluctance but yet with great concern that I rise against the Spratt amendment for some very basic reasons. Let me first of all begin to talk about phase 1 because I think that is what people must get clear in their own minds as to what phase 1 really represents. Phase 1 represents technology that we understand a great deal about at the present time. It represents what we call, for example, kinetic energy systems.

What do we mean by kinetic? We mean a system that can strike another system and destroy it, such as destroying a missile. That would be a kinetic kill vehicle, a system that would be put up in space that would circle the Earth in orbit and that would in terms of a Soviet launch of a ballistic missile, would send out small rockets and literally ram into the missile that is launching from Soviet territory into space.

□ 1645

What that would allow us to do, Mr. Chairman, is literally to knock out 10 warheads for the price of 1 missile. That is a technology that is not fully developed yet, but fully understood.

There are other types of technology that are understood including the ground-based kinetic vehicles which would allow us to destroy an incoming reentry vehicle.

What the gentleman from South Carolina [Mr. SPRATT] is attempting to do is to limit the amount of money that the SDI people want to spend on phase 1 development along with the middle-phase development.

There are three phases of development in the SDI Program. There is the phase No. 1 program, the middle program, and the follow-on phase. The follow-on phase is the most sophisticated systems that we yet do not have great understanding about, but what the gentleman from South Carolina [Mr. SPRATT] attempts to do is to limit the amount of money we can spend in the phase 1 program. That program we understand the best, and that program, in my view, offers us the greatest potential for achievement and advancement, particularly in the area of accidental launch.

I have some difficulty understanding why the gentleman from South Carolina wants to offer this amendment, because if Members take a look at fiscal year 1988 and fiscal year 1989 spending, we find that in the SDI Program, the programmers are doing essentially what the gentleman from South Carolina wants to do. In fact, they are probably doing even a little bit better, because as can be seen in the phase 1 technology, about 48 percent of the funding is going to develop that technology that is the most readily usable, the most easily obtainable, and the percentage of money that the administration asks for in fiscal year 1989 actually drops from 48 percent down to 36 percent.

The middle-term technology stays about the same in fiscal 1988 as compared to fiscal 1989, but those technologies that the gentleman from South Carolina [Mr. SPRATT] and I would both agree could perhaps in the future offer us the greatest potential are going to get the greatest increase in the 1988 to 1989 budget.

As for directed-energy weapons—what do we mean by directed-energy weapons? The chemical lasers, the particle beams, the x-ray lasers, those kinds of technologies that we do not have a really good grasp of right now are going to get 50 percent of the funding under the administration's request. Therefore, it does not make any sense to impose this kind of micromanagement policy on the SDI people when they are essentially doing what it is that the gentleman from South Carolina [Mr. SPRATT] wants to do.

What I think is most important to understand is we do not want to shut down phase 1 technology, because that is clearly the technology that we understand the best. It is the technology that we can use to knock down an accidental launch, and I think as even the opponents and proponents of this program will admit, in the period of the next 6 or 7 years if we are able to deploy a two-phase system against accidental launch, that system will be very, very, good in terms of capability.

What we clearly do not want to do is put the clamps on phase 1, because phase 1 not only offers us great utility in the present, but phase 1 is a critical step in terms of developing a more sophisticated system. In fact, phase 1 technology can be used to protect the more sophisticated technologies that may be deployed after the turn of the century.

It would not make very good sense to be cutting back on phase 1 technology. I am not sure if the gentleman from South Carolina perhaps drafted this and did not get it exactly as he wanted it to be, but the follow-on technology is not only useful in phase 1 but also useful in the long-term technology. Yet, we have an assault on those programs.

I think that the SDI people are doing pretty much what the gentleman from South Carolina, a gentleman I have great regard and great respect for, for his knowledge and his commitment to understanding this program, but I think it makes very bad policy sense to be micromanaging the program like this. Let the SDI people do it on their own.

Mr. SPRATT. Mr. Chairman, I yield myself 7 minutes.

Mr. Chairman, as I understand the remarks of the gentleman from Ohio, we are not really imposing that much limitation on SDI, because SDIO is effectively doing what we are seeking to do, and we want to hold the program where it is, a 40-percent commitment of total resources to phase 1, 60 percent retained for the balance of the program.

Let me say why we seek that, by giving a little background of the program. There are two reasons, broadly speaking, that we are spending nearly $4 billion a year on strategic defense; one is to assess its practical potential. Safeguard, our last venture into strategic defense, was decommissioned in 1976. Much has happened since 1976 in sensors, computers, optics and guidance systems and microelectronics, and above all, in lasers, directed-energy systems, and I think it is timely

that we take stock of the advances in technologies to see if the latest technology has the potential of making strategic defense cost-effective, practical and workable.

The other reason for pursuing SDI in earnest at this time stems from what the Soviets are doing. Our Strategic Defense Program is quite simply a hedge against their strategic defense program. The Soviets have a strategic defense system, Galosh missiles, deployed around Moscow. The Soviets have an extensive air defense system and an extensive civil defense system. Clearly, they believe in strategic defense, and we clearly have reason to query what they are up to at Krasnoyarsk and Dushambai and places like that. We are not quite sure what they are up to or what they are pursuing on the far edges of strategic defense. I hasten to say that not all of the Soviet investment in strategic defense has paid off. We are confident that our warheads can penetrate their Galosh ABM system around Moscow, and if the Stealth bomber performs as promised, it may render obsolete much of what the Soviets have invested in air defense. Still, we cannot take the risk that the Soviets might someday roll out a new breakthrough technology which could destroy our missiles or warheads before they reach the Soviet Union. That is why we did not quit spending on strategic defense in 1976 when we stood down the Safeguard system. That is why we were spending about $1 billion on it even before the President made his speech in 1983, and that is why we are spending $4 billion or nearly that amount today.

If one of our reasons is to assess the potential of strategic defense, rigorously assess it in light of all the latest advancements in technology, we cannot complete that assessment until we truly know what the longer-term directed-energy or laser technologies can actually do.

SDIO has a phased-deployment plan. The first phase of it would be spaced-based interceptors. These would be designed to take out Soviet ICBM's in the boost phase, and these would be followed up by ground-based interceptors which would try to intercept reentry vehicles in the midcourse.

No one for sure can say at this point in time just how effective such a system can be. Even as it is postulated by those designing it and supervising, the space-based interceptors are not even expected to take out more than a fraction of the Soviet ICBM's in the boost phase.

The ground-based interceptors would have to clean up the rest. It is not by any means resolved yet whether or not the ground-based interceptors would be able to take out the remaining reentry vehicles in midcourse. That will depend upon midcourse discrimination, telling the difference between a real RV and a decoy. We are a long way from being able to do that.

Whatever the efficacy of phase 1, in time its effectiveness will degrade. The Pentagon, the sponsor of this system, also admits that as the Soviets deploy fast-burn boosters, as they have already in the SS-25, and as they develop the capacity to fire at our space-based interceptors on their satellite platforms, which they can do with modest modifications to existing systems, the boost-phase intercept system will become less and less effective, more and more porous.

As the Soviets stress the midcourse intercept system, the other half of phase 1, with chaff and decoys, along with real RV's, the midcourse interceptors themselves will become less and less effective. That is not my opinion. I am not qualified to make it. It is the judgment of almost everyone who has looked critically at strategic defense.

The bottom line simply is this: In the long term, the efficacy of strategic defense is going to turn on the efficacy of directed-energy weapons. Again, this is not my opinion. In effect, it is the opinion of the Defense Science Board and of the Defense Acquisition Board. Just last June the Defense Science Board said that the design concept for first phase is "still in an early stage and still quite sketchy." Among other things, they pointed out the technology for the survivability of space-based interceptors on their satellites is still uncertain. I am quoting from their report. "Vulnerability to attack by ground-based ASAT's and lasers during peacetime is particularly disturbing." They said, "Serious questions remain unanswered about the ability to carry out discrimination against anything but the most primitive decoys and debris."

□ 1655

That was the Defense Science Board speaking. The Defense Acquisition Board had asked for their opinion, and when they got it they recognized the difficulty of these problems facing phase one of SDI, and the Defense Acquisition Board expressly stipulated that before phase 1 enters or passes milestone 2, that is before it goes into full-scale engineering, then the follow-on laser based technologies must be at the point or stage in time when they can demonstrate their validity.

Our amendment simply follows that policy is laid down by the Defense Acquisition Board. We do not want to go forward with phase one until we know what the longer-term technologies can provide. All we ask for in this amendment is that sort of long-term perspective, pacing, and balance in the SDI Program.

We have quoted in the handouts and the Dear Colleagues we have sent to different Members the impressions and the opinions of various members of the national labs who are in charge of the SDI directed energy program. For example, Dr. John Brown, who is the associate director for defense research at Los Alamos, testified recently before our committee, "A future strategic defense system with advanced DEW, directed energy, will be available as a national option only to the extent that research has been adequately emphasized and predictably funded. Funding to date has been neither adequate nor predictable."

That is simply what we seek, adequate funding for the long-term technology that holds the promise of making strategic defense truly revoluntionary and effective; stable funding for these technologies which may hold the promise of time making nuclear weapons obsolete.

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

Mr. BADHAM. Mr. Chairman, I yield 11 minutes to the gentleman from New Jersey [Mr. COURTER], a member of the committee.

Mr. COURTER. Mr. Chairman, I thank the gentleman for yielding.

From listening to the offerer of the amendment, the gentleman from South Carolina [Mr. SPRATT], I do not believe that the documentation really supports his position, and the position is that we are spending insufficient money for a long-term project, for the directed energy, those things that have promise in the distant future. The documents submitted in support of the amendment state that the SDIO, the Strategic Defense Office, has requested funding growth from 40 percent for phase 1 in fiscal year 1988 to 50 percent in 1989. The information is flatly incorrect.

The budget breakout is actually as follows, without the Spratt amendment, without this restrictive language, without this amendment that really nitpicks, bureaucratizes, politicizes the SDI office. Basically the trend is already frankly to reduce the moneys in research in the short term, those technologies that can help us deploy something against an accidental launch, against a launch by mistake, against a launch by some Third World country. In looking at the exact 1988-89 figures in phase 1 and phase 2, which is really the phase 1 under the Spratt amendment, we have gone in 1988 from 48 percent for that phase 1 to 36 percent without the Spratt amendment in phase 1 in 1989.

So without the benefit of micromanaging, the office itself has moved significantly in the area such that we can do the basic research that is necessary for the long term, more exotic directed energy areas.

I think it is important for this body not to micromanage. It is important for this body, and I know the gentle-

man from New York has a very provocative amendment which he will be introducing very soon with regard, and correct me if I am wrong, to some sort of early deployment from accidental launch which could very well be a harrowing experience for this country. The United States has to have the capability to protect itself now against an accidental launch. But moving additional moneys from near term to far exotic research will put more distance between now and the time we can defend New York City and Morristown, NJ, from an accidental launch.

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

Mr. COURTER. I am happy to yield to the gentleman from New York.

Mr. KEMP. Mr. Chairman, I was listening to the gentleman's remarks about what this amendment if passed would do, and the gentleman is right on target with regard to not only micromanaging but shifting resources from early to long term projects. And I favor those, as the gentleman from New Jersey has so eloquently testified to so many times, I favor that, but I favor the long term projects we are working on.

But what I think some Members are getting away with in this debate is on the one hand saying they are for SDI and research, and then either they want to micromanage it or they quote ALPS or General Abramson. I just want for the record to make sure everybody knows that General Abramson said if adopted, this amendment would unbalance the program toward less technically mature projects, thereby sacrificing the development of options for deploying systems in the near term, including, as the gentleman from New Jersey has pointed out, some type of an accidental launch protection system, ALPS.

Since we are talking about it, the Spratt amendment that is to come up I guess tomorrow in conjunction with the Kemp amendment, which both purport to support accidental launch protection systems, this undercuts in my view that effort. I am not challenging the motives of the gentleman from South Carolina, but I think it is inconsistent to on one hand micromanage phase 1 and then tomorrow or later in the debate say there is a problem with accidental launch.

What is the technology that will answer the problem of accidental launch if it is not the near term phase one kinetic energy capability that is so advanced that we are ready, in my view, to begin deployment in the near term?

So the gentleman is making an important contribution to the debate and I hope my colleagues will see through the Spratt amendment and vote it down and get to the next debate to come which is, of course, how do we protect America against an accidental launch.

Mr. COURTER. I appreciate the gentleman's comments. We have seen this type of an approach in this body many, many times where certainly not the offerer of the amendment, the gentleman from South Carolina [Mr. SPRATT], but there are others who like to say they are in favor of strategic defense but they do not deploy anything. In fact, they restrict the research dollars to make sure that in perpetuity it remains a concept, it remains an idea, it remains more a goal. I think we want more than a goal, we want to protect the United States against accidental launch

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

Mr. COURTER. I am happy to yield to the gentleman from New York.

Mr. KEMP. Mr. Chairman, I remember listening to the gentleman from New Jersey say one time, and I have quoted it many times but I give him credit for at least the concept of recalling for all of us what would have happened to this country's space program if John F. Kennedy had said I think we will do a research program on going to the moon in the decade of the 1960s. There would not have been the excitement, there would not have been the motivation. The scientific community was if not split at least divided in part over the project. It never, in my view, would have been possible to create that atmosphere, that environment, that motivation that really launched this country's great space program. And as the gentleman from New Jersey is pointing out for us, SDI is being chipped away. And what kills me is that I can understand the total opposition of some, but all of those who stand up and love the research, they love it so much that they think that they are going to be able to research it ad infinitum, and it is going to hurt and kill some of the most promising programs. There is even one other argument of those who stand up and say they are pro-SDI that the scientists tell us that these technologies are off in the distance. I have talked, as has the gentleman from New Jersey, with a number of the pro-SDI scientists. They are absolutely on fire with regard to not only the long-term possibilities and technologies, but what we can do right now.

I think it is a mistake to let the American people lose sight of the fact that there are experiments, there are programs, there are technologies, and there are things that can be done right now that can begin that architecture.

I would close with the thought, another metaphor, imagine the anticancer program. What if we said we are going to wait until we reach the perfect anticancer weapon before we ever use it. No one would stand for that. We deploy it as soon as we test its efficacy and of course its safety, and then we go ahead with it. It seems to me we ought to begin and that we ought to begin soon to deploy or to build. I favor that, as the gentleman from New Jersey does, and we ought not let the Spratt amendment get in the way not only of the promising technologies for the future, but what can be done in the near term.

Mr. COURTER. The gentleman is precisely correct. I am sure there was no Spratt amendment when John F. Kennedy was around and he said we wanted to place an American on the Moon and return that individual safely to Earth before the decade was out. It was a clarion call, something that focused the imagination and energy of this country.

I remember very well there were scientists at that particular time saying it was unachievable with the engineering technology of that day, but through working, funding, and commitment it was achieved, and there was no amendment by the Congress meddling in that decision. The Congress of the United States did not say we want to put a certain type of fuel in the boosters, we want to have two ages and not three stages, we want to have this type of helmet, we want to place more money in the more exotic systems.

This is an important amendment, it really is, and it is well intentioned by the gentleman from South Carolina, and I think by virtue of the fact that it has been given an hour it means that it is significant, and I know the gentleman wants to achieve this.

My point is the Congress of the United States often is saying let the experts decide where the money should go. This is a sophisticated, complicated thing and there is balance between the short term and the long term, and when there is a change in technology sometimes that balance has to be changed. When there are new types of research, the Office of Strategic Defense has to be able to channel resources to new technologies.

This amendment restricts that to a degree. It micromanages to a degree, not totally, but partially, and that is in fact the bad part about the amendment.

The movement is toward future research in this area, but if we want to have a deployed system that protects us against accidental launch, we have to spend money on HEDI and the high endo-atmospheric interceptor, and that is in phase one. Let us not restrict the amount of money we can put in HEDI. Let us not restrict the sum of money we can put in kinetic energy.

Vote no on the Spratt amendment.

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

Mr. COURTER. I am happy to yield to the gentleman from Ohio.

Mr. KASICH. Mr. Chairman, phase 1 technology is critical to protecting advanced technology somewhere down the road. We cannot get to the advanced unless we develop the first technology.

Mr. COURTER. Exactly. I appreciate the gentleman's comments. It is the engineering experience. It is one thing to have a laboratory conceptual understanding of a technology, and we all can agree that our best scientists recognize that a bullet can hit a bullet, that we can have space based interceptors that can track and intercept. But the problem is in where the United States is good, which is in the engineering, in creating something from concept to fruition to deployment to safety, and that is what this amendment is hurting. This amendment is hurting America using what America is good at, the engineering and moving something from concept to deployment.

Mr. KASICH. Will the gentleman yield again?

Mr. COURTER. I yield to the gentleman from Ohio.

Mr. KASICH. Mr. Chairman, I appreciate the gentleman yielding.

In solid terms, I think the gentleman should make the point that the KKV, the kinetic kill vehicle, is used as a defense to a space-based laser program; that is, a directed energy weapon program that the gentleman wants to shift resources to. If we do not have a KKV, it does not offer the protection that we need to have for our more advanced systems.

So I say to the gentleman from New Jersey it is not just the engineering development, but it is a practical use of phase 1 technology that is complementary with advanced technology to make this system as good as it possibly can be.

Mr. COURTER. I thank the gentleman.

Finally, just let me say if my colleagues think that this particular office, which is doing a remarkable job, merits the flexibility, and it is not totally flexible, we know where they are putting their money, they let us know line by item, phase by phase, and we know precisely where the effort is going, why restrict that, why put handcuffs on it, why make it less flexible than it really is?

Vote no on the Spratt amendment.

Mr. SPRATT. Mr. Chairman, I yield myself such time as I may consume to respond to one statement made by the gentleman from New Jersey [Mr. COURTER] and the gentleman from Ohio [Mr. KASICH].

The HEDI system, the high endoatmospheric interceptor, is classified by SDI as a follow-on phase system in the resource allocation chart which is referenced in the amendment, and which SDI presented with its budget. So it indicates that we have not foreclosed that or eliminated that in imposing this amendment.

Mr. Chairman, I yield 6 minutes to the gentleman from Indiana [Mr. MCCLOSKEY].

Mr. MCCLOSKEY. Mr. Chairman, I thank the gentleman for yielding, and for all of his intelligent and outstanding vanguard leadership on this issue. It is true that JOHN stands here accused perhaps of not being here to impede President Kennedy in 1960, but I would note that he was establishing an excellent academic record then as a freshman in college.

Mr. Chairman, I urge strong support of the Spratt amendment. The Spratt amendment sets priorities for the SDI Program that encourage long-term research and technology development—not hare-brained early deployment schemes.

The Pentagon now clusters early deployment schemes under a label called "phase 1" of a strategic defense system. The phase 1 program fails to meet cost, schedule, and performance goals required of other major weapons systems. The Spratt amendment proposes resources for phase 1 be deemphasized in the SDI budget request for fiscal year 1989. Our amendment caps spending for phase 1 to this year's level: 40 percent of the SDI budget. There still would be a significant dollar increase for phase 1.

The space-based interceptor—formerly known as a space-based kinetic vehicle, a major element of phase 1, is moving full-speed ahead. This year about $200 million has been obligated for the project. The SDI organization says a phase 1 system will cost $75 to $150 billion.

Last year SDIO said phase 1 would cost $40 to $60 billion. What will it cost next year?

If $150 billion pays only for the first phase, what will be the price tag of follow-on space-weapon deployments? Where will we get the funds to pay for phase 1? What programs will we have to cut or eliminate to pay for phase 1?

Even as a major weapons system, phase 1 is prohibitively expensive; $150 billion is nearly four times the cost of procuring and maintaining the small mobile missile, or "midgetman"—rejected by the Air Force as too expensive; $150 billion is three times the estimated, unofficial cost of the super-secret Stealth bomber, the B-2.

If the small missile and Stealth bomber proceed as planned, these two strategic nuclear programs will be among the most expensive in history. Yet their costs are far less than a phase 1 strategic defense system.

Cost is one concern. Efficiency is another problem. It takes a major leap of the imagination to conclude we would be one iota more secure with phase 1 deployment.

SAM NUNN, chairman of the Senate Armed Services Committee, has said, "most objective and independent analysts agree that a phase 1 system based primarily on space-based kinetic kill vehicles could not satisfy (the Nitze criteria of survivability and cost effectiveness at the margin.)"

In a phase 1 strategic defense system, SBI's would be accompanied by sensors and ground-based interceptors that would attempt to catch Soviet warheads missed by the SBI's. According to the Joint Chiefs of Staff, about 3,300 Soviet warheads would detonate on United States soil even if a phase 1 defense worked as planned. The Joint Chiefs estimate that a "first wave" Soviet attack would involve about 5,000 warheads, which means a phase 1 system would miss 70 percent of the Soviet warheads launched in an attack against the United States. The term "porous" doesn't even begin to describe such a defense.

The OTA says: "There would be a significant probability that the first (and presumably only) time the ballistic missile defense system were used in a real war, it would suffer a catastrophic failure."

According to a Washington Post story, OTA says: "There has been little analysis of any kind of space-based threats to * * * system survivability. * * * in particular, SDIO and its contractors have conducted no serious study of the situation in which the United States and the Soviet Union both occupy space with comparable (missile defense) systems."

Potential Soviet countermeasures to a United States space-based missile defense could be less challenging and costly to develop than space-based weapons and sensors for the envisioned strategic defense system.

Thus, if the Soviets were to counter an American phase 1 system without building their own version, they could:

Attack SBI's in space;

Make enough ballistic missiles to overwhelm the defense; and

Develop new missiles that release their warheads before the SBI's can fire at the missiles.

Why should we spend billions on a system of limited effectiveness that enjoys no positive consensus?

Problems with survivability have plagued other strategic programs. Is the 100th Congress to emphasize survivability only for "traditional" strategic nuclear weapon platforms such as the MX and B-1B? If OTA is right, and if Congress fails to make the Defense Department accountable for the survivability of phase 1 vulnerability problem, then Congress will be complicit in yet another national security and fiscal disaster.

SCHEDULE AND DECISION TIMES

The Defense Acquisition Board says it will not approve full-scale development on phase 1 until it is comfortable approving initial exploration related

to follow-on phases. These phases would rely primarily on directed energy weapons such as lasers and particle beams. But the American Physical Society says directed energy weapons are at least 10 years away. What is the rush on phase 1?

Software issues, as OTA notes, could create a very important "bottleneck" in phase 1 schedules. The OTA report indicates there are serious doubts about the slow rate of improvement in software engineering technology. It is more appropriate to concentrate on longer term advances in technology than phase 1.

CONCLUSION

The potential for an arms race in space that could result from early deployment makes SDI one of the great issues of our time. Deployment of space based interceptors would violate article V of the ABM Treaty. Testing of system components would violate the 1972 ABM Treaty long before we could tell whether or not strategic defenses were feasible.

I would never sanction the use of computers to substitute for Presidential decisions. But the short flighttimes of modern missiles and our desire to intercept them as they leave the ground inevitably move us in this direction. Are we prepared to let space sensors determine the fate of the Earth?

Mr. Chairman, from the knowledge we now possess, it is clear there are numerous cost, schedule, and performance problems with the space-based interceptor and the proposed phase 1 strategic defense system.

I urge support of the Spratt amendment.

□ 1710

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). The Chair would respectfully request that Members refrain from quoting Members of the other body.

Mr. BADHAM. Mr. Chairman, I yield 8½ minutes to the gentleman from California [Mr. DORNAN].

Mr. DORNAN of California. Mr. Chairman, I am not going to speak as quickly as the distinguished former mayor, my good friend from Indiana, and a professor of some note, because I want to back up and analyze what we are really doing here today on defending our homeland.

The gentleman from South Carolina [Mr. SPRATT] is very knowledgeable on this issue. And as some of the Members on this side have pointed out, this is very sophisticated, very technically complex issue he has raised and it does not cost any money. But we must put it in the picture what has happened here today or what happened at the White House a few months ago. Because of budgetary constraints, President Reagan with his own goal of making a decision in the next Presidency which will be moot if it is Jesse Jackson or the Governor from Massachusetts, they will kill the whole idea of defending America. And I doubt it will all go to fighting drugs, Mr. BENNETT.

But if our next President, which I know will be Vice President GEORGE BUSH, is to make the decision, it has to be adequately funded. All the scientists who believe in SDI have worked out the money figures, but the President himself cut that figure by $1 billion $700 million. Then the Committee on Armed Services added almost a $1 billion cut to that, the Committee on Appropriations another $800 million.

Then today because Mr. BENNETT, of Florida, and a lot of us share concern about drugs, the enemy within tearing our Nation apart, we diverted some of it. That is micromanagement folks, but it is another half billion dollars, $500 million was cut today by the successful Bennett amendment. Now we get into a disagreement over whether this technical, sophisticated Spratt amendment is micromanagement or macromanagement. With all due respect, I believe it to be micromanagement and here is why.

Coming up tomorrow is Mr. SPRATT's amendment on ALPS.

Now Mr. Chairman, you have just counseled us not to quote Members of the other body. I am not going to quote the distinguished chairman of the Armed Services Committee, but I have to refer to his coining the phrase, unless the gentleman wants time to correct me, ALPS. Now ALPS is a term coined by the Senator from Georgia, Mr. NUNN, and it means Accidental Launch Protection System.

Could somebody be worrying about the Qadhafi bomb even though this gentleman has endorsed GEORGE BUSH for the Presidency? Could we be worrying about some terroristic weapon coming through the heavens and we have absolutely zero protection against 1, 5, 10 bombs accidentally launched at us?

Now the gentleman is for the ALPS because it is his amendment tomorrow. What are we going to use to protect our country with an ALPS system? Could it be kinetic kill weapons that Mr. MCCLOSKEY has just criticized? Could it be the point protection or the near term protection to save just one American citizen that is going to be asked to rely on a system that involves some of the technology that has been developed to this point? Or is it a near term deployment situation?

What we have here, when you put the whole picture together: The $1.7 billion cut, the $.8 billion cut, the $.5 billion cut and now this micromanagement; then contradicted tomorrow by the same distinguished bright gentleman's ALPS amendment; what we have here, gentlemen, is Members playing around with the defense of our homeland. What those of us who believe in it call strategic defense; what the news media cheapens and trivializes and ridicules by calling star wars when it does not involve the stars and it does not involve war. Because, to come back to the kickoff line of this debate, the distinguished lady, Mrs. BOXER from California who said we failed to get the point. The point is what we are doing is confusing Soviet war planners that they would never contemplate launching a first strike against the United States. This is deterrence.

I honestly have not heard one Member opposed to SDI or any aspect of the defense budget, have the decency, the graciousness to get into this well and say, "I, a liberal Member, was wrong on the nuclear freeze. I was wrong on x number of points on the defense budget. The President was right to stand up to the Soviets, to not tie SDI top what was happening at Reykjavik or later in Washington, DC." To graciously say, "The President hung tough and I will even concede that the R&D on SDI is what brought the Soviets to the bargaining table." Because for them SDI means "Soviets Do It." Gorbachev himself has admitted they have an ongoing program.

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

Mr. DORNAN of California. JACK is back, JACK is back and I am glad to yield to the gentleman from New York [Mr. KEMP].

Mr. KEMP. I thank the gentleman for yielding.

Mr. Chairman, I was thrilled with the gentleman's statement until he came to the point where he told us he supported GEORGE BUSH. But I will let that pass for a moment.

I am, of course, teasing and I too am now supporting him.

Mr. DORNAN of California. I knew that. I knew that.

Mr. KEMP. He beat me, he beat me, and as an old football player, when you get beat you shake hands and you go on from there.

We know one thing, we know one thing: The gentleman is absolutely right when he says the Soviet Union would not be at the table with this President or any President had it not been for the willingness to stand tall at Reykjavik as the gentleman pointed out and to propose SDI. And I would think that those who are for arms control would at least give a modicum of support to the statement that has been made by the gentleman in the well for this President's determination, notwithstanding that I think it was oversold in the beginning and I still believe, as my friend from California has pointed out, that it so disrupts Soviet planning that they in no way would ever even entertain the possible

thought of attacking the United States if we had a system based upon the phased architecture of a terminal, a space-based system for the defense of America. And I want to say that going after KKV's, or going after space-based kinetic technology, is ludicrous when it was that type of a system that could have shot down that Soviet launch of two ICBM's which landed within just a few hundred feet of their target outside of Hawaii and the United States was not even told that the Soviet Union was testing a few months ago. Do you remember? Can you imagine if we had had a system we could have helped—had that been an accident and had there been a nuclear warhead on those two ICBM's they could have been shot down. I am shocked that they would go after space-based kinetic technology.

Mr. DORNAN of California. I was going to ask the gentleman a shamelessly leading question because we have been informed that one of our Members today quoted from a classified document on this House floor. The figure was taken out of context. Instead of correctly pointing out that the JCS figure was the minimum accepted figure the JCS believed was needed to effectively deter a Soviet attack, it was stated that SDI would only be 30 percent effective. That if we could destroy with any type of an SDI system 30 percent, that that would so confuse and confound the problems of Soviet war planners that they would not strike. In reality, as I stated earlier, SDI would be more than 90 percent effective; more than sufficient to preserve the peace and protect American lives.

Mr. SPRATT. Mr. Chairman, I yield 5½ minutes to the gentleman from New York [Mr. HOCHBRUECKNER].

Mr. HOCHBRUECKNER. Mr. Chairman, I rise in strong support of the Spratt amendment.

Mr. Chairman, as a member of the Committee on Armed Services I have two big problems with the SDI program. The first problem is that the SDI office is not implementing the program that the President has promised to the people of our Nation.

President Reagan back in June 1986 said to a group of schoolchildren in New Jersey, "Our strategic defense initiative might one day enable us to put in space a shield that missiles cannot penetrate, a shield that could protect us from nuclear missiles just as a roof protects a family from rain."

Now that is an important goal and a beautiful sentiment and that is what the President of our Nation promised the people of this Nation.

□ 1725

Unfortunately that is not what the SDI office is doing. General Abramson recently said, "Nowhere have we stated that the goal of the SDI is to come up with a leak-proof defense." The problem, my colleagues, is that the President has promised the people protection, but in reality what the SDI office is doing is giving us not a population defense, but a system that will protect military establishments and improve our deterrence. If we want more deterrence, we can just buy it by building the Midgetman or beefing up existing offensive systems. We do not need to spend an incredible amount of money on stars wars to get more deterrence.

The second problem that I have with the present SDI Program is that I fear that there will be cuts in research. What the people of this Nation want, and have been promised, is a robust research program. They want to know if we can protect this Nation from nuclear weapons, and, if it is possible, then let us deploy.

As you can see from the chart, the administration requested in excess of $5 billion for SDI in fiscal year 1989. Based on the Bennett amendment that just passed, they could receive $3.5 billion. The fear that we have, that JOHN SPRATT has, and FRANK MCCLOSKEY and I have, is that the SDIO in their effort to make and promote an early deployment will take necessary and important research dollars and not put them in research, but put them into deployment of a system that is not designed to protect the people of this Nation.

Mr. Chairman, that is the problem we have, and that is why this amendment. So the fact of the matter is this is not a tremendous amendment that wipes out star wars. This is an amendment that says that since we spent 40 percent of this fiscal year's money in SDIO phase 1, let us limit next year's spending to 40 percent, too. Do not go to 50 percent. Stay at 40 percent.

That is all this amendment does. It says that we want a strong research program. Let us make sure we have a robust research program by limiting the spending on phase 1 to 40 percent.

Now the issue has been raised that there is a major concern relative to micromanagement that, because we are saying let us have a 40-percent limit instead of allowing 50 percent of the money to be spent on phase 1, that we are micromanaging. That is absurd.

Let me give my colleagues some examples. Take the Air Force. This year they requested $14.9 billion for research and development to be spent on 268 line items meaning each line item is worth an average of about $56 million. The Navy requested $9.2 billion for 293 line items that we micromanage as a Congress; $32 million an item. The Army requested $5 billion for research and development. They are going to spend that on 186 items.

What are we doing in star wars? We were requested to spend $4.5 billion. My colleagues, there is one line item under star wars, one line item. It is worth $4.5 billion.

Now, if my colleagues are going to tell me that having a 40-percent cap on phase 1 is micromanagement, we have to talk about what the definition of "management" is.

The fact of the matter is that it is time for some minimum management, and that is what this program does. It lets them spend a tremendous amount of money on phase 1. It just says to limit the total spending for phase 1 to 40 percent of the total SDI budget in fiscal year 1989, the same percentage as in fiscal year 1988.

Mr. Chairman, I think everyone who supports SDI wants a robust research program, but what we do not want is to have that money spent on phase 1 deployment items which get us away from what the President promised the people of this Nation, which is a robust research program that defends everybody.

So my colleagues can support SDI, and my colleagues can support the Spratt amendment. This makes sense. This is not micromanagement.

And so, if my colleagues want a robust research program, please support this 40-percent limit on phase 1. That is all it does. It is not micromanagement. It is, if anything, minimum management. Please vote for the Spratt-Hochbrueckner-McCloskey amendment.

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

Mr. Chairman, I think we have strayed a little far afield on this debate thus far in talking about micromanagement, and some Members are saying that they are not technically capable to address this. And I will agree that we do not have technicians; we have politicians here, and it is pretty tough to micromanage a very complex system with political technocrats.

But, if I might go into a little history to bring us back to where we truly are in this program, in year, about 5, of the suggestion, in March 1983, when our President did say, and I have referred to this on this floor before as the Un Bel Dei speech, calling back to the aria from an Italian opera that starts: "One Fine Day," and literally what President Reagan said in March 1983, "Wouldn't it be a fine day for the people of this country if someday, rather than facing the terror of nuclear war, and deterrence, and nuclear blackmail and the thing, wouldn't it be a fine day if we could put our research to development of a program that would render incoming intercontinental ballistic missiles ineffective and impotent?"

That is what the President said, my colleagues. That was no micromanage-

ment. That was a very simple statement, "Wouldn't it be a fine day if we could render our people safe from ineffective and impotent incoming ICBM's?"

And I think, yes, that would be a fine day, and what the President suggested at that time in the creation of SDIO, Strategic Defense Initiative Office, is that we combine together all of the research programs in our country, some of which had been started, some of which were dreams, that, if they could be applicable to rendering incoming ICBM's ineffective and impotent, that we could combine these programs and go forward with research, development and deployment, and share that technology with all the people of the world who were so inclined.

That is what the President said. That was the beginning of SDIO.

Now we are met on a field of combat, if you will, testing the future, and there has not been a heck of past to it, of strategic defense initiative.

The nontechnicians of this body have thrown around such words as "postboost," "midcourse," "terminal phase," "decoys," "load trajectories," "discrimination" and "technology changes every day," and indeed it does; "kinetic energy," "kinetic kill vehicles," "x-ray lasers" and "chemical lasers."

Mr. Chairman, this is a political body, and it is ours to judge what to do with the program that is intended to protect people of the United States from incoming intercontinental ballistic missiles. For that purpose, the combining of all research programs that might have an effect on SDI, the administration has asked for $6.2 billion. The Rose Garden budget reduction cut that to $4.5 billion. On the floor today we cut another $0.8 billion before the bill came to the floor, and today we cut another half a billion dollars, so we have effectively cut $3 billion out of a $6.2 billion request to get to where we are today.

□ 1735

And where are we today? Mr. Chairman, if you want to kill a program, if you want to kill a program first you squeeze the research and squeeze it into a sausage tube long enough that research goes on and on until the opponents that keep cutting and cutting say, "You've researched and researched and you don't have a program. You haven't done anything. Kill the program because it hasn't done anything."

The other way to kill a program, and we have only got half of this kill mechanism in progress so far, is the B1-ATB argument, that "don't go ahead with the B-1 bomber because right around the corner is the ATB." That is exactly what the gentleman from South Carolina and his minions from New York and other places, Indiana and other places are saying, kill the research and go on with long-term research because we know enough about this so we will cut this. Kill the B-1 because the ATB is right around the corner.

Mr. Chairman, we cannot do that, because we will squeeze it out and kill it off. The program is not right around the corner, but it cannot be out of research until we get into development and even some sort of deployment, early, late, but some time with vehicles that are able to be used.

We are doing in this exercise, and the gentleman from South Carolina, my friend and colleague, voted for the Dickinson amendment to preserve the committee position. Then he turned right around and voted for the next amendment, the Bennett amendment, to cut another half a billion dollars out of this program. Now he wants to restrict the research so it cannot go on until we say next week that it does not work.

Beware of the scientist who says, not "let's look at the horizon," beware of the scientist or technician or politician who says flatly, "It can't be done."

This, Mr. Chairman, can be done if we give the office a chance to manage its resources.

Mr. SPRATT. Mr. Chairman, I yield myself such time as I may consume, just to respond to the gentleman.

Mr. Chairman, if this amendment is adopted and if as I expect the SDI is funded fully around $4 billion after we come out of conference, we will still allow $1.6 billion for phase 1 and $2.4 billion for the follow-on phase.

Now, $1.6 billion is hardly the death knell for phase 1.

Mr. Chairman, I yield 3 minutes to the gentleman from Washington [Mr. CHANDLER].

Mr. CHANDLER. Mr. Chairman, I am a little reluctant to get into this. I readily concede that my understanding of this is limited, but I will also tell you that my concern is very great.

I think the debate here is not over whether we want this, whether we want an SDI that works, that protects us, that confounds Soviet planners, that makes it so unlikely that they could knock out all our defenses, that they would never risk attacking us.

The problem as I see it is that there are people who want to rush to deploy phase 1, which we know is incapable of even deterring or even confusing Soviet planners and maybe even incapable of stopping an accidential launch.

We have got to know whether the follow-on phases work first, and that is what this is all about.

I have heard the speeches. I have heard the Presidential campaign. I have heard people saying, "Let's get phase 1 up there. Let's get it out there so we don't lose this momentum. Let's get this thing going, whether we know it is going to work or not," and that is what concerns me. This alone costs $150 billion or more.

I think the danger of being consumed by debt in this country is a heck of a lot greater than ever suffering from an attack by intercontinental ballistic missiles, and that is my concern today.

Mr. Chairman, I support the Spratt amendment, not because I want to kill anything to do with SDI. We want to know, will this work? If it does, fine, let us pursue it; but let us not go willy-nilly into this and start deploying things before we know the answer to that question.

Mr. SPRATT. Mr. Chairman, I yield 2½ minutes to the gentleman from Virginia [Mr. OLIN].

Mr. OLIN. Mr. Chairman, I thank the gentleman for yielding this time to me. I congratulate the gentleman and all the other members of the Research and Development Subcommittee of the Armed Services Committee for the attention that they have given to SDI over the last now at least 2 years, maybe before.

It is getting to the point now where we have quite a number of members of that committee who are familiar enough with the details of SDI to have some good opinions on it. I think they have a good ability to evaluate it. I think they have a good ability to deal with strategy issues.

This amendment is a good example of some good thought coming out of the committee.

It is very evident to me over the last 2 years that I have worked on SDI that the fundamental research has been to some extent hampered and it is getting a little bit worse because of what I call political attempts to dramatize SDI and gain support for accelerated funding.

This was not bad in 1985 and 1986, but in those years the SDIO found out that the Congress did not support the level of funding it presented, so by 1987 they came up with the first politicized move and they came up with the idea of demonstration projects. That did not work too well, so in 1988 the issue of early deployment was introduced.

In 1989, of course, it became phase 1. It is very evident to me that the present effort at SDIO is to accelerate phase 1 to the point where it is really going to cut into the basic research and development that is needed for this program ever to come to anything.

Now, the theory of phase 1 deployment, as we all know, is that it is a partial deployment. It was not intended to stop all the missiles. It is not final equipment in terms of quantity, type of equipment or technology. The theory of it is that the work on the

subsequent phases, the work on the beam weapons and so on, will be ready by the time the actual deployment occurs in the mid-1990's, so that the next generation, which is going to be relied upon to be the real thing, can fill the gaps and replace the system elements that either do not work or it turns out that by that time are overpowered by the efforts of the opposition, the offense.

One of the problems that the SDIO is having is that it is getting phase 1 a little bit ahead of the research.

I think it makes a lot of sense to limit the amount of phase 1 work and be sure the fundamental research gets done so the program can come along in a balanced fashion.

Mr. SPRATT. Mr. Chairman, I yield 30 seconds to the gentlewoman from California [Mrs. BOXER].

Mrs. BOXER. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in support of the amendment and to make a point of clarification.

I understand the gentleman from California [Mr. DORNAN] commented about the 30-percent number on SDI effectiveness as coming out of a classified document. That number was gotten out of the Washington Post.

I will place this into the RECORD at this time, as follows:

[From the Washington Post, Mar. 28, 1988]

JOINT CHIEFS' GOALS ON SDI ONE-SIDED

A recommendation by the Joint Chiefs of Staff that the United States deploy a defense capable of stopping 30 percent of attacking Soviet missiles was based on military goals, with little heed to strategic, political and arms-control implications, according to several U.S. military officials.

"We were more interested in the military capability that defenses would add if deterrence failed [and nuclear war began] than the contribution they make to deterrence itself," said Brig. Gen. Wayne Knudson, director of plans for the U.S. Space Command in Colorado Springs who drafted documents leading to the Joint Chiefs' endorsement.

[From the Washington Post, Mar. 28, 1988]

PENTAGON SCALES BACK SDI GOALS—NEW AIM IS TO SHIELD MILITARY INSTALLATIONS RATHER THAN CITIES

(By R. Jeffrey Smith)

Five years and $12 billion after President Reagan launched a major effort to render Soviet ballistic missiles "impotent and obsolete," the Defense Department is sharply scaling back its effort to fulfill his dream because of seemingly insurmountable hardware and money problems.

Instead of developing the massive "space security shield" that the president envisioned on March 23, 1983, to protect U.S. cities, the department has settled on the far less ambitious, immediate goal of protecting vital U.S. military installations from a Soviet attack.

Senior U.S. officials said in interviews that the decision to concentrate on a limited defensive system reflects broad agreement within the administration that the president's dream probably cannot be attained. The threat of a ballistic missile attack will not be diminished in the foreseeable future, they said privately.

The dramatic reorientation of Reagan's cherished Strategic Defense Initiative (SDI) program, popularly known as "Star Wars," is revealed in part by a 1987 Joint Chiefs of Staff classified document calling for development and deployment of a defensive system to stop only 30 percent of the nuclear warheads in a massive Soviet first strike.

The CHAIRMAN pro tempore. The gentleman from South Carolina [Mr. SPRATT] has 1½ minutes remaining.

Mr. SPRATT. Mr. Chairman, I yield the balance of my time to the gentleman from California [Mr. FAZIO].

Mr. FAZIO. Mr. Chairman, I rise in support of the amendment offered by the gentleman from South Carolina [Mr. SPRATT].

Mr. Chairman, I think this is a good example of where the House and the Senate together simply have to involve themselves in some detail, not in the sense of micromanagement, and I think the gentleman from New York [Mr. HOCHBRUECKNER] made that point very effectively, but simply to emphasize the benefits of the long-term technology that is taking place in our national laboratories right now.

At Livermore in California right now they have recently completed a strategic defense system report which simply says that the effectiveness of the proposed phase J architecture that we are talking about here will not do the job. The Soviets very inexpensively, with countermeasures, with fast-burn boosters on their rockets, can overwhelm a system that we would put up, which is composed of all technology, technology that goes back before the adoption of the ABM Treaty in the early 1970's.

We are simply saying that those people who understood the potential of SDI, the tellers of the world, have got some concepts, laser weapons, the energy weapons generally, that deserve attention, deserve the kind of research investment that all of us are willing to make; but if we emphasize near-term deployment, increasing last year's 40 percent share up to 56 percent and then onward, we are going to not only waste money on a system that will have very little tenure, but will undermine public confidence in the concept in the first place.

If you are truly interested in the potential of a defensive system, you ought to be looking over the horizon, not simply to imbed a program politically before this administration leaves office.

Mr. Chairman, this is a modest amendment. It simply seeks to impose some balance and direction on a program that has lost any semblance of the President's original vision of developing a defense system that would render nuclear weapons impotent and obsolete. In place of protecting the American people and our allies, the Pentagon has adopted the goal of seeking to protect a few high priority military targets from the Soviet first strike.

While I concur with the Office of Technology Assessment report that it is unlikely that a system that meets the President's original vision of SDI could be deployed in our lifetimes, I nonetheless believe that the primary focus of SDI should be researching those advanced technologies which promise real defense from a responsive Soviet nuclear threat.

The Spratt amendment seeks to bring this about.

The Spratt amendment continues to give SDIO the flexibility it needs to manage the program. This is not micromanagement. The amendment simply keeps the fiscal 1989 allocation of SDI funding for near-term systems—or the phase 1 architecture, such as the space-based interceptor [SBI]—at 40 percent of the overall SDI budget, the same level phase 1 received in fiscal 1988.

The administration's rush to lock in SDI by making deployment in the mid-1990's a major goal of the program, has led the Pentagon to request a 56-percent increase in funding for phase 1.

The phase 1 system, if deployed, according to the Joint Chiefs of Staff would—at most—knock out 30 percent of the incoming warheads in a full-scale Soviet attack.

A recent report by the Strategic Defense Systems Division of Lawrence Livermore National Laboratory was even more pessimistic of the effectiveness of the proposed phase 1 architecture.

The Livermore report indicated that a space-based interceptor system would be partially effective only against Soviet missiles now in use and could quickly be defeated by fast-burn boosters and other countermeasures that the Soviets could easily have in place by the time phase 1 became operational. The cost to the Soviets would be miniscule in relation to ours.

The Livermore report indicated that it "would take a few thousand" kinetic kill weapons in orbit to knock out a sizable fraction of the Soviet SS-18/19 ICBM's. The study found that it would take 100,000 kinetic kill vehicles, at a cost of hundreds of millions of dollars, to destroy 90 percent of the current Soviet threat.

Clearly, without the Spratt amendment, the near-term SDI systems will continue to quickly absorb a larger and larger share of the overall SDI budget at the expense of important research on those advanced technologies that promise more effective, long-term defense benefits.

SDI has contributed to the Soviet willingness to talk in START. It has reinforced Gorbachev's elements in the Soviet leadership. But they fear directed energy weapons and other long-term threats. They would be fortunate if we embarked prematurely on an SBI system.

I think it would be extremely shortsighted to allow this push for near-term deployment to proceed, and I urge adoption of the Spratt amendment.

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). All time has expired on general debate.

It is now in order to consider the amendment relating to phase 1 of the strategic defense initiative printed in section 1 of House report 100-590 offered by the gentleman from South Carolina [Mr. SPRATT] or his designee.

AMENDMENT OFFERED BY MR. SPRATT

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SPRATT: Page 19, after line 18, insert the following new section:

SEC. 212. LIMITATION ON SDI PHASE I SYSTEMS.

(a) LIMITATION.—Of the amount provided for research, development, test, and evaluation for the Strategic Defense Initiative (SDI) for fiscal year 1989, no more than 40 percent may be used for activities for Phase I of the SDI program.

(b) PHASE I DEFINED.—(1) For purposes of this section, the term "Phase I of the SDI program" means those projects that were cited as "Phase I" and "Both" in the SDI Organization graph entitled "FY89 Resource Allocation" submitted by the Director of the Strategic Defense Initiative Organization in testimony on March 16, 1988, to the Committee on Armed Services of the House of Representatives and further detailed as "Description of Selected Architecture for Phase I" and "Follow-On Phases" in the January 1988 report entitled "Report to Congress on The Strategic Defense System Architecture" by the SDI Organization in Chapter II (Strategic Defense System Description).

(2) Phase I of the SDI program also includes any system that is approved for development for demonstration/validation by the Defense Acquisition Board as part of a Strategic Defense System Phase system after submission of the reports referred to in paragraph (2).

The CHAIRMAN pro tempore. Pursuant to the rule, the gentleman from South Carolina [Mr. SPRATT] will be recognized for 5 minutes and a Member opposed will be recognized for 5 minutes.

The Chair recognizes the gentleman from South Carolina [Mr. SPRATT].

Mr. SPRATT. Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma [Mr. MCCURDY].

Mr. McCURDY. Mr. Chairman, I rise as one who supported the Dickinson amendment and opposed the Bennett amendment and as one who sits on the Research and Development Subcommittee of the Armed Services Committee. I rise in support of the Spratt amendment because I believe that it protects the integrity of the SDI, the robust research and development program, for long-term applications, not only to guard against a Soviet breakout, but offers to develop the missile defense which if technologically feasible can prove to enhance our security.

I believe that the Spratt amendment is a reasoned amendment and one that Members can support without any question of the integrity of the research program, because I believe that this approach protects those long-term investments, whether it is lasers or others, that enhance the SDI Program, not detracts from it.

The CHAIRMAN pro tempore. Does the gentleman from Ohio [Mr. KASICH] rise in opposition to the pending amendment?

Mr. KASICH. I do, Mr. Chairman.

The CHAIRMAN pro tempore. The gentleman from Ohio [Mr. KASICH] is recognized for 5 minutes.

Mr. KASICH. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, any way you want to look at this, this is simple micromanagement of this SDI Program. There is no question about it.

Let me just make it clear, because we have been hearing about the scientists who have been saying that they do not want to put too much money in phase 1 technology. The gentleman from California mentioned it down here. I want to tell the gentleman that the scientists from Los Alamos happened to come before our panel. I asked them directly whether they favored the concept of putting a firm number on the amount of research that should be done on phase 1, and they said they did not favor it. They did not disagree with the general concept of making sure that the dollars were directed toward the follow-on phases, but they would oppose the idea of the Congress of the United States, most of whom do not understand the technologies involved in either phase 1 or the follow-on technologies, trying to tell the SDIO people exactly what percentage of the resources should be spent on which area of development.

So I want to make it clear to the gentleman that this is not something that we just think. It is from the people who come from that institution, probably in the gentleman's district, who oppose this concept.

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

Mr. KASICH. I am glad to yield to the gentleman from California.

Mr. FAZIO. Mr. Chairman, I just want to point out that we are not directing funds 2 years away from SDI or anything of that sort. We are leaving plenty of flexibility in the Spratt amendment to the SDIO to make allocations in those areas that they think ought to have a little extra emphasis, but we are simply saying that we think the outyears are at least as important as the short-term premature deployment that the administration proposes.

Mr. KASICH. Well, Mr. Chairman, I thank the gentleman for his comments, but when the gentleman cites the belief that the scientists from Los Alamos feel a certain way, I think we have got to be accurate on the record.

Mr. FAZIO. Mr. Chairman, if the gentleman will yield, I was quoting Livermore.

Mr. KASICH. The scientists themselves say, "Look, I don't want the Congress telling me how to run my program."

I have confidence that the SDI people are putting the resources in the proper percentage of allocation, and it is reflected right down here in the chart.

The simple fact of the matter is that the SDIO is dedicating——

The CHAIRMAN pro tempore. The time of the gentleman from Ohio has expired.

Mr. KASICH. Mr. Chairman, I yield myself 1 additional minute.

The simple fact of the matter is, the SDI people are going to be directing that percentage of the money that the gentleman from South Carolina [Mr. SPRATT] would like to direct, pretty much determining on their own basis, but if they think there is a reason to invest more in the basic technology that could save the gentleman's constituents from a nuclear holocaust, an accidental launch, that is a big mistake to think we should not develop this technology, and to tell them that you in statute in the Congress—in statute—we are going to tell you what percentage of this money ought to go into what program, that is micromanagement.

□ 1750

There is no other way to define it other than micromanagement. We have to vote "no" on the Spratt amendment. We have to let the SDI people develop the phase 1 technology which protects us against accidential launch which is a vital component that fits complementary with follow-on technology and will ensure a successful SDI Program.

Mr. Chairman, I urge my colleagues to reject the Spratt amendment. Let us use good common sense and stop micromanaging.

Mr. SPRATT. Mr. Chairman, I yield 3 minutes to the gentleman from Washington [Mr. DICKS].

Mr. DICKS. Mr. Chairman, I appreciate the gentleman from South Carolina yielding me this time. I feel that this is the most important amendment that we are going to be debating during this consideration of the Defense bill. What we are talking about here is the so-called phase 1 system which is intended to create additional uncertainty for a Soviet war planner. In other words, the objective of phase 1 is nothing more than to increase to some degree the survivability of key military targets. Thus, it should be judged on the same basis as other steps to enhance deterrence through survivability, target hardening, and mobility.

What is the cost of phase 1? The cost is between $75 and $150 billion. It is a very expensive option.

Mr. Chairman, after having gone out and visited the contractors, it is clear that phase 1 can be easily countered either by direct descent nuclear Asat's or by countermeasures. Therefore, I have very major reservations about whether we should deploy it at all.

The Office of Technology Assessment has recently completed a study that talks about the potential for a massive failure caused by software technology that would be used in this system, and if it did fail massively I think it would certainly not confound any Soviet targeters with that kind of a problem. I would urge the committee to go ahead with the Spratt amendment. I think what we need to be focusing on is the longer term technologies and in my judgment there is more promise there than in rushing ahead with phase 1 deployment.

Mr. Chairman, I yield to the author of the amendment who I know wants to comment on some of the remarks of the gentleman from Ohio [Mr. KASICH].

Mr. SPRATT. Mr. Chairman, I appreciate the gentleman yielding.

The gentleman from Ohio [Mr. KASICH] referred to a series of hearings, and to a question that he asked. But we had testimony from a Dr. Richard Briggs which the gentleman from Ohio will remember. Mr. Briggs is the associate director at Lawrence Livermore Laboratory for beam research and magnetic fusion. He said,

> Directed energy did not come along with SDI. They were developed in the years when DARPA was in charge and in those days we had risk-takers in charge of the programs. They gave us money. They knew they were taking big risks but they nurtured the programs along, and let us take ownership of them.

What he decried was the fact that today the funding for these programs has become unstable and unpredictable. Several of the lab directors gave us testimony to the same effect.

We had testimony that,

> In the present situation I am concerned that 10 years from now we will be examining the same technology options you see today as advanced systems instead of a new exciting set of possibilities.

What we are trying to do here is put forth the money for them to come forward with these new exciting set of possibilities that could indeed help the President's dream of making nuclear weapons obsolete come true.

Mr. DICKS. Mr. Chairman, reclaiming my time, let us support the Spratt amendment.

Mr. KASICH. Mr. Chairman, I yield 1 minute to the distinguished gentleman from New Jersey [Mr. COURTER].

Mr. COURTER. Mr. Chairman, I thank the gentleman from Ohio for yielding to me. I wish to make two points. The amount of money that is being used for research and development, test and evaluation in phase 1 without this amendment has gone down, as we can see on this graph, 14 percent plus the 48 percent down to 50 percent between 1988 and 1989 fiscal years. The trend is in that direction.

The first point is the Spratt amendment is not needed. Second, as was mentioned by the gentleman from Ohio [Mr. KASICH], if there is a major breakthrough that would allow the United States to defend ourselves against an accidental launch, this amendment means the Office of SDI does not have the flexibility to target their research in a proper way.

My third point, the way we have the situation right now, if the President of the United States in 1991 is sitting in his Oval Office and someone comes in and says,

> There is a ballistic missile that we spot over the Atlantic. We just do not know where it is coming from, whether a Soviet submarine, or whether it was launched by mistake. What are we going to do about it?

The only thing that the President could do in that circumstance would be to attack the Soviet Union, or watch that incoming ballistic missile land.

This money is important to defend ourselves and give the President another option, a peace option.

Mr. KASICH. Mr. Chairman, I yield myself the remaining minute of my time.

Mr. Chairman, let me go back to the testimony that the gentleman from South Carolina [Mr. SPRATT] referred to, and the concern that Dr. Briggs has. Clearly that concern is not reflected in the direction SDI is going, but the simple fact of the matter is that Dr. Briggs said he was opposed to the Spratt amendment. He was opposed to the concept of the Congress, the House of Representatives of the United States, micromanaging the Office of SDI.

Mr. Chairman, General Abrahamson has done a fantastic job over in the Office of SDI. We have heard no criticism of his office or his operation. It does not make any sense to try to tell him where he should spend his resources, particularly when these two phases, the phase 1 and the followon phases, fit together. Phase 1 protects us against accidental launch, when we get the sophistication of it, a high degree of protection from accidental launch.

Second, phase 1 works complementary with the advanced technologies to give us a sound SDI Program.

I say to my colleagues, the bottom line is let us have faith in the people that have run this program so effectively. Let us not micromanage. Let them put the resources where they think they can make the greatest gain to produce an effective system for the money that is available.

Mr. SPRATT. Mr. Chairman, I yield myself the 1 minute remaining of my time.

Mr. Chairman, in the remaining time let me simply state what this amendment does. This amendment, I reemphasize, does not impose a new allocation on SDI. It simply retains the current allocation of SDI funding from near-term systems or phase 1, at 40 percent which is the current level. It does not impose anything new. It does prohibit them from going from a 40-percent allocation to a 50-percent allocation in the next fiscal year.

Will we starve these phase 1 programs? Of course not. They will be funded at their existing level of $1 to $1.5 billion.

Furthermore, we will be preventing funds from being siphoned out of the longer term programs so essential to the success of strategic defense, and preventing those funds from being siphoned out into near-term deployment, and that is why this is an important and positive amendment.

We are voting here on the success of the program, and that is why it makes sense.

Mr. FOGLIETTA, Mr. Chairman, I rise in support of the amendment offered by Mr. SPRATT, Mr. MCCLOSKEY, and Mr. HOCHBRUECKNER to limit SDI spending on phase 1 of strategic defense to no more than 40 percent of the total SDI budget. In my mind, phase 1 spending should go even lower, but I vigorously support this spending cap.

President Reagan and his advisers have continually reassured Congress and the American people that the SDI Program is simply research—simply a call to the scientists of America to find a means to render nuclear weapons "impotent and obsolute."

If that is the case—if SDI is a research program focusing on long-range technologies and not on near-term deployment—then why are we having this debate? The answer is that, despite the public declarations, many star warriors want to ram SDI down the throats of Congress and the American people.

In the past year, cost estimates for phase 1 defense have more than doubled, up to $150 billion. What will the bill be next year? Will it experience a similar rise up to $375 billion? Where does it stop?

It should stop here and now. Early deployment of SDI would launch a system of ineffective battle stations which, at best, will leave America defenseless to 7 out of 10 Soviet missiles. It would undercut current attempts to negotiate reductions in offensive nuclear missiles. It would divert much-needed money from conventional weapons programs and from the domestic programs which are so important to our communities.

Last year, Attorney General Ed Meese gave the most honest rationale for early deployment: He said it would

prevent the program "from being tampered with by future administrations."

Our next administration should be allowed to make up its own mind regarding SDI. Deploying SDI now would only heighten the arms race and undercut the chance of any future breakthroughs. Indeed, star wars may be the enemy of strategic defense.

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). All time has expired.

The question is on the amendment offered by the gentleman from South Carolina [Mr. SPRATT].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device; and there were—ayes 244, noes 174, not voting 13, as follows:

[Roll No. 102]

AYES—244

Ackerman	Dowdy	LaFalce
Akaka	Downey	Lancaster
Alexander	Durbin	Lantos
Anderson	Dwyer	Leach (IA)
Andrews	Dymally	Leath (TX)
Annunzio	Dyson	Lehman (CA)
Anthony	Early	Lehman (FL)
Applegate	Eckart	Leland
Aspin	Edwards (CA)	Levin (MI)
Atkins	English	Levine (CA)
AuCoin	Espy	Lewis (GA)
Baker	Evans	Lipinski
Bates	Fascell	Lowry (WA)
Bellenson	Fazio	Lujan
Bennett	Feighan	Luken, Thomas
Bereuter	Fish	MacKay
Berman	Flake	Manton
Bilbray	Florio	Markey
Boggs	Foglietta	Martinez
Boland	Foley	Matsui
Bonior	Ford (MI)	Mavroules
Bonker	Ford (TN)	Mazzoli
Borski	Frank	McCloskey
Bosco	Frost	McCurdy
Boucher	Garcia	McHugh
Boxer	Gaydos	McMillen (MD)
Brennan	Gejdenson	Meyers
Brooks	Gephardt	Mfume
Brown (CA)	Gilman	Mineta
Bruce	Glickman	Moakley
Bryant	Gonzalez	Montgomery
Bustamante	Goodling	Moody
Byron	Gordon	Morella
Campbell	Grant	Morrison (CT)
Cardin	Gray (IL)	Mrazek
Carper	Gray (PA)	Murphy
Carr	Green	Nagle
Chandler	Guarini	Natcher
Chapman	Hall (OH)	Neal
Clarke	Hamilton	Nowak
Clay	Hayes (IL)	Oakar
Clement	Hertel	Oberstar
Clinger	Hochbrueckner	Obey
Coelho	Horton	Olin
Coleman (TX)	Hoyer	Ortiz
Collins	Hughes	Owens (NY)
Conte	Jacobs	Owens (UT)
Conyers	Jeffords	Panetta
Cooper	Johnson (SD)	Patterson
Coughlin	Jones (NC)	Pease
Coyne	Jones (TN)	Pelosi
Crockett	Jontz	Penny
de la Garza	Kanjorski	Pepper
DeFazio	Kaptur	Perkins
Dellums	Kastenmeier	Petri
Derrick	Kennedy	Pickett
Dicks	Kennelly	Price
Dingell	Kildee	Rahall
Dixon	Kleczka	Rangel
Donnelly	Kolter	Ravenel
Dorgan (ND)	Kostmayer	Regula
Richardson	Sisisky	Torres
Ridge	Skaggs	Torricelli
Rodino	Skeen	Towns
Roe	Skelton	Traficant
Rose	Slattery	Traxler
Rostenkowski	Slaughter (NY)	Vento
Roukema	Smith (FL)	Visclosky
Roybal	Smith (IA)	Volkmer
Russo	Snowe	Walgren
Sabo	Solarz	Watkins
Saiki	Spratt	Waxman
Savage	St Germain	Weiss
Sawyer	Staggers	Wheat
Scheuer	Stallings	Whitten
Schneider	Stark	Williams
Schroeder	Stenholm	Wise
Schumer	Stratton	Wolpe
Sensenbrenner	Studds	Wyden
Sharp	Swift	Yatron
Shays	Synar	
Sikorski	Tallon	

NOES—174

Archer	Hatcher	Packard
Armey	Hayes (LA)	Parris
Badham	Hefley	Pashayan
Ballenger	Hefner	Pickle
Barnard	Henry	Porter
Bartlett	Herger	Pursell
Barton	Hiler	Quillen
Bateman	Holloway	Rhodes
Bentley	Hopkins	Rinaldo
Bevill	Houghton	Ritter
Bilirakis	Hubbard	Roberts
Billey	Huckaby	Robinson
Boehlert	Hunter	Rogers
Broomfield	Hutto	Roth
Brown (CO)	Hyde	Rowland (CT)
Buechner	Inhofe	Rowland (GA)
Bunning	Ireland	Saxton
Burton	Jenkins	Schaefer
Callahan	Johnson (CT)	Schuette
Chappell	Kasich	Schulze
Cheney	Kemp	Shaw
Coats	Kolbe	Shumway
Coble	Konnyu	Shuster
Coleman (MO)	Lagomarsino	Slaughter (VA)
Combest	Latta	Smith (NE)
Courter	Lent	Smith (NJ)
Craig	Lewis (CA)	Smith (TX)
Crane	Lewis (FL)	Smith, Denny (OR)
Dannemeyer	Lightfoot	Smith, Robert (NH)
Darden	Livingston	Smith, Robert (OR)
Davis (IL)	Lloyd	Solomon
Davis (MI)	Lott	Spence
DeLay	Lowery (CA)	Stangeland
DeWine	Lungren	Stump
Dickinson	Mack	Sundquist
DioGuardi	Madigan	Sweeney
Dornan (CA)	Marlenee	Swindall
Dreier	Martin (IL)	Tauke
Edwards (OK)	Martin (NY)	Tauzin
Emerson	McCandless	Taylor
Erdreich	McCollum	Thomas (CA)
Fawell	McCrery	Thomas (GA)
Fields	McDade	Upton
Flippo	McEwen	Valentine
Frenzel	McGrath	Vander Jagt
Gallegly	McMillan (NC)	Vucanovich
Gallo	Michel	Walker
Gekas	Miller (OH)	Weber
Gibbons	Miller (WA)	Weldon
Gingrich	Molinari	Whittaker
Gradison	Mollohan	Wilson
Grandy	Moorhead	Wolf
Gregg	Morrison (WA)	Wortley
Gunderson	Murtha	Wylie
Hall (TX)	Myers	Young (AK)
Hammerschmidt	Nelson	Young (FL)
Hansen	Nichols	
Harris	Nielson	
Hastert	Oxley	

NOT VOTING—13

Biaggi	Kyl	Stokes
Boulter	Lukens, Donald	Udall
Daub	Mica	Yates
Duncan	Miller (CA)	
Hawkins	Ray	

□ 1816

The Clerk announced the following pairs:

On this vote:

Mr. Miller of California for, with Mr. Boulter against.

Mr. Hawkins for, with Mr. Daub against.

Messrs. PASHAYAN, ROWLAND of Georgia, EDWARDS of Oklahoma, ERDREICH, and NICHOLS changed their votes from "aye" to "no."

Mrs. MEYERS of Kansas changed her vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Mr. ASPIN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. GRAY of Illinois, Chairman pro tempore 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. 4264) to authorize appropriations for the fiscal year 1989 amended budget request for military functions of the Department of Defense and to prescribe military personnel levels for such Department for fiscal year 1989, to amend the National Defense Authorization Act for Fiscal Years 1988 and 1989, and for other purposes, had come to no resolution thereon.

GENERAL LEAVE

Mr. ASPIN. 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 bill, H.R. 4264.

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

There was no objection.

PERMISSION FOR SUBCOMMITTEE ON HUMAN RESOURCES AND GOVERNMENT RELATIONS OF COMMITTEE ON POST OFFICE AND CIVIL SERVICE TO MEET DURING 5-MINUTE RULE ON THURSDAY, MAY 5, 1988

Mr. WEISS. Mr. Speaker, I ask unanimous consent that the Subcommittee on Human Resources and Government Relations of the Committee on Post Office and Civil Service be permitted to meet during the 5-minute rule tomorrow. I have cleared this with the ranking minority member.

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

There was no objection.

□ 1820

PROVIDING FOR CORRECTING ENROLLMENT OF H.R. 3, TRADE AND INTERNATIONAL ECONOMIC POLICY REFORM ACT OF 1987

Mr. BONIOR. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 438 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 438

Resolved, That upon the adoption of this resolution, the House shall be considered to have adopted a concurrent resolution consisting of the text printed in section 2 of this resolution.

SEC. 2. *Resolved by the House of Representatives (the Senate concurring),* That, in the enrollment of the bill (H.R. 3) to enhance the competitiveness of American industry, and for other purposes, the Clerk of the House of Representatives shall make the following correction:

Amend section 2424 to read as follows:

"SEC. 2424. EXPORTS OF DOMESTICALLY PRODUCED CRUDE OIL.

"(a) TECHNICAL AMENDMENT.—Section 7(d) of the Act (50 U.S.C. App. 2406(d)) is amended by striking paragraph (4).

"(b) CRUDE OIL STUDY.—

"(1) REVIEW OF EXPORT RESTRICTIONS ON CRUDE OIL.—The Secretary of Commerce, in consultation with the Secretary of Energy, shall undertake a comprehensive review to assess whether existing statutory restrictions on the export of crude oil produced in the contiguous United States are adequate to protect the energy and national security interests of the United States and American consumers. Taking into account exports licensed since 1983 and potential exports of heavy crude oil produced in California, the review shall assess the effect of increased exports of crude oil produced in the contiguous United States on—

"(A) the adequacy of domestic supplies of crude oil and refined petroleum products in meeting United States energy and national security needs;

"(B) the quantity, quality, and retail price of petroleum products available to consumers in the United States generally and on the West Coast in particular;

"(C) the overall trade deficit of the United States;

"(D) acquisition costs of crude oil by domestic petroleum refiners;

"(E) the financial viability of sectors of the domestic petroleum industry (including independent refiners, distributors, marketers, and pipeline carriers); and

"(F) the United States tanker fleet (and the industries that support it), with particular emphasis on the availability of militarily useful tankers to meet anticipated national defense requirements.

"(2) PUBLIC HEARING AND COMMENT.—The Secretary of Commerce shall provide notice and a reasonable opportunity for public hearing and comment on the review conducted pursuant to this subsection.

"(3) CONSULTATIONS WITH OTHER AGENCIES.—The Secretary of Commerce shall consult with the Secretary of Defense, the Secretary of the Interior, and the Secretary of Transportation, in addition to the Secretary of Energy, in undertaking the review pursuant to this subsection.

"(4) FINDINGS, OPTIONS, AND RECOMMENDATIONS.—After taking public comment and consulting with appropriate State and Federal officials, the Secretary of Commerce, in consultation with the Secretary of Energy, shall develop findings, options, and recommendations regarding the adequacy of existing statutory restrictions on the export of crude oil produced in the contiguous United States in protecting the energy and national security interests of the United States and American consumers.

"(5) CONSULTATIONS AND REPORT.—In carrying out this subsection, the Secretary of Commerce shall consult with the Committee on Foreign Affairs and the Committee on Energy and Commerce of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs, the Committee on Commerce, Science, and Transportation, and the Committee on Energy and Natural Resources of the Senate. Not later than 12 months after the date of the enactment of this Act, the Secretary shall transmit to each of those committees a report which contains the results of the review undertaken pursuant to this subsection and the findings, options, and recommendations developed under paragraph (4).".

POINT OF ORDER

Mr. LOTT. Mr. Speaker, I make a point of order against the consideration of House Resolution 438 and I ask to be heard on my point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. LOTT. Mr. Speaker, my point of order is that House Resolution 438 is not a privileged resolution because it contains nonprivileged matters. In defense of my point of order I cite Cannon's Precedents, volume 8, section 2257, and I quote: "The right of the Committee on Rules to report at any time is limited to report on subjects within its jurisdiction and the incorporation of extraneous matter destroys the privilege."

Mr. Speaker, House Rule 10, clause 1(q) gives the Rules Committee jurisdiction over "the rules and joint rules * * * and order of business of the House." According to Deschler's Precedents, volume 6, chapter 21, section 20, the Rules Committee has broad authority to report order of business resolutions or special rules "for the consideration of a proposition, and directing how the proposition will be considered."

That section of Deschler's Precedents goes on to note that a rule may provide for the "consideration" of "a House or Senate bill or resolution not reported from committee or a measure which has not yet even been introduced."

However, I would emphasize here that the purpose of a rule or order of business resolution is to provide for the consideration of a proposition and not for the actual passage of a matter not within the jurisdiction of the Rules Committee.

In the case of House Resolution 438, we have what is called a "self-executing" rule whereby the vote on the rule is considered the vote on passage of an unreported, unintroduced concurrent resolution which directs the Clerk to make certain corrections in the bill H.R. 3, the trade conference report. However, unlike the traditional concurrent resolutions which make truly "technical corrections" of such matters as printing errors, this concurrent resolution would amend an already agreed to conference report in a substantive way by replacing a limitation on the export of refined Alaska oil, with a study of existing limits on the export of domestic crude oil.

Mr. Speaker, as volume 4, section 3446 of Hinds' Precedents makes clear, "the correction of an enrolled bill is sometimes ordered by concurrent resolution of the two Houses." But, as section 574 of the House Rules and Manual, 100th Congress, also makes clear, such concurrent resolutions are confined to, and I quote, "correction of an error when an enrollment is made." The substantive change being proposed by House Resolution 438 goes way beyond correcting a technical error in the trade bill. It makes a major change in direction which goes to the very heart of the jurisdiction of other committees of this House.

Mr. Speaker, in this connection I would cite 6 Deschler's, chapter 21, section 17.13, which notes that, "Although the Committee on Rules has authority to report as privileged resolutions creating a select House committee, the inclusion of a subject coming within the jurisdiction of another standing committee destroys the privilege, and it is therefore necessary for the committee to report a privileged resolution making in order the consideration of the nonprivileged matter reported by it."

The vote on the adoption of this rule is also a vote to pass a separate concurrent resolution which is not within the jurisdiction of the Rules Committee. If introduced separately, it would probably be referred to the House Administration Committee, which has jurisdiction over the Clerk and the enrollment of bills; and to the Energy and Commerce Committee which has jurisdiction over interstate and foreign commerce, and national energy policy. It might also be jointly referred to the Foreign Affairs and Merchant Marine and Fisheries Committees. But, by no stretch of the imagination could the Rules Committee claim jurisdiction over this concurrent resolution. As a result, the text of section 2 of this rule is nonprivileged matter which is not within the jurisdiction of the Rules Committee. And, under the precedents, this destroys the privilege of this rule.

In conclusion, Mr. Speaker, I would urge the Chair to fully consider the implications of this ruling. The key question is, "Can the Rules Committee directly report and obtain a direct vote

on matters within the jurisdiction of other committees?"

If the answer is yes, then we will have radically altered the jurisdictional balance of powers in this House. We may as well abolish the authorizing committees and cede all legislative authority to the Rules Committee.

Mr. Speaker, a similar point was made by your hero, Speaker Sam Rayburn, back on June 7, 1944. On that occasion the Rules Committee had reported a rule on a simple extension of the Emergency Price Control and Stabilization Acts of 1942. However, the rule also made in order a series of nongermane amendments from a bill sponsored by the de facto head of the Rules Committee, Judge Smith. Here's what Mr. Sam had to say about that:

* * * the Committee on Rules was never set up to be a legislative committee. It is a committee of procedure, to make it possible that the majority of the House of Representatives may have the opportunity to work its will. * * * I do not want to take away any of the rights of the Committee on Rules, and I do not want the Rules Committee to take away the rights, prerogatives and privileges of other standing committees of the House. * * *

On that occasion, Mr. Speaker, the House upheld its Speaker. On this occasion, I hope the Speaker upholds the House.

□ 1830

The SPEAKER. Does the gentleman from Michigan wish to be heard on the point of order?

Mr. BONIOR. Mr. Speaker, just on a couple of the points raised by the gentleman from Mississippi.

Mr. Speaker, in recent history, the Rules Committee has recommended—and the House has adopted—resolutions that facilitated the disposition of concurrent resolutions to correct the enrollment of certain bills.

In the 99th Congress, the House passed House Resolution 597, a rule that provided that upon its adoption, the House was considered to have taken the omnibus drug bill (H.R. 5484) from the Speaker's table and to have concurred in a Senate amendment with amendment. With the adoption of the rule, the House was also considered to have adopted a concurrent resolution directing the Clerk of the House to make a correction in the enrollment of the bill.

Also in the 99th Congress, the House adopted House Resolution 598, a rule which provided that, upon its adoption, the House was considered to have taken an enrollment resolution from the Speaker's table and to have concurred in the Senate amendments to the concurrent resolution with amendments. The concurrent resolution was to correct technical errors in the enrollment of H.R. 3838, the Tax Reform Act.

In the 93d Congress, the House adopted House Resolution 1496, a rule which provided for the consideration of the conference report on a Senate bill to provide for the cooperation between the Secretary of the Interior and the States with respect to the regulation of surface mining operations.

In fact, Mr. Speaker, since 1962 on nine separate occasions the substance of legislation has been dealt with in similar manner before the enrollment of said legislation.

At this point, Mr. Speaker, I would invite the decision of the Chair.

The SPEAKER. Does the gentleman from Mississippi [Mr. LOTT] desire to be heard further?

Mr. LOTT. Mr. Speaker, briefly, momentarily, in support of my point of order.

The SPEAKER. The gentleman from Mississippi is recognized.

Mr. LOTT. Mr. Speaker, in response to the gentleman's comments, I would like to make note that again this is a quantum jump from what has been done in the past. It has usually been in a process of technical corrections of errors, where a wrong number was put in or a paragraph was inadvertently left out. These technical resolutions have come along with or close behind the conference report.

In this case that is not the situation. I note also that these references that the gentleman from Michigan refers to were not tested, were not questioned with a point of order.

We are here today making that test; this is a point of order which should be heard and it is one that I hope that the Speaker recognizes is a significant jump from technical corrections through this concurrent resolution process into one that involves absolute, clearly substance.

I urge the Speaker to uphold the point of order.

The SPEAKER. Does the gentleman from Michigan care to be heard further?

Mr. BONIOR. I defer to the Chair, Mr. Speaker.

The SPEAKER (Mr. WRIGHT). The Chair is prepared to rule. The Chair has carefully examined House Resolution 438 offered by the Rules Committee for consideration of the House today, has listened attentively to the point of order offered by the gentleman from Mississippi [Mr. LOTT] and to the citations offered by the member of the Committee on Rules, the gentleman from Michigan [Mr. BONIOR].

It is apparent to the Chair that this resolution proposes a rule which provides for a special order of business, as distinguished from the ordinary and regular order of House business.

It is well within the inherent authority of the Committee on Rules to report rules to the House recommending a special order for the consideration of legislation.

Part of the objection offered by the gentleman from Mississippi [Mr. LOTT] is directed to the proposition of self enforcing rules. It is not an uncommon practice on the House floor for the Committee on Rules to report and for the House to adopt a self enforcing rule, a rule which declares that it is hereby construed or it is hereby held that a certain legislative fact has been done by the House.

And so there is nothing unique nor contrary to general practice in the self-executing rule, so long as it is consistent with clause 4(b), rule XI.

The Committee on Rules on numerous occasions has brought rules to the floor which discharge standing committees of the House from further consideration of certain legislative matter in order that the bill be brought before the House.

It is well within the practice of the Committee on Rules to report these special rules for the consideration of the House and the House then is at liberty to adopt or to reject the rule recommended by the Committee on Rules. That, in fact, is the function of the Committee on Rules, to make a recommendation which the House may or may not accept.

And so the Committee on Rules in the opinion of the Chair is well within common practice and well within its jurisdiction and fully within its responsibility in reporting this rule, which would be a special order called up in the House for its consideration. And the House, of course, is the final authority. If it adopts the rule today, it will be operating within the established procedures of the House. If it rejects the rule today it will be operating within the established procedures of the House.

The House is the final arbiter of the propriety of the rule that is offered. And a rule suggesting a special disposition of a concurrent resolution is well within the established and accepted responsibility of the Committee on Rules, and that, in fact, is the definition of the function of the Committee on Rules.

And for these reasons the Chair overrules the point of order.

The gentleman from Michigan [Mr. BONIOR] is recognized for 1 hour.

Mr. BONIOR. Mr. Speaker, I yield the customary 30 minutes to the gentleman from Tennessee [Mr. QUILLEN], pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 438 provides that upon adoption of the rule, the concurrent resolution contained in section 2 of the rule, shall be considered as adopted. There will therefore be the customary 1 hour of debate, in the House, equally divided.

Mr. Speaker, the conference report on H.R. 3, the Omnibus Trade and Competitiveness Act of 1988, passed this body on April 21, 1988, on a vote of 312 to 107.

However, the bill has not yet been enrolled. In this stage, the conference report is subject to correction.

Mr. Speaker, this concurrent resolution is a correction to the enrollment of H.R. 3. It deals with section 2424 regarding exports of domestically produced crude oil.

The conference agreement included three basic provisions:

First, a requirement that the Secretary of Commerce, in consultation with the Secretary of Energy, study whether existing restrictions on crude oil exports from the lower contiguous 48 States are adequate to protect U.S. national security and energy interests.

Second, an agreement to permit—subject to passage of the Canada Free Trade Agreement—the export of up to 50,000 barrels per day of Alaska North Slope crude oil to Canada.

Third, a restriction prohibiting refineries commencing operation in Alaska after the date of enactment of this bill from exporting more than 50 percent of its annual output of refined and partially refined petroleum products made from Alaska North Slope crude oil, excluding sales to U.S. military and flag airlines. Further, total sales of Alaska North Slope refined and partially refined petroleum products produced by these refineries shall not exceed in aggregate an annual average of 70,000 barrels per day allocated on a first-come-first-served basis.

Mr. Speaker, this concurrent resolution replaces these provisions with the text of section 2 of House Resolution 438 which basically includes:

First, a study calling for the Secretary of Commerce and the Secretary of Energy to assess whether existing restrictions on the export of crude oil produced in the contiguous United States are adequate to protect the energy and national security interests of the United States and American consumers. The study shall also assess the effect of increased exports of crude oil produced in the contiguous United States on:

Our ability to meet U.S. energy and national security needs.

The quantity and quality and retail price of petroleum products available to consumers in the United States generally and on the west coast in particular.

The overall trade deficit.

Acquisition costs of crude oil by domestic petroleum refiners.

The financial viability of sectors of the domestic petroleum industry.

The U.S. tanker fleet and the industries that support it, emphasizing the availability of militarily useful tankers to meet anticipated national defense requirements.

Second, the concurrent resolution also includes a provision that the Secretary of Commerce shall provide notice and a reasonable opportunity for public hearing and comment on the review.

Third, it includes a provision that the Secretary of Commerce shall consult with the Secretaries of: Defense, Interior, Transportation and Energy in undertaking the review.

Fourth, after taking public comment and consulting with the appropriate State and Federal officials, the Secretary of Commerce in conjunction with the Secretary of Energy shall develop findings, options and recommendations regarding the adequacy of restrictions on the export of crude oil produced in the contiguous United States in protecting the energy and national security interests of the United States and American consumers.

Fifth, the Secretary of Commerce shall consult with the following committees of the U.S. House of Representatives: Foreign Affairs, Energy and Commerce, and Banking, Housing and Urban Affairs. In the Senate, the Committees would be: Energy and Natural Resources, and Commerce, Science and Natural Resources.

No later than 12 months after adoption of this bill, the Secretary shall transmit to each of these committees, the results of the review along with the findings, recommendations and options.

Mr. Speaker, as you well know, our trade deficit is almost $14 billion! In the last 5 years, over 2 million Americans have lost their jobs due to unfair foreign competition. The big joke in this country is that jobs are now our No. 1 export.

We desperately need a comprehensive trade bill to deal with desperate situation.

Mr. Speaker, this body has worked for 3 years crafting an omnibus trade bill. We have worked with the administration in a good faith effort to take care of their problems with the bill. Even the President, admits that many of the parts he objected to have been completely removed.

In his most recent weekly radio address, he singled out two provisions to which he still objected. One of those provisions was the curb on Alaskan oil exports.

Mr. Speaker, this concurrent resolution is yet another effort to accommodate the President. We will be removing yet another part of the bill he does not like.

With the passage of House Resolution 438, the House leadership will have done absolutely everything it could do, in good conscience, to make the President happy. Mr. Speaker, with the removal of the Alaska oil provision, it is our genuine and fervent hope that the President will sign this monumental legislation and let the Congress proceed with the consideration of additional very important trade legislation such as the Canada free trade agreement.

The offering of this concurrent resolution is an indication of just how much we want and need a trade bill enacted into law. I hope, Mr. Speaker, the President recognizes our additional compromise and drops his threat to veto this bill for the sake of the millions and millions of Americans who desperately need and are anxiously waiting for the passage of this trade legislation.

Mr. Speaker, for those of my colleagues who say that if we were really serious about a trade bill we would remove the plant closing section, I answer that we simply cannot.

Recent polls show that 86 percent of the American people support the worker notification section of the trade bill.

Worker retraining and readjustment is a large part of the trade bill. A task force appointed by Secretary of Labor Brock concluded that advance notification is essential to any successful readjustment program.

According to GAO, blue collar workers, on the average, get around 7 days notice of a plant closing or permanent layoff. White collar workers get about 14 days notice. Nonunion blue collar workers get an average of 2 days warning. For those who think most workers can see a plant closing or a layoff coming, the fact is nearly half of today's displaced workers had absolutely no idea they were going to be laid off before it happened.

Mr. Speaker, the Office of Technology Assessment has found that worker productivity does not fall off after notification of a plant shutdown—in some cases, productivity increases.

Worker notification is the law in Canada, France, Germany, Japan, Great Britain, and Sweden. Mr. Speaker, I use the example used today at your press conference for those who believe the worker notification section would make us less competitive abroad. Taiwan requires advanced notification of all layoffs. Rather than losing export trade, Taiwan has increased its trade surplus with the United States every year of the Reagan administration.

Mr. Speaker, what we need here is good old-fashioned compromise. The President has two things that bother him about this trade bill. We are willing to drop one of those two things. If the President really wants a comprehensive trade bill, he will compromise and let us get on with reducing the trade deficit, increasing our exports and putting our workers back to work.

□ 1845

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

Mr. Speaker, this procedure being used today is an outrage. On approxi-

mately 1 hour's notice, the Rules Committee was called into emergency session yesterday afternoon at 4 p.m. We did not see a copy of this rule until a few minutes before we had to vote on it. I objected to the emergency meeting then. I object to it now.

Today the House is about to be forced to vote on this package after only 30 minutes debate on each side, with no chance to amend or alter the package. Once the rule is adopted, the concurrent resolution directing the Clerk to change the conference report on the trade bill will be deemed to have been adopted. There will be no separate consideration of the substantive issue. Once this rule is adopted, it is all over.

By this procedure we are rushing in to make a major change in a conference report which took 14 committees over a year to work out. This is a bad procedure, Mr. Speaker. More than that, because the Senate is not even in session this week, there is no need or jurisdiction for abandoning the normal notice requirements of the Rules Committee.

Not only is this a terrible procedure, Mr. Speaker, it is an openly political maneuver to buy off two votes in the other body. Upon adoption of this rule, the House will have directed the Clerk to strip out the existing provisions on Alaskan oil from the trade conference report and to replace them with a study.

Mr. Speaker, under existing law there is in effect a prohibition on the export of crude oil from Alaska's north slope but no restrictions on the export of refined oil products. There are plans to build a refinery in Alaska to get around existing law. The provisions in this conference report are a compromise solution which will put some limits on the amount of refined oil products which could be exported from any Alaskan refinery. If this House today accepts this rule, we will be removing all restrictions on the export of Alaskan refined oil products. Every bit of Alaskan oil could end up in Japan or some other country.

Mr. Speaker, the Alaskan oil provisions in the conference report were designed to ensure that a reasonable proportion of Alaskan oil would actually get into this country where it is needed. Those provisions also have the effect of ensuring some much-needed business for our American merchant marine.

Mr. Speaker, a strong and able American merchant marine is important in peacetime but in wartime it may be indispensable. The existing provisions help to maintain our merchant shipping capability and we should keep them.

We should not further reduce the capability of our merchant marine fleet. Already we have knocked it down, and down and down, and we must stop that.

Mr. Speaker, I urge the defeat of the rule.

Mr. Speaker, I yield 30 seconds to the gentleman from Oklahoma [Mr. EDWARDS].

(By unanimous consent Mr. EDWARDS of Oklahoma was allowed to speak out of order.)

UPDATE ON SITUATION IN NICARAGUA

Mr. EDWARDS of Oklahoma. Mr. Speaker, what we have before us is an important issue that I have asked our ranking member to yield to me so I could just inform the House about a couple of things that have happened in Nicaragua.

As the Members know, the food that we voted is not getting to the Contras, but I thought the Members of the House might be interested in learning that today the Sandinista government has not only arrested a number of labor leaders in Nicaragua, but has also arrested 14 members of the Democratic Opposition in Nicaragua and has temporarily closed three independent newspapers, and I thought that ought to be shared with my colleagues.

Mr. QUILLEN. Mr. Speaker, I yield 4 minutes to the gentleman from Texas [Mr. BARTLETT].

Mr. BARTLETT. Mr. Speaker, today we have before us a highly unusual, indeed bizarre, request from the sponsors of the trade bill, of the objectionable trade bill, which has previously passed the House. Perhaps it is a day for mea culpa on behalf of those sponsors in fessing up that at least this 1 and 2 provision of the trade bill were counter to the idea of good trade and of reducing the trade deficit.

Mr. Speaker, the fact is that the resolution we are considering this afternoon, House Resolution 438, the purpose of it is not to pass legislation, not to consider legislation, not to consider a trade bill, not even to consider a rule on this House floor, but to do what is called correcting the enrollment of a bill that had already passed this House. It seems to me that indeed this highly unusual procedure comes to the floor, must come to the floor, with some sense of embarrassment by the sponsors of the trade bill.

□ 1855

I suppose it is progress of sorts, because what the sponsors would do with this resolution is to delete one of the two most objectionable provisions of the trade bill, those two provisions which were contrary to the idea of reducing the trade deficit.

This provision that in fact should have been deleted and should have been deleted on the House floor which would have restricted or indeed prohibited the sale of exports of Alaskan refined products to our trading partners, it should be debated, it should have been deleted, but this provision, just like the other provision that is not being deleted, the so-called plant closing, is also a provision which is contrary to the notion of reducing the trade deficit.

Now, the purpose of the trade bill ought to be to reduce the trade deficit. The provision on Alaskan oil which this bill seeks to delete would in fact have increased the trade deficit, and I want to call the Members' attention to the provision that is left, the so-called plant closing provision, would also likewise discourage the reduction of trade deficits, would discourage exports, would cost Americans their jobs. It also ought to be deleted.

The sponsors of the trade bill need to bring to the House floor legislation instead of political games. They ought to bring provisions to the House floor, legislation that can be passed and signed into law, legislation that would delete not just this one objectionable provision, but the other provision also, the so-called plant closing legislation.

I do want to remind Members that the plant closing legislation that is in the bill is not a compromise. It is not watered down anything. It is not a moderated proposal. It is mandatory notice of a kind that has never been provided in the United States. It is the kind of mandatory notice that at least one study in January of this year concluded would drive a minimum of 450,000 American jobs overseas, thus increasing our trade deficit in a bill that was designed to or at least purported to be designed to decrease its deficit.

It applies to as few as 50 employees at a time. It applies to the closing of an operating unit within a facility, no matter how large the facility.

Mr. Speaker, it is time for the sponsors to bring us a trade bill, a real trade bill, a trade bill that encourages trade, that encourages export, that encourages a reduction of the trade deficit.

As long as the so-called plant closing provision is left in the trade bill, then we are simply playing political games. We are not trying to pass a trade bill.

The only relation that the so-called plant closing provision that is left in the bill after this is passed, the only relation to it is that it causes higher trade deficits. It costs more Americans their jobs. It does have a relation to plant closings in that it causes more plant closings.

The fact is that this provision is good so far as it goes. This bill is good so far as it goes, but we ought to bring a bill that deletes both sections.

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

Mr. WOLPE. Mr. Speaker, I rise in support of the rule and the current resolution that is embodied in the rule

that would strike the Alaskan oil provisions in the Omnibus Trade legislation.

I do so very reluctantly, and I will explain my reluctance in a moment. But it seems to me that it is critical that we support this decision of the leadership in the hope that this change that is being made, this compromise that is being offered, will cause the President to reconsider his intention to veto this vital trade legislation.

I cannot stress too much the importance of this legislation to my constituents. It is seen across the board as legislation needed to protect American jobs, to restore American competitiveness, to insure our economic future. It is legislation that we need. It is legislation that we have worked on in a bipartisan way. And, in crafting this legislation, we have attempted repeatedly to accommodate the administration.

Mr. Speaker, as important as the Alaskan oil provision is, I do not want to see the omnibus trade bill doomed by our insistence on this language. For that reason, I am prepared to support the decision to strike the Alaskan oil provision from the trade bill.

It should also be said that it would be especially tragic if the President were to reject this compromise by going ahead and vetoing the trade bill on the basis of the plant closing provision.

What is so unreasonable about asking that workers be afforded the same kind of warning that executives receive when it becomes necessary to close a plant? Plant closing notification is simply a means of enabling both workers and their communities to adjust to one of the most traumatic of decisions. There is no provision of this trade legislation that is more reasonable and more deserving of the support of this President.

Let me now explain for a moment my strong reluctance to acquiesce to this decision to drop the Alaskan oil provision. Very simply, the Alaskan oil provision we would strike by this provision makes sense. It embraces the long-standing energy security policy of this Congress, policy that has been repeatedly ratified by overwhelming bipartisan votes.

Congress has said repeatedly that Alaskan oil should be used for domestic purposes and that there should be tight restrictions placed on its export. To remove those provisions at this point I think is to really throw into question how serious we are about the maintenance of an effective energy security policy.

Mr. Speaker, the Alaskan oil export refinery provisions are the product of a considerable amount of compromise, as we have labored for over 2 years to craft a provision that balances the interests of Alaska and the energy security of our Nation. As we proceed further with this effort, I trust the leadership will keep in mind the importance of this provision for promoting national energy security, particularly given the growing instability in the Middle East. I intend to work with the leadership in finding an appropriate legislative vehicle to adequately accept the provision we are now striking.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. BONIOR. Mr. Speaker, I yield 1 additional minute to the gentleman.

Mr. WOLPE. My support of this resolution, as I say, is offered very reluctantly. The provision being struck here would place restrictions on the export of refined products from Alaska. In my judgment the refinery that is being contemplated in that State is a way of circumventing the present restrictions in law on the export of Alaskan crude oil.

We attempted to fashion the refinery-related restrictions in a way that balanced the interests of Alaska and the interests of our Nation's energy security.

This is an issue that I hope we can revisit once we get beyond the trade legislation. We need, in the interests of our energy security, to maintain the restrictions on the export of Alaskan oil.

Mr. YOUNG of Alaska. Mr. Speaker, will the gentleman yield?

Mr. WOLPE. I am pleased to yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Speaker, let me just make sure the gentleman has explained the situation clearly.

I am in support of this resolution, but as far as the intent of the trade bill concerning Alaskan oil, it went far beyond what existing law is today. What we are doing here today is putting it right back to square one in existing law.

The SPEAKER. The time of the gentleman from Michigan has again expired.

Mr. BONIOR. Mr. Speaker, I yield 1 additional minute to the gentleman.

Mr. YOUNG of Alaska. Mr. Speaker, if the gentleman will yield further, this resolution does not expand any present law. It does still keep the present law that prohibits us from exporting Alaskan crude oil.

What the orginial trade bill did and the gentleman's amendment did was to prohibit us from exporting any of our other oil outside of the TAPS line. It prohibited us from building a refinery and in fact it exceeded anything in present law today.

What we are doing here today is putting it right back to square one.

Mr. BONIOR. Mr. Speaker, I thank the gentleman for supporting the resolution, and I reserve the balance of my time.

Mr. QUILLEN. Mr. Speaker, I yield 3 minutes to the gentleman from Mississippi [Mr. LOTT].

Mr. LOTT. Mr. Speaker, I thank the gentleman from Tennessee for yielding me this time.

I will not go over what is in the rule, since the gentleman from Tennessee did an outstanding job pointing out what we are dealing with here and I will not repeat the arguments I made in my point of order. I thought surely the Speaker was going to rule in my favor, especially after I quoted Speaker Sam Rayburn, but since he did not, I do want to just emphasize a couple points.

First of all, this is an unusual procedure. You remember a couple weeks ago when the trade bill came through, I did not see it, I got a glimpse of it when it went by. It was over 1,000 pages, 14 inches thick, but we were told, "We've got to get this thing through immediately. We've got to get it to the President so he can sign it or veto it." That was on April 21.

It went to the Senate, to the other body. They had it for about a week. They reported it about April 27, and then instead of being enrolled and sent to the President, it has been languishing, just languishing, a very unusual process.

Then all of a sudden we have this House concurrent resolution, not for technical corrections, but for substantive changes in a conference report that we have already voted on.

Now, the Speaker in his ruling said that the final judge on something like this, a procedure like this, is the House: So I urge the House to take a look again at what we are doing here.

This is unorthodox. It is in my opinion a corruption of the rules and one that could come back and haunt all of us. There are some bizarre things about it, and I want to emphasize just two or three points.

First, this resolution authorizes the Clerk of the House to do more than the House acting alone can do, and that is amend the conference report without killing it. Think about that.

Second, it is self-executing. We are dealing not just with a rule here, but we are dealing with a substantive change in a conference report, and yet when we have this 1 hour of debate we vote on the rule. We are also voting on the substance. That is it. It is unnumbered. it is unintroduced. It is an unreported concurrent resolution which directs the Clerk to make these changes in the enrollment.

Then third, this rule does not even provide for the separate consideration of the measure striking out this oil export limitation, and no amendments are in order.

So this is a very unusual process, one that I think the Members should be very careful about. It is not the correct way to proceed.

I assume that the idea is to try to force the President to accept a bill that still has basic fallacies in it.

Let us go ahead and send it to the President. Let him act, and then we can make changes or corrections if necessary, which is the normal way to do it. This certainly would not comply with the presentment clause of the Constitution.

Mr. Speaker, I urge my colleagues to vote against this process. Vote against this change in substance and let us really get serious about passing a trade bill.

Mr. Speaker, this bizarre little rule is like a can opener, reopening a can of worms: When the full aroma hits you, you know somebody's up to something fishy.

In this case, the can of worms being reopened is the trade conference report, which has already been finally agreed to by both Houses. And make no mistake about it, this concurrent resolution will be subject to protracted debate and further amendment when it reaches the other body. Once one worm is out of the can, others will likely follow.

And what's fishy about this whole procedure is that we're using a device reserved for correcting printing errors to make a major, substantive change in a conference report which has already passed both Houses and is awaiting final enrollment. And the reason this technical corrections device is being used and abused is solely for the political purpose of trying to secure enough votes in the other body to override an expected veto. But that might not be all you get from the other body.

Mr. Speaker, let's consider what else is really bizarre and fishy about this rule. In the first place, it authorizes the Clerk of the House to do more than the House acting alone can do, and that is amend a conference report without killing it. As most of you are aware, under House Rule 28, relating to conference reports, if the House votes to delete a provision from a conference report, and I quote, "the conference report shall be considered as rejected." Under this rule, however, the Clerk is given authority to delete an entire section from the conference report and substitute another section, and the conference report is still alive and well. How much more bizarre can you get than a rule that gives the House Clerk more authority than the House or Senate to enact legislation?

In the second place, this is a so-called self-executing rule whereby the adoption of the rule automatically passes an unnumbered, unintroduced, and unreported concurrent resolution which directs the Clerk to make these changes in enrollment.

This goes beyond a normal order of business resolution or rule which provides for the consideration of a proposition. This rule doesn't even provide for the separate consideration of the measure striking the oil export limitations from the conference report and substituting a study. Instead, this rule provides for everything but separate consideration; it provides for the introduction, the discharge, and the vote on that substantive matter—all in one fell swoop. The committees having jurisdiction over the concurrent resolution—House Administration, Energy and Commerce, Foreign Affairs, and maybe even Merchant Marine and Fisheries—are completely cut out of the loop on this.

If we go for this we are saying that the Rules Committee has authority to directly report and have passed any legislation under any committee's jurisdiction. It controls all the time on that legislation and it precludes amendment to it because it is considered in the House instead of the Committee of the Whole.

Do you really want to give the Rules Committee such extraordinary powers to encroach on your committees' jurisdiction? I should think not; and yet that is exactly what this does.

The third bizarre aspect of this rule is that it makes a mockery of the Constitution's presentment clause, which requires that every bill, order, resolution, or vote to which the concurrence of the two Houses may be necessary "shall be presented to the President of the United States."

If this procedure is followed and both Houses pass the concurrent resolution, the bill sent to the President will not be one that has passed both Houses; not will the concurrent resolution be presented to the President. For this to conform to the constitutional requirement would require that a joint resolution be presented to the President, or that both Houses reconsider H.R. 3 as amended.

Mr. Speaker, as if this perverse process were not reason enough for defeating this rule, consider if you will what this does substantially. The adoption of this rule eliminates a restriction on exporting refined Alaskan oil.

Under the provision in the trade bill, as I understand it, new Alaskan refineries would be permitted to export up to 50 percent of capacity, up to 70,000 barrels a day, and would permit Canada to buy up to 50,000 barrels a day, if it is transported through a lower 48 State port. The concurrent resolution that would be passed with the adoption of this rule eliminates that limitation and substitutes a study of existing export restrictions on domestic crude oil.

Mr. Speaker, I would simply ask my colleagues to consider what you will be doing substantively on this rule as well as procedurally. The existing restrictions on oil exports has a direct bearing on our national security interests. Most of you will remember that our country is still striving to achieve greater energy independence. This rule moves in the opposite direction. Moreover, it would deal an extreme blow to the American maritime industry—our shipbuilders and shipping companies. Do you want to further undercut this important national security industrial component? I hope not. Vote down this rule.

Mr. BONIOR. Mr. Speaker, I yield 3 minutes to the gentleman from Washington [Mr. BONKER].

Mr. BONKER. Mr. Speaker, this concurrent resolution poses a real dilemma for myself and others on my subcommittee who were responsible for placing these Alaskan North Slope oil provisions in the trade bill. We are informed that if this concurrent resolution passes that it may enhance the ultimate signing of the trade bill that is now pending before the Congress.

President Reagan has stated several times now publicly that there are two provisions in the trade bill to which he now objects. One, of course, we know is the plant closing notification provision, and the second is the several provisions in the trade bill that relate now to the export not of the Alaskan North Slope crude oil but of possible refinery products that would come as a result of a facility being built in Valdez, AK.

We are also informed that we have no assurances whatsoever that our action today would result either in a favorable decision by the President, or hopefully picking up a few more Senators who voted against the trade bill, but who now might well be disposed to vote in favor of an override.

Mr. Speaker, restrictions on the export of North Slope oil are a longstanding policy of the Congress, dating back to 1973, a policy which has been reaffirmed now many times over.

Mr. Speaker, this trade bill that is pending before the Congress attempts to close loopholes that now exist, because we are informed that the Japanese investors want to build a refinery to circumvent the existing ban on North Slope oil in order to export refinery products.

We also incorporated language that makes the provision more compatible with the section in the pending trade agreement with Canada.

My subcommittee has devoted many years to insuring that we have in this country ample oil supplies to meet our energy security.

□ 1910

It is a well-established national policy, and frankly I am disappointed that the leadership has seen fit now to drop those vital provisions from the trade bill, but I also think it is terribly important that this Congress send down to the President a trade bill that he can sign. We have provisions in there that would strengthen the trade revenue law so we can deal more effectively with unfair trade practices.

We also have provisions that would provide for an investment in education and training and other programs to help restore our competitive position and bring down the trade deficit.

We have important provisions on export promotion so we can facilitate the export of U.S.-made products.

Mr. Speaker, the President has threatened to veto this trade bill which is so terribly important to our Nation's economy unless some of these provisions are removed. I think the House is making a good-faith effort to go half the distance, to say that while we will not abandon our longstanding position on the plant notification provision that we at least will go half the

way and drop these provisions that involve standing policy by this Congress on Alaskan crude oil.

Mr. Speaker, if this concurrent resolution takes us that additional step, then I would reluctantly support it.

Mr. QUILLEN. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. MICHEL], our distinguished leader on this side.

Mr. MICHEL. Mr. Speaker, yesterday I took the floor to protest the latest round of trade bill trickery, and I said it was discouraging to me that trade policy and the rules and procedures of the House were once again being sacrified under the Democratic leadership's "win-at-all-costs" approach to legislating.

Just weeks ago, Mr. Speaker, there was such a rush to get the trade conference agreement voted on it was rammed through here without even giving our Members time to browse through its 1,200 pages.

I guess the majority knew they had the votes, knew they could probably embarrass the President, and though they had a veto override wired so they drove the trade conference report through here with record-breaking speed.

Then the agreement went to the other body and again I guess the majority thought they had it wired there, too, but the wire became somewhat frayed and the votes to sustain a veto seemed to be there in the other body.

That set of circumstances dictated slowing down the vote and reports ran rampant that the trade bill would then be delayed until after new trade figures came out on May 17. The conference report came back here for final enrolling, and it was ready for the President, or so we thought, and then we discovered that the rush to judgment had once again become rather a slow crawl. The enrolling clerk was delaying final processing so this latest and most devious of all schemes could be hatched. It kind of reminds me of the driving school where there is an acceleration, then the application of the brakes, acceleration, application of the brakes, a speed-up and slow-down, stop-and-go lawmaking, if you please.

Mr. Speaker, I am deeply distressed to see the House being asked to play so fast and loose with our once cherished rules and procedures around here. Just for the record, let me make sure we have our facts straight. We are here on the floor today violating every precept of democratic government. We are considering a resolution which has had no hearing, it came from no authorizing committee, it is less than 24 hours old, and we have here a technical procedure with which the majority will attempt to surgically extract something from a piece of legislation that has been officially and formally and finally adopted by both Houses of the Congress and should be by all rights on the President's desk for signature.

Why?

The majority will tell you it is to accommodate the President. They have been quoted as saying that they are meeting the President halfway.

Mr. President, beware. These folks are trying to tell you that the check is in the mail, that they are from the Government, and that they are here to help you.

Hold on to your wallet. The irony in all this is that the provisions on which this resolution focuses are typical of the legislative refuse we adopt around here. It is poorly drawn, ill-conceived, and probably in violation of article I, section 9 of the Constitution. However, eliminating it this way is like attempting, I guess, to eradicate crime by eliminating everyone convicted of a crime.

Mr. Speaker, a winning-at-all-costs strategy is not good government and I think you will find that it is not even good politics. This strategy does not produce winners, it only produces losers, maybe not now, not here today, but believe me, this is a loser, a real loser.

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

Mr. Speaker, before I yield to the gentleman from Massachusetts [Mr. FRANK], I do want to respond very briefly to my friend the gentleman from Illinois [Mr. MICHEL].

Since 1962 it is not an uncommon thing for a bill to be recalled or sent back once it has reached the President's desk for further amendment by the Congress. We have done this on a number of occasions. In fact according to an October 14, 1987, CRS report there have been at least nine separate occasions where Congress has corrected the enrollment of a conference report with substantive changes, not technical changes, substantive changes. I do not recall the minority raising any concern, raising their voices objecting to those substantive changes. In fact, the last one that I do recall offhand was the tax bill that we had before us recently.

Mr. Speaker, this is not an unusual procedure in the sense that it has been repeated on a number of occasions without the objection of the minority. I think their concern obviously is reflected by the fact that they are on the wrong side of an issue that the American people feel very strongly about and I can well understand their uneasiness.

The fact of the matter is what we have done is in keeping with the rules of this House and with the precedents we have set, especially since 1962.

Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK. Mr. Speaker, I thank the gentleman from Michigan for yielding.

Mr. Speaker, I have seen some unusual displays in the House but the previous half hour is the most bizarre case of unspecific indignation known to medical history. We have members of the minority professing to be outraged except that they are not quite clear on what it is they are outraged about. The deputy minority leader made among his points the ringing charge that we are about to pass a bill which, and I quote him, "Is unnumbered."

Mr. Speaker, it may be that there are vast numbers of American people ready to smite us for passing an unnumbered resolution. I doubt it, but it may be. If it were not going to further complicate the parliamentary situation, Mr. Speaker, to alleviate my friend's distress I was going to ask unanimous consent that we number this so that we would not suffer the indignity, the constitutional challenge of passing an unnumbered resolution. But it would be too complicated so I will ask the gentleman from Mississippi [Mr. LOTT] to join me later and we will introduce a bill to number this concurrent resolution.

A concurrent resolution amending a bill is, of course, something that has been unheard of since the last time we did it, which was with Republican support on the tax bill. We did exactly this when we had the tax bill. At that point maybe more Republicans had a piece of the action so they were not quite as indignant. Now we just have our friend, the gentleman from Alaska [Mr. YOUNG].

Let me say on the merits of this that I think the first Alaska purchase worked out well for the country, and I am ready to support the second one. That is what we have before us. Why not?

The fact is that what we brought forward here is a perfectly sensible effort to compromise, and what the minority is upset about is that they are being agreed with in a way that they find inconvenient. They would rather be unhappy. Here we have an effort by the majority with some support on the minority side, the gentleman from Alaska and his many friends, who are upsetting the minority because we want to be conciliatory.

Mr. Speaker, we passed the trade bill, and the gentleman said we did not have time to read it. Mr. Speaker, I trust I am betraying no secrets when I suggest that if we had had a month, the number of Members on either side who would have read the trade bill is very, very small. Frankly, most Members would have waited for the movie, no matter how soon we moved to pass it. We had a trade bill in which there were summaries around, and which

staff and Members knew particular aspects of. People know what was in the bill. There were several provisions that were controversial, and the majority decided to be conciliatory. I happen to agree with the gentleman from Alaska [Mr. YOUNG] and others, because I do not think those restrictions made sense. I think we should do free trade in that oil. But I was in the minority on that. This was a conciliatory gesture. The minority is now outraged because it is being agreed with. It is outraged because it is being agreed with by a procedure that they have used themselves in the past.

This is indignation in search of a cause. This is opposing for the sake of opposition, except when we come to the real nub and that is that the President of the United States is in a bind. He is going to have to veto a trade bill which is a pretty good trade bill, even by his own standard, because it has a plant closing provision in it. Apparently people who work in this country are not entitled to that notification.

Maybe they should consult their astrologers to know when they are going to be out of work. If they read their horoscopes maybe they will get 60 days' notice, but those who do not get it from their horoscopes would get it from this bill.

What we have is the President unhappy because he does not want to have to veto a bill which says they will get 60 days notice unless there are extenuating circumstances to the contrary. We are making it clear that that is apparently the President's problem and that is what activates some Members of the minority. They do not want to expose the central reason that the President has to sign it.

Mr. BARTLETT. Mr. Speaker, will the gentleman from Massachusetts yield?

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

Mr. BARTLETT. Mr. Speaker, I might suggest that it is not the President that is in a bind, it is the sponsors of the trade bill who are bringing to this floor a trade bill that cannot pass and become law because of this nontrade issue, plant closings, which is contained in it. So if we want a trade bill, let us compromise. If we want to compromise, let us sit down and have both sides discuss a compromise. That is be definition a compromise.

Mr. FRANK. Reclaiming my time, Mr. Speaker, I will say to the gentleman there are many, many compromises embodied in this bill. We do not have a situation where the President is being denied a chance to compromise. We do have a situation where he is being denied a chance to dictate. Of course there is the new rightwing theory, I understand Judge Bork subscribes to, which is that the President really has a line-item veto even though the Constitution does not say so, and he may line-item veto the plant closing. But I do not recommend that he risk it. The fact is we are following constitutional procedures. The veto means if a bill is passed by both Houses and goes to the President, and he does not like it, he vetoes it and then we have a big public debate about it. All of this complaint about the procedural irregularity is nonsense. What we have here is the minority unhappy because we are by this focusing attention on the President's opposition to the plant-closing provision in the bill.

Mr. QUILLEN. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. CRANE].

Mr. CRANE. Mr. Speaker, Lord Acton said that power tends to corrupt and absolute power corrupts absolutely.

I have served in this Chamber now for almost 19 years and in the 19 years that I have been here I have witnessed many changes and transformations one of which we went through this afternoon when fortunately the electronic system broke down and we had a chance to socialize, to get better acquainted with one another, and proceed at a little more leisurely pace as this body operated when I first came here. During the course of the years that I have been here, Mr. Speaker, I have witnessed what in my estimation can only be described as institutional nervous breakdown. I do remember, in response to the gentleman from Massachusetts [Mr. FRANK] who said nobody would have read that trade bill had he had it in the requisite time that traditionally we are entitled to look at legislation, 3 days, instead as we were an hour and a half into the debate before that stack of papers, loose bound, unnumbered, unbound papers encompassing 1,200 pages of technical changes in trade law were thrust upon us. The fact of the matter is we are doing that on a routine basis. Nobody read the tax bill in 1986, not a Member of the House or the Senate has read the tax bill to this day, and in addition to that we did it on budget reconciliation. That is something that again has a significant impact on the way in which this country is being run.

Mr. Speaker, the question that arises is who does these things for us?

The fact of the matter is that it is what my distinguished colleague the gentleman from Minnesota [Mr. FRENZEL] likes to refer to on tax matters as "those nameless, faceless gnomes buried in their windowless cells in the bowels of Treasury."

We are being governed today no longer by the elected representatives of the people who do not bother to read the legislation and have no understanding of the legislation; rather we are being governed by unelected people who cannot be thrown out of office by the electorate short of the commission of high crimes and misdemeanors. We are permitting this outrage to be perpetuated, and now we are told that the Clerk of the House should do the effective legislating for us on the particular provision before us, change a fundamental provision of the bill upon which we voted, having not read it anyway, so I suppose it is irrelevant and inconsequential. But I submit, Mr. Speaker, that we are flirting, because of our behavior and the flouting of procedures and rules, and the rules apply to the emergency requirements to give at least 48 hours notice to the Committee on Rules unless there is some urgent emergency before calling a session.

□ 1925

What was the emergency? The Senate is not even in town. Yet, this emergency required only 1 hour's notice so that this document could be presented.

Mr. Speaker, I submit that there is a political motivation, and everybody in this Chamber knows it. Otherwise, why just the Alaskan thing? Why not deal with plant closings, too? Then the Members guarantee there will not be a veto, and we are not going to have to go through the process of having the veto sustained and then bring the bill back up under suspension with plant closings thrown out.

I had a lot more objections to that trade bill than this particular issue before us tonight, and the plant-closing provision which to me was decidedly inferior to some of the other deficiencies of the bill, but, Mr. Speaker, I would urge that all of our colleagues in the name of order and in the name of what we were elected to do when we came before this body, that we defeat this measure, defeat it, let it be vetoed, then bring it back, and we can alter it to meet the requirements of the House.

Mr. BONIOR. Mr. Speaker, I yield 1 minute for an announcement by the gentleman from Washington [Mr. BONKER].

(By unanimous consent, Mr. BONKER was allowed to speak out of order.)

ANNOUNCEMENT OF PASSING OF JULIA BUTLER HANSEN

Mr. BONKER. Mr. Speaker, it is my sad duty to report to the House the passing of my predecessor from the Third District in Washington State, Julia Butler Hansen.

She served with distinction in this body for 14 years from 1960 to 1974. She was chairman of the House Subcommittee on Appropriations on Interior and Related Affairs, and she headed the Bolling Committee to reform the committee system in the early 1970's. She was a powerful figure in Washington State politics for over 50 years. Her contributions are legend-

ary, and I know that she is going to be missed by many in this body and in the State of Washington.

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

Mr. BONKER. Mr. Speaker, I will be happy to yield to the gentleman.

Mr. FOLEY. Mr. Speaker, I certainly join with the gentleman from Washington [Mr. BONKER] in expressing our deepest sympathy on the death of Julia Butler Hansen.

She was, as the gentleman said, one of the most effective and respected Members ever to serve in Congress from the State of Washington, and all Members who knew her and had the honor to serve with her will mourn her passing.

Mr. QUILLEN. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona [Mr. KOLBE].

Mr. KOLBE. Mr. Speaker, in his State of the Union Address, President Reagan accidentally sprained his finger when he slammed a 40-pound stack of paper onto the table beside him. As physically painful as this must have been for him, the President's unusual visual aid—the continuing appropriation resolution—and his vow that he would not sign another CR, was an even more painful embarrassment to this body. The President exhortations were greeted by cheers and applause in this Chamber. As many Members said at the time, there was a great sense of release, a feeling that the President would finally do what Congress could not: Put an end to "Government by CR" and restore discipline, integrity, and openness to the legislative process.

Unfortunately, the good feeling didn't last. Instead of working to uphold the spirit of what the President said—of what we cheered—Congress dwelled instead on the letter of his statement; namely, that he wouldn't sign any more continuing resolutions. It didn't take long to figure out that Government by CR could continue as long as we called it something else.

What does this have to do with H.R. 3, the omnibus trade and competitiveness bill? A great deal. H.R. 3 is Government by CR all over again. Tucked beneath a veneer of some admittedly worthly trade provisions and some equally unworthly ones—such as the Hollings "Super 301" language that, by mandating retaliation against an entire nation because of the trading practices of single industry, is reminiscent of the vanquished Gephardt amendment—are layers of special-interest boondoggles that have nothing whatsoever to do with trade and will certainly not help boost the Nation's competitiveness. The sheer length and weight of H.R. 3 testifies to the nature of the deed. Let's not fool ourselves or the American people: a CR by any other name is still a CR.

Some commentators in the media have expressed surprise that H.R. 3 bogged down over a provision that is unrelated to trade policy, the provision requiring mandatory notification of a layoff or plant closing. In fact, the plant closings language is typical of the nontrade related stuff of which H.R. 3 is made. To make the rest of us swallow this bitter medicine, trade bill architects laced the final package with various sweetners. A good example is repeal of the windfall profits tax on oil. Like many Members from the Southwest, I am keenly aware of the damage this tax has wrought on working men and women and their families. Having some knowledge of their suffering, I cannot believe the callousness and irresponsibility of isolating windfall profit tax repeal—which is, let me stress again, clearly a nontrade issue—and welding it to H.R. 3 in order to ensure the passage of an otherwise unpalatable package. Make no mistake: This Congress is engaging in political gamesmanship at the public's expense. I respectfully submit that the ransom is not worth the price.

Even more outrageous is the bill before us today, a resolution that supposedly makes "technical corrections" to H.R. 3 by deleting from the conference report the provision dealing with the export limits on Alaskan crude oil. Far from being a correction, this is a blatant attempt to buy the votes of two of our colleagues in the other body who previously voted against H.R. 3. The leadership's thinking is that if those two gentlemen will change their votes, perhaps President Reagan's threatened veto can be overridden after all, even though both Houses have already debated the conference report thoroughly and voted on it. To carry out the leadership's will, the Rules Committee has resorted to parliamentary gymnastics, engineering a "self-executing rule" that will adopt the resolution upon the rule's adoption. These are tactics fitting of a banana republic, not a great democracy. The leadership's message is undeniable: not only must this pseudo-CR pass, it must be enacted at any cost.

Even if this scenerio comes to pass and the "technical correction" is included in the conference report, it will not change the essential character of H.R. 3. The bill will still be a hodgepodge, an expression of congressional indecision on a wide range of unrelated issues bound up in a politically streamlined package. If this sounds like a CR to you, I urge you to join me in defeating the rule. By so doing, we can send a clear signal that business as usual, no matter what it's called, is unacceptable.

Mr. QUILLEN. Mr. Speaker, I yield 5 minutes to the gentleman from Minnesota [Mr. FRENZEL].

Mr. FRENZEL. Mr. Speaker, this resolution that is before us is another example of the arrogance and the tyranny of the majority group.

This bill was completed 2 weeks ago. Under our rules, the fat lady has sung on the trade bill, but because the Speaker has told the enrolling process to slow down to wait for this concurrent resolution, we are giving a one special privileged group that is the AFL-CIO and a few labor unions a special peak, an extra chance for amendment after the bill has been passed in contravention of all the rules and all the spirit of representative government.

There is no end to the process in the way that you have presented it. You are presenting us a futile, foolish and unfair attempt to improve the trade bill to avoid the suspension of the Presidential veto. It is doomed to failure, because this resolution is not even going to be accepted by the Senate. In the unlikely event that it would be, it would simply encourage more people to support the Presidential veto, because nobody likes this kind of unfair tactic.

We have been told, in addition, by the majority group why we are outraged. We have been told we have no reason to, and we are simply pouting in the corner. We have had the resolution read to us. We have been told that they want to accommodate the President, that they have come halfway.

Mr. Speaker, you have come the wrong half, and you have done it the wrong way, and every one of us know it, or you would not be indulging in the sophistry that we have been exposed to tonight.

What is wrong with the process? It is not part of our rules and part of our representative process. When it is over, it is over. We do not give special groups around here an extra look except that we are doing so now.

But, remember, this is the Committee on Rules, this is the leadership, this is the Speaker, this is the House that declared last year there would be 2 days in one 24-hour period to serve its willful intentions, never mind the rules and never mind realistic processes.

Recently the Philadelphia Inquirer ran a little series about how we operate in the dark and by perverting our rules and without letting our Members know what we are doing. That has stimulated a little complaint in my district as to how we work.

Today's process is going to be a perfect followup for that Philadelphia Inquirer story. Here we are again wrecking our own rules, telling the people we passed a bill, jerking it back because we see the Presidential veto going to be sustained. This is a perfect example of arrogance and tyranny. It

is being done illegally as the movers know it.

My constituents have complained about the process. They have complained about the rules. They have complained about 1,200-page bills not being printed. They complain about us being unwilling to follow our own rules.

If there was a way for the Committee on Rules to waive the Constitution, it would do so and probably the leader of the ship of the House would urge the House to do it.

If the House can pass this fact-is-fiction-and-fiction-is-fact resolution which tells us that which we did 2 weeks ago we really did not do, then this House can do anything.

Mr. Speaker, this is a day that will shame the House's tradition for years in the future. I urge a vote against the resolution to recoup a little bit of the former reputation of the House that used to speak for the people and used to want to try to follow its own rules once in a while.

Mr. QUILLEN. Mr. Speaker, I yield the balance of my time to the gentleman from Alaska [Mr. YOUNG] to close debate on this side. In the meantime, I urge defeat of the rule.

□ 1935

The SPEAKER. The gentleman from Alaska [Mr. YOUNG] is recognized for 4½ minutes to close debate.

Mr. YOUNG of Alaska. Mr. Speaker, I am going to speak to my colleagues on this side of the aisle. We may be upset. We have heard from our leaders about the procedure. I cannot quarrel with that.

But I can quarrel on the side of the issue we are speaking to today, the issue of restriction on Alaskan oil.

For a little history, that issue was passed by this House in 1973. In 1983 we lived under those prohibitive clauses. And for a little history I informed the gentleman from Washington State and the gentleman from Michigan not to have this in the trade bill.

It passed this House overwhelmingly and I was able to go to the conferees, the gentleman from California [Mr. LAGOMARSINO], and other members of that committee of conference, and the conferees were able to beat back parts of that provision within the trade bill, but not all of them.

What was left is unconstitutional. It is wrong. It should have never been in the trade bill to begin with.

But remember on this side of the aisle, those of my colleagues who say they may vote against this resolution today because of the way it was brought to the floor, they are already on record supporting the export of Alaskan oil. It is part of our trade bill. It is part of the Republican platform. It is necessary to have the right of free trade regardless of what resources we are dealing with.

The amendment in the trade bill made it unconstitutional because it picked out one State. All this resolution does today is return it back to where we were before the trade bill passed this House.

The term was used of bribery or seeking votes to override the President. I do not believe that will happen. I have spoken to both of my Senators.

But I think it is important that this House, if it recognizes it has made an unconstitutional error, it should erase that error when it is given the opportunity, and we have that opportunity today, an opportunity to right a wrong. We are not trying to embarrass the President. We are not trying to seek new votes. We are trying to clean the slate of the House.

I agree with the gentleman from Minnesota who was talking about the massive number of pages, and I agree, we did not read it, and I agree, it was a poorly constructed bill in many areas. But when we do recognize a mistake we should rectify it as soon as possible, because we have sworn to uphold the law.

So I urge my colleagues today to remember the things that I have said right now, that there is nothing new here. We are going back to existing law. It is right for us to have the opportunity as other States do to export refined products. It is right that we erase a mistake made.

So I urge my colleagues to support this resolution. It is the correct way to rectify a wrong.

I am urging my colleagues to support this for an injustice done to us in the passage of the trade bill. Whether the President vetoes the bill is another question. I do not think it hangs on this issue alone. But it is our job and our responsibility today to vote for this resolution.

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

Mr. QUILLEN. Mr. Speaker, how much time do I have remaining on my side?

The SPEAKER. The gentleman from Alaska [Mr. YOUNG] has yielded back 1 minute.

Mr. QUILLEN. Mr. Speaker, I yield myself that 1 minute.

Mr. Speaker, in conclusion I would again like to urge that the House vote down this resolution. I think it is a turkey. Like a turkey is a turkey is a turkey, and certainly this resolution is a turkey.

I urge my colleagues to vote "no."

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

The SPEAKER. The gentleman from Michigan [Mr. BONIOR] has 6 minutes remaining.

Mr. BONIOR. Mr. Speaker, I yield myself my remaining time.

Mr. Speaker, I will just conclude briefly by suggesting that what we have here is an opportunity to provide an equitable solution to a problem that has arisen by definition of the President himself. In his last two major addresses on the trade bill he said there was a problem with the provision we are addressing today, and he also mentioned the concern that he had with the plant notification section.

We have spoken clearly in this House and the other body has spoken clearly on notification. The American people overwhelmingly have spoken about the fairness of notification.

We will come halfway today by providing the President with the opportunity to deal with the question of Alaskan oil, and I urge my colleagues to vote yes on this resolution, to get on with this bill, and I urge the President to respond to the American people and pass and sign the trade bill so that we can deal with this $171 billion trade deficit that is strangling the American worker and the American economy.

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

The previous question was ordered.

The SPEAKER. The question is on the resolution.

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 253, noes 159, not voting 19, as follows:

[Roll No. 103]

AYES—253

Ackerman	Carper	Erdreich
Akaka	Chapman	Espy
Alexander	Chappell	Evans
Andrews	Clarke	Fascell
Annunzio	Clay	Fazio
Anthony	Clement	Feighan
Armey	Coelho	Flake
Aspin	Coleman (TX)	Flippo
Atkins	Collins	Florio
Baker	Combest	Foley
Barnard	Conyers	Ford (MI)
Bartlett	Cooper	Ford (TN)
Barton	Courter	Frank
Bates	Coyne	Frost
Bellenson	Crockett	Garcia
Bennett	Darden	Gejdenson
Bereuter	Davis (MI)	Gephardt
Berman	de la Garza	Gibbons
Bevill	DeFazio	Glickman
Bilbray	DeLay	Gonzalez
Boehlert	Derrick	Gordon
Boland	DeWine	Grant
Bonior	Dicks	Gray (IL)
Bonker	Dingell	Gray (PA)
Borski	Dixon	Green
Bosco	Dorgan (ND)	Guarini
Boucher	Dowdy	Hall (OH)
Brennan	Downey	Hall (TX)
Brooks	Durbin	Hamilton
Brown (CA)	Dwyer	Harris
Brown (CO)	Dymally	Hatcher
Bruce	Dyson	Hayes (IL)
Bryant	Early	Hayes (LA)
Bustamante	Eckart	Hefner
Byron	Edwards (CA)	Hochbrueckner
Campbell	Emerson	Houghton
Cardin	English	Hoyer

Hubbard	Mineta	Schumer
Huckaby	Moakley	Sharp
Hughes	Montgomery	Shuster
Hutto	Moody	Sikorski
Jacobs	Morella	Sisisky
Jenkins	Morrison (CT)	Skaggs
Johnson (SD)	Morrison (WA)	Skeen
Jones (TN)	Mrazek	Skelton
Jontz	Murphy	Slattery
Kaptur	Nagle	Slaughter (NY)
Kastenmeier	Natcher	Smith (FL)
Kennedy	Neal	Smith (IA)
Kennelly	Nichols	Smith (NE)
Kleczka	Nielson	Smith (NJ)
Kostmayer	Nowak	Smith, Robert (OR)
LaFalce	Oakar	Solarz
Lagomarsino	Oberstar	Spratt
Lancaster	Obey	St Germain
Lantos	Olin	Staggers
Leach (IA)	Ortiz	Stallings
Leath (TX)	Owens (NY)	Stark
Lehman (CA)	Owens (UT)	Stenholm
Lehman (FL)	Oxley	Stratton
Leland	Patterson	Studds
Levin (MI)	Pease	Swindall
Lewis (GA)	Pelosi	Synar
Lipinski	Penny	Tallon
Lloyd	Pepper	Thomas (GA)
Lowry (WA)	Perkins	Torres
Luken, Thomas	Pickett	Torricelli
MacKay	Pickle	Towns
Markey	Price	Traficant
Marlenee	Rangel	Traxler
Martinez	Regula	Valentine
Matsui	Richardson	Vento
Mavroules	Rinaldo	Visclosky
Mazzoli	Robinson	Volkmer
McCloskey	Roe	Watkins
McCrery	Rose	Weiss
McCurdy	Rostenkowski	Wheat
McDade	Rowland (GA)	Whitten
McEwen	Roybal	Williams
McHugh	Russo	Wilson
McMillen (MD)	Sabo	Wise
Mfume	Savage	Wolpe
Miller (CA)	Sawyer	Young (AK)
Miller (OH)	Schaefer	
Miller (WA)	Scheuer	

NOES—159

Anderson	Gilman	Martin (NY)
Applegate	Gingrich	McCandless
Archer	Goodling	McCollum
AuCoin	Gradison	McGrath
Badham	Grandy	McMillan (NC)
Ballenger	Gregg	Meyers
Bateman	Gunderson	Michel
Bentley	Hammerschmidt	Molinari
Bilirakis	Hansen	Moorhead
Bliley	Hastert	Murtha
Boggs	Hefley	Myers
Boxer	Henry	Nelson
Broomfield	Herger	Packard
Buechner	Hertel	Panetta
Bunning	Hiler	Parris
Burton	Holloway	Pashayan
Callahan	Hopkins	Petri
Carr	Horton	Porter
Chandler	Hunter	Quillen
Cheney	Hyde	Rahall
Clinger	Inhofe	Ravenel
Coats	Ireland	Rhodes
Coble	Jeffords	Ridge
Coleman (MO)	Johnson (CT)	Ritter
Conte	Kanjorski	Roberts
Coughlin	Kasich	Rogers
Craig	Kildee	Roth
Crane	Kolbe	Roukema
Dannemeyer	Kolter	Rowland (CT)
Davis (IL)	Konnyu	Saiki
Dickinson	Kyl	Saxton
DioGuardi	Latta	Schneider
Donnelly	Lent	Schroeder
Dornan (CA)	Lewis (CA)	Schuette
Dreier	Lewis (FL)	Schulze
Edwards (OK)	Lightfoot	Sensenbrenner
Fawell	Livingston	Shaw
Fields	Lott	Shays
Fish	Lowery (CA)	Shumway
Foglietta	Lujan	Slaughter (VA)
Frenzel	Lukens, Donald	Smith (TX)
Gallegly	Lungren	Smith, Denny (OR)
Gallo	Madigan	Smith, Robert (NH)
Gaydos	Manton	
Gekas	Martin (IL)	
Snowe	Tauzin	Weldon
Solomon	Taylor	Whittaker
Spence	Thomas (CA)	Wolf
Stangeland	Upton	Wortley
Stump	Vander Jagt	Wyden
Sundquist	Vucanovich	Wylie
Sweeney	Walgren	Yatron
Swift	Walker	Young (FL)
Tauke	Weber	

NOT VOTING—19

Biaggi	Kemp	Rodino
Boulter	Levine (CA)	Stokes
Daub	Mack	Udall
Dellums	Mica	Waxman
Duncan	Mollohan	Yates
Hawkins	Pursell	
Jones (NC)	Ray	

□ 2000

The Clerk announced the following pair:

On this vote:

Mr. Daub for, with Mr. Mack against.

Mr. SAXTON and Mr. FOGLIETTA changed their votes from "aye" to "no."

Messrs. SWINDALL, NIELSON of Utah, DEWINE, and SCHEUER changed their votes from "no" to "aye."

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. Pursuant to House Resolution 438, the House is considered to have adopted House Concurrent Resolution 293 consisting of the text printed in section 2 of House Resolution 438.

□ 2005

WHO ARE THE COMMUNISTS IN NICARAGUA?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DORNAN] is recognized for 5 minutes.

Mr. DORNAN of California. Mr. Speaker, today things get darker and darker in that tiny, little, beleaguered country of Nicaragua which is suffering so grievously under its Communist warlords.

Now, Mr. Speaker, I know that even though you are a Texan with proximity to Mexico and Central America, I have to take you at your word that, in spite of the overwhelming body of evidence, you, sir, say that you still do not have enough evidence to brand Daniel Ortega as a Communist, even though the Washington Post, even though the New York Times, even though the Los Angeles Times, and all the major liberal papers of record, even the networks with their liberal production teams, they all concede this man is a Marxist-Leninist. But you, sir, want more evidence in spite of your proximity to the Communist colony that is being locked into Nicaragua.

Mr. Speaker, I have before me an interview that you gave to the Washington Times where you, with some articulation, state how you feel that the Ortega brothers are in a swing group, that they are not hard-core Communists like Tomas Borge or Biyardo Arce. You concede they are Communists, and then you say there are some you think who are not Communists, like the one who graduated from the University of Kansas at Lawrence, KS, the vice president, Sergio Ramirez, and then you say that you do not think Jamie Wheelock is a Communist, that you can speak to these two men rationally with more ease than the others either in the swing group in the middle or the hard-core Communist group.

Mr. Speaker, the article that I am referring to follows:

Q: And I'm suggesting that, maybe one of your bad habits might be believing what Soviet officials tell you. Robert Conquest, who wrote the book about Stalin's purges ("The Great Terror") said that when cannibals learn to use utensils, this is not progress. And this is what I see the Soviets doing. Of course, their public relations are a little better, a little smoother. But, so what? This doesn't indicate, necessarily, any fundamental change.

I'll tell you what has changed: your attitude toward communism. On "Meet the Press" recently you said you didn't know if Daniel Ortega is a Communist. You said you hadn't asked him if he was because you don't know him that well. But why don't you know if Mr. Ortega is a Communist? Is this because you haven't done your homework? Or is this because you have and your research is simply inconclusive?

A: The research, in my judgment, is inconclusive. I have read a great many things written about him. I have listened to a great many people who have known him, including some who were U.S. observers assigned to assist during the Somoza regime. So far as I am concerned, the research is inconclusive.

I see him, probably, as a person who has matured and changed to a considerable extent in the brief years I have observed him. I first met Daniel Ortega and his brother Humberto Ortega in 1979. I went there at the request of President Carter and in the company of Arturo Cruz and Alphonso Robelo.

I went with a delegation from the Congress and we asked some very pointed questions. I don't believe that Daniel Ortega, at that time, had very much depth. He had passion, but very little understanding. I think there exists in Nicaragua a group of hard-core Communists . . .

Q: But Daniel Ortega is not among them?

A: Let me say that I believe that Tomas Borge and Bayardo Arce probably are committed Marxists. I think there are some on the other end of the specturm, from their point of view, not conservatives from our point of view—but more moderate people such as the vice president of their country Sergio Ramirez and Jaime Wheelock, who are easier for me to talk to. Then, in the middle, I have the impression that there are a swing group like Mr. Ortega. Admittedly, there are some people in Nicaragua who don't . . .

Q: What does swing group mean?

A: A group that is somewhat in between the hard-core Marxist Communists who want a military solution, on the one hand . . .

Q: You don't put [Daniel] Ortega in that group?

A: I am inclined to think that he is between that group and the group that would like to have a detente with the United States.

Q: So [Ortega] is sort of a centrist or moderate?

A: Not by our standards. I think he is someone who, like a political leader often does, is trying to ride both horses and perform the act of bridging the chasm. I do this in my political group. Bob Michel [the House Republican leader] does it in his.

Q: (laughing) I'm laughing because I don't see you or Mr. Michel having much in common with Mr. Ortega.

A: The only difference is that Bob Michel is a Republican and I'm a Democrat and Mr. Ortega is a Sandinista. Now whether a Sandinista is, by definition, a communist, I'm not sure. I believe a majority of the people in Central America are ready for peace. I believe that there is a possibility that these peace accords may work out and result in greater democratization of Nicaraguan society. I want to give that a chance. . . .

Give peace a chance. You said that what they did was almost treason! [Note: In a speech to the Downtown Rotary Club of Fort Worth, on Oct. 27, 1967, Mr. Wright, asserting that the Vietnam War was being won, said this about those who waved Viet Cong flags and stormed the Pentagon: "If this is not 'treason', it is so close to it as to be almost indistinguishable."]

A: I'm sorry, Mr. Lofton. You didn't let me complete the statements . . .

Q: I'm sorry. But I feel strongly about those who said give peace a chance in Indochina, the people you and I were together on, that were pro-communist and waved the Viet Cong flag. . . .

A: I know you do. And I appreciate that. I know. I realize that. Well. I regret very deeply that I have to be on the floor in five minutes. I regret even more deeply that I have not been really given an opportunity, I feel, to express to you, without argumentative interruptions, the way I, what I really see in Central America.

I think there is a group in Nicaragua which does not want the peace process to work, just as I believe there is a group in our administration that does not want the peace process to work. It wants a military victory. . . . I think it [a military victory over the Sandinistas], would provide grist for the mills of those who hate our country . . . I think it would reap for us a generation of resentment and bitterness. And I don't want to see that happen to our country.

Q: I don't either.

A: I think there is a chance that they can negotiate peace and democracy. And as long as that chance exists, I want to help it along.

Q: Mr. Speaker, I would remind you that the only people who achieved a military victory were the Sandinistas. And they are not going to give up at the bargaining table what they achieved on the battlefield. I don't understand why you think they will. Communists have never done that, have they? Where has a communist ever given up, at the conference table, what he achieved on the battlefield?

A: Well, we've run out of time.

Q: OK. Thank you, sir.

Now, Mr. Speaker, I asked you once in the hall out there, and I asked you once in the hall over here, and I asked you once in the center corridor, "Would you please meet with the courageous defector, Maj. Roger Miranda," and you said you would, but you never did.

When I asked Miranda in room 2318 a few weeks back if Sergio Ramirez was a Communist, the vice president, he said, "No, he is not"; he told this to 18 Congressmen.

You were there, FRENCH SLAUGHTER of Virginia; remember? He said he is not a Communist, so you are right, Mr. Speaker. The vice president, University of Kansas graduate, Sergio Ramirez, is not a Communist.

But the next person I asked by coincidence, not knowing you had ever given this interview, was Jaime Wheelock, the minister of agriculture, and he said, "Oh, absolutely hard-core Communist."

And then I asked rather gently, "Well, how do you know this? Were you a Communist?"

And he looked at me like I had not read the briefing papers, which I had, and he said, "Well, of course, I was a Communist, thoroughly, totally a Communist since my days in school and in Chile," and that is where he took a degree and then went up to Mexico to the autonomous Appopria University in Mexico City and got a degree in economics.

He said he was a hard-core Communist. He did not tell us then, Mr. FRENCH, that he had been shot in a raid in Chile by Pinochet's troops, and that he had a false hip and that after his divorce and his remarriage with his wife that he got out of Nicaragua, that it was during this period of recovering from the gunshot wound that shattered his hip that he became an even more dedicated and angry young Communist.

Then I asked him, "How many of the commandantes were Communists?" I said, "How many of the nine," and you recall, Mr. SLAUGHTER, I said, "Six? Seven?"

He goes, "All nine."

I said, "How about the deputy foreign minister?" He is Victor Hugo Tinoco who would not speak English to Mr. BURTON and myself when we were down there in September but whom I see speaking English every night on the television now that the Sapoa negotiations have moved to Nicaragua.

He got a particular look on his face of disgust and he said, "Hard-core Communist, Victor Hugo Tinoco."

Mr. BURTON, do you remember what happened at the end of the meeting? Remember I was calling him "Vic," and I said, "Come on, Vic, level with Mr. BURTON and with me. What's the story? You know, what is the main motivation?"

And finally, the gentleman from Indiana [Mr. BURTON] asked the dynamite question that our Speaker cannot grasp. He said, "Are you a Communist?"

Do you remember his answer?

Mr. BURTON of Indiana. If the gentleman will yield, yes, I do.

Mr. DORNAN of California. He said, "I studied to be a priest, and I don't know now whether I'm a Catholic or a Communist. All I know is I'm a Sandinista."

And we both said, "Get off it, Vic."

LET'S VOTE ON THE FAMILY AND MEDICAL LEAVE BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Rhode Island [Mr. ST GERMAIN] is recognized for 5 minutes.

Mr. ST GERMAIN. Mr. Speaker, times have changed in the 28 years I have served in the House. The traditional American family with one male wage earner rapidly is being replaced by two-earner couples and single working parents. In 1950 only 12 percent of women with young children were in the work force; today that proportion has increased to 54 percent. By the year 1995, fully two-thirds of women with small children will be working. These changing labor patterns are reshaping not just the workplace but American family life as well. We need to recognize and adapt to these new realities in a way that strengthens both the rights of employees and the fabric of American family life.

In the House we often talk about the importance of family life and the many factors that threaten to tear families apart. I am pleased that the House approved legislation to ban dial-a-porn services, encourage adoptions, and fight child abuse. But we need to do more. We need to redouble our efforts in the war against drugs and to approve expanded child care services. And we need to enact legislation that guarantees parental leave benefits for American workers. We need to end the national disgrace of being the only industrialized country in the world without a national parental leave policy.

Approving H.R. 925, the Family and Medical Leave Act, will give American workers and American families the job protected parental leave benefits that are becoming critical to a healthy society. Employees who know that their employers will support them through family emergencies will be better workers. Parents who know they can take the time necessary to care for their children will build better, stronger families.

H.R. 925 is a reasonable compromise bill that requires employers of 50 or more to guarantee up to 10 weeks of family leave for workers to care for a newborn or seriously ill child. The bill does not grant frivolous, paid benefit rights that workers will abuse; this legislation merely guarantees that employees will have a job to come back to after the necessity of taking maternity leave or time to care for critically ill children. After all, workers shouldn't have to choose between caring for their children or losing their jobs.

Although fathers increasingly are taking on the responsibility of caring for children, the major burden of child care still falls on the mother. Most likely, in two-earner families it is the mother who will be forced to sacrifice her job and her income for the children. This year, let's give mothers and their families a really valuable Mother's Day gift. Let's give them the right to job protected parental leave benefits by voting this week for the Family and Medical Leave Act.

THE CONTRAS ARE DYING ON THE VINE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. BURTON] is recognized for 5 minutes.

Mr. BURTON of Indiana. Mr. Speaker, I think it is interesting that Mr. Miranda made these revelations very clear to most of us in Congress that talked with him, and yet the Speaker does not know whether or not the leaders of the Sandinista movement are Communists. There is no question in most of our minds that they are Communists, and the thing that bothers me the most is today we had a briefing from the directorate of the Contras, and they literally are dying on the vine down there right now.

Mr. Speaker, many people in this country feel that everything is well during the cease-fire talks going on down there, that they are living off the fat of the land and that there is no problem.

The fact of the matter is they are starving, many of them. The food supplies, the humanitarian aid that this body agreed to give to them, to send to them, is not getting into the country. The Communists continue to negotiate, negotiate, negotiate knowing full well that until a cease-fire is agreed upon and both sides agree that there will be no third party that can bring the food in because the agreement states very clearly that the Sandinistas, the Communists and the Contras have to agree on that third party to bring the humanitarian aid in. As long as they drag this out, they can keep the food supplies and the humanitarian aid from getting to the Contras, and the Contras are literally dying on the vine, and they are sending people in there as emissaries to the Contras telling them they ought to lay down their arms and become part of the Communist society down there. They do not call it the Communist society, but to lay down their arms.

Mr. Speaker, they are even promising that they will allow them to take helicopter rides back to visit their families if they will lay down their arms——

Mr. DORNAN of California. Soviet helicopter rides.

Mr. BURTON of Indiana. Soviet helicopters, of course, and the morale is not that good, and I think we are all very concerned who went to that meeting today that the Contras may be on their last legs, and, as the Contras die, if we allow that to happen, which will be a tragedy, the very real possibility exists that they will fulfill their promises to spread that revolution into El Salvador, Guatemala and Honduras.

Now I have a boy 13 years old; and I said this time and again on this floor, Danny Lee Burton II, and the last thing I want him to have to do is go fight and possibly die in an unnecessary war. The fact of the matter is though that that is a very real possibility if we allow the Contras to die on the vine as they are doing at this very moment.

Mr. EDWARDS of Oklahoma. Mr. Speaker, will the gentleman yield?

Mr. BURTON of Indiana. Mr. Speaker, I yield to the gentleman from Oklahoma [Mr. EDWARDS].

Mr. EDWARDS of Oklahoma. First of all, I totally associate myself with the gentleman's words. I might say it is not only the Contras and their movement which is in danger of dying, but democracy itself in Central America. And I am inclined to wonder how much is it going to take to wake up the majority in the House to what really is happening in Nicaragua.

Mr. Speaker, not only have we observed, as La Prensa has been closed down and opened again, closed down and opened again; now three independent radio stations closed down. Today the Ministry of Justice was closed and turned over to Tomas Borge and the Ministry of the Interior, the state police. All these things continue to happen, and today labor leaders are arrested and thrown in jail. Members of the Democratic Opposition in Nicaragua are arrested and thrown in jail.

And you just wonder. You have to wonder, looking at the Speaker and the majority in this body, what does it take? What does it take to realize that we are killing democracy in Central America?

Mr. DORNAN of California. Mr. Speaker, will the gentleman yield for a fact about the radio station?

Mr. BURTON of Indiana. Mr. Speaker, I gladly yield to my colleague from California.

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Mr. DORNAN of California. Yesterday 15 labor leaders were arrested. One died in prison on April 30 that was arrested last week. Thirty-five were arrested today as they closed down these radio stations and accused them of sowing discord and spreading insidious lies that were demoralizing. This is all Communist pattern and garbage that we hear all the time. This is going on right now.

The arrogance of the Ortegas is based upon what we do in this Congress to delay the liberation of the prisoners.

I ask this question: What day in this year or next for those prisoners in those concentration camps down there become JIM WRIGHT's prisoners, not just the Ortegas' prisoners?

Mr. BURTON of Indiana. That is a very valid point. I know we are running out of time. We have only 5 minutes, but let me just lay this out before the body very clearly.

The stakes are much higher than anyone realizes. The Contras are dying on the vine at this moment as we speak. If we do not do something to help them right now, freedom is dead in Nicaragua. The Communist revolution will expand throughout Central America and our kids are going to be down there fighting, and it is unnecessary.

Mr. DORNAN of California. Quickly a fact. The gentleman knows that I am at least a loyal Catholic, if not a saintly person. I try. I go to church every Sunday.

There are a lot of nuns and priests out there saying, "You are wrong." And guess what? When Cardinal Obando y Bravo begins with a prayer, none of the Sandinistas bless themselves, only the Contra-resistance people do. That tells this Catholic a lot.

AMERICAN EAGLE GOLD COIN SALES REMAIN ALARMINGLY LOW

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. ANNUNZIO] is recognized for 5 minutes.

Mr. ANNUNZIO. Mr. Speaker, sales figures for April for the American Eagle gold bullion coin continue this program's disturbing trend. I have criticized the mint's use of an illegal cartel of distributors, rather than selling the coins to all comers as the law requires. It appears that not only are the distributors an illegal cartel, but are not fulfilling the mint's purpose in selling the coins. Nevertheless, the mint continues to go on with business as usual.

In April, the cartel of authorized distributors purchased only 30,000 ounces of the gold bullion coins from the U.S. Mint. This amount is the second lowest monthly total in the 19-month history of the program. As a monthly total it exceeds only the 10,000 ounces purchased in March 1988. In fact, the combined March and April sales are lower than the previous single month low.

Gold American Eagle sales in April were 80 percent lower than sales in the same month a year ago. April marked the seventh consecutive month in which American Eagle gold coin sales were less than in the same month a year earlier.

Sales for the first 4 months of 1988 are one-third the level of sales for the first 4

months of 1987. It is clear that the mint's distribution cartel has failed to sustain a market for these coins. Nevertheless, the mint has taken no steps to bring in new distributors to do the job.

There are new distributors who are anxious to sell the American Eagle gold coins. The mint, for inexplicable reasons, turns a cold shoulder toward these potential new players. Let me provide an example.

I was recently contacted by a large financial institution in the Midwest. Last year, this institution established a precious metals department and developed a marketing plan. The mint's only U.S. gold coin distributors are located on either coast. This Midwest institution was anxious to fill the need it saw to distribute the gold bullion coins in the Midwest. When it approached the mint, it was discouraged from filing an application to become a distributor. Because the institution had only recently entered the precious metals business, the mint was prepared to reject its application. The mint was unwilling to give any consideration to the fact that the head of the division had been active in the precious coins and metals business for 18 years or that the institution was extremely well capitalized.

Mr. Speaker, when a team is not doing well, the management has an obligation to bring in new players. Often a team will bring in a young player and release an older player who is not producing. This is a lesson that the mint should apply to its gold coin distribution cartel. It is apparent that many of the current members of the cartel are complacent and not doing their job in marketing gold bullion coins. Since the mint is unwilling to scrap the illegal distribution method, the least it can do is shake it up.

Let some of the nonproducers go and bring in some new enthusiastic distributors. This is the very least that the shareholders of the U.S. Mint team, the American taxpayers, deserve.

CLARK UNIVERSITY CENTENNIAL MEDAL PRESENTATION TO THE HONORABLE JOSEPH D. EARLY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts [Mr. BOLAND] is recognized for 5 minutes.

Mr. BOLAND. Mr. Speaker, Clark University in Worcester, MA, recently celebrated the commencement of its second century since the founding of that renowned institution. At that ceremony, our colleague, Congressman JOSEPH D. EARLY, was awarded the university's Centennial Award.

In receiving this award, JOE took his place among an elite few whose contributions to the prosperity of the university have distinguished themselves above all others. The formal citation reads appropriately: "Presented in grateful appreciation for continued support and leadership in higher education."

Clark University is very fortunate to be represented in Congress by an education advocate such as JOE EARLY. The president of Clark University, Richard P. Traina, who presented JOE with the Centennial Medal, noted JOE's deep and abiding interest in education. He said, in part:

Joe, as you well know, has been in political office for many years. * * * He has stressed during those years the need for excellence in research and the need for a fine education for our youth, since that determines the quality of the future of our nation. His insistence upon the importance of creating new knowledge—and upon the importance of finding ways to bring local, regional and national efforts together to produce that new knowledge—has been important to the welfare of research and of research universities beyond Clark University and, in particular, through the National Institutes of Health.

He has—I hope—in another, metaphorical sense shared something along with Clark. We have attempted to serve our local community and to serve the larger world. Certainly that has been true of our Congressman who has done that with responsibility and vision.

Mr. Speaker, I can only add to that commentary by saying that in my years in the Congress of the United States, I cannot think of anyone who has fought harder and more diligently for education than JOE EARLY. The burgeoning higher education community in Worcester today is certainly a testament to the success of his efforts.

It gives me great pleasure to call to my colleagues' attention Clark University's recognition of his accomplishments, and I include a selection of his remarks from that ceremony in the RECORD:

ACCEPTANCE REMARKS BY U.S. REP. JOSEPH D. EARLY, SIXTH RECIPIENT OF THE CLARK UNIVERSITY CENTENNIAL MEDAL, CLARK UNIVERSITY, APRIL 15, 1988

President Richard Traina, head table guests, friends of Clark University, I want each of you to know that I am deeply honored to join Alice Higgins, Jacob Hiatt and Francis Harrington as a recipient of the Clark University Centennial Award. It is often said that we are known by the company which we keep. I certainly hope so. The importance of this award is attested to by the quality of the previous recipients.

I have had the privilege of serving in public office for almost thirty years, first as a Massachusetts State Representative and now as a member of Congress. I have had the opportunity to see, first hand, the type of citizen, contributor and neighbor which Clark University has been in this city. This great university is one of several which are located in this city. Clark is the only one of the colleges which, in the fullest sense, has its only campus located within the confines of what could be described as a city neighborhood. Clark University, in addition to providing outstanding education to thousands of students, is a key factor in the vigor of the Main South neighborhood. As with any neighbors there is occasionally some small friction or disagreement. It is difficult, however, to imagine what this part of the city of Worcester would be like if there were no Clark University. I suspect that the Main South area would be much worse off for not having Clark University among its major citizens.

We live in a society based upon free enterprise. The economy is driven by the forces of the marketplace and the enlightened self interest of our individual citizens. That system serves us very well. We must, however, temper a set of values guided largely by financial self interest by other values. Financial self interest can be paraphrased to be the answer to the question: "What can I get out of it?" when it comes to a specific activity. While that guideline may be most helpful in telling McDonald's where to locate the next hamburger stand it is not a good benchmark in deciding how educational and public institutions should conduct themselves. Clark University is guided not by the question "What can I get out of it?", but rather by "What can we put in?"

In closing let me comment briefly on the ever increasing importance of higher eduation in our nation. This nation, this society and this world are becoming more complex and more exciting each and every day. Whether it is in the fields of business, medicine, literature, government or research, today is a day in which excellence and intellect are to be valued more than ever before in history. Tomorrow will be a day when excellence and intellect will be still more important than today. The single mechanism by which we best allow individuals to realize their full potential is education. It is by education that we turn a twelve year old Little League ball player into a neurosurgeon by the time he or she is thirty. It is by education that we allow another twelve year old to realize his or her potential and become a Nobel Laureate in literature or science or some other field. It is by education that we teach another young person the lessons of history which, if we do not remember, we are destined to relearn by making the same mistakes again or that allow him or her to become a government leader. Education is the single process which best advances our society and world towards a better future. Education should also teach us that it is more important to put in than to take out.

LEGAL SERVICES CORPORATION AUTHORIZATION ACT OF 1988

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin [Mr. KASTENMEIER] is recognized for 5 mintues.

Mr. KASTENMEIER. Mr. Speaker, I am pleased today to introduce the Legal Services Corporation Authorization Act of 1988. This bill will reauthorize the Legal Services Corporation for a period of 1 year and a funding level of $335,150,000.

The maintenance of an effective Legal Services Program is essential to the integrity of this country's system of legal representation. Without such a program, we perpetuate a system that, with skyrocketing legal fees and court costs, effectively precludes a substantial portion of our population from obtaining legal representation. Such a result is abhorrent to our notions of justice and fair play.

This year, for the first time, this President included a provision for legal services in his proposed 1989 budget. While the President's recognition of the Legal Services Program is encouraging to the proponents and beneficiaries of the program, the $250,000,000 funding level that he has requested is wholly inadequate to meet the legal needs of the poor. Indeed, it has been suggested that even a

funding level of $400,000,000 would be insufficient to give the poor the same access to legal services in 1989 that they had in 1981.

The amount that I have included in the legal services authorization bill simply takes the fiscal year 1987 appropriation and adjusts it for inflation to reach a funding level of $335,150,000. It is my intent that this figure will represent a compromise between the constraints that we are facing in the Federal budget and the need to sustain a vibrant and effective Legal Services Program.

TO PROVIDE REIMBURSEMENT TO PHYSICIANS AND FACILITIES THAT PROVIDE EMERGENCY HEALTH CARE TO UNDOCUMENTED ALIEN PATIENTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. COLEMAN] is recognized for 5 minutes.

Mr. COLEMAN of Texas. Mr. Speaker, I rise today to introduce legislation that would provide reimbursement to health care facilities and physicians that provide emergency medical care to undocumented workers.

As we all know, there have been many bills introduced this congressional session that in one way or another attempt to improve our health care delivery system. But while it may be too massive a system to try to improve as a whole, my bill concentrates on a particularly pervasive problem of our health care delivery system for us to attempt to improve.

For those of us who represent the border area, we know the nature and scope of the problem in the region. We have medical facilities that are overburdened, hospital emergency rooms that are closed more often than they are open because they are filled to capacity, and we have local hospital districts that must absorb enormous losses every year due to uncompensated care. These losses are ultimately passed to local citizens either through higher taxes or reduced services provided by the hospitals. And while most hospitals have some amount of uncompensated care every year, they do not experience this problem of the same nature or degree that hospitals along the border there. You see, Mr. Speaker, hospitals along the border due to their proximity to Mexico have higher amounts of uncompensated care because of undocumented workers who are often injured or become ill in the United States and must secure medical treatment for which they cannot pay.

Also as we all know, most undocumented workers are employed in occupations where they are more susceptible to disease and injury and by employers who do not offer medical insurance. When they require medical treatment, it is often emergency care that is required, which is the most expensive type of treatment that can be secured. There is no doubt but that these individuals must be provided services at the time they walk into a hospital emergency room, but the Federal Government should bear this responsibility. At the local level, we should not allow this pattern of uncompensated care to continue. In fact, we cannot afford to let it continue.

My bill provides for 100 percent reimbursement to the health care facility and to the attending physician that provides care to the indigent, undocumented aliens patient in an emergency situation and charges a reasonable fee. My premise for this bill is that the failure of our country's immigration laws are the direct cause of this large uncompensated care amounts, and as such, the Federal Government must assume responsibility for this. I do not believe that my bill will solve the myriad of problems facing the health care delivery system, but it will address a pressing issue that if resolved will either reduce the enormous tax burden on local citizens or relieve these funds so that they are available for other services.

Mr. Speaker, I introduced this same bill last session, and was disappointed that the subcommittees to which it was referred did not take any action on it. I understand that the health agenda of the House is very full this session, but I respectfully request that as Federal representatives, we pay appropriate attention to this problem because it is not a problem that is going to go away and it is not a problem that is diminishing.

It is incredibly ironic that this Nation spends about 12 percent of its gross national product securing health care, a larger percentage than any other industrialized nation, and that yet there are so many people who get inadequate or no medical treatment, that our country has no comprehensive universal health insurance coverage and that we have no comprehensive long-term care system. The members of this honorable body are at this time grappling with these issues. It is imperative, however, that we also try to relieve our States and localities of this great burden we have placed upon them.

The needs of the people in this region must be brought to the forefront. I am hopeful that this bill will receive more congressional action than it did during last session, that we will begin to seriously consider this problem, and I urge my colleagues to support this measure.

TRIBUTE TO THE LATE JACK ANDERSON OF MAYFIELD, KY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kentucky [Mr. HUBBARD] is recognized for 5 minutes.

Mr. HUBBARD. Mr. Speaker, one of my hometown leaders, Jack Anderson, died on March 1 at age 65 at his home in Mayfield, KY.

Jack Anderson, whom I liked and admired, was a very talented and respected journalist for the Mayfield Messenger and the Paducah Sun which was the Sun-Democrat when Jack joined that newspaper in 1964.

The best tribute to the late Jack Anderson was an editorial in the Paducah Sun on March 2 written by Don Pepper, editorial page editor of the Paducah newspaper.

The editorial is as follows:

JACK ANDERSON

Since the shocking news reached us—or rather, struck us—yesterday morning, we've been trying to think whether we ever heard Jack Anderson say an unkind word about anybody. We don't think we did.

Oh, he'd sometimes express a genial wonderment at the folly of some people he encountered in a career in newspapering and politicking. He could get exasperated with folks who were so foolish as to be Republicans, or who were pompous or pretentious. But such exasperation never took the form of meanness. He'd shake his head, crack a joke and move on.

No member of this newspaper's staff was better liked or more respected than Jack Anderson. He came to visit us for the last time just last week, a little tottery from the effects of a stroke, but shrugging it off, jovial and bantering as always with his friends here.

And everyone here was his friend. He liked everybody. He was the center of whatever room he was in.

When Jack came to work at the Sun-Democrat, as we were then, he brought a rich background of small-city newpapering to our newsroom. He had worked at the Mayfield Messenger, learning the craft under his father, Jess, who was editor of that newspaper and who survives.

He could do everything there was to do in the newsroom—report, interview, write, edit, compose headlines, manage a desk. Everything was done with a casual skill earned in doing such things from his boyhood.

We marveled at the extent of his knowledge, especially about thoroughbred racing. You couldn't stump him with a question about the Kentucky Derby. He managed to attend most Derbies over a period of three decades.

He had a fund of stories about baseball, especially of the days when towns of western Kentucky and Tennessee had entries in the old Kitty League. He savored the eccentricities and exploits of the athletes who represented Mayfield, Paducah, Fulton and the other cities of our area.

You could seldom engage Jack in conversation for long about serious matters of life. Such things seemed to embarrass him. But if anybody among his colleagues or their families had to go to a hospital, he would be among the first visitors and among the first to send flowers.

And now Jack himself is gone, and everyone in this business in our area has lost a friend whose place nobody can fill. What we do have left is a memory of a kind, generous, large-spirited man who warmed the lives of all of us.

We extend to his fine family our sympathy in their great loss.

My wife Carol and I extend to Jack Anderson's wife Linda Anderson, his son and daughter-in-law Steve and Jeanne Anderson of Frankfort, KY, his parents Mr. and Mrs. Jess Anderson of Mayfield, and his sister Martha Anderson of Mayfield, our sympathy and good wishes.

TRIBUTE TO HON. JAMES J. HOWARD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona [Mr. UDALL] is recognized for 5 minutes.

Mr. UDALL. Mr. Speaker, last week our colleagues mourned the death of Melvin Price, a man who dedicated 44 years of his life to the House. Last month we lost another colleague,

James J. Howard. These two men will be missed. Jim Howard was a good friend of mine, for 23 years we served and laughed and worked together. Jim's family, his wife Marlene, and his three daughters, Marie, Kathy, and Lenore, are grieving and they know that every Member of the House shares their grief. However, their sorrow must have been compounded when the the Washington Post ran an obituary on March 26 that read more like an editorial. Intimations were spread throughout the piece and reflected views more suited for the editorial page. I have always adhered to a rule which Herb Block once cited to me, "When God places his hands on a man, I take mine off." I think the Post could learn from their award winning editorial cartoonist.

Two individuals, who had worked with Jim, wrote an open letter to the Post to express their ire over the obituary. The authors, Joan Claybrook and Chuck Hurley, mentioned the legislative battles Jim fought during his long career in the House, and how his legislative agenda centered around public safety more than any other concern. The Post did Jim Howard, his family, and friends a serious injustice by ignoring Jim's strong attributes and unnecessarily highlighting petty allegations. Mr. Speaker, I include the letter in the CONGRESSIONAL RECORD:

[From the Washington Post, Apr. 12, 1988]

JAMES HOWARD AND HIS FIGHTS FOR PUBLIC SAFETY

(By Joan Claybrook and Chuck Hurley)

The Post, in its March 26 obituary for Rep. James Howard, did not do justice to a man who fought some of the toughest battles on Capitol Hill and modestly sought little public recognition for his achievements.

A former schoolteacher who was first elected to Congress in 1964, Jim Howard became the chairman of the powerful House Public Works and Transportation Committee the year Ronald Reagan became president. He led the battle to expand Superfund enforcement of toxic-waste cleanup, to strengthen clean-water laws and to empower citizens with the right to know about dangerous chemicals in their communities.

Although he was from a Republican district in New Jersey, Democrat Howard didn't shrink from confronting powerful industries when their activities threatened public health and safety. And although he was a loyal Democrat, he took on Democratic colleagues when necessary—such as the pugnacious commerce committee chairman, Rep. John Dingell—because he was unafraid to serve as the voice of the average citizen in America.

Howard was the leader in the fight for the 55 mph speed limit, the single most effective highway safety law in our nation's history. Since 1974 it has saved 50,000 lives and prevented many more disabling injuries.

When Congress last year voted to allow 65 mph speeds on rural interstates, Howard expressed disdain for colleagues who justified their votes by calculating the lives saved with new safety-belt and drunk-driving laws and then balancing them against those that would be lost because of higher speeds. "As long as we're 300 lives to the good, we're okay" is what some told Howard. He was contemptuous of these mathematics of convenience, which are totally irrelevant to the family of a child crippled or a father killed in a highspeed crash.

And when the first figures showing sharp increases in fatal high-speed crashes were described by federal officials and proponents of 65 mph as "too preliminary" and "inconclusive," Howard put that in perspective too. "If I was waiting for the returns on election night and I was 20 percent behind my opponent, you might say the numbers are inconclusive . . . but they sure are indicative."

Howard was inspired by President John F. Kennedy to switch from public service in the school system to serving the public in elective office. He practiced a person-to-person style of politics, always accessible and willing to listen and, as a teacher, able to translate legislative gobbledygook into the everyday language of his constituents.

Howard was also a hard-nosed horse-trader on Capitol Hill, using the spending power of his public works committee to encourage bipartisan support for his legislative programs. He successfully led the fights for the law on a national, uniform drinking age of 21, for increased federal aid for truck safety, for assistance to states in a nationwide crackdown on drunk drivers and for greater funding of state child-passenger safety programs.

The Post's obituary emphasized that Howard was given significant campaign contributions from business and was entertained on others' expense accounts. This, unfortunately, is permissible under our existing laws, and committee chairs are the biggest recipents of these business funds. But what The Post did not point out is that Howard usually voted for legislation against the parochial interests of many of his contributors.

For example, during the Reagan years he voted for stronger pesticide, clean-air and clean-water laws; for stronger mine safety and health regulations; to retain and enlarge the power of the Consumer Product Safety Commission to regulate consumer products; for the elimination of billions of dollars of corporate tax loopholes; against the elimination of the Legal Services Corp.; for the Federal Trade Commission used-car defect disclosure bill; for oversight of doctors, lawyers and other professionals; for canceling the synthetic fuels demonstration project; for reducing the dairy subsidy; and for deleting funds for the Clinch River Breeder Reactor.

But of all his achievements, Howard was probably proudest of having earned the appellation "Mr. Highway Safety." He recently told the Lifesavers Conference in Boston that though "some might think I'm corny, when I drive through my district at night and see the houses lit up and families inside, I wonder how many of them might not be here without 55 mph." We mourn that the light in the window has gone out on a politician who didn't forget to use his exalted position to nurture the public interest.

(Joan Claybrook is president of Public Citizen, and Chuck Hurley is vice president for public policy at the National Safety Council.)

MORE ON THE TRADE DEFICIT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Maryland [Mrs. BENTLEY] is recognized for 60 minutes.

Mrs. BENTLEY. Mr. Speaker, through countless hours of speeches—both on this floor and before the public—I have warned of the growing dependence of this country on foreign suppliers for strategic component parts to our defense base.

Through my experiences during the Vietnam war at the Federal Maritime Commission, I learned that even the best of allies sometimes do not support the policy of the United States and can almost cripple our efforts if they refuse to ship our supplies.

Twenty-five years later, it seems that our dependence upon foreign supplies and money has become so great that U.S. trade policy is being dictated by that dependence.

The Congress of the United States cannot write a trade bill without being threatened by the producers of a foreign government that were we to ban their products, many of our own production lines will be shut down.

One foreign national company—Toshiba—whose subsidiary—Toshiba Machine—was found guilty of selling strategic machines to the Soviets—now supplies approximately 50 percent of the memory chips needed by the United States.

But, that is not all that we depend upon from the Toshiba Corp. The Washington Post in a May 1 article last Sunday by Robert A Rosenblatt of the Los Angeles Times reports,

Toshiba America, the company's U.S. subsidiary, employs 6,000 Americans who make lap-top computers in Irvine, CA., television sets and microwave ovens in Tennessee, television tubes in New York, copying maching parts in South Dakota and engineering controls in Oklahoma. But, beyond that, thousands of other Americans are employed by companies that use key Toshiba components or sell Toshiba imports under their own labels.

Farther on in the article Rosenblatt quotes a lobbyist for one of the firms dependent upon component parts as saying,

Members of Congress and their staffs "didn't fully believe how important a player in the marketplace Toshiba is," * * * "and they didn't want to hear that U.S. companies could be heavily dependent on Japanese technology."

Believe it. Hear it now. Not only is the Toshiba-dependence dictating U.S. policy, but according to a story from the San Francisco Examiner on March 13, 1988, written by Paul Freiberger, suggests that Toshiba is a major player in the recent memory chip shortage and the consequent inflation in the price of computer chips.

The story states that Japan accounts for more than 90 percent of the DRAM chip market. Industry sources have told me that Toshiba accounts for 50 percent of that amount.

In order to understand what is going on here, if you recall, Mr. Speaker, the Japanese were found to be guilty of dumping memory chips at below market value several years ago. Quoting from the Examiner article:

Moreover the Japanese were dumping in third countries like Taiwan, further damaging U.S. chip manufacturers.

The glut of Japanese chips sent the U.S. chip industry into a tailspin. Japanese firms meanwhile, benefitted from government subsidies and a financial picture that places little importance on shortterm profit.

Continuing the quote:

The trade agreement established "fair market value" prices for semiconductors, including such essential memory chips as 256 kilobit and 1 megabit DRAMs (dynamic random access memory) used in computers. It banned third-country dumping and Japan agreed to open its economy further to U.S. goods.

Yet by 1986 most U.S. firms had abandoned the memory business entirely. In the ideal scenario, chip prices would have risen to a point where American companies could afford to return to the fray.

Instead, only two U.S. firms, Texas Instruments Inc. of Dallas and Micron Technology of Boise, Idaho, remain in the DRAM business, and they make a relatively tiny number of chips. Japan accounts for more than 90 percent of the DRAM market, according to Dataquest Inc., a San Jose market research firm.

Meanwhile, Japanese companies have raised prices of memory chips above the fair market value.

Let me repeat that:

Meanwhile, Japanese companies have raised prices of memory chips above the fair market value.

"We forced the Japanese to make a lot of money but created a capacity problem," say William H. Gates, chairman of Microsoft Corp., the Redmond, Wash., PC software giant that makes the standard operating system software used on IBM desktop computers.

Some industry observers see the chip drought as part of Japan's strategy to undercut U.S. computer makers in favor of its own just as chip dumping aided the Japanese semiconductor industry.

Let me repeat that:

Some industry observers see the chip drought as part of Japan's strategy to undercut United States computer makers in favor of its own just as chip dumping aided the Japanese semiconductor industry.

They say Japanese firms are diverting memory chips away from the United States to gain clout in the United States market for computers and other products.

They say—

And I am repeating that again—

Japanese firms are diverting memory chips away from the United States to gain clout in the United States market for computers and other products.

I would like to interject here references to the "Japanese Conspiracy," a book that I have been reading segments from on this floor from time to time, to point out to the American public what really happens to American industry, how it was deliberately conspired by the Japanese Ministry of International Trade and Industry and the Japanese manufacturers to destroy American manufacturers by targeting them and then going after them with the full backing of the Japanese Government.

And here we are talking about it in this very, very important computer game, seeing right now what is happening right now again.

I am going to continue the article from the San Francisco Examiner:

We're seeing companies like Sony introduce competitive desk-top computers that are very DRAM intensive and I don't hear any chit-chat about Sony being out of DRAM, says Scott McNealy, president of Sun Microsystems of Mountain View, "in fact, I don't hear anything from Japanese vendors complaining about a DRAM shortage on the computer side of the house."

Nothing about a Japanese shortage, just a shortage in this country.

Sheridan Tatsuno, a semiconductor analyst at Dataquest, says Japan's Ministry of International Trade and Industry

That is MITI—

has helped cause the shortage in order to derail the trade accord and prevent U.S. chip makers from influencing future policy.

Now, that is what is happening today in this country.

Of course the Japanese deny these allegations, but the evidence from the amount of chips available to Japanese producers seems to prove the case that the Japanese are punishing us for the 1986 semiconductor agreement.

And the frightening truth is that we have put them in a position to do it!

If as a manufacturing nation we had put them at a cost disadvantage with the falling dollar, then—create a shortage in the international supply—being sure that your own producers are well taken care of—and push the prices up all the while putting your competition out of business either through pricing or slowing down production.

Beautiful strategy, isn't it?

I hope the Congress believes it.

Lobbyists for the Toshiba cause on the Hill made great gains by pointing to the numbers of jobs involved in a ban on Toshiba products—6,000 direct employees and then, all of the indirect employees.

I do not know how many Americans would be thrown out of work with a Toshiba ban, but I do know that every figure I have seen—whether for imports or exports—says that for each billion dollars in trade 22,500 jobs are involved in the United States of America.

□ 2030

This year, our trade deficit is predicted to be in excess of $150 billion. A rough multiplication of that number gives a figure in excess of 300,000 American jobs which will be lost in this 1 year due to our purchases abroad.

And that does not count the jobs lost to last year's deficit or the deficit the year before.

And before the Toshiba threat of losing less jobs than the trade deficit is costing us, the real threat is that we are losing our freedom to act in the Congress; that we are possibly losing our personal computer industry—the same way we lost our television industry and our radio industry and much of our machine tool industry.

If people have not believed the intent of the Japanese before—this frightening exercise in power which we have just seen displayed on Capital Hill over the trade bill should forever dispel any notion that the Japanese intend to share any industry—any market with the United States.

It should also dispel any notion that the Japanese are only interested in selling into our markets. The Japanese have shown by their behavior that they are perfectly willing to suggest to the United States Treasury that if they do not get their way, they will not purchase our Treasury notes.

In the same issue of the Washington Post on Sunday, May 1, Senator EVANS of Washington State—in an interview about his reasons for voting against a veto override on the trade bill says about demanding reciprocity from the Japanese in allowing our primary security dealers equal access to their markets, he says—

Maybe we will get what we want out of that proposal. But it could be a decision on their part to retaliate or in some fashion withdraw their investing in U.S. Government securities.

Now, who in the world do our members think is supporting our annual fiscal deficit? Primarily the Japanese, buying our debt. If they decide they are less interested in buying that debt, that alone could create waves in our financial markets that would far exceed any potential benefit.

All right ladies and gentlemen: we can't pass a tough Toshiba sanction section of the trade bill, because of a Japanese company. We can't override the President's veto, because the Japanese may not buy our Treasury bills.

THE MINIMUM WAGE ISSUE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin [Mr. PETRI] is recognized for 60 minutes.

Mr. PETRI. Mr. Speaker, I have reserved time for a special order this evening for the purpose of discussing the minimum wage issue and inserting in the RECORD a significant body of information related to that issue.

There is little disagreement about the need to enable low skilled people to support families by working rather than welfare, which is the stated objective of a minimum wage increase. When H.R. 1834 is debated in the House, all the argument in favor of the bill will turn on the decline in purchasing power of the minimum wage and the difficulty of supporting a family at $3.35 an hour. But almost all of us agree that there is a problem out there that needs to be addressed.

The real argument should be and will be over the best solution to the problem. I have proposed a compromise approach that combines a modest increase in the minimum wage to $4 per hour with a reform of the current earned income tax credit, as contained in my Job Enhancement for Families Act (H.R. 4119).

The basic problem is that economic need, and, consequently, welfare payments, vary by family size, but wages do not. The solution provided by H.R. 4119 is to supplement low wages according to need as determined by family size. The current law EITC provides a framework well suited for this task: it's already somewhat related to need since you must have at least one child to qualify, and it is refundable, which means that if you expect to have no tax liability against which to take the credit you can arrange to have "reverse withholding" amounts added to your regular paychecks. It's even indexed. H.R. 4119 adds additional EITC amounts for each additional child, up to a maximum of $2,500 for a family with four or more children.

When combined with $4 minimum wage, this EITC reform will provide more help to more of those who need it than will a larger minimum wage increase alone. For example, by 1991 it will provide the head of a larger family earnings equivalent to a wage of $5.47 an hour, even if he is capable of earning only the minimum wage. But the proposal will also provide substantial help to millions of people already capable of earning more than any new minimum wage under consideration, because the enhanced EITC doesn't completely phaseout until your earnings reach $9 per hour. A minimum wage increase alone gives no help to any of these people. The compromise proposal also helps the 10 percent of the population that is not covered by the minimum wage. Finally, the compromise has far lower bad side effects than a larger increase in the minimum wage alone.

On the other hand, even the Congressional Budget Office reported that H.R. 1834 would be likely to cause the loss of between 250,000 and 500,000 jobs and increase inflation by between .2 and .3 percent per year. It is easy to understand why the sponsors of the bill attempted to suppress that report, since those effects would be devastating for the very poor people that the bill is supposed to help.

Nor would H.R. 1834 be costless to the Federal Government. In fact, it would probably increase the Federal deficit by as much as $9 billion per year. The cost of the compromise is not known completely, but it is somewhere between zero and $2 billion, because the $2 billion cost of the EITC reform would be balanced by substantial welfare savings as welfare recipients gained increased incentives to take jobs. In any case there is little question that the cost of the compromise, if there is one, is far less than the cost of 1834.

The compromise is, then, a good faith effort to find the best achievable solution to the real problem that we know is out there. I hope this special order will provide a handy and useful compilation of information on the subject. And toward that end, I include for the RECORD at this point a one-page summary of H.R. 4119, the bill itself, an article I have written on the subject.

H.R. 4119

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Job Enhancement for Families Act".

SEC. 2. INCREASE IN EARNED INCOME TAX CREDIT.

(a) *Increase in Amount of Credit.*—Subsections (a) and (b) of section 32 of the Internal Revenue Code of 1986 (relating to earned income tax credit) are amended to read as follows:

"(a) *Allowance of Credit.*—

"(1) *In general.*—In the case of an eligible individual, there shall be allowed as a credit against the tax imposed by this subtitle for the taxable year an amount equal to the credit percentage of so much of the earned income for the taxable year as does not exceed $7,143.

"(2) *Limitation.*—The amount of the credit allowable to a taxpayer under this subsection for any taxable year shall not exceed the excess (if any) of—

"(A) the credit percentage of $7,143, over

"(B) the phaseout percentage of so much of the adjusted gross income (or, if greater, the earned income) of the taxpayer for the taxable year as exceeds $8,000.

"(b) *Percentages.*—For purposes of subsection (a)—

"In the case of an eligible individual with:	The credit percentage is:	The phaseout percentage is:
"1 qualifying child	14	10
"2 qualifying children	21	15
"3 qualifying children	28	20
"4 or more qualifying children	35	25"

(b) *Inflation Adjustments to Credit Percentage.*—Subsection (i) of section 32 of such Code is amended to read as follows:

"(i) INFLATION ADJUSTMENTS TO CREDIT, PERCENTAGE.—

"(1) IN GENERAL.—In the case of any taxable year beginning in a calendar year after 1988, each credit percentage contained in subsection (b) shall be increased by the product of—

"(A) such percentage, multiplied by

"(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins.

"(2) ROUNDING.—Any increase under paragraph (1) in a credit percentage shall be rounded to the nearest multiple of one-tenth of 1 percent."

(c) QUALIFYING CHILD.—Subsection (c) of section 32 of such Code is amended by adding at the end thereof the following new paragraph:

"(3) QUALIFYING CHILD.—The term 'qualifying child' means any child (within the meaning of section 151(c)(3)) of the eligible individual if—

"(A) such individual is entitled to a deduction under section 151 for such child or would be so entitled but for paragraph (2) or (4) of section 152(e), and

"(B) such child has the same principal place of abode as such individual for more than one-half of the taxable year."

(d) CONFORMING AMENDMENT.—Paragraph (2) of section 32(f) of such Code is amended by striking out "subsection (b)" each place it appears in subparagraphs (A) and (B) and inserting in lieu thereof "subsection (a)(2)".

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1987.

JOB ENHANCEMENT FOR FAMILIES ACT (JEFFA)

SUMMARY

Restructure existing earned income tax credit (EITC) as follows:

1. Provide refundable credit against up to $7143 of annual earned income at percentage rates differentiated according to family size as follows:

		Maximum credit
1 child (percent)	14	$1,000
2 children (percent)	21	1,500
3 children (percent)	28	2,000
4 or more children (percent)	35	2,500

2. Phase out credit between total income of $8,000 and $18,000. EITC is reduced by the following percentages of income above $8,000:

	Percent
1 child	10
2 children	15
3 children	20
4 or more children	25

3. Starting in 1989, index the phasein percentages for inflation. Since that will raise the maximum EITC levels, it will extend the endpoint of the phaseout, but always by the same amount for all families.

PURPOSES

1. Increase work incentives for welfare families according to the need for incentives, as determined by family size and thereby welfare payment size.

2. Support formation or retention of two parent families (since working fathers qualify for EITC only if they reside with their children).

3. Achieve the objective of minimum wage increases (to help low skilled workers support families) directly and efficiently, targeting help to those who need it in proportion to their need, including millions already earning more than the particular hourly rate at which a minimum wage might be set.

COST

Direct revenue loss of $2.0 billion annually (estimated informally by CBO), mitigated by the following:

1. Offsetting welfare savings due to the fact that EITC is considered income for purposes of phasing out AFDC and other welfare benefits.

2. Larger welfare savings due to incentives to move people off welfare into work and to form two parent working families. Wage supplements of up to $2,500 should make a big difference for many people whose decisions in these matters are otherwise margin-

al. Since the federal share of AFDC, food stamps and medicaid costs $50 billion per year, we need to save only 4% of that amount to pay for JEFFA completely.

[From the Republican Perspective, April/May 1988]

LET'S HELP THE POOR ESCAPE FROM WELFARE

(By Rep. Thomas E. Petri)

We have to find ways to help welfare recipients re-enter the workforce. Practically everybody agrees about that. And as a result, Congress has focused welfare reform efforts on a mix of education and workfare proposals.

Of course, reducing welfare dependency would be easier if low-income citizens could expect to make more money working than they got on welfare. But all too often, they can't. While a full-time minimum wage job now provides enough after-tax income to bring a two-person family up to the poverty line, it leaves larger families $1,900 a year short for each additional child. In many states, low-skilled heads of larger families can actually do better financially with welfare than with jobs. This undermines efforts to start them on low-paying jobs, undermines political support for requiring them to take such jobs, and saps the morale of poor workers and welfare recipients alike.

In a high benefit state like Wisconsin, for example, a three-person welfare family can receive $8,004 per year in Aid to Families with Dependent Children (AFDC) and food stamps, plus Medicaid, and possibly other benefits like school lunch, Head Start, housing subsidies and energy assistance. A four-person family is eligible for $9,576 in AFDC and food stamps, and a family of five for $10,980. If the family head takes a minimum-wage job, he or she will take home about $7,057 this year, minus work expenses and (if there is no grandmother or other relative around to take care of the kids) child care costs. Of course, the family may still be eligible for some government subsidies, including food stamps and school lunch.

Even if welfare recipients want to work, as most do, and even if they hope to increase their earning power with experience, large numbers of them face big financial penalties for entering the workforce. Some of those will nevertheless choose to work, but it is asking a lot to expect most of them to forfeit a financial benefit. They are caught in a welfare trap.

The basic problem is that, unlike welfare benefits, wages are not related to need as determined by family size. In fact, child care costs can make net take-home pay go down as family size goes up. The obvious solution, then, is to supplement wages according to need.

Fortunately, we already have a program that can be adapted to provide this solution: the earned income tax credit, or EITC. The current EITC is somewhat related to need, since you have to have at least one dependent child to qualify. It provides a direct wage supplement of up to $870 this year, and it is the only federal tax credit that is refundable; that is, if you have no tax liability against which to take the credit, you can still get a check from the government. In fact, the EITC can even be estimated in advance and added to the worker's paycheck each week.

If we build on this base by varying the EITC according to family size, we can greatly increase work incentives for those with the greatest need, and enable many more people to get started in the workforce. Under one proposal, the maximum credits in 1988 for families with one, two, three, and four or more children would be $1,000, $1,500, $2,000 and $2,500 respectively. These amounts would be indexed for inflation and phased out for annual incomes between $8,000 and $18,000.

Wage supplements of this magnitude should be enough to make a big difference in the financial calculations of many people. For example, a single Wisconsin mother of three would need a job paying $4.71 per hour to match her AFDC and food stamp benefits without the proposal; but with it, she would need to make only about $4.10. A mother of four would need to make $5.46 without the proposal, but only $4.60 with it. In states with welfare benefits lower than Wisconsin's, these comparisons would occur at lower wage levels. Also, the comparisons would get wider in future years as indexing raises the various EITC levels in the proposal.

Some people want to get into the workforce badly enough that it won't be necessary to match their welfare benefits with earnings. They'll work if they can just come reasonably close. Others will need more of an incentive to work. But regardless of individual preferences and circumstances, it will be easier to move people into jobs with EITC-enhanced wages than without them.

Many welfare reformers now believe that able-bodied welfare recipients should be required to take jobs. The House-passed welfare bill in fact contains some provisions to that end, but it also says people cannot be required to take jobs that pay less than they could get on welfare. The EITC proposal, by supplementing wages, increases the chances that work will pay more than welfare.

The Congressional Budget Office (CBO) has informally estimated the cost of this proposal at $1.5 billion per year in lost tax revenue. However, that does not count the welfare savings that result from moving more welfare recipients into the workforce. In fact, that $1.5 billion is only 3 percent of the $50 billion per year that the federal government alone spends on AFDC, food stamps, and Medicaid. Since the EITC proposal's incentives apply mainly to families with larger welfare benefits, the proposal would pay for itself if it resulted in reducing the current welfare caseload by something less than 3 percent. Efforts are under way to provide a basis for estimating these welfare savings; but in the interim, a 3 percent savings does not seem like an unreasonable target for a proposal of this magnitude.

Of course, another way to help low-wage workers support families is to increase the minimum wage, and currently there is a bill sponsored by Rep. Hawkins to raise it to $5.05. Raising the minimum wage, however, is an extremely crude tool for achieving the welfare objectives its backers cite as their motivation.

In the first place, most of the benefits go to people who do not need wage supplements to support families, since most minimum-wage workers are from the middle class, primarily students and other secondary earners working parttime. Only 10 percent of minimum-wage earners are heads of families of three or more, and an undetermined number of those are tipped employees actually making much more. There are more family heads making between $3.35 and $5.05, but the closer they are to $5.05, the smaller the benefit they would get from the Hawkins bill.

In the second place, Hawkins gives no help at all to many people who do need it. There are large numbers of people already capable of earning $5.05 or more who still need a wage supplement because they head bigger families. The minimum-wage boost does nothing for them.

In the third place, a minimum-wage boost reduces the demand for labor below where it would otherwise be. Estimates of the job losses and jobs not created as a result of the Hawkins bill range from 100,000 to 900,000 with the consensus falling between 200,000 and 300,000. By and large, the typical middle class, minimum-wage workers would still be able to find jobs at $5.05. The people who would be frozen out are those most in need—those with the fewest skills, living in the most depressed areas; in other words, those living on welfare or struggling to stay off it. It doesn't make sense to try to encourage work through welfare reform while yanking away job opportunities with a minimum-wage hike.

In the fourth place, the large costs Hawkins places on the private sector would probably lead to a small but significant amount of extra inflation. Of course, inflation hits the poor particularly hard, so in this way too they'd be hurt by a policy that's supposed to help them.

Finally, a minimum-wage boost is not at all costless for the federal government. A macroeconomic study of an earlier bill, raising the minimum wage to $4.65, by the U.S. Chamber of Commerce implies that by 1990 it would cost the government around $8 billion per year—$5.6 billion in reduced revenue associated with a $28 billion lower GNP, $1.4 billion in higher interest expense through higher rates associated with extra inflation, and one billion more for unemployment insurance. Even if that study overestimates by a factor of two or even four, the cost is still large.

It should be no surprise that a minimum-wage boost has all these disadvantages. It's like trying to win a battle with random bombing when a rapier will do. In this case, the goal everyone acknowledges is helping low-skilled workers support families while avoiding welfare. The Hawkins bill attacks that goal indirectly, causing all kinds of side effects and collateral damage, while not even hitting all its targets. The family size-adjusted EITC achieves the goal directly and efficiently, supplementing wages only for those who need it, in amounts related to their level of need, and without altering the entire private labor market and depressing economic activity that would otherwise occur.

The EITC approach is the best tool for helping people escape the welfare trap. As currently proposed, it won't help everyone do that, but it should make a big difference to many people in marginal situations where more earning power will enable them to get into the workforce. There are many other pieces that fit into the welfare-reform puzzle—making the Child Care Tax Credit refundable (and phasing it out for the wealthy) would be an important one, and better child-support enforcement is another. But the EITC is a very substantial piece and deserves to take a prominent place in any welfare-reform legislation Congress might enact.

Mr. PETRI. Mr. Speaker, at this time I yield to the gentleman from Vermont [Mr. JEFFORDS] the ranking Republican on the Committee on Education and Labor.

Mr. JEFFORDS. Mr. Speaker, I thank the gentleman from Wisconsin for yielding. First of all, I want to commend the gentleman from Wisconsin for the tremendous work he has done on this issue, and as he knows I have been deeply involved in trying to find that magic solution out of this dilemma that we are in, recognizing there is a need to revise the minimum wage, but at the same time recognizing there are other very important problems that we should not be ignoring at a time when we are trying to establish a policy on the minimum wage.

I know that the debate on the one hand includes people who cannot seem to find a wage level that is high enough, and who would raise the minimum wage. On the other side, we also cannot find a wage that is low enough that will make them happy with respect to the minimum wage. That ignores some of the basic problems, however. There are probably three that I would like to mention very briefly. One is the one that the gentleman from Wisconsin has discussed, and that has to do with what do we do about the dilemma that we have where if the most important purpose of raising the minimum wage is to attempt to give an incentive to those that want to get off of welfare and to go to work, that there is no way we can raise the minimum wage sufficiently, especially with a larger family involved, to be able to take the families off welfare without causing horrendous economic damage to the other parts of the economy as well as displacing hundreds of thousands if not millions of workers if we get the wage high enough in order to solve the welfare problem.

What do we do?

The gentleman from Wisconsin has a very logical and excellent solution to this dilemma and it is one that we should not run down the track for raising the minimum wage without taking into consideration what the other problems are that we should be dealing with. We have passed the welfare reform bill but the welfare reform bill depends upon people being able to get jobs and being able to work and the incentive is to do that. Yet if the wage they get is not high enough to give them incentive to get off welfare, the problem is going to create tremendous difficulties.

Another question we should deal with concerns the problem of displacement of people that would get jobs if it was not for raising the minimum wage. That group of individuals, if we raise the minimum wage high enough to try and do something about the welfare respects, will not have a chance to get a job. The number of jobs that a business has to reduce in order to take the adjustment of wages is substantial, as the Congressional Budget Office report has pointed out. That is why in addition to what the gentleman has proposed we ought to take a look at other innovative suggestions, and that is a first job wage, or training wage, or whatever it might be called in order to ensure that we do not lock people out at a time when this Nation needs an improvement in the available workers, and as we are finding less and less workers being available as we go forward.

Another critical problem facing us that we might want to look at deals with the fact that fewer and fewer businesses are covering people for such things as health insurance. We have a declining number of people covered in that respect. To show that we are bipartisan in this matter, a Member of Congress, the gentleman from California [Mr. STARK] has a suggestion that perhaps at a time we are looking at raising the minimum wage we ought to give serious consideration to, and that is giving credit to an employer above what the level might be now, or where we might raise it to, to allow that employer to have credit for benefits that might be given for health insurance, for example. At a time when we are facing these very problematical situations, the welfare mother who cannot get enough money to get off of welfare, the worker we may preclude from getting a job, and for the business that cannot provide health care because the wages are going up, why should we not take time and look at the solutions to those questions? Why do we rush into a long-term high-cost minimum wage when there are problems that ought to be solved by more rational approaches?

Again, I commend the gentleman from Wisconsin [Mr. PETRI] for the tremendous work he has done on this very critical area, one of the most important areas we have, for purposes of the family and for purposes of our society and purposes of economics and everything else to try and do something to get the welfare mother back to work, and the welfare parents back to work, and give them an incentive to do that and reward them for working instead of penalizing them.

I include for the RECORD additional information to back up the statements especially statements made by the gentleman from Wisconsin.

[From the Washington Times, Mar. 10, 1988]

A BETTER WAY WITH WAGES

(By Warren Brookes)

When it comes to "social policy," the theme song of most politicians seems to be "You Always Hurt the One You Love," while for the poor, it should be "You'd better watch out, Santa Claus is coming to town."

At the moment we have "Santa Claus" in the form of Democratic Sen. Edward M. Kennedy of Massachusetts and his partner in the House, Democratic Rep. Augustus Hawkins of California, trying to "help the working poor" by raising the minimum wage from $3.35 an hour to $4.65, and then permanently indexing it to inflation.

(Except for the indexing, the bill is to be marked up this week by the House Education and Labor Committee.)

Since the employer cost of this rise is about $21.6 billion, and falls almost entirely on small business or narrow-margin retailing, no one argues that it won't kill jobs—the only debate is over how many. The estimates range from 200,000 to 900,000. The consensus figure approaches 500,000.

Since the minimum wage now applies to only 4.7 million workers, mostly part-time and youthful, the Kennedy-Hawkins bill could kill up to 10 percent of minimum-wage jobs.

Unfortunately, the most likely job-losers will be those few minimum-wagers (10 percent) who are working full-time—meaning, of course, the poorer head-of-household workers. The main beneficiaries will be the vast majority of minimum wagers (68 percent of whom are single, and nearly 40 percent teenagers) who use these part-time jobs to supplement mid-range family incomes.

Fortunately, there is a much better way to help the really needy without doing damage to the economy, or to their jobs. It's called the Job Enhancement for Families Act and it's the brainchild of Republican Rep. Thomas E. Petri of Wisconsin.

Mr. Petri's approach, instead of raising the minimum wage by $21 billion, which would cost the U.S. Treasury about $2 billion in net lost taxes (in reduced business profits and payrolls), is to expand and restructure te Earned Income Tax Credit to provide more generous benefits to the working poor, Total cost: $1.5 billion.

At present, the EITC is a refundable tax credit of 14 percent of the first $5,714 earned by an eligible person who maintains a home for one or more children. The present maximum credit is $800, phasing out as income approaches $17,000.

Mr. Petri would raise the amount covered by the credit from $5,714 to $7,143, and change credit percentages to reflect family size, with a maximum payment of 14 percent ($1,000) for a family with one child, up to 35 percent ($2,500) for a family of four or more children.

The credit would be phased out between incomes of $8,000 to $18,000 by series of graduated percentages of that income that exceed $8,000. Starting in 1989, the phase in incomes would be indexed for inflation.

The economic and social advantages of this approach should be obvious. Without raising wage costs to mostly small business employees, it dramatically increases the after-tax income of those family incomes are actually low. It finances this increase out of the progressive income tax structure, instead of punishing small businesses with higher wage costs.

In other words, it targets the poor, and provides them with nearly as good benefits. The after-tax value of the higher minimum wage to the full time worker is about $2,000. The after tax value of the EITC ranges from $1,000 to $2,500.

Whereas the vast majority of the benefits of the minimum wage will go to part-time workers in middle-income families, all the EITC benefits go to low-income workers—without destroying any jobs.

Additionally, the Petri bill provides the missing basis for serious welfare reform; it slashes the marginal tax rates of moving from welfare to work. This is why it has

been endorsed by the Urban League and Children's Defense Fund.

Currently, in high benefit states like Wisconsin, for example, a single mother of three would have to earn $4.71 an hour to match basic AFDC and food stamp benefits; with the Petri proposal she would only need $4.40 to make getting a job more attractive. In lower-benefit states, the incentives would be even greater, at lower wage levels.

The House welfare reform bill now proposes to require many ablebodied AFDC recipients to take jobs so long as those jobs don't pay less than the family can receive from welfare. The Petri proposal would vastly increase the job requirement coverage, and dramatically reduce total welfare costs (now more than $50 billion a year) as a result.

If the EITC proposal only cut total welfare rolls by 3 percent, it would more than pay for itself.

(Clarification: The Children's Defense Fund and the Urban League have backed EITC reform in the past but have not yet, to our knowledge, endorsed the Petri JEFFA bill.)

Helping the poor—Two ways

	Billions
Dangerous and inefficient—Minimum wage hike of $1.30 per hour:	
Costs to employers	$20.72
Minus: Gross revenue gains to Treasury	−5.66
Plus: Revenue losses from job destruction:	
(a) Lower corporate taxes	+4.22
(b) Lower FICA and other taxes	+3.58
Net revenue losses	2.04
Net costs to the economy	22.76
Direct benefits to working poor	2.07
Efficient and constructive—Expanded earned income tax credit (EITC):	
Direct costs to Treasury	1.50
Loss savings in welfare costs	−1.50
Net costs to taxpayers and economy	
Direct benefits to working poor	1.50

Sources: Congressman Tom Petri, Congressional Budget Office.

[From the New York Times, Feb. 23, 1988]

THE MINIMUM-WAGE ILLUSION

It's small wonder that politicians like the idea of raising the minimum wage: improving the lot of the lowest-paid workers seems virtuous, at no apparent cost to the public. But the rationale is half-true at best, and the free price tag is false.

The minimum wage has been stuck at $3.35 an hour since 1981. Legislation now in a House Education and Labor subcommittee would raise it to $4.65 an hour over three years and peg it afterward at one-half the average hourly wage for nonsupervisory workers.

Without question, $3.35 an hour is not a living wage for a family. Proponents of an increase point out that the cost of living has gone up 30 percent since 1981. A person working full time at the $3.35 rate in 1986 would have earned $4,600 less than the poverty level for a family of four. The question is whether legislating a higher minimum would improve life for the working poor.

It definitely would—for those who still had work. But by raising the cost of labor, a higher minimum would cost other working poor people their jobs. The Department of Labor estimates that each 10 percent increase means that 100,000 to 200,000 jobs would be eliminated or not created. The House legislation contemplates an increase of nearly 40 percent. The cost to the Treasury, in lost taxes and unemployment payments, would be substantial.

Why not attack the problem of inadequate wages directly, with subsidies? One potential mechanism is already in place: the Earned Income Tax Credit, a negative income tax that can be worth $800 to a working poor family. Expanding and refining this device could easily put more money into the pockets of low-wage workers.

The problem might also be addressed by efforts to improve the skills of minimum wage workers so that they can qualify for higher-paying jobs. This is particularly important for teen-agers and young adults, who make up more than half the minimum wage work force.

Raising the minimum wage is not cost-free, just cost-concealing. Congress owes the working poor well-designed help, not a well-intentioned illusion.

[From the Wall Street Journal, Mar. 3, 1988]

A BETTER ALTERNATIVE TO A HIGHER MINIMUM WAGE

(By J.D. Foster)

One of the first items in the 1988 legislative chute in Washington is "The Minimum Wage Restoration Act of 1988," introduced by Sen. Edward Kennedy (D., Mass.) and Rep. Augustus Hawkins (D., Calif.) to raise the minimum hourly wage to $4.65 from $3.35 by 1990 and to index it to inflation thereafter. Before rushing to pass this bill, Congress ought to consider as an alternative Rep. Thomas Petri's (R., Wis.) "Job Enhancement for Families Act" to expand and to restructure the Earned Income Tax Credit.

Increasing the minimum wage is no way to improve the condition of the poor. The history of the minimum wage shows that it destroys the jobs and job opportunities of poorly trained workers—inner-city teenagers, the semiliterate, those we used to call economically disadvantaged. It's particularly hard on such workers who must provide the principal support for their families. There are now about five million workers who earn the minimum wage or less. According to several estimates, the Kennedy-Hawkins bill would slam shut the doors of the workplace of 300,000 to 750,000 people by 1990. These job losses would be concentrated on the economically disadvantaged.

One existing means for increasing the after-tax earnings of the poor is the Earned Income Tax Credit. The EITC is a refundable tax credit of 14% of the first $5,714 earned by an eligible person who maintains a home for one or more children. The maximum credit is $800 and it phases out as income rises, falling to zero when the taxpayer's income reaches $17,000.

Rep. Petri's bill would expand and restructure the EITC as an alternative to raising the minimum wage and as part of welfare reform. One benefit of the EITC is that it can be restructured easily to provide greater benefits to households with children. This could play an important role as Congress attempts to reform welfare to better match resources to needs while reducing the anti-work and anti-family side effects of the current welfare program. In comparison, raising the minimum wage is a very blunt instrument; it would benefit a middle-class teen-ager in a summer job just as much as it would a person trying to support a family.

The bill to increase the minimum wage and the Petri plan to expand the EITC would each increase some workers' after-tax income by comparable amounts and, therefore, would increase their work incentive. Incrasing the minimum wage, however, would reduce employment because businesses could not afford to hire or keep less productive workers. Expanding the EITC, on the other hand, would raise the worker's after-tax wage without raising the employer's labor costs. To the extent that improved work incentive increase the number of workers willing to work, raising the EITC could lower the pre-tax wages employers would have to pay while raising workers' after-tax wages. Raising the EITC, therefore, could actually increase low-wage employment opportunities.

One of the often-ignored side effects of raising the minimum wage is the loss of tax revenue to the federal government from the loss of jobs and national output. There would also be an increase in government spending as those who lose their jobs file for unemployment insurance, are forced into welfare, expand their use of food stamps, and so on. Combining the tax revenue loss with the increase in government spending, the Kennedy-Hawkins bill would increase the deficit by about $7 billion annually.

According to an informal estimate by the Congressional Budget Office, the EITC would cost about $1.5 billion annually in lost revenue. The job creation made possible by expanding the EITC would offset at least part of that revenue loss and would also result in some budget savings through lower welfare costs. Raising the minimum wage, in other words, would increase the budget deficit about five times as much as would expanding the EITC.

One basis for choosing between raising the minimum wage and increasing the EITC is whether jobs are to be destroyed or created. Another basis is how carefully the benefit is matched to need. Yet another basis is what will happen to government spending and the budget deficit. In each case, the Petri approach to expanding and restructuring the Earned Income Tax Credit is clearly superior to raising the minimum wage: It encourages job creation, it helps those workers most who need the most help, it reduces government spending, and it has a minimal effect on the budget deficit.

(Mr. Foster is an economist at the Institute for Research on the Economics of Taxation in Washington.)

[From the New York Times, Apr. 6, 1988]

ECONOMIC SCENE—MINIMUM WAGE: A TANGLED PUZZLE

(By Peter Passell)

Would the House Labor Committee's plan to increase the Federal minimum wage in stages, to $5.05 an hour from $3.35, lift the living standards of the working poor? Or, as opponents contend, would it push marginally qualified workers onto welfare?

The answer, say economists who carry the least ideological baggage, is both. That seems to leave Congress with a choice between more jobs for the poor or better jobs for the poor—a tough choice that partly explains why Congress has been ducking the issue since it last raised the wage in 1981.

In fact, however, there may be a way to raise the pay of low-income workers without reducing incentives to hire the young and badly educated. Representative Thomas E. Petri, Republican of Wisconsin, proposes an increase in the Federal earned income tax

credit, a tax-based wage subsidy. Expanding this credit ought to hold great appeal for liberals as well as conservatives. It is far from clear, though, whether advocates of a higher minimum wage are ready to sacrifice means for ends.

According to Sar Levitan, director of George Washington University's Center for Social Policy Studies, the purchasing power of the minimum wage has fallen by a third from its peak two decades ago. In 1968 a full-time worker getting the Federal minimum wage earned 94 percent of the amount needed to support a family of four at the poverty line. Today the minimum wage amounts to barely 60 percent of the poverty line.

There is little disagreement among economists that a higher minimum wage would allow many poor workers to regain ground lost to inflation. But there is also a broad consensus that some young, unskilled workers would be priced out of the market. A research survey directed by Charles Brown, an economist at the University of Michigan, concluded that every 10 percent increase in the minimum wage would reduce the number of jobs for teen-agers by 1 to 3 percent. Nigel Gault and Roger Brinner, writing in Data Resources U.S. Review, estimate that an increase in the minimum wage to $4.65 would cut employment for people 16 to 24 years old by at least 350,000.

One way out of the jobs-vs.-income difficulty is to raise the neediest workers' pay without raising employers' labor costs. Such a wage subsidy is already built into the tax code. In 1987, married workers with children and incomes up to $6,080 a year received a 14 percent earned income tax credit. The credit, moreover, is refundable: workers who file the right Federal form can have the cash added to their paychecks. The benefit phases out gradually, disappearing for families with incomes over $15,000.

Mr. Petri, a member of the labor standards subcommittee, wants to bolster the tax credit and link it to family size, raising the maximum credit to 35 percent of wages up to $2,500 for families with four or more children. For large families with one full-time breadwinner earning the minimum wage, this would increase take-home pay by 82 cents an hour.

A clear advantage, Mr. Petri notes, is that it would have no effect on employment. Perhaps as important, the benefit would focus on those in need. A full-time worker supporting a large family on $6 a hour would gain nothing from an increase in the minimum wage but would receive an extra 58 cents an hour with the expanded tax credit.

On the other hand, a suburban teen-ager who flips burgers after school for gasoline money would get the full benefit of a higher minimum wage but would not be eligible for the tax credit. This is not a small category, by the way: the Congressional Budget Office estimates that in 1985 fewer than 20 percent of minimum-wage workers were members of families living below the poverty line.

The tax credit should please conservatives because it ties Government aid to work, it encourages fathers to support children and it keeps down business costs. It ought to please liberals, too, because it tightens the frayed safety net and it indexes benefits to inflation. Nonetheless, it has proved a difficult concept to sell.

One complicating factor is the Orwellian nature of the deficit reduction law. A study by Data Resources Inc. for the Labor Department concluded that a $4.65 minimum wage would increase welfare costs and interest payments on the national debt, adding $4 billion to the budget deficit. According to the Congressional Budget Office, the expanded tax credit would increase the deficit by half that sum. Unlike minimum wage legislation, however, any change in the tax law would force a formal acknowledgement of the deficit consequences and initiate a search for new revenues or budget cuts.

A more fundamental obstacle lies in the politics of the minimum wage. Organized labor, long frustrated by its inability to push a higher minimum past a hostile White House, is loath to change course when victory is in sight. And without backing from the liberal interest groups, prospects for the expanded tax credit are poor.

[From the New York Times, Apr. 15, 1987]

DON'T RAISE THE MINIMUM WAGE

Democratic legislators are right to search for ways to help the working poor, but wrong to think that raising the minimum wage is one of them. To do that would hurt many low-income workers, something legislators need to grasp before ramming a bill through Congress.

Senator Edward Kennedy and Representative Augustus Hawkins, Democratic chairmen of the Congressional Labor Committees, propose raising the minimum wage in three annual steps to $4.65 an hour, from $3.35 where it has stood since 1981. According to a spokesman, Senator Kennedy considers raising the minimum wage as "something like an anti-poverty program for the working poor without any Federal spending." That last part is especially seductive in a time of budget restraints.

Congress has increasingly been putting more burden on employers, like higher minimum wages or particular health and welfare benefits, as the Federal deficit has made Government financing harder. These requirements amount to a hidden tax. In the case of the minimum wage, the tax is on the jobs of those at the lowest rung. At $3.35 an hour, the minimum wage has lost 27 percent in purchasing power since 1981. A full-time worker at that rate earns less than $7,000 a year. Even at $4.65 an hour, the worker would earn less than $10,000, not even reaching the poverty level.

But the increase would come out of the hides of other working poor people. Employers are bound to circumvent a higher minimum wage in two ways: by evading the law through underground, sub-minimum hiring or by letting workers go. A higher minimum wage would probably price working poor people out of jobs, since they could not demonstrate the productivity necessary to justify the higher wage.

Advocates argue that no one has proved that previous increases in the minimum wage cost jobs. Yet the Administration and many economists argue that a *lower* minimum wage is needed—to create jobs for unemployed young people. The proponents also argue that, even if some jobs are lost from a higher minimum, the overall benefit to the working poor will offset it. That's an argument likely to persuade only those whose jobs are secure.

There are at least two other approaches toward the same goal of helping the working poor, neither with the negative side effects of a higher minimum wage. In the short run, the Government could supplement the wages of working poor families. The vehicle for doing so already exists in the Earned Income Tax Credit, a kind of negative income tax.

Ultimately, the working poor would be helped most by gaining the job training and skills necessary to qualify for higher paying jobs. Senator Kennedy recognizes this, as is evident from his Jobs for Employable Dependent Individuals program for welfare recipients, recently passed by the Senate. But if there is any group that skills enhancement can help, it is the working poor, who already possess the work ethic.

The Government has not been notably successful in job and skills training in the past, but that's no reason to quit trying. Either income subsidies or training would do more for the working poor than raising the minimum wage. Such a raise may sound good; it probably does harm.

[From the New York Times, Jan. 14, 1987]

THE RIGHT MINIMUM WAGE: $0.00

The Federal minimum wage has been frozen at $3.35 an hour for six years. In some states, it now compares unfavorably even with welfare benefits available without working. It's no wonder then that Edward Kennedy, the new chairman of the Senate Labor Committee, is being pressed by organized labor to battle for an increase.

No wonder, but still a mistake. Anyone working in America surely deserves a better living standard than can be managed on $3.35 an hour. But there's a virtual consensus among economists that the minimum wage is an idea whose time has passed. Raising the minimum wage by a substantial amount would price working poor people out of the job market. A far better way to help them would be to subsidize their wages or—better yet—help them acquire the skills needed to earn more on their own.

An increase in the minimum wage to, say, $4.35 would restore the purchasing power of bottom-tier wages. It would also permit a minimum-wage breadwinner to earn almost enough to keep a family of three above the official poverty line. There are catches, however. It would increase employers' incentives to evade the law, expanding the underground economy. More important, it would increase unemployment: Raise the legal minimum price of labor above the productivity of the least skilled workers and fewer will be hired.

If a higher minimum means fewer jobs, why does it remain on the agenda of some liberals? A higher minimum would undoubtedly raise the living standard of the majority of low-wage workers who could keep their jobs. That gain, it is argued, would justify the sacrifice of the minority who became unemployable. The argument isn't convincing. Those at greatest risk from a higher minimum would be young, poor workers, who already face formidable barriers to getting and keeping jobs. Indeed, President Reagan has proposed a lower minimum wage just to improve their chances of finding work.

Perhaps the mistake here is to accept the limited terms of the debate. The working poor obviously deserve a better shake. But it should not surpass our ingenuity or generosity to help some of them without hurting others. Here are two means toward that end:

● *Wage supplements.* Government might subsidize low wages with cash or payments for medical insurance, pensions or Social Security taxes. Alternatively, Washington could enlarge the existing earned income tax credit, a "negative" income tax paying up to $800 a year to working poor families. This would permit better targeting, since

minimum-wage workers in affluent families would not be eligible.

● *Training and education.* The alternative to supplementing income for the least skilled workers is to raise their earning power in a free labor market. In the last two decades, dozens of programs to do that have produced mixed results at a very high cost. But the concept isn't necessarily at fault; nurturing the potential of individuals raised in poverty is very difficult. A humane society would learn from its mistakes and keep trying.

The idea of using a minimum wage to overcome poverty is old, honorable—and fundamentally flawed. It's time to put this hoary debate behind us, and find a better way to improve the lives of people who work very hard for very little.

□ 2044

Mr. PETRI. Mr. Speaker, I would like to thank my colleague, as long as we are commending people. I would like to commend him for his superior leadership he has provided not just to the minority but to the entire membership and the committee on which he is ranking Republican.

Mr. GRANDY. Mr. Speaker, in 1938, Congress took an important step by enacting the Fair Labor Standards Act. The minimum wage, established at 25 cents an hour, was a reasonable approach to addressing the needs of workers in 1938.

The action of Congress in 1938, to set minimum standards for American workers, signficantly altered the workplace. In the years since the minimum wage was last raised, the value of the dollar earned by minimum wage worker has fallen. The minimum wage should be raised to compensate for the decline.

However, the responsibility of the Congress does not end with an increase in the minimum wage. I would encourage my colleagues to carefully consider a more effective means of improving the well-being of low-wage earners in need: the earned income tax credit. The reason is simple: targeting. The earned income tax credit, H.R. 4119, is structured to provide benefits based on need. The minimum wage cannot do that. The earned income tax credit would to a long way toward alleviating poverty because it offers benefits directly to those with low incomes and particularly to low-income families with children. The minimum wage is not so targeted. It is an inefficent shotgun approach to a serious problem. Earning the minimum wage is not equal to being in poverty. Obviously, then, raising the minimum wage will not eliminate or even significantly address the poverty issue.

If we are to offer genuine help to individuals and families with low incomes, we ought to look to the earned income tax credit to do it. I want to commend my colleague from Wisconsin for bringing this constructive alternative, H.R. 4119, to the House. I urge my colleagues to join this bipartisan effort renewing our commitment to genuinely contributing to the well-being of the American worker.

At this point, I would like to insert in the RECORD the testimony of Robert D. Reischauer of The Brookings Institute to the Senate Finance Committee on this issue:

TESTIMONY OF ROBERT D. REISCHAUER,* THE BROOKINGS INSTITUTION, BEFORE THE SUBCOMMITTEE ON SOCIAL SECURITY AND FAMILY POLICY OF THE COMMITTEE ON FINANCE, U.S. SENATE, FEBRUARY 23, 1987

During the past few years, a good deal of effort has been directed at making welfare recipients more self-sufficient. Work-welfare initiatives have proliferated; experimental or full-scale programs have been started in 39 states. Some of these programs offer modest job readiness and job search assistance while others are providing comprehensive education and training approaches, supplemented by supportive services such as day care and transportation assistance.

It is still too early to judge whether or not these efforts will markedly increase the number of welfare recipients who are able to work their way off of the welfare rolls. However, our expectations for these programs should be modest, because, in many cases, welfare recipients have little financial incentive to strive for independence.

This lack of incentive does not arise because welfare benefits are so sumptuous. They are not. In no state does the combination of AFDC and food stamps support a family at or above poverty level; in the average state, these programs provide assistance for a family of three that amounts to less than three-quarters of the poverty threshold. Moreover, the adequacy of these benefits has eroded over the past decade. Between 1976 and 1986, the real value of AFDC and food stamp benefits to a family of three with no other income fell by 18 percent in the average state.

Instead, the major reason for the lack of incentive is the low level of income that most AFDC recipients can expect to earn from the jobs that are available to them. Over half of AFDC mothers do not have a high school diploma, close to one-third have no previous work experience, and the vast majority of those who have held a job worked in relatively unskilled occupations. With little education, few skills, and not much in the way of work experience, most recipients can only expect to secure low-wage jobs that offer few fringe benefits—in other words, jobs that do not pay enough to lift a family out of poverty.

The experience of poorly-educated women who are currently working bears this out. In 1985, over half of the working women who lacked high school diplomas held jobs that, on a full-time, full-year basis, did not pay enough to support the median-size AFDC family of three above the poverty threshold. The earnings prospects for AFDC recipients are likely to be even bleaker than those of current workers because AFDC mothers have less in the way of experience and skills than the average current worker and, therefore, can not commend as high a wage.

Low wages is not the only reason why the earnings prospects for welfare recipients are limited. Many may find it difficult to work full-time throughout the year and still fulfill their family responsibilities. Over half of AFDC parents have two or more children to care for; in three-fifths of the families the youngest child is a pre-schooler (under six years of age). The neighborhoods in which many AFDC recipients live lack community facilities that provide constructive outlets for children; some are sufficiently dangerous environments so that a responsible parent may be reluctant to leave her children unsupervised after school. Day care, summer camp, after-school music lessons, the Girl and Boy Scouts, and other activities that middle-class families with working mothers rely on to substitute for parental care are often not available options for the low-income, single, working parent.

The fact that many AFDC mothers may not be able to work full-time throughout the year is not peculiar to this group. While a great deal of attention has been focused on the rising labor force participation rates of women with small children, less attention has been paid to the fact that many of these women limit the number of hours that they work. Two-thirds of married women with children under six worked at some time during 1984. However, a distinct minority of such women—fewer than one in four—worked full-time throughout the year. Some 27 percent worked fewer than 40 weeks during the year and 24 percent held part-time jobs. In total, close to two-thirds of working married women with small children did not work full-time throughout the year.

Unemployment is a third reason why the earnings prospects for AFDC recipients may be limited. Low-wage jobs employing unskilled labor tend to be relatively insecure even in the best of economic times. Many such jobs are in small firms which do not have the financial resources to withstand downturns in demand. Layoffs, therefore, are more frequent. In addition, in some low-wage jobs the workers face the choice of quitting or being fired if they must miss work for more than a few days. These jobs often do not offer paid sick leave or vacations. Once unemployed, the poorly-educated, unskilled worker is likely to have a difficult time finding a new job and may, therefore, remain unemployed for a long period of time. Women who have not completed high school experience three to four times as much unemployment as those who have attended college. The bottom line is that the welfare recipient who does find a job will be more likely than the average worker to experience some unemployment during the year.

If the nation expects the work-welfare initiatives to significantly increase self-sufficiency among welfare recipients, more must be done to ensure that there exist strong financial incentives to work. Those who work must be clearly better off than those who remain dependent. This will require action on three fronts.

First, the overall economy needs to be strengthened. As long as almost 7 percent of the labor force is unemployed and 14 percent of women without high school diplomas are looking for work, welfare mothers are going to have a difficult time competing for the jobs that are available. Much would be gained if the overall unemployment rate could be reduced. This would tighten up the low-skill labor market, making it easier for AFDC mothers to find and keep jobs. A tighter labor market would also push up the wages for low-skill jobs.

In a nation that has had a difficult time maintaining both high employment and low inflation, it is unlikely that we can rely on a healthy economy alone to provide strong financial incentives for welfare recipients to strive for self-sufficiency. A second way to strengthen these incentives is to reduce the barriers that AFDC mothers face when they consider entering the labor force. One impediment is the loss of the health insurance coverage that welfare recipients are provided through the Medicaid program. Many

* The views expressed in this testimony are those of the author and should not be attributed to the trustees, officers, or other staff members of the Brookings Institution.

jobs available to an AFDC mother do not provide group health insurance. For example, in 1984 three-quarters of the women working in the service sector were not covered by an employer- or union-provided group health plan. Of women who worked full-time in jobs that paid less than $10,000 per year, 57 percent lacked job-related health insurance; 87 percent of women who worked part-time in such jobs did not have group health coverage. While those who lost their AFDC benefits because their earnings rise are covered by Medicaid for nine months, some may need more time to establish themselves in the labor force and find adequate and affordable health insurance.

Child care is a second impediment that can limit the participation of welfare mothers in the labor force. Several states have initiated work-welfare programs which have emphasized the provision of child care, but more will have to be done if there is to be a substantial increase in employment of welfare mothers. At the federal level, middle- and upper-class working mothers receive benefits through the tax code's child and dependent care credit. However, low-income working mothers have not received much help from this provision because few can afford paid child care and because the credit is limited and non-refundable. In 1983, less than one percent of the tax credit's benefits went to families with incomes below $10,000.

Under the provision of the Tax Reform Act of 1986, families with incomes below roughly 110 percent of the poverty threshold will not be eligible for this credit because they will have no tax liabilities and the credit is not refundable. If the fraction of eligible child care expenditures were raised from 30 to 50 percent for those in the lowest income bracket and the credit were made refundable, AFDC mothers contemplating work could be helped with their child care expenses in a simply and non-intrusive way.

The third front on which action is needed to increase the work incentives for welfare recipients is wage policy. In high-benefit states, the earnings from a low-wage job may not be much more than the assistance that is offered by welfare. Few of these jobs are likely to keep a family from being poor. The earnings for a full-time, full-year minimum wage job are not enough to keep a mother with one child out of poverty. A mother with three children would have to earn more than $5.25 per hour to keep her family from being poor.

The ideal way to increase the earnings potential of AFDC mothers is to raise their productivity through increased education, training and work experience. Some of the state work-welfare initiative take this approach. However, such policies take time, have proven difficult to do well, and often are not realistic for adults who are not highly motivated.

While awaiting the results of education and training programs, more direct steps can be taken to boost the earnings of these workers. One option is an hourly wage subsidy like that which Robert I. Lerman of Brandeis University has proposed.[1] Another is an expansion of the existing Earned Income Tax Credit (EITC). There are two advantages of relying on the EITC: first, it does not require the creation of a new and complex program structure; second, it offers a practical method of adjusting the earnings of low-income workers to reflect differences in family financial responsibilities.

When the modifications of the Tax Reform Act of 1986 are fully implemented in 1988, the EITC will provide families with dependent children a 14 percent credit on their earnings up to $6,210.[2] (See pages A-2 to A-11 for a description of the current EITC.) The maximum credit of $869 will be reduced by $0.10 for every dollar of income the family has over $9,780. Thus, families will receive a credit until their incomes exceed $18,470. If the credit is larger than the family's tax liability, the excess will be refunded to the taxpayer.

In effect, the EITC is an earnings supplement for very low-income families with children because such families do not have tax liabilities under the Tax Reform Act of 1986 and, therefore, will receive their EITC as a refund. It will be a strong inducement to those holding low-wage, part-time jobs—the kind of jobs that many AFDC mothers may find most readily available. For example, an AFDC mother who takes a $4.00 per hour job will receive from the EITC an extra $0.56 per hour for each hour that she works up to 1,552 hours a year; this is roughly three-quarters time.

However, as currently structured, the assistance provided by the EITC is smaller relative to the income needs of large families than it is for small families. This is the case because the credit does not vary by family size although the amount needed to keep a family out of poverty rises as family size increases. Thus, a single mother with one child who earns just enough to reach the poverty threshold will get an EITC credit of $869 in 1988, while a mother of four who earns just enough to bring her family's income up to the poverty line will get a credit of less than half that amount. For larger families with poverty-level earnings, the EITC does not even offset the social security taxes the worker must pay (see pages A-4 to A-7).

If the EITC were modified to provide larger credits for families with greater needs, these inequities would be reduced, the tax system would be more effective at reducing poverty among the working population, and the welfare-dependent population would have a stronger incentive to enter the labor force. A number of the study commissions and task forces which have examined the shortcomings of the current welfare system have reported a family size adjustment to the EITC (see page A-1).

One straightforward method of adjusting the EITC by family size would be to increase the credit rate according to the number of dependent children in the family. The current rate of 14 percent could be maintained for families with one child, and four percentage points could be added for each additional child. Thus, a family with two children would receive a credit of 18 percent; a family with three children a credit of 22 percent; and a family of four or more children a credit of 26 percent (see pages A-12 to A-21 for a description of this alternative).

This modification would add roughly $250 per child to the maximum credit that a family could receive. It would ensure that, for virtually all, the EITC would offset the social security taxes that poor families with children were required to pay. It would also substantially increase the likelihood that a welfare mother with several children could earn enough from a wage, supplemented by the EITC, to leave the welfare system.

In an efficient market economy such as ours, workers are paid according to their productivity, not according to the numbers of mouths they must feed. For those with positive tax liabilities, we rely on the personal exemption provision in the tax code to ensure that large families have more disposable income than small families with equal pre-tax incomes. In 1988, this exemption will be worth $292.50 per child for most families. A family with two children will pay $292.50 less in federal taxes and, therefore, have that much more income to spend on food, clothing, and other necessities than the family who earns the same income but has only one child. By adjusting the EITC by family size, this same principle can be extended to working parents who do not earn enough to owe federal income taxes.

Such a reform would help the millions of working poor in this nation. It would also provide a greater incentive for welfare recipients to work. When combined with strong economic growth and a reduction in the employment barriers facing welfare recipients, an enhanced EITC could help ensure that the nation's effort to substitute work for welfare succeeds.

RECENT SUPPORT FOR VARYING THE EITC BY FAMILY SIZE

"We also recommend that the EITC be amended to increase credits for larger numbers of children."—"One Child in Four," The American Public Welfare Association, 1986.

"We should go beyond the assistance provided to the working poor in the Tax Reform Act of 1986. We should provide further tax relief to the working poor by varying the Earned Income Tax Credit by family size and by assuring that the ratio of the tax threshold to median family income be at least kept constant over time."—"Ladders Out Of Poverty," The Project on the Welfare of Families, 1986. (Bruce Babbitt and Arthur Fleming, Co-chairs).

"We also propose that the EITC vary by family size. Under the new tax law, the maximum credit a family can claim is raised to $800 by 1988 and would be phased out for workes earnings between $9,000 and $17,000. While this is an important step, it does not respond adequately to the needs of working poor families, especially large families.

Varying the EITC by family size would approximate a children's allowance for low-income families. Every industrialized country except the United States recognizes the importance of children through some sort of universal child allowance. Using the Earned Income Tax Credit to increase the earned income available to working-poor and near-poor families will bolster the efforts by parents to support their children through work."—"A New Social Contract," Task Force on Poverty and Welfare, State of New York, 1986. (Submitted to Governor Mario M. Cuomo).

"The EITC could be modified by introducing a "per child" factor. For example, if an eligible family has three children, the amount of income on which they could earn the credit would increase accordingly."—"The Family: Preserving America's Future," White House Working Group on the Family, 1986.

Mr. MICHEL. Mr. Speaker, I commend the gentleman from Wisconsin [Mr. PETRI] for taking out this special order so that we can

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[1] Robert I. Lerman, "Separating Income Support from Income Supplementation", The Journal: The Institute for Socioeconomic Studies, Volume X, No. 3, Autumn 1985.

[2] All of the figures for 1988 are estimates based on assumed rates of inflation.

discuss more fully his proposal on the earned income tax credit.

It is appropriate that this proposal be discussed in connection with the minimum wage legislation, because if the goal of such legislation is to help the poor, an increase in the earned income tax credit would do a much better job of it than simply to increase the minimum wage.

Virtually every analysis, from whatever source, admits that a significant increase in the minimum wage of the amount being proposed would cost jobs, somewhere between 100,000 and 900,000. These would be jobs taken away from the poor in many cases. So you would be increasing the income of some at the expense of jobs for others. An increase in the earned income tax credit, however, would increase the income of low income families without costing jobs.

It is also important to note that an increase in the minimum wage would not assist those low income families with large numbers of family members who may be earning slightly more than the proposed minimum, but still not enough to support their families. The earned income tax proposal, adequately on the other hand, would actually increase the income level of such families, by upwards of $2,500 annually.

This is a proposal that should be considered as part of the minimum wage proposal, because it is the only effective way we can truly assist the working poor. It would also be an important incentive under welfare reform to help move people off the welfare rolls and into the workforce. I have asked the Rules Committee to make the Petri proposal in order in connection with the minimum wage bill, and I hope it will do so.

I would ask at this point to include a letter we received from the Office of Management and Budget providing cost estimates of the Petri proposal.

OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC, April 18, 1988.

Hon. ROBERT H. MICHEL,
Republican Leader, House of Representatives, Washington, DC.

DEAR MR. LEADER: This is in response to your letter of March 14th in which you asked for an estimate of the cost to the Federal Government of raising the minimum wage over four years to $5.05 an hour, as approved by the House Education and Labor Committee. As you thought, there are certain programs whose expenses would be directly affected by an increase in the minimum wage. The Federal budget would definitely not be insulated from this increase.

A conservative estimate puts the direct effect on the annual budget deficit at about $2½ billion by 1992, when the final stage of the proposed increase in the minimum wage is in place. This consists of a direct increase in outlays of $1.0 billion, and a loss of $1.4 billion in tax receipts because fewer young and unskilled workers will be employed. The total budget costs are likely to be several times larger than the direct budget costs when the indirect (ripple) effects on the economy of the higher minimum wage are taken into account.

We have identified five areas where outlays would be directly affected by a higher minimum age: the Summer Youth Employment and Training Program, the College-Work Study Program, Community Service Employment for Older Americans, unemployment insurance benefits, and DOD payments to employees paid out of receipts from business transacted at post exchanges and the like. The combined increase in annual outlays for these areas is about $1 billion by 1992.

A higher minimum wage would also have direct effects on the revenue side of the budget. The most serious consequence of a higher minimum wage would be to hold down employment of young and inexperienced workers. We estimate that by 1992, when the proposed legislation takes full effect, employment for workers aged 16 to 24 would be lower by roughly 850,000 jobs. These lost jobs will raise the already high teenage unemployment by about 3 percentage points, reversing the gains of the last six years. They represent lost wages and lost opportunities for young workers. Lost wages also mean lost Federal revenues. The decline in annual Federal income and payroll tax receipts because of this lost income equals $1.4 billion in 1992.

In addition to the above direct effects, there are potentially large indirect (ripple) effects that could widen the budget deficit further. Workers who earn more than the minimum wage may seek wage increases to restore, at least partially, the differential they previously enjoyed relative to minimum wage workers. These second-round wage increases could lead to increases in inflation, especially if no action is taken by the monetary authorities to offset it. Higher inflation will raise the costs of entitlement programs. In the case of Medicare and Medicaid, a higher minimum wage would raise annual program costs by an estimated $3/4 billion by 1992. Procurement expenses are likely to rise as well. The procurement budget is $200 billion, so even minor increases in average prices have significant budgetary consequences. For example, if the proposed increase in the minimum wage raises the average price of goods purchased by the Federal Government by as little as 0.5 percent, it would raise procurement costs by $1 billion.

If the monetary authorities resist the inflationary pressures, output and employment will be reduced beyond the direct effects of the increase in minimum wage. This would lead to further increases in the deficit. A number of estimates have been made of these budget effects using major macroeconomic models of the economy. Depending on the wage-price interactions and the specific response of the Federal Reserve to the potential inflationary pressures, the budget deficit increase is in the range of $4 to $9 billion by 1992.

In summary, the proposed minimum wage legislation is likely to raise the budget deficit by at least $2½ billion. The total direct and indirect effects on the budget could be two to four times higher.

Sincerely yours,

JAMES C. MILLER III,
Director.

Mr. HOUGHTON. Mr. Speaker, the "tinkerers" are at it again—this time here on the Hill with the Federal minimum wage.

In the House, several options are being marketed: One such option is to hike the minimum wage four steps from the present $3.35 rate to $5.05 per hour by 1991. Another option would push the rate to $4 by 1990, still another would go to $4.35. In a similar vein, some suggest increasing the earned income tax credit for full-time, minimum wage workers with families.

I believe that our minimum wage could stand an increase. After all, nothing has been done since 1981. But the big question is how much. Clearly, the cost of living has outpaced this static figure. As a result, the "purchasing power" of the 4.7 million minimum wage earners—which is less than 5 percent of the workforce—is considerably less than it was 7 years ago. In fact I've found the attitude among some to be, "Why work for a living when you can make more on welfare?" Obviously, putting more money into the pockets of those struggling under or around the poverty line helps those who are barely making it from going over the edge.

Many of the owners of smaller businesses in my district—the southern tier of New York State—have told me in the last few months that a large increase could cripple their operations—and along with this, hurt a lot of jobs in our area. And the argument goes, what good is a higher wage if the jobs don't exist? So, I've been asking is it possible to straddle both needs—increase the minimum wage to help those living below the poverty level without shocking our businesses and forcing layoffs? I think it is. But the balance between what to do to help those in need and what it takes to provide jobs is very delicate. Our thrust here then must be sensitive to the human lives involved, yet appropriate to maintain this economy's uneasy balance.

How do we do this? First, I believe we can increase the wage in smaller, more sustainable steps to give our smaller businesses at least the room to adjust. Then—if our prime aim is to help the neediest—why not nudge up the existing earned income tax credit for low-income workers who support families? This acts as a progressive wage supplement for the low-income worker and encourages people to work while taking the total burden of an increase from the shoulders of business, and ultimately, the consumer.

Let me explain what I mean. The tax credit works this way: If a full-time worker who maintains a home with one or more children earns $5,700 in wages, under the present law he or she is entitled to an $800 cash refund from the government—even if he or she doesn't even owe any taxes. This is done on a sliding scale. The more a family earner makes, the less he receives as a refund. Now, under the new proposal, a person with one child might earn as much as $7,100 a year and get an even higher refund—maybe in the range of $1,000.

What this plan would do is link the amount a family worker receives to the number of dependents in his or her household. For example, a working mother of four might receive a $2,500 refund—the new refund ceiling. The present ceiling is around $800. The trouble, of course, with this approach, is that it costs the Government money—about $1.5 billion more a year, according to the Congressional Budget Office. But that cost would, I assume, be at least partially offset by a drop in the welfare population. That's important, too.

Now this can get awfully confusing, but in the last analysis, I have to believe that such a tax credit change would put money where it is needed the most. Census data tells us that about one-third of those earning the minimum

wage are full-time workers. Of that number, fewer than 25 percent are heads of households. We're talking about a relatively small, targeted group—yet a group which must depend on minimum wage jobs to survive, and to avoid welfare.

So if we really want to get at the problem of poverty in this country, let's do it and do it regularly—not wrench the minimum wage ahead so abruptly that it destroys the chances of those it intends to help. If Congress wants to help the needy, a knee-jerk reaction isn't the answer. As with anything of such magnitude, it requires care and a very special sense of balance.

Mr. BALLENGER. Mr. Speaker, I appreciate the opportunity tonight to rise and speak in favor of H.R. 4119, the Jobs Enhancement for Families Act, authored by the distinguished gentleman from Wisconsin, Representative PETRI.

I joined Mr. PETRI as an original cosponsor of H.R. 4119. I did so because I am convinced that this proposal is the proper way to address the problems of the working poor, as opposed to raising the minimum wage to $5.05 per hour over 4 years.

If Congress wants to raise the price of a Big Mac and put a lot of teenagers out of work, the best way to do that is to increase the minimum wage.

However, if you want to aid the working poor—those who need and deserve a helping hand—the most sensible solution is H.R. 4119.

H.R. 4119 has a goal identical to increasing the minimum wage: it would provide direct financial assistance to workers at the bottom rung of the economic ladder. And, it would accomplish that goal without throwing thousands out of work or endangering the competitiveness of our Nation.

H.R. 4119 would increase after-tax earnings, the take-home pay that buys groceries and clothes, by revamping and expanding the provision of the U.S tax code called the "earned income tax credit."

This innovative approach does more than pay lip service to solving the problems of the working poor. It targets the assistance to those who really need it, without putting their jobs at risk.

I would like to make a part of the record, a recent editorial I wrote on the Petri proposal, entitled "A Better Way to Help the Working Poor."

I urge all my colleagues to break out of the mindset that exists regarding the minimum wage. Increasing the minimum wage is not a panacea. Numerous studies clearly demonstrate that raising the minimum wage throws the lower skilled and unskilled employee out of work. However, no study illustrates this point as well as a letter I received on May 2 of this year from a mother in my district. My constitutent has a retarded son, who is employed and is self-supporting. She fears, however, that as the minimum wage is raised, her son will be among those who will lose their job. I would like to include her letter as part of my statement.

Expanding and reshaping the earned income tax credit provides us with a credible, workable and better alternative. I urge my colleagues to support it.

I would also like to include information on the effect of mininum wage increases on nursing home costs.

MRS. SAMUEL JAMES BROWN, Jr.,
Gastonia, NC, April 25, 1988.

Hon. CASS BALLENGER,
House of Representatives, Washington, DC.

DEAR MR. BALLENGER, My son is retarded but he works every day and he is self supporting. He works for a janitorial service and his pay is probably little more than the present minimum wage. Rodney's work production is not worth more than that and if the federal government keeps raising the minimum wage, employers will keep cutting back on their employees and demanding more production—and better producers. There won't be any jobs for the Rodneys or the untrained school kids. Please vote against raising the minimum wage.

Yours truly,

RUTH BROWN.

[From The Charlotte Observer, Apr. 16, 1988]

A BETTER WAY TO HELP THE WORKING POOR.

(By U.S. Rep. Cass Ballenger)

WASHINGTON.—If Congress wants to raise the price of a Big Mac and put a lot of teenagers out of work, the best way to do that is to increase the minimum wage.

If it wants to aid the working poor—those who need and deserve a helping hand—the most sensible solution is one offered by Congresseman Tom Petri, R.-Wisc.

Congressman Petri's proposal has a goal identical to increasing the minimum wage: It would provide direct financial assistance to workers at the bottom rung of the income ladder. And it would accomplish that goal without a harmful impact on American competitiveness.

Unfortunately, it now appears unlikely that Congress will have a chance to debate the merits of these two quite different proposals.

Instead, it will probably have only the option of voting for or against a bill drafted by Congressman Augustus Hawkins, D.-Calif., which would increase the minimum wage from $3.35 to $5.05 an hour by 1992.

Congress last amended the Fair Labor Standards Act in 1977, raising the federal minimun wage more than 46% over a four-year period. The last 25-cent increase went into effect in 1982.

Those who favor the current proposed increase argue that raising the minimum wage benefits low-paid, unskilled and entry-level workers. They would reduce poverty by simply paying a higher base wage.

Does that make sense? Well, at first blush it certainly sounds reasonable.

But if the solution to poverty is that simple, why stop at a $5.05 minimum wage? Let's raise it to $20 an hour and guarantee every entry level, low-skilled worker $40,000 a year.

Ridiculous? Of course, but the principle is the same.

MINIMUM WAGE HIKE'S COST

The fact is that increasing the minimum wage has its costs. It is estimated, for example, that the 1977 action by Congress resulted in:

The direct loss of 644,000 jobs. These were marginal jobs eliminated by employers in an effort to hold the line on overall labor costs.

Unmeasured "disemployment." This means that many jobs were not created because they could not be justified under the higher minimum wage.

Inflation: as much as a 6.5% increase in the rate of inflation over a four-year period.

If a minimum wage increase puts more people out of work, reduces the number of new jobs and causes the cost of products and services to increase, who benefits?

A study published in American Economic Review states:

"There is practically no evidence that minimum wage rate provisions increase the earnings or improve the poverty position of the least educated . . . Thus the minimum wage policy appears to be a poor policy with effects that often have been misunderstood or misrepresented."

The Minimum Wage Study Commission, established by Congress in 1977, noted that nine out of 10 U.S. families are worse off when the minimum wage is increased.

These are views not only embraced by a conservative, business-oriented congressman from North Carolina. They also reflect the editorial position of the New York Times, which often represents the opinion of somewhat more liberal thinkers.

Congressman Petri's bill, called the Job Enhancement for Families Act (House Resolution 4119), attacks the root problem of the working poor. It increases after-tax earnings, the take-home pay that buys groceries and clothes.

His bill would revamp and expand a provision of the U.S tax code called the "earned income tax credit." This is also known as the "negative income tax."

Here's how it works:

A family with one child that earns, say, $8,000 a year would normally pay income taxes of just over $1,000. Under the Petri plan, this family would be entitled to a tax credit of $1,500, or an amount in excess of their taxes. This family's tax obligation would be reduced to zero. Each week, that family would have an extra $90-plus a month to pay for essentials of everyday living.

The tax credit would be phased out between incomes of $8,000 and $18,000 a year. Those who need help the most would get the most help.

Thus Congressman Petri's proposal would accomplish the stated goal of those who advocate an increase in the minimum wage—without putting jobs at risk or threatening U.S. business competitiveness.

PETRI PLAN PAYS OFF

The estimated direct cost of this plan to the federal government, in terms of lost tax revenue, is put at between $1.5 billion and $2 billion a year.

But there are also savings. The tax credit would be considered income in calculating welfare benefits, including Aid to Families with Dependent Children (AFDC). With the federal share of AFDC, food stamps and Medicare costs now costing some $50 billion a year, only 3 to 4% of that figure would have to be saved to pay the entire cost of the Petri proposal.

The direct loss of revenue under the Petri plan has the further advantage of forcing Congress to face up to its pledge to balance benefits and costs under Gramm-Rudman-Hollings guidelines. That's tough medicine, but it's far more responsible than a minimum wage increase whose greater—and more far-reaching—impact is cleverly hidden in nearly every segment of the economy.

It will come as no surprise that I intend to vote against an increase in the minimum wage. I will do so because it would hurt the people it is supposed to help, not to mention

those who would suffer by its concealed inflationary affect.

But there is an alternative that would truly help the working poor, without creating a new spiral of inflation and putting young fast-food workers out of work.

During the coming weeks I will urge my colleagues in Washington to consider joining in support of Congressman Petri's proposal. It deserves the thoughtful and serious consideration that it probably won't get.

Mr. DEWINE. Mr. Speaker, I would like to express my support for legislation, introduced by Congressman TOM PETRI of Wisconsin, that would help working low-income families. The Job Enhancement For Families Act would increase the earned income tax credit for low-income people to encourage them to support their families through work rather than through welfare.

I have written an article, which has been published in the Marysville Journal-Tribune of Marysville, OH and the Circleville Herald of Circleville, OH, that outlines my support for this legislation. I submit the article for inclusion in today's RECORD:

[From the Circleville Herald, Mar. 30, 1988]

MIKE DEWINE—WASHINGTON REPORT

Most of us would agree that helping people on welfare find and keep useful jobs is the best way to cut poverty and reduce welfare costs.

But in some cases, low-income families make more money on welfare than they make on the job. Some find that their skills do not enable them to earn as much as they could receive on welfare. Others remain caught in a welfare trap, facing financial penalties for trying to escape.

These situations discourage many low-income people from entering the work force. As a society, we need to take steps to improve the economic incentives for America's working poor and for those who are trying to get off welfare.

The Job Enhancement For Families Act, introduced by Congressman Tom Petri of Wisconsin, would go a long way to help working low-income families. This legislation would increase and reform the Earned Income Tax Credit (EITC), which is a wage supplement for workers who are trying to support families on low incomes.

Under current law, the EITC is a tax credit of 14 percent of the first $5,714 earned by an eligible person who maintains a home for one or more children. Those who earn under $17,000 are eligible for the credit, and the maximum credit is $800.

The Job Enhancement For Families Act would increase the tax credit based on need which would be determined by family size. This legislation would increase the tax credit for each additional child, up to a maximum of $2,500 for a family with four or more children.

According to the Institute for Research on the Economics of Taxation, expanding the Earned Income Tax Credit for the working poor "encourages job creation, helps those workers most who need the most help, and reduces government spending."

This legislation would help low-income people support their families by working rather than through welfare. I believe it's better to supplement the wages of workers than it is to have these same people drop out of the work force so they can receive more money through welfare programs.

I believe this legislation would benefit low-income families, taxpayers, and the economy.

[From the Marysville Journal-Tribune, Apr. 1, 1988]

HELPING THE WORKING POOR

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Under current law, the EITC is a tax credit of 14 percent of the first $5,714 earned by an eligible person who maintains a home for one or more children. Those who earn under $17,000 are eligible for the credit, and the maximum credit is $800.

The Job Enhancement For Families Act would increase the tax credit based on need which would be determined by family size. This legislation would increase the tax credit for each additional child, up to a maximum of $2,500 for a family with four or more children.

According to the Institute for Research on the Economics of Taxation, expanding the Earned Income Tax Credit for the working poor "encourages job creation, helps those workers most who need the most help, and reduces government spending."

This legislation would help low-income people support their families by working rather than through welfare. I believe it's better to supplement the wages of workers that it is to have these same people drop out of the work force so they can receive more money through welfare programs.

I believe this legislation would benefit low-income families, taxpayers, and the economy.

Mr. GREEN. Mr. Speaker, I should like to thank my colleague from Wisconsin [Mr. PETRI], for his leadership in sponsoring this special order on the minimum wage and the earned income tax credit. As Members of Congress review the current minimum wage legislation (H.R. 1834), I believe we must carefully evaluate the economic and social costs of such a proposal.

At great risk of inflation, we have devalued our currency in order to increase our competitiveness internationally. Thus far it has been effective, but we must not ignore the serious inflationary pressures this Nation continues to face. To undermine those efforts by a 50-percent upthrust in our wage structure is lunatic, yet that is what the minimum wage bill would do, since its wage increases would quickly be followed by like percentage increases in higher parts of the wage structure to maintain skill differentials. Clearly a worker's wage is valued not only for its purchasing power, but also for the relative status it implies.

Another extremely important issue relevant to debates on the mimimum wage is the relationship between that wage and the poverty level. Study after study shows that only a very low percentage of workers at or immediately above the minimum wage are from poverty households. Economists at the Congressional Budget Office have estimated that among those paid $3.35 in March 1985, only 18.5 percent were in families below the poverty level.

In fact, the minimum wage is plainly for most an introductory wage for teenagers and part timers. In March 1985, teenagers held almost one-third of all jobs paying the minimum wage. According to 1984 wage data, only 18 percent of minimum wage earners reported having worked full time, year-round, as compared with 59 percent of the workers with wage rates above the minimum.

For numerous reasons, raising the minimum wage would not be the best way to aid the working poor. Too many workers would lose their jobs or lose job opportunities. While estimates vary, several studies have concluded that if the minimum wage is increased from $3.35 to $5.05 over 4 years as proposed by H.R. 1834, as many as 500,000 jobs may be lost. This legislation would also add an estimated 0.2 to 0.3 percentage points to the annual inflation rate. For the less than 20 percent of the mimimum wage earners who are in poverty households, let us assist them without destroying the whole economy.

Instead of following a foolhardy and inflationary approach, let us provide targeted assistance to that population. A restructuring of the existing earned income tax credit [EITC] is the ideal solution, and a lot less expensive overall. An expanded EITC, which would provide a direct wage supplement based on family size, clearly offers a mechanism for putting more money into the pockets of low-wage workers. EITC could be estimated in advance and added to the recipient's regular paycheck. In expressing support of EITC, a New York Times editorial noted, "Congress owes the working poor well-designed help, not a well-intentioned illusion" like an increased minimum wage. I urge my distinguished colleagues in Congress to support Mr. PETRI's EITC proposal as an effective alternative to an increase in the minimum wage.

I believe my colleagues would be interested in seeing some articles on this issue.

I include these articles to be inserted in the RECORD at this point.

[From the New York Times, Apr. 12, 1988]

MINIMUM WAGE: A PERVERSE POLICY

(By John Raisian and George J. Stigler)

PALO ALTO, CALIF.—Congress appears ready to approve an increase in the Federal minimum wage, a perverse policy that hurts the low-income families it seeks to help. A bill calling for a $5.05 minimum recently passed the House Education and Labor Committee, and a similar bill calling for $4.65 is pending in the Senate Labor Committee.

Adding to the momentum, 54 economists wrote a letter to Congress in support of increasing the minimum wage from the current $3.35 an hour to $4.65, and thereafter pegging the minimum to one-half of the average hourly wage for nonsupervisory work-

ers. Congress and the public should not assume, however, that this letter puts forth the majority view among economists.

In fact, the contention of the 54 that a higher minimum wage would not raise the unemployment rate appreciably is at odds with the opinion of the overwhelming majority of economists, who were surveyed on this question in the May 1979 issue of the American Economic Review. Moreover, the 54 fail to consider the potential effect on employment.

In addition to layoffs, the reduction in employment would take the form of unfilled vacancies, job elimination and substitution of part-time for full-time jobs. Since the unemployment rate does not include either workers who drop out of the labor force or jobs that employers decide not to fill the actual effects of a higher minimum wage on employment are not fully measured. Hence, a higher minimum wage could lower total employment significantly, even though the unemployment rate might not rise dramatically.

The 54 economists see the minimum wage as "a social contract to protect the standard of living of the working poor." Yet a social contract that eliminates one's job would seem to injure, not protect, that person's standard of living. Again, they state that "a worker paid at the present minimum wage of $3.35 per hour earns $6,700 on a full time year round job . . . an annual income more than $1,900 below the official poverty threshold for a family of three." This statement seems to imply that such a situation is typical for a minimum-wage worker. It is not.

Indeed, it is illuminating to review the characteristics and circumstances of a worker earning a wage that is at or below $3.35 an hour. As of the mid-1980's, there were approximately 5 million such workers, representing less than 5 percent of total employment.

About these 5 million, census figures tell us the following: 58 percent were between the ages of 16 and 24; 76 percent were not the heads of a household; 65 percent were part-time workers; 81 percent were in families with income above the Federal poverty line; 70 percent were in families that had one or more other workers; and, most significant, only 2.3 percent were both full-time, full-year workers and in families below the Federal poverty line. Thus, the typical minimum wage worker is young, not the head of a household, working part-time and not in poverty.

For the sake of the affected workers, Congress should oppose the minimum wage initiative. Low incomes should be combatted by policies that raise the productivity of poorly paid workers, not by overpricing the workers' services to employers.

[From the Atlanta Daily World, Oct. 8, 1987]

STUDY SAYS MINIMUM WAGE INCREASE TIED TO POVERTY

An analysis of the minimum wage and the rate of poverty in America shows a strong correlation between minimum wage increases and increases in poverty.

According to Professor James Bennett of George Mason University, increasing the minimum wage by $1.00 would increase the rate of poverty by 1.56 percent.

Congress is presently considering legislation which would increase the minimum wage by $1.35 to $4.65 an hour over the next three years and index it thereafter to 50% of the average hourly wage.

Testimony supporting the legislation has relied heavily on the fact that a single wage earner earning the minimum wage does not earn enough to support a family above the federally established poverty level.

The new analysis was requested by the Public Service Research Council when recently released poverty figures showed that poverty declined during years in which the minimum wage was not increased and increased when it was increased.

In a letter to Senator Ted Kennedy (D-MA), the author of the legislation to increase the minimum wage, David Denholm, the President of the Public Service Research Council, said that while the relationship between increased minimum wages and increased poverty was clear, the reason for it was not. Denholm suggested that the cost of goods and services upon which low income families depend may be more sensitive to minimum wage increases than others. He cited a study which showed that a 20 percent increase in the minimum wage only increased the income of the lowest income families by .02 percent and concluded that the consequences of a minimum wage increase for America's poor will be negative.

The Public Service Research Council, which opposes the minimum wage increase proposal, contends that it is being pushed by organized labor to "use the power of government to protect itself from the consequences of its labor cartel activity by reducing competition from low wage earners."

The Public Service Research Council is a national citizens' organization concerned with the influence of unions on public policy and is the sponsor of Americans Against Union Control of Government.

[From the Dallas Times Herald, Nov. 22, 1987]

RAISING MINIMUM WAGE HELPS POOR VERY LITTLE, PROFESSOR ARGUES

(By John Cunniff)

NEW YORK.—The professor offered many reasons why the minimum wage shouldn't be raised precipitously, but one of them sounded particularly ironic. Such increases, he said, seldom help those who need the money.

"Impossible," said a listener. "Isn't it obvious that those lowest on the pay scale are most in need of more money?"

Probably, he said, but the minimum wage usually doesn't go to the minimum-income households. In fact, he said, it seldom goes to them. Most of the money, he contended, ends up in the pockets of families with above-average incomes.

"The minimum wage is earned primarily by secondary earners' from above-median income families," he stated firmly. Then he dropped this bomb:

"In the retail industry, a major employer of lower-wage workers, 70 percent of the recipients come from families with incomes more than 200 percent above the threshold poverty level."

Professor William C. Dunkelberg, economist and dean of Temple University's School of Business and Management, has a penchant for puncturing popular assumptions, and this is one of his pets.

According to his estimates, low-income workers account for little more than 10 percent of all workers earning the minimum wage. Thus, he argues, a higher minimum wage cannot effectively redistribute income to the poor.

A second defense of proposed minimum wage increases—to $3.85 an hour to $4.25 to $4.65 over the next three years—is that the cost is small. No way, says Dunkelberg.

Conservatively, he said, such increases would result in a loss of $9 billion or $10 billion from the gross national product by 1990, an increase in the inflation rate of 0.2 percent to 0.3 percent, and an increase in the jobless rate.

While he conceded that in percentage terms any increase might be small, it might not be in actual numbers, since any increase at all in the jobless rate applies to a base of 110 million workers.

And who, he asked, do you think gets hurt by those "slightly" higher jobless rates? "Not us," he said, to his listener.

Who, then? "Just those with few skills, poor educations, unlucky draws in the genetic lottery and young people," he answered. And for most of these people, "the loss of jobs and job opportunities becomes critical."

Such increases also would hurt small businesses, often considered the primary creator of jobs. He was asked how, and among the reasons he offered, this one stood out:

"Small firms often are started with under $20,000 in capital. An increase of $1 in the minimum wage for such a firm with two minimum wage employees would wipe out 20 percent or more of the capital of half the new small firms starting in any given year."

In response to a higher minimum wage, many such companies would eliminate entry-level jobs.

Mr. KOLBE. Mr. Speaker, I commend my colleague from Wisconsin for taking this time to discuss a vitally important issue that will come before the House in the next several weeks. I am referring to efforts to increase the Federal minimun wage from $3.35 to $5.05 over the next 4 years. As I am sure that all my colleagues are aware, this is an extremely emotional issue. I would like to take time now to look at some of the facts surrounding this issue.

Supporters of increasing the minimum wage argue this increase on two grounds. First, that the purchasing power of the $3.35 wage has shrunk considerably since 1981 and thus should be increased to cover inflation. Second, that increasing the minimum wage will help people pull themselves out of poverty. These conclusions run contrary to all of the evidence.

There is no doubt that the minimum wage has lost purchasing power. In constant 1967 dollars, the minimum wage ranged from $1.25 to $1.40 an hour during the 1960's and 1970's it is now worth about a dollar. During that period, the minimum wage represented about 50 percent of average wages in the private sector. It has dropped to 38 percent. This is the scale used in H.R. 1834, the Kennedy-Hawkins proposal. In addition, the full-time, full-year earnings of an employee at minimum wage were only 80 percent of the Federal poverty level for a family of three. In a sense, the minimum wage has been partially repealed already. One might jump to the conclusion that our workforce is not keeping pace with the economy.

Let's look at the other side of these facts before any rash decisions are made to increase the minimum wage. Of a workforce of over 115 million, 4.7 million earn the minimum wage or less. That represents a decline of 40 percent since 1981 in the numbers of workers

at minimum wage. Of these workers, only 14 percent are head of households. This could simply be construed to be an indiciation of a shrinking job market, but this is not the case. Since 1982, over 15 million jobs have been created. During this time, wage and salary jobs averaging $10 or more per hour have increased by 15.6 million while jobs paying less than $4 an hour have declined by 6.8 million, or more than 25 percent. This is a very clear indicator that our economy is growing at a steady rate, and our job growth is in full-time, well paying jobs.

This is the cold statistical analysis of the situation. All to often, Congress gets wrapped up in the numerical argument and fails to consider the human impact of policy and procedure. When we look at the human impact, it becomes all too clear the supporters of the minimum wage have gotten stuck on one side of the numerical, calculated approach to the poverty problem. This at the expense of the thousands of people who will lose their jobs or not find job openings available to them. For the sake of compassion, Congress should not enact legislation that would actually increase the number of people on poverty just as the last increase did.

Raising the minimum wage would dramatically worsen the plight of those at or near the poverty level. Syndicated columnist, James J. Kilpatrick, starkly illustrated the very real impact of increasing the minimum wage. He described the impossible situation facing both a small restaurateur and a hopeful job seeker. Due to the obvious increase in labor costs that the minimum wage would cause, the restaurateur would be unable to hire the additional help that he needs and may, in fact, have to let an employee or two go. At this point, I would like to include in the RECORD a copy of Mr. Kilpatrick's column.

Increasing the minimum wage is no way to improve the condition of the poor. The history of the minimum wage shows that it destroys the jobs and job opportunities of poorly trained workers—inner city teenagers, the semiliterate. It's particularly hard on such workers who must provide primary support for their families. According to several estimates, the Kennedy-Hawkins bill would close the job market to 300,000 to 750,000 people. These job losses would be concentrated on the economically disadvantaged.

I agree that something must be done to increase the income of the working poor. Increasing the minimum wage for some, while costing the jobs of 600,000 to 800,000 others is clearly not the way to pull people out of poverty. My colleague and friend, Mr. PETRI, has suggested a very workable solution to this problem. His proposal would expand the earned income tax credit [EITC] in lieu of increasing the minimum wage.

The EITC is a refundable tax credit of 14 percent of the first $5.714 earned by an eligible person who maintains a home for one or more children. Currently, the maximum credit is $800, an is phased out according to increased earnings. The EITC can be restructured easily to provide benefits to households with children. This could be very useful in reforming the welfare system to get resources to directly address the needs of the family.

Mr. PETRI'S Job Enhancement for Families Act would supplement low wages according to need as determined by family size. The current EITC provides the framework necessary to do this. While increasing the minimum wage would destroy jobs, adjusting the EITC would help to create jobs in addition to help those families that need it the most. In addition, it would help to decrease Federal spending by helping people get off of many social welfare services. While it would cost the Federal Government $1.5 billion in lost revenue, some of this would be offset by increased personal revenues as workers move up the ladder. In comparison with increasing the minimum wage, which could cost the Federal Government as much as $7 billion in additional services, this is very reasonable.

Once again, I would like to thank Mr. PETRI for taking out this special order. I hope that we can persuade some of our colleagues to stop and think about the direct and indirect impacts of increasing the minimum wage. When people look beyond the emotional haze that surrounds this issue, they will recognize the common sense of supporting Mr. PETRI's thoughtful, compassionate, and profamily proposal.

Mr. Speaker, I would like to insert in the RECORD at this point some material on the minimum wage issue provided by the Department of Labor. These four summaries include some important statistical data and impact analysis that all members should be aware of before making any decisions.

[From the Bridgeport (CT) Post, Aug. 18, 1987]

DON'T RAISE THAT MINIMUM WAGE!

(By James J. Kilpatrick)

WASHINGTON.—Joann Peters, 18, is an attractive young woman, not overly endowed in the brains department, who was graduated a few weeks ago from her small-town high school. She has no great interest in college and no funds for tuition. She is living at home with her mother and a younger brother. Her mother earns $9,360 a year as an ironer in a local laundry.

James Kennon, 41, is manager of the Steamboat restaurant at 23rd and Main streets. His franchised fast-food operation is in heavy competition with the Sizzlin' Steak and the Happy Crab. Kennon works seven days a week, but his food costs are rising and his rent just went up. In slow weeks he has a tough time meeting his payroll.

The Steamboat now employs 10 persons per shift at the minimum wage of $3.35 an hour and two others at $4 an hour. This figures out to labor costs of $41.50 an hour or $332 for an eight-hour shift. He really could use an 11th worker to clear tables and wash dishes, but he hesitates to add to his payroll when his margin of profit is so small.

Very well. Joann Peters and James Kennon, meet Senator Edward Kennedy. The gentleman from Massachusetts is about to complicate your lives. He and Rep. Augustus Hawkins, D-Calif., are pushing hard for a bill that would increase the minimum hourly wage in 1988 from $3.35 to $3.85. Their bill would mandate a minimum of $4.65 in 1990.

Joann would like to work at the Steamboat. Jim Kennon would like to hire Joann. This would be her first job, and there's an opening on the floor. She's good-hearted but a little careless; she needs the experience of holding a job and showing up on time. All of us know such Joanns.

But this is how Jim Kennon looks at the situation: The Kennedy-Hawkins bill would require him to pay his 10 lowest-level employees $3.85 an hour, or $38.50 per hour. The two cooks would have to be raised to $4.50 an hour to preserve a reasonable differential. If he keeps everyone employed, he is now looking at labor costs of $380 a shift, two shifts a day, compared to his present $332 a shift. He is looking at added labor costs of $35,000 a year, with no increase in productivity or service.

Goodbye, Joann, and tough luck, kid. Instead of 10 full-time hired hands at $3.35, Kennon will hire eight persons full-time and one to work six hours a shift at the required $3.85. Assuming the raise of 50 cents an hour for the cooks, the Steamboat will now have labor costs of $341.50 per shift. The manager will be spending roughly $7,000 more a year for labor; he will have nothing to show for it, and Joann will be just kind of, you know, hanging around home.

The example is hypothetical, of course, but this is how the real world works. In the idealistic world of Messrs. Kennedy and Hawkins, an increase in the statutory minimum wage is a great thing for the poor folks. Don't you believe it. Every study that has been made of the economic "benefits" of a higher minimum wage demonstrates that an increase harms the very class of unskilled workers it is intended to help.

Who are these workers on minimum wage? The Department of Labor says there are about 5 million of them, of whom 3 million are in the 16-to-24 age bracket. Nearly 40 percent are teen-agers. One third are men, two-thirds women. Only about 1.7 million work full time; the other 3.3 million work part time.

Kennedy and Hawkins, with the very best intentions, suppose that a higher minimum wage will reduce welfare costs and lower the number of families at the so-called poverty level. No evidence supports this surmise. On the contrary, for every increase of 10 percent in the minimum wage, we may anticipate a loss of 80,000 to 240,000 jobs for teenagers. To the extent that higher labor costs results in higher prices to consumers, we get into the kind of inflation that nullifies the increase in hourly wages.

MINIMUM WAGE: DEMOGRAPHIC SUMMARY

The typical minimum wage earner is young, single, lives at home in a non-poverty household, and works part-time.

Of a workforce over 115 million, 4.7 million earn no more than $3.35 per hour.

Those earning "no more than" the minimum wage include those who report this or a lower hourly age but also earn tip income.

The number of minimum wage earners has declined by more than 3 million or 40 percent since 1981.

Almost 60 percent of all minimum wage earners are under age 25. Teenagers account for over 36 percent of all minimum wage earners, with more than one-in-four teenagers earning the minimum wage.

Sixty-eight percent of minimum wage earners are single, 60 percent have never been married.

Sixty-six percent of minimum wage earners work part-time. Over 90 percent of the jobs created in the current expansion have been full-time positions. The vast majority (nearly 80 percent) of those who work part-time, prefer part-time work.

Sixty-five percent of teenagers employed at the minimum wage report that school, not work, is their major activity.

While the minimum wage has remained at $3.35 since 1981, most of those currently earning the minimum wage are not "stuck" at it. The vast majority move to higher wage rates after an initial training/probationary period.

MINIMUM WAGE: THE ISSUE IS SKILLS

Economically and demographically, the target has moved since the last minimum wage debate over a decade ago.

Since 1982, over 15 million new jobs have been created.

During this time, wage and salary jobs averaging $10 or more per hour have increased by 15.6 million. Jobs paying less than $4.00 per hour have declined by 6.8 million or more than 25 percent.

Jobs that require higher skills are growing at a much faster rate than jobs which require few or no skills.

Our focus needs to be on education, training and retraining.

About half of the heads of households below the poverty threshold lack even a high school diploma.

Skills are the way out of poverty, not an increase in the minimum wage, which will cost jobs.

MINIMUM WAGE: SUMMARY OF ECONOMIC IMPACT

Increasing the minimum wage results in the loss of job opportunities, according to a consensus of dozens of academic studies (including those of the Minimum Wage Study Commission and a more recent (June, 1982) Journal of Economic Literature survey study).

Young workers, the least skilled and the disadvantaged bear the brunt of the disemployment.

Since youth account for such a large proportion of the minimum wage population, most minimum wage studies measure the decline in youth employment from what it would have been, absent an increase in the minimum wage. These studies do not attempt to estimate total employment or unemployment which are, of course, more driven by demographics and the business cycle. Similarly, the teenage unemployment rate understates the adverse impact of a minimum wage increase since a discouraged youth, who is unable to find an entry level job and drops out of the labor force, is not counted among the unemployed.

The loss of employment opportunities includes layoffs, reductions in hours of work, jobs which become automated, vacant jobs that remain unfilled and jobs never created.

For each 10 percent increase in the minimum wage, there is a loss of between 100,000 and 200,000 employment opportunities.

Dr. Charles Brown, senior economist for the Minimum Wage Study Commission, provided a similar estimate in Congressional testimony in April, 1987.

Thus, the irony is that the brunt of an increase would be felt by those least able to bear it:

Civilian Unemployment Rate: 5.6 Percent

Teenage Unemployment Rate: 16.5 Percent

Minority Teenage Unemployment Rate: 36.9 Percent

The current Senate proposal contains a 38 percent increase, implying a potential loss of between 400,000 and 800,000 job opportunities. The current House proposal suggests a potential loss of between one-half and one million job opportunities.

These proposals come at a time when minority youth are making substantial gains in securing employment. Employment gains for black youth have been among the strongest of all demographic groups—up over 50 percent since 1982, compared with a gain of only 11 percent between 1975 and 1980. In fact, during 1987 alone, employment of black teenagers increased by nearly the same amount as it did during the entire 1975–1980 expansion. Employment gains for black males have been even more remarkable, up 69 percent between November, 1982 and November 1987.

The impact of a minimum wage increase is felt especially by small business, which are responsible for 70 percent of all new jobs. Two-thirds of all workers enter the workforce via a small business.

Increasing the minimum wage will raise labor costs. Typical employer responses may include the substitution of more productive labor for unskilled youth, the substitution of capital equipment for labor, and cutbacks in the total amount of labor utilized. Increases in costs that are passed on to consumers through higher prices would tend to lower or reduce demand for the products or services of the firm, thereby further reducing the demand for labor.

Since raising the minimum wage reduces employment opportunities, it also reduces basic on-the-job training opportunities for youth. The traditional method a worker uses to "pay" for on-the-job training is by taking a reduced wage while in training. An increase in the minimum wage reduces opportunities for this traditional avenue from those workers with the lowest skill levels, and hence, those most in need of training.

MINIMUM WAGE: SUMMARY OF IMPACT ON POVERTY

Only 14 percent of minimum wage earners are head of households living with other relatives. Other individuals in these households may also be wage earners.

Just one percent of all workers are both below the poverty threshold and earn the minimum wage. Seventy percent of minimum wage earners reside in a family in which the income is at least 150 percent above the poverty threshold.

Almost 90 percent of all minimum wage earners are not employed on a full-time, year-round basis. The poverty rate for full-time, year-round employees is but 1.8 percent.

Nearly half of the heads of households in poverty are not in the labor force.

Historically, increasing the minimum wage has had no impact on poverty.

Academic studies on the income distribution effects of the minimum wage suggest only slight increases or even decreases in the equality of income distribution.

During the last four year phase-in of a minimum wage increase (1978–1981), the poverty rate actually began to rise for the first time in the postwar era.

Raising the minimum wage will eliminate low-wage jobs, but will do little to reduce poverty.0

Mr. BROWN of Colorado. Mr. Speaker, here are several articles relevant to the subject of this special order.

THE MINIMUM WAGE: POLITICS AND ECONOMICS

(By William C. Dunkelberg, Dean, School of Business and Management, Temple University)

"Deregulation" of the U.S. economy under the past two presidents has probably contributed substantially to the fact that the current economic expansion is now celebrating its 60th month anniversary. In spite of several unpleasant "shocks", the economy has managed to continue expanding, bringing the unemployment rate below 6% and employing the highest percentage of our population in history. But many still wish to return to the days when the government was more actively involved in setting prices and wages in our economy. Once again, a wave of proposed minimum wage legislation is sweeping the nation. It is alleged that the minimum wage worker has not shared in the prosperity, an allegation that ignores the impressive employment numbers [having a job is indeed a great benefit compared to the alternative] and the fact that many jobs that typically pay the minimum wage now pay far more in regions of the country such as New England and the Delaware Valley.

Supporters of the minimum wage now admit that it will increase unemployment and raise the inflation rate. We are however, told that these effects are "small" and so we shouldn't worry about them. Another example of how government regulations "nickel and dime" the economy into a TRILLION dollars of government spending and untold billions of hidden costs in the private sector like those generated by the proposed increase in the minimum wage. Among very competitive businesses, higher labor costs mandated by law must produce higher prices and reduced employment. The higher cost of workers doesn't just disappear. Any program can be presented as only costing each consumer a small amount. But count the programs and laws that absorb your resources on April 15 and you get the picture.

And are the effects really small? Estimates conservatively suggest a loss of only $9 or $10 billion in Gross National Product by 1990 if the Federal minimum raises to $3.85, $4.25 and $4.65 over the next three years, only a .2% to .3% increase in the inflation rate [which will be reflected in higher interest rates as well] and a minor increase in the unemployment rate of .1% or .2% [of over 110,000,000 workers!]. These are not small numbers. And the adverse employment effects don't bother most of us—just those with few skills, poor educations, unlucky draws in the genetic lottery, and young people. Here the loss of jobs and job opportunities becomes critical.

Small firms, the major producers of jobs in our country, are started with under $20,000 in capital. An increase of $1 in the minimum wage for such a firm with two minimum wage employees would wipe out 20% or more of the capital of half the new small firms starting in any given year. This is not particularly conducive to job formation or economic growth. In this sense, the minimum wage represents a very nasty tax on new firms and the jobs they create. Tax anything and you get less of it. And if Pennsylvania raises its minimum wage while surrounding states do not, firms with a choice will pick other states to start their businesses in. Entry level jobs are critical to the development of good working habits for new workers, but a higher minimum wage will

extinguish many opportunities. Most workers earn the minimum wage for only short periods of their lives, advancing to higher paying jobs as their skills improve.

Even so, maybe we could accept these costs if the minimum wage worked—if it achieved its objective of raising the salaries of low-income and below-poverty level workers. But it doesn't. The minimum wage is earned primarily by secondary earners from above-median income families. In the retail industry, a major employer of lower-wage workers, 70% of the recipients come from families with income over 200% above the threshold poverty level. Low income workers account for little more than 10% of all workers earning the minimum wage. Thus, a higher minimum wage cannot effectively redistribute income to the poor. Most of the beneficiaries are not the people we are trying to help. If that is the case, the "small" cost of the minimum wage really starts looking big. Another program to pay for that doesn't work.

In the meantime, states alone (excluding Federal welfare payments) devote an amount to public welfare programs that, if distributed directly to the poorest 10% of all families in the U.S., would yield over $12,000 per family per year, 50% more than a person could earn working 2,000 hours at today's minimum wage. A little more efficiency in delivering these funds to the needy would be far more productive than helping these families only one-in-ten times with a higher minimum wage that delivers to all of us just a "little" dose of higher inflation, interest rates, and unemployment.

Trying to help the less-advantaged is an admirable goal and one that we all probably support. But, let's do it efficiently, not with the shot-gun approach of a minimum wage that is destined to miss its target 9 out of 10 times while imposing substantial economic costs on us all, and particularly on those it purports to help. Our economy has prospered under "deregulation" and proven itself to be far more resilient to substantial economic shocks than an economy hobbled with rules and regulations. With employment at historically high levels, it hardly seems appropriate to interfere with the markets that have served us so well, especially to implement a program that has been shown to fail in its objective to help the poor.

[From the Daily Press and Dakotan, Dec. 4, 1987]

MINIMUM WAGE HIKE WOULD HURT THOSE IT SEEKS TO HELP

There is afoot yet another petition drive in the state, this one directed at South Dakota's congressional delegation asking them to support an increase in the federal minimum wage.

More than 1,500 signatures have been collected by the United Electrical, Radio and Machine Workers of America Union, in what a union spokesman termed a "strong showing of support" for the raise.

Our congressional delegation should resist the plea, though the arguments for higher wages for the poor seem persuasive.

Seem to be, but are not.

Raising the minimum wage from $3.35 to $4.65 in three annual steps would succeed in putting many low-income workers out of work. It is true that economists have different views on this, but there is agreement that since most of the working poor could not increase productivity to match the higher wage, they would lose their jobs.

Advocates of the higher wage argue that the tradeoff would be worth it since even if some jobs were lost, the benefit to those hanging on to their positions would offset it. Perhaps the proponents ought to ask those who would lose their jobs about this.

The impact of a higher minimum wage generally would harm the working poor, which is the primary reason we oppose it. But there are other factors our delegation should consider on this matter. Who in America today holds the minimum wage jobs? The Congressional Budget Office reports that 5.2 million workers earn a minimum wage. But many are teen-agers from middle class economic families. Of those at minimum wage jobs, only 20 percent are classified as poor.

Raising the minimum wage 40 percent would not only take away jobs from those who need them most, but also from teenagers and others who supplement other sources of income. It is not just speculation that the jobs will evaporate. The cost to employers is more than just the $1.30 an hour increase. A higher hourly wage means higher Social Security taxes, which the employer matches.

The predictable response from employers would be a cutback in jobs or an increase in prices, or both. This in turn would affect consumers and would boost inflation.

A higher minimum wage is a temptress, difficult to resist because the objective of helping those who truly need it is so worthy. Unfortunately for the working poor, it's not that simple. Raising the minimum wage would harm them more than help them.

[From the Dallas Times Herald, Nov. 22, 1987]

RAISING MINIMUM WAGE HELPS POOR VERY LITTLE, PROFESSOR ARGUES

(By John Cunniff)

NEW YORK.—The professor offered many reasons why the minimum wage shouldn't be raised precipitously, but one of them sounded particularly ironic. Such increases, he said, seldom help those who need the money.

"Impossible," said a listener. "Isn't it obvious that those lowest on the pay scale are most in need of more money?"

Probably, he said, but the minimum wage usually doesn't go to the minimum-income households. In fact, he said, it seldom goes to them. Most of the money, he contended, ends up in the pockets of families with above-average incomes.

"The minimum wage is earned primarily by secondary earners from above-median income families," he stated firmly. Then he dropped this bomb:

"In the retail industry, a major employer of lower-wage workers, 70 percent of the recipients come from families with incomes more than 200 percent above the threshold poverty level."

Professor William C. Dunkelberg, economist and dean of Temple University's School of Business and Management, has a penchant for puncturing popular assumptions, and this is one of his pets.

According to his estimates, low-income workers account for little more than 10 percent of all workers earning the minimum wage. Thus, he argues, a higher minimum wage cannot effectively redistribute income to the poor.

A second defense of proposed minimum wage increases—to $3.85 an hour to $4.25 to $4.65 over the next three years—is that the cost is small. No way, says Dunkelberg.

Conservatively, he said, such increases would result in a loss of $9 billion or $10 billion from the gross national product by 1990, an increase in the inflation rate of 0.2 percent to 0.3 percent, and an increase in the jobless rate.

While he conceded that in percentage terms any increase might be small, it might not be in actual numbers, since any increase at all in the jobless rate applies to a base of 110 million workers.

And who, he asked, do you think gets hurt by those "slightly higher jobless rates? "Not us," he said, to his listener.

Who, then? "Just those with few skills, poor educations, unlucky draws in the genetic lottery and young people," he answered. And for most of these people, "the loss of jobs and job opportunities becomes critical."

Such increases also would hurt small businesses, often considered the primary creator of jobs. He was asked how, and among the reasons he offered, this one stood out:

"Small firms often are started with under $20,000 in capital. An increase of $1 in the minimum wage for such a firm with two minimum wage employees would wipe out 20 percent or more of the capital of half the new small firms starting in any given year."

In response to a higher minimum wage, many such companies would eliminate entry-level jobs.

[From the Atlanta Daily World, Oct. 8, 1987]

STUDY SAYS MINIMUM WAGE INCREASE TIED TO POVERTY

An analysis of the minimum wage and the rate of poverty in America shows a strong correlation between minimum wage increases and increases in poverty.

According to Professor James Bennett of George Mason University, increasing the minimum wage by $1.00 would increase the rate of poverty by 1.56%

Congress is presently considering legislation which would increase the minimum wage by $1.35 to $4.65 an hour over the next three years and index it thereafter to 50% of the average hourly wage.

Testimony supporting the legislation has relied heavily on the fact that a single wage earner earning the minimum wage does not earn enough to support a family above the federally established poverty level.

The new analysis was requested by the Public Service Research Council when recently released poverty figures showed that poverty declined during years in which the minimum wage was not increased and increased when it was increased.

In a letter to Senator Ted Kennedy (D-MA), the author of the legislation to increase the minimum wage, David Denholm, the President of the Public Service Research Council, said that while the relationship between increased minimum wages and increased poverty was clear, the reason for it was not. Denholm suggested that the cost of goods and services upon which low income families depend may be more sensitive to minimum wage increases than others. He cited a study which showed that a 20% increase in the minimum wage only increased the income of the lowest income families by .02% and concluded that the consequences of a minimum wage increase for America's poor will be negative.

The Public Service Research Council, which opposes the minimum wage increase proposal, contends that it is being pushed by organized labor to "use the power of gov-

ernment to protect itself from the consequences of its labor cartel activity by reducing competition from low wage earners."

The Public Service Research Council is a national citizens' organization concerned with the influence of unions on public policy and is the sponsor of Americans Against Union Control of Government.

[From the Atlanta Journal and Constitution, Nov. 8, 1987]

RAISING MINIMUM WAGE MAY HURT THOSE IT SEEKS TO HELP

(By Dwight R. Lee)

Congress is considering an increase in the minimum wage. Currently, the minimum hourly wage is $3.35. The proposal before Congress would increase it to $4.65 over the next three years. Opponents charge that this increase will cause significant unemployment. Supporters deny this charge and counter that increasing the minimum wage will help the lowest-paid members in the work force. Both are wrong.

Most workers, even low-income workers, earn more than the current minimum wage. As long as the minimum wage remains below the market wage being received, boosting the wage floor will have no effect.

Even those whose current wage is less than the proposed minimum will not necessarily be threatened with the loss of their jobs. Low-wage workers often receive additional compensation in the form of fringe benefits such as health insurance, company discounts and on-the-job training.

Employers can offset the cost of an increased minimum wage by reducing these fringe benefits. Workers won't be laid off if the minimum wage is increased, but neither will they be better off. They may be worse off because fringe benefits are not taxed, while income is.

It is the very lowest-paid workers who are most threatened by a higher wage floor. Those workers with no fringe benefits to be scaled back will be the ones who will lose their jobs if the minimum wage is boosted.

Their numbers are not large, so the job losses that occur will barely show up in the unemployment statistics. But those who will lose their jobs because of an increase in the minimum wage are the very ones proponents of such an increase claim they want most to help.

Many, if not most, of the lowest-paid workers are disadvantaged minority youth who see employment as more than just a job; they see it as an educational opportunity. Increasing the minimum wage would threaten that opportunity.

Not everyone receives his best education in the classroom. The poor education for large numbers of teenagers, particularly minority teenagers.

The best hope these teenagers have for developing the skills needed for productive employment is on-the-job training. The fact that many beginning-level jobs pay low wages is far less important to disadvantaged teenagers than the opportunity to acquire a sense of responsibility and job skills on these jobs.

The young worker without pressing financial obligations is often willing to take a low wage now to develop his or her potential to earn a higher wage later. This is no different than the willingness of beginning college students to put in long hours studying for no pay to prepare for a good job in the future.

Increasing the minimum wage will have little noticeable effect on the economy. Those who lose their jobs, or who fail to find jobs, because of a high minimum wage are currently capable of making only marginal contributions to the economy.

But only the most naive can believe that increasing the minimum wage is an effective way of helping the poor. To the contrary, boosting the minimum wage is an effective way of reducing opportunities to those who are reaching for the first rung on the economic ladder.

[From the Fond du Lac (WI) Reporter, May 2, 1988]

PETRI GAINING SUPPORT FOR TAX CREDIT CHANGES

U.S. Rep. Tom Petri is finding strong support for his proposed Job Enhancement for Families Act.

The bill, H.R. 4119, takes a cost-effective, pro-family approach to welfare reform and the minimum wage question. It has a common-sense approach that is winning friends in a variety of settings.

"Petri's plan is a working formula for success, not just for disadvantaged workers, but for the entire nation as well," editorialized The Arizona Republic.

Economist J.D. Foster of the Institute for Research on the Economics of Taxation wrote in The Wall Street Journal: "The Petri approach to expanding and restructuring the earned income tax credit is clearly superior to raising the minimum wage: It encourages job creation, it helps those workers most who need the most help, it reduces government spending, and it has a minimal effect on the budget deficit."

Peter Passell said in The New York Times that Petri's proposal "ought to hold great appeal for liberals as well as conservatives."

Petri, who should be able to use his position on the House Education and Labor Committee to good advantage in pushing his bill, sees his proposal as an alternative to raising the minimum wage. The earned income tax credit is a refundable tax credit of 14 percent of the first $5,714 earned by an eligible person who maintains a home for one or more children. It can easily be restructured to provide greater benefits but would not have a chilling effect of jobs.

By expanding the refundable portion of an eligible working person's tax liability, the Job Enhancement for Families Act would increase for real wages of low-income workers without corresponding increases in employers' labor costs or prices.

Instead of low-wage jobs being lost to a higher minimum wage, they could be expected to increase and be more attractive.

It's a win-win situation that Congress and the White House should readily recognize.

[Newsletter of Congresswoman Nancy Johnson, Apr. 8, 1988]

NEW PLAN HELPS FAMILIES MAKE ENDS MEET

All things being equal, most Americans would prefer a paycheck to a welfare check any day of the week. But in recent years, it has become increasingly apparent that federal policies are failing to offer low-skilled workers adequate incentives to get off the welfare rolls and out into a job.

That is especially true for families with children, since welfare benefits rise with the size of the family. And while the federal minimum wage has remained stable since 1981, welfare benefits have crept steadily upward.

Raising the minimum wage, which has lost more than a fourth of its buying power since it was last increased seven years ago, is clearly one method of helping our working poor remain independent. But it should not be seen as the only way.

Another innovative approach is embodied in a bill I am cosponsoring to expand and restructure the Earned Income Tax Credit, a refundable tax break available to low-income families with children.

This benefit is designed to encourage working by supplementing low wages up to a certain ceiling, phasing out as income rises above a particular point. Even if workers have no tax liability against which to claim the credit, they can still get cash from the government added to their paychecks.

For many low-skilled workers, the EITC has offered a crucial buffer against slipping onto welfare. But it has one significant drawback: it fails to take a family's size into account. Consequently, a family with one child receives the same benefit as a family of four, as long as they both earn the same income. So for many large families, welfare has made more economic sense than trying to eke out a living at a low-paying job.

That's where our proposed overhaul of the EITC comes in. Under this legislation, known as the Job Enhancement For Families Act, the maximum tax-credit payment would not only rise, but would also provide increased benefits for larger families.

At present, workers with children and incomes up to about $6,200 per year are eligible for a tax credit equal to 14 percent of their earned income—for a total of about $870. That payment declines as income increases, phasing out entirely at about $18,000.

By contrast, the maximum tax credit would increase to 35 percent, or about $2,500, for low-income families with four or more children under our proposal. Thanks to this change, most families would be better off working than they would be on welfare.

Under current law, a single mother with three children in Connecticut would have to find a job paying at least $4.36 an hour to equal the benefits she would receive from Aid to Families with Dependent Children and food stamps. But if the proposed EITC reforms were in place, she would only need to find a position paying about $3.75 an hour—Connecticut's current minimum wage.

Another benefit of the bill is that it would encourage families to stay together. Currently, two-parent families are ineligible to receive AFDC in many states. Since parents must live with their children to receive the EITC, expanding it would reduce the incentive for families to split up.

The factors that prompt families to make the transition from welfare to work vary considerably with individual circumstances. But there is no doubt that expanding and restructuring the EITC would provide a strong incentive for millions of families to opt for employment.

Finally, by encouraging more families to become independent, this bill will have the additional advantage of lowering our spending on welfare benefits. In fact, if these reforms induce just 3 percent of welfare recipients to go to work, the legislation's $1.5 billion pricetag would be entirely offset.

By linking benefits to family size, this proposal would allow us to target federal assistance to the working families that need it most. It is an affordable plan to increase the buying power of families struggling to make ends meet, to help them to become self-reliant and strong.

Mr. BARTON of Texas. Mr. Speaker, I come to the floor today to participate in a discussion about the troubling direction the supposedly nonpartisan Congressional Budget Office [CBO] is going.

My concern and complaint with CBO is twofold. First, I am extremely disturbed at the tactics used by some in the majority to withhold information from minority Members of Congress and the general public regarding a CBO report on the economic impact raising the minimum wage from $3.35 to $5.05.

Second, I would like to share with the House some difficulties my personal staff and I have had with acquiring simple budgetary breakdown figures I assumed were public information. To aid my analysis of the budget resolution, I was interested in seeing how the budget resolution functions were allocated to the 13-appropriation subcommittees. Much to my surprise this request was not denied by CBO, supposedly upon direct instructions from Members of the majority party of this body. I must point out that my request was made over 1 month after the budget resolution passed. This information should be readily available to any Member of Congress. We must remember that we are given the large responsibility of spending a trillion dollars a year made up largely of tax payments made by our constituents to the Federal Treasury.

Perhaps these two incidents, deleting part of the impact of report on the minimum wage bill, and refusing a straightforward request for budget information, are atypical of the normal operating procedures of the CBO. However, if they are typical, and part of a growing pattern of partisanizing the CBO, then all Members must unite and insist that this behavior be reversed. We can disagree on philosophy and policy, but all Members must have access to impartial, unbiased statistical reports and analysis on pending legislation. Regardless of party affiliation, we all need the information to make honest decisions on behalf of our constituents.

I would like to share the information that was deleted in the second report sent the Education and Labor Committee concerning the minimum wage. The original report stated that raising the minimum wage from $3.35 to $5.05 would cost our country up to 500,000 jobs, and increase inflation from 0.2 to 0.3 percent.

Most Members of Congress have been denied the privilege of reviewing the full CBO report on H.R. 1834. I submit for the RECORD both CBO reports, the correspondence between the CBO and the chairman of the Education and Labor Committee concerning these reports, along with recent articles that have recently appeared in respected periodicals and newspapers.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 25, 1988.

Hon. AUGUSTUS F. HAWKINS,
Chairman, Committee on Education and Labor, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the attached cost estimate for H.R. 1834, the Fair Labor Standards Amendments of 1988, as ordered reported by the House Committee on Education and Labor on March 16, 1988. At the request of several Committee members, the estimate also includes a discussion of the possible impact of H.R. 1834 on the economy.

If you wish further details on this estimate, please call me or have your staff contact Michael Pogue.

Sincerely,

JAMES L. BLUM,
Acting Director.

CONGRESSIONAL BUDGET OFFICE, COST ESTIMATE

March 25, 1988.

1. Bill number: H.R. 1834.

2. Bill title: Fair labor standards amendments of 1988.

3. Bill status: As ordered reported by the House Committee on Education and Labor on March 16, 1988.

4. Bill purpose: To amend the Fair Labor Standards Act of 1938 to restore the minimum wage to a fair and equitable rate and for other purposes.

5. Estimated cost to the Federal Government:

[By fiscal years, in millions of dollars]

	1988	1989	1990	1991	1992	1993
Estimated: Authorization level	0	3	13	25	35	30
Estimated outlays	0	3	13	25	35	30

Basis of estimate.—H.R. 1834 would increase the federal minimum wage in four steps between now and January 1, 1992. The new levels would be $3.85 per hour for the year beginning January 1, 1989; $4.25 per hour for the year beginning January 1, 1990; $4.65 per hour for the year beginning January 1, 1991; and not less than $5.05 per hour after December 31, 1991.

The Office of Personnel Management estimates that the wage bill for certain support personnel on U.S. military bases would increase by the amounts shown in the table above. Currently these workers are paid at hourly rates between the $3.35 per hour minimum wage and the minimum wage rates proposed in H.R. 1834.

Increasing the minimum wage could also increase administrative and enforcement caseloads within the Wage and Hours Division of the Employment Standards Administration at the Department of Labor (DOL). While this could result in higher costs to the federal government, H.R. 1834 provides no additional appropriations for this purpose.

Additional provisions.—Several other amendments to the Fair Labor Standards Act are included in H.R. 1834. The small business exemption would increase from the current level of $362,500 in annual gross sales to $500,000. The current tip credit is 40 percent of the applicable minimum wage, or $1.34 out of $3.35 per hour in 1988. This tip credit is the maximum amount of tip an employer can use to reduce employee wages, and still be in compliance with minimum wage laws. H.R. 1834 would increase this rate to 45 percent during the year beginning January 1, 1989 and to 50 percent after December 31, 1989. In addition, legislative branch employees (except for Members' personal staffs) would now be covered by the Fair Labor Standards Act. These amendments are estimated to have no cost effect on the unified federal budget.

Effects on the economy.—Passage of H.R. 1834 may result in changes in macroeconomic variables, particularly in employment levels and the inflation rate. However, because of uncertainty surrounding the overall macroeconomic impact of minimum wage legislation, and uncertainty over future federal monetary policy, this estimate does not take into account federal revenue and outlay effects of these changes.

The Congressional Budget Office (CBO) estimates that the increases in the minimum wage contained in H.R. 1834 could cause the loss of approximately 250,000 to 500,000 jobs, or about 0.2 to 0.4 percent of total employment. In general, the negative impact on employment would be larger in the sectors of the economy and the groups in the labor force with low wage rates. The loss of jobs probably would be minimal in durable goods manufacturing and in metropolitan areas where labor markets are tight and jobs readily available. Among demographic groups, the loss of jobs most likely would be concentrated among youth, and especially among teenagers.

Increases in the minimum wage also could have three principal impacts on inflation. First, a "direct" effect as the average hourly earnings of workers earning less than the new minimum wage were increased to the new wage floor. Second, a broader or "ripple" effect as other wages were adjusted at least partially to retain relative wage differences. Third, a "wage-price-wage" effect, as these wage increases caused employers to raise prices, which was reflected in turn in higher wages. Thus, CBO estimates that H.R. 1834 could add about 0.2 to 0.3 percentage points to the annual inflation rate during the projection period.

These estimates are based primarily on a review of available economic studies of the impact of minimum wages. Because of estimating difficulties, the estimates should be interpreted as no more than rough orders of magnitude. These estimates do not include a consideration of the small business exemption provision in H.R. 1834.

Currently, the federal minimum wage rate is exceeded in 10 jurisdictions (Alaska, Connecticut, District of Columbia, Hawaii, Maine, Massachusetts, Minnesota, New Hampshire, Rhode Island, and Vermont). Also, California is scheduled to raise its rate from the current federal minimum to $4.25 per hour in July 1988, and Connecticut's rate will rise from $3.75 an hour to $4.25 an hour in October 1988. Therefore, H.R. 1834 could have less of a macroeconomic impact than if all states were at the current federal mimimum wage rate.

6. Estimated cost to State and local Government: To the extent that state and local governments have workers who are paid at the current minimum wage or between the current minimum wage and the higher rates prescribed in H.R. 1834, state and local government wage costs could increase with passage of H.R. 1834. There is no data available that allows CBO to estimate the magnitude of these costs. However, there are 10 states which have set minimum wage levels above the federally mandated $3.35 per hour. In these states, the new federal minimum wage rates could have less of an effect than in states in which the minimum wage is at the current federal level.

7. Estimate comparison: None.

8. Previous CBO estimate: None.

9. Estimate prepared by: Michael Pogue; George Iden.

10. Estimate approved by: James L. Blum, Assistant Director For Budget Analysis.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 29, 1988.

Hon. AUGUSTUS F. HAWKINS,
Chairman, Committee on Education and Labor, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the attached cost estimate for H.R. 1834, the Fair Labor Standards Amendments of 1988, as ordered reported by the House Committee on Education and Labor on March 16, 1988.

If you wish further details on this estimate, please call me or have your staff contact Michael Pogue (226-2820).

Sincerely,

JAMES L. BLUM,
Acting Director.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: H.R. 1834.

2. Bill title: Fair Labor Standards Amendments of 1988.

3. Bill status: As ordered reported by the House Committee on Education and Labor on March 16, 1988.

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[By fiscal years, in millions of dollars]

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Estimated: Authorization level	0	3	13	25	35	30
Estimated outlays	0	3	13	25	35	30

Basis of estimate.—H.R. 1834 would increase the federal minimum wage in four steps between now and January 1, 1992. The new levels would be $3.85 per hour for the year beginning January 1, 1989; $4.25 per hour for the year beginning January 1, 1990; $4.65 per hour for the year beginning January 1, 1991; and not less than $5.05 per hour after December 31, 1991.

The Office of Personnel Management estimates that the wage bill for certain support personnel on U.S. military bases would increase by the amounts shown in the table above. Currently these workers are paid at hourly rates between the $3.35 per hour minimum wage and the minimum wage rates proposed in H.R. 1834.

Increasing the minimum wage could also increase administrative and enforcement caseloads within the Wage and Hours Division of the Employment Standards Administration at the Department of Labor (DOL). While this could result in higher costs to the federal government, H.R. 1834 provides no additional appropriations for this purpose.

Additional provisions.—Several other amendments to the Fair Labor Standards Act are included in H.R. 1834. The small business exemption would increase from the current level of $362,500 in annual gross sales to $500,000. The current tip credit is 40 percent of the applicable minimum wage, or $1.34 out of $3.35 per hour in 1988. This tip credit is the maximum amount of tips an employer can use to reduce employee wages, and still be in compliance with minimum wage laws. H.R. 1834 would increase this rate to 45 percent during the year beginning January 1, 1989 and to 50 percent after December 31, 1989. In addition, legislative branch employees (except for Members' personal staffs) would now be covered by the Fair Labor Standards Act. These amendments are estimated to have no cost effect on the unified federal budget.

6. Estimated cost to State and local government: To the extent that state and local governments have workers who are paid at the current minimum wage or between the current minimum wage and the higher rates prescribed in H.R. 1834, state and local government wage costs could increase with passage of H.R. 1834. There is no data available that allows CBO to estimate the magnitude of these costs. Currently, state minimum wage rates exceed the federal level in 10 jurisdictions (Alaska, Connecticut, District of Columbia, Hawaii, Maine, Massachusetts, Minnesota, New Hampshire, Rhode Island, and Vermont). Also, California is scheduled to raise its rate from the current federal minimum to $4.25 per hour in July 1988, and Connecticut's rate will rise from $3.75 an hour to $4.25 an hour in October 1988. In these states, the new federal minimum wage rates could have less of an effect than in states in which the minimum wage is at the current federal level.

7. Estimate comparison: None.

8. Previous CBO estimate: None.

9. Estimate prepared by: Michael Pogue.

10. Estimate approved by: James L. Blum, Assistant Director for Budget Analysis.

[From the Congressional Quarterly Weekly Report, Apr. 16, 1988]

(By Macon Morehouse)

As House members brace for battle over a Democratic-sponsored minimum-wage bill (HR 1834—H Rept 100-560), a controversy is bubbling in the background over cost estimates for the measure.

The Congressional Budget Office (CBO), which has always prided itself on its nonpartisan, professional assessments of economic issues, prepared not one but two "official" cost estimates for HR 1834. While both cited the same probable costs to the states and the federal government, only the first discussed the measure's likely impact on the economy at large.

It concluded that the projected increase in the minimum wage, from $3.35 to $5.05 over four years, could lead to higher prices on consumer goods and the loss of nearly 500,000 jobs.

That report, dated March 25, barely saw the light of day before it was superseded March 29 by a second version, which omitted any reference to the bill's effect on the economy.

According to Michael Pogue, who prepared both CBO estimates, staffers on the Education and Labor Committee had specifically requested a discussion of the bill's impact on the economy. In fact, in the cover letter accompanying the original estimate, acting CBO Director James L. Blum wrote, "At the request of several committee members, the estimate also includes a discussion of the possible impact of HR 1834 on the economy."

The majority staff, Pogue said, then "decided they didn't want it," and a second report—minus the impact assessment—was sent to the committee.

James M. Jeffords of Vermont, ranking Republican on the Education and Labor Committee, corroborated Pogue's story. "We requested certain information. . . . But when the majority got to take a look at it, they didn't like the looks of it, so it got deleted," he said.

Susan McGuire, the committee's majority staff director, gave a different account. "They [CBO] provided information which was not requested," she said.

Committee Chairman Augustus F. Hawkins, D-Calif., also laid the blame at CBO's doorstep, saying, "I don't think CBO performed well in the matter at all."

Nobody would say why the economic impact was deleted from the final CBO estimate, although McGuire said the House rules require an estimate only of a measure's cost to the federal government.

"It may be that the committee didn't like the answers we gave," said CBO's Blum. "I think they were hoping it would have less of an impact."

Rudolph G. Penner said that during his tenure as CBO director (1983-87), "there were a lot of revised cost estimates." However, when asked whether revisions ever included getting rid of an entire section of the estimate, Penner declined to comment.

Although Jeffords, as ranking committee Republican, normally receives CBO estimates as a matter of course, it took his aides three tries to obtain a copy of the March 25 report from CBO.

Jeffords was reluctant to discuss the incident in detail. But he did say that the first report had been "kind of shunted aside, shall we say."

Other GOP sources, however, speculated darkly that the incident presaged a "politicization" of CBO, which has been without a permanent director since Penner resigned in March 1987. Senate Budget Committee leaders have reportedly blocked the choice favored by the House Democratic leaders—Van Doorn Ooms, the chief economist of the House Budget Committee—believing he would favor the House and the Democrats, damaging CBO's status as a nonpartisan agency.

[From the Washington Times, Apr. 27, 1988]

LAUNDERED DATA FROM CBO?

(By Warren Brookes)

The unwillingness of House Speaker James Wright to name a new Congressional Budget Office director (the post has been open since March 1987), other than an unacceptably partisan hack, has given rise to the suspicion that the speaker is, as one congressman put it, "trying to turn CBO from an independent voice to a kind of Democratic Pravda."

This suspicion was reinforced last month when the CBO was forced by House leadership to withdraw and bury a March 25 report which showed that the proposed rise in the minimum wage to $5.05 an hour by 1991 (H.R. 1834) would hurt the economy far more than anyone had predicted:

"H.R. 1834 would cause the loss of approximately 250,000 to 500,000 jobs, or about 0.2 to 0.4 percent of total employment. In general, the negative impact on employment would be larger in the sectors of the economy and the groups in the labor force with low wage rates.

"Among demographic groups, the loss of jobs most likely would be concentrated among youth, and especially teen-agers."

In other words, CBO was confirming what economists have long demonstrated statistically—namely that the minimum wage will actually hurt the poor and younger workers most.

CBO's March 25 analysis went on to say of the minimum wage bill, "H.R. 1834 could add about 0.2 to 0.3 percentage points to the annual inflation rate during the projection period."

This report from the supposedly nonpartisan and professional congressional agency was obviously a potentially devastating blow to a bill already in trouble in the House.

It confirmed a University of Chicago study just released that shows that the biggest job losers due to the proposed rise in the minimum wage would be the Southern states. (See table.)

Since these are exactly the predominantly Democratic congressional states the leadership needs to secure passage of the touchy bill, the CBO's confirmation of serious job losses could have been fatal to the bill—and may still be.

As CBO's initial letter put it, "the loss of jobs would be minimal in durable goods manufacturing and in metropolitan areas where labor markets are tight and jobs are readily available"—in other words, in areas where support for raising the minimum wage as a means of leveraging up the higher union pay scales (not helping the poor) is already solid.

But Sun Belt states with their predominantly non-durable goods, lower-wage industries would be savaged, with job losses that could rise to 122,000 in Florida, more than 81,000 in Georgia and more than 78,000 in North Carolina.

Small wonder that when this report first went out, its author, economist Michael Pogue, was (he said) told that "the majority staff (of the Education and Labor Committee) then decided they didn't want it," and according to the April 16 issue of Congressional Quarterly, a "second report—minus the economic impact assessment—was sent to the committee."

So, on March 29, a new letter and report were issued, deleting all reference to the negative economic assessment—and no further copies of the March 25 letter and report were even available to the press, or to members of Congress.

This obvious tampering with CBO's analysis has caused great consternation among both Republicans and Democrats, who see this as deliberate abuse of the CBO's offices for partisan purposes.

As ranking minority member of the Education and Labor Committee Rep. James Jeffords of Vermont complained, "We requested certain information . . . But when the majority got to take a look at it they didn't like the looks of it, so it got deleted."

Indeed, the cover letter of the March 29 version even deleted the following statement from the March 25 version: "At the request of several committee members, the estimate also include a discussion of the possible impact of H.R. 1834 on the economy."

This allowed Susan McGuire, the Ed-Labor committee's majority staff director, to tell CQ, "They [CBO] provided information which was *not* requested," when, of course it had been specifically requested by Mr. Jeffords and House Minority Leader Robert Michel, among others.

Committee Chairman Augustus Hawkins, Democrat of California, even blamed CBO for going beyond its mandate, saying, "I don't think CBO performed well in the matter, at all."

Of course the only problem with the "performance" is that as Acting CBO Director James Blum put it to CQ, "the committee didn't like the answers we gave. I think they were hoping it [the minimum wage hike] would have less of an impact."

This whole episode is suspiciously reminiscent of a similar situation last June 9 when Mr. Wright stopped the presentation to the House Banking Committee of a powerful report by the Federal Home Loan Bank Board on widespread corruption and crime in the Texas savings and loan industry, just as the report was about to be delivered by FHLBB's William K. Black.

That report has never been presented to Congress—even as its finding are being routinely vindicated by federal indictments of Mr. Wright's own S&L banking cronies in Texas.

The minimum-wage report fiasco is only the latest in a vicious cycle of venality and sleaze now engulfing Congress.

MINIMUM WAGE-RELATED JOB LOSSES

[Effects of rise from $3.35 to $4.65]

	By 1991	By 1995
Alabama	18,464	39,572
Florida	57,111	122,486
Georgia	33,694	81,278
Kentucky	14,152	30,417
Louisiana	22,118	48,053
Mississippi	16,877	36,408
North Carolina	37,162	78,773
South Carolina	20,475	43,800
Tennessee	23,362	49,708
Virginia	29,223	62,225

Source: University of Chicago Committee on Public Policy Studies, March 1988.

[From the Wall Street Journal, May 3, 1988]

MINIMUM WAGE, MAXIMUM COVER-UP

One of the most frequently used phrases in Washington is "the nonpartisan Congressional Budget Office." It look as if we can all drop the "non-partisan" pose. An embarrassing incident suggests that the CBO is being pulled into the expanding empire of the House Democratic leadership.

The Congressional Budget Office was asked recently to assess the impact of a current bill hiking the minimum wage from $3.35 to $5.05. The bill's outcome is uncertain, but the Democratic leadership has been pushing hard for an election-year vote that would force the people who don't agree with them (Republicans, Southern Democrats, various "moderates") to vote against what is sometimes thought to be a Mom-and-apple-pie issue. The CBO, however, concluded that raising the minimum wage would push up consumer prices and cause the loss of as many as 500,000 jobs. That conclusion is hardly novel. Almost all economists agree that minimum-wage laws destroy jobs and hurt younger workers, especially the poor. What is news is that some House Democratic staffers, unhappy with the CBO's analysis, have suppressed this report. A second version issued four days later omitted any reference to the bill's effect on the economy.

The initial three-page CBO report was sent to the House Education and Labor Committee on March 25. It included an estimate of the minimum-wage bill's cost to the federal government as well as a discussion of its impact on the economy that, according to Acting CBO Director James Blum, had been requested by the committee's staff.

The report concluded that increasing the minimum wage by the amounts indicated in the bill "could cause the loss of approximately 250,000 to 500,000 jobs" and add "about 0.2 to 0.3 percentage points to the annual inflation rate." Job losses would be concentrated in "the groups in the labor force with low wage rates . . . and especially among teen-agers." If made public, the report obviously would have been a slap in the face to the bill's liberal sponsors and might have swayed several votes.

CBO's Michael Pogue, the co-author of the report, says that "the majority staff of the committee then decided they didn't want it" and asked for a second version. So on March 29, a new report—shorter by a third and minus all reference to the bill's impact on unemployment and inflation—was issued by CBO.

The original March 25 report then seemed to vanish. Rep. James Jeffords, the ranking Republican on the Education and Labor Committee, is supposed to routinely receive CBO estimates. But when his staff members learned of the report's existence, CBO told them that they couldn't have it. It took three attempts for Rep. Jeffords to obtain a copy. When it finally came to light, the accompanying cover letter indicated a copy was supposed to have been given to him all along.

Rep. Jeffords confirmed Mr. Pogue's account in an interview with Congressional Quarterly, "We requested certain information but when the majority finally got to take a look at it they didn't like the looks of it, so it got deleted."

Committee Democrats are stonewalling the issue. Susan McGuire, the committee's majority staff director, claims that "CBO provided information which was not requested." Rep. Augustus Hawkins, the committee chairman, also blames the CBO for going beyond its mandate, telling Congressional Quarterly, "I don't think CBO performed well in the matter, at all." CBO Acting Director Blum remembers matters differently: "The committee didn't like the answers we gave and I think they were hoping the minimum wage hike would have less of an impact."

The CBO was created to serve as Congress's fiscal umpire. Partisan tampering with reports that are the basis of Congress's deliberations on public policy is an abuse of power. "CBO is supposed to give us the facts," says Rep. Thomas Petri, a moderate Wisconsin Republican. "It is not supposed to be a propaganda arm of the House leadership."

But that may be just what House Speaker Jim Wright wants to be. The key post of CBO director has been vacant for more than 13 months, largely because Speaker Wright insists on backing a candidate who Senate Budget Committee leaders fear would tilt in favor of the House's more liberal spending priorities. People wonder why the political process in Washington works so poorly now. Incidents such as this offer an explanation.

GENERAL LEAVE

Mr. PETRI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order this evening.

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

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. KYL (at the request of Mr. MICHEL), from 5:30 p.m. to 7 p.m. today, on account of medical reasons.

Mr. YATES (at his own request), for May 4, May 5, and possibly May 6, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PETRI) to revise and extend their remarks and include extraneous material:)

Mr. SWINDALL, for 60 minutes, today.

Mr. DORNAN of California, for 5 minutes, today.

Mr. BURTON of Indiana, for 5 minutes, today.

Mr. FIELDS, for 60 minutes, on May 10.

(The following Members (at the request of Mr. GONAZALEZ) to revise and extend their remarks and include extraneous material:)

Mr. HUBBARD, for 5 minutes, today.

Mr. ST GERMAIN, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. BOLAND, for 5 minutes, today.

Mr. KASTENMEIER, for 5 minutes, today.

Mr. COLEMAN of Texas, for 5 minutes, today.

Mr. SLATTERY, for 60 minutes, on June 6.

Mr. WOLPE, for 60 minutes, on May 10.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. PETRI) and to include extraneous matter:)

Mr. WELDON in three instances.

Mrs. MORELLA.

Mr. CLINGER.

Mr. THOMAS of California.

Mr. GREEN.

Mr. HORTON.

Mr. GILMAN.

Mr. MCDADE.

Mr. GALLEGLY.

Mr. CRANE in eight instances.

Mr. LIGHTFOOT.

Mr. YOUNG of Florida.

Mr. KEMP in two instances.

(The following Members (at the request of Mr. GONZALEZ) and to include extraneous matter:)

Mr. PEPPER.

Mr. SCHEUER.

Mr. ROE.

Mr. DYMALLY.

Mr. LELAND.

Mr. COELHO.

Mr. FLORIO in two instances.

Mr. MONTGOMERY.

Mr. CARDIN.

Mr. DARDEN.

Mr. BERMAN.

Mr. DOWNEY.

Mr. SYNAR.

Mr. MILLER of California.

Mr. RANGEL.

Mr. MORRISON of Connecticut in three instances.

Mr. FROST in three instances.

Ms. PELOSI.

Mr. FORD of Michigan.

ADJOURNMENT

Mr. PETRI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 45 minutes p.m.) under its previous order, the House adjourned until Thursday, May 5, 1988, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3558. A letter from the Acting Director, The Wilson Center, transmitting a draft of proposed legislation to authorize appropriations for the Woodrow Wilson International Center for Scholars' Endowment Challenge Fund, pursuant to 31 U.S.C. 1110; to the Committee on House Administration.

3559. A letter from the Secretary of Defense, transmitting a copy of the Department's "Report on Allied Contributions to the Common defense", pursuant to 22 U.S.C. 1928 nt; jointly, to the Committees on Armed Services and Foreign Affairs.

3560. A letter from the Secretary of Transportation, transmitting the ninth annual report on administration of the offshore oil pollution compensation fund, pursuant to 43 U.S.C. 1824; jointly, to the Committees on Interior and Insular Affairs and Merchant Marine and Fisheries.

3561. A letter form the General Counsel, Department of Transportation, transmitting copies of the fiscal year 1989 budget requests of the Federal Aviation Administration to the Department, including requests for facilities and equipment and research, engineering, and development, pursuant to 49 U.S.C. app. 2205(f); jointly, to the Committees on Public Works and Transportation and Science, Space and Technology.

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:

Mrs. SCHROEDER: Committee on Post Office and Civil Service. H.R. 4318. A bill to improve the administration of the personnel systems of the General Accounting Office; with an amendment (Rept. 100-599, Pt. 1). Ordered to be printed.

Mr. FASCELL: Committee on Foreign Affairs. H.J. Res. 493. Resolution disapproving the 1988 certification by the President with respect to Bolivia under section 481(h) of the Foreign Assistance Act of 1961. (Rept. 100-601, Pt. 1). Ordered to be printed.

Mr. FASCELL: Committee on Foreign Affairs. H.J. Res. 495. Resolution disapproving the 1988 certification by the President with respect to Paraguay under section 481(h) of the Foreign Assistance Act of 1961. (Rept. 100-602, Pt. 1). Ordered to be printed.

Mr. FASCELL. Committee on Foreign Affairs. H.J. Res. 497. Resolution disapproving the 1988 certification by the President with respect to Peru under section 481(h) of the Foreign Assistance Act of 1961. (Rept. 100-603, Pt. 1). Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE 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. MAZZOLI: Committee on the Judiciary. H.R. 4363. A bill for the relief of Ivan Lendl. (Rept. 100-596). Referred to the Committee of the Whole House.

Mr. MAZZOLI: Committee on the Judiciary. H.R. 3925. A bill for the relief of Gagik Barseghian. (Rept. 100-597). Referred to the Committee of the Whole House.

Mr. MAZZOLI: Committee on the Judiciary. H.R. 446. A bill for the relief of Jens-Peter Berndt. (Rept. 100-598). Referred to the Committee of the Whole House.

REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 1516. A bill to require annual appropriations of funds necessary to support timber management and resource conservation on the Tongass National Forest; with amendments; referred to the Committee on Agriculture for a period ending not later than June 10, 1988 for consideration of such provisions of the bill and amendments as fall within the jurisdiction of that committee pursuant to clause 1(a), rule X. (Rept. 100-600, Pt. 1). Ordered to be printed.

PUBLIC BILL 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. JOHNSON of South Dakota:

H.R. 4523. A bill to restore the occupational tax on small retail beer dealers to $24; to the Committee on Ways and Means.

By Mr. ASPIN:

H.R. 4524. A bill to increase the dollar amount of defense authorizations for fiscal year 1988 that are subject to transfer for new purposes pursuant to law, and for other purposes; to the Committee on Armed Services.

By Mr. BRENNAN:

H.R. 4525. A bill to designate the U.S. Courthouse located at 156 Federal Street in

Portland, ME, as the "Edward Thaxter Gignoux United States Courthouse"; to the Committee on Public Works and Transportation.

By Mr. ANDREWS (for himself, Mr. MRAZEK, Mr. LEWIS of Georgia, Mr. CLARKE, Mr. MONTGOMERY, Mr. BUSTAMANTE, Mr. SHAW, Mr. WILSON, Mr. COLEMAN of Texas, Mr. TAUZIN, Mr. RICHARDSON, Mr. KASTENMEIER, Mr. SKEEN, Mr. BEILENSON, Mr. DORNAN of California, Mr. STARK, Mr. FROST, Mr. FIELDS, Mrs. KENNELLY, Mr. DE LUGO, Mr. LIPINSKI, Mr. CHAPMAN, Mr. STENHOLM, and Mr. SLATTERY):

H.R. 4526. A bill to provide for the addition of approximately 600 acres to the Manassas National Battlefield Park; to the Committee on Interior and Insular Affairs.

By Mr. ANNUNZIO (for himself and Mr. HILER) (both by request):

H.R. 4527. A bill to authorize appropriations for the U.S. Mint, for fiscal years 1989 and 1990, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. BARNARD (for himself and Mr. GUARINI):

H.R. 4528. A bill to amend the Internal Revenue Code of 1986 to provide that information returns shall be filed with the Internal Revenue Service with respect to interest, dividends, royalties, and certain other amounts paid to corporations; to the Committee on Ways and Means.

By Mr. BARTON of Texas (for himself and Mr. Leland):

H.R. 4529. A bill extending permission for the President's Commission on White House Fellows to accept certain donations; to the Committee on Post Office and Civil Service.

By Mr. COLEMAN of Texas (for himself and Mr. LELAND):

H.R. 4530. A bill to amend the Public Health Service Act to direct the Secretary of Health and Human Services to reimburse physicians and medical facilities which give emergency treatment to certain undocumented aliens and alien commuter workers; to the Committee on Energy and Commerce.

By Mr. CRANE:

H.R. 4531. A bill to amend the Internal Revenue Code of 1986 to provide that service performed for an elementary or secondary school operated primarily for religious purposes is exempt from the Federal unemployment tax; to the Committee on Ways and Means.

By Mr. DAVIS of Michigan:

H.R. 4532. A bill to provide that surplus dairy products should be provided to carry out the Temporary Emergency Food Assistance Program before certain dairy export programs to extend such dairy export programs, and for other purposes; to the Committee on Agriculture.

By Mr. KASTENMEIER:

H.R. 4533. A bill to authorize appropriations for fiscal year 1989 to the Legal Services Corporation to carry out the Legal Services Corporation Act, and for other purposes; to the Committee on the Judiciary.

By Mr. LIGHTFOOT:

H.R. 4534. A bill to amend the Internal Revenue Code of 1986 to permit taxpayers to elect to pay tax shown on return in installments and to authorize the Secretary to enter into installment agreements, to the Committee on Ways and Means.

By Mr. RODINO (for himself, Mr. MONTGOMERY, Mr. HAMMERSCHMIDT, Mr. SOLOMON, Mr. ROE, Mr. RINALDO, Mr. FLORIO, Mr. HUGHES, Mr. COURTER, Mr. GUARINI, Mr. DWYER of New Jersey, Mrs. ROUKEMA, Mr. SAXTON, Mr. TORRICELLI, Mr. GALLO, and Mr. SMITH of New Jersey):

H.R. 4535. A bill to designate the outpatient clinic of the Veterans' Administration to be located on New Jersey State Route 70 in Brick Township, NJ, as the "James J. Howard Veterans' Outpatient Clinic"; to the Committee on Veterans' Affairs.

By Mr. WEBER (for himself, Mr. DAVIS of Illinois, Mr. GARCIA, Mr. GRANDY, Mr. GUNDERSON, Mr. HOLLOWAY, Mr. JOHNSON of South Dakota, Mr. LAGOMARSINO, Mr. DONALD E. LUKENS, Mr. PENNY, Mr. OBERSTAR, and Mr. STANGELAND):

H.R. 4536. A bill to amend the Food Security Act of 1985 to require the Secretary of Agriculture to use multiyear set-asides to establish wildlife habitats and feeding areas; to the Committee on Agriculture.

By Mr. WYLIE:

H.R. 4537. A bill to authorize the Secretary of the Army to carry out a flood control project on the Scioto River at West Columbus, OH; to the Committee on Public Works and Transportation.

By Mr. GILMAN (for himself, Mr. LELAND, and Mr. EMERSON):

H.J. Res. 563. Joint resolution designating October 16, 1988, as "World Food Day"; to the Committee on Post Office and Civil Service.

H. Con. Res. 293. Concurrent resolution correcting the enrollment of the bill H.R. 3; considered and agreed to.

MEMORIALS

Under clause 4 of rule XXII,

357. The SPEAKER presented a memorial of the Senate of the State of Illinois, relative to the amnesty period for applying for temporary legal residence; which was referred to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. MORRISON of Washington introduced a bill (H.R. 4538) to permit reimbursement of relocation expenses of William D. Morger; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 995: Mr. DOWDY of Mississippi.

H.R. 1270: Mr. HANSEN, Mr. RANGEL, Mr. KILDEE, Mr. GRANT, Mrs. KENNELLY, Mr. LOWRY of Washington, Ms. KAPTUR, Mr. RODINO, Mr. DEFAZIO, Mr. MCDADE, Mr. OXLEY, Mr. SIKORSKI, Mr. MATSUI, Mr. LEHMAN of Florida, Mr. MILLER of Washington, Mr. PEPPER, Mr. HALL of Ohio, Mr. PERKINS, Mr. MILLER of Ohio, Mr. KLECZKA, Mr. WHEAT, Mr. NATCHER, Mr. FORD of Tennessee, Mr. LELAND, Mr. LUNGREN, Mr. WATKINS, Mr. FORD of Michigan, Mr. MANTON, Mr. GORDON, Mr. BORSKI, Mr. MCMILLAN of North Carolina, Mr. SISISKY, Mr. STANGELAND, Mr. TALLON, Mr. TAUKE, Mr. SPENCE, Mr. WALGREN, Mr. WHITTEN, Mr. BONIOR, Mr. VISCLOSKY, Mr. FUSTER, Mr. GAYDOS, Mr. GRAY of Illinois, and Mr. MURPHY.

H.R. 1801: Mr. ROBINSON, Mr. ATKINS, Mr. HAYES of Illinois, and Mr. WISE.

H.R. 1808: Mr. GLICKMAN.

H.R. 2762: Mr. ANDERSON, Mr. LEVINE of California, Mr. MANTON, Mr. FUSTER, Mrs. MORELLA, and Mr. EMERSON.

H.R. 2944: Mr. SMITH of Florida.

H.R. 3215: Mr. FROST.

H.R. 3294: Mr. THOMAS A. LUKEN, Mr. GOODLING, Mr. CHANDLER, Mrs. COLLINS, Mr. FOGLIETTA, and Mr. MARKEY.

H.R. 3455: Mr. SMITH of New Jersey, Mr. CROCKETT, and Mr. RANGEL.

H.R. 3565: Mr. VENTO.

H.R. 3588: Mr. ROE, Mr. GARCIA, and Mr. TORRES.

H.R. 3628: Mr. ANTHONY, Mr. STENHOLM, Mr. MORRISON of Washington, Mr. SMITH of New Jersey, Mr. LEWIS of California, Mr. HASTERT, and Mr. GLICKMAN.

H.R. 3635: Mr. HOLLOWAY, Mr. THOMAS of Georgia, and Mr. ROWLAND of Georgia.

H.R. 3646: Mr. CARPER, Mr. SMITH of New Hampshire, Mr. UDALL, Mrs. LLOYD, Mr. GINGRICH, Mr. SUNDQUIST, Miss SCHNEIDER, and Mr. MOAKLEY.

H.R. 3723: Mr. DE LA GARZA, Mr. SKELTON, Mr. HEFNER, Mr. CHENEY, Mr. MARLENEE, Mr. MATSUI, Mr. MONTGOMERY, and Mr. STUMP.

H.R. 3766: Mr. VENTO, Mr. CONYERS, Mr. EVANS, and Ms. PELOSI.

H.R. 3791: Mr. RAY, Mr. WOLPE, Mr. SKAGGS, and Mr. FAZIO.

H.R. 3892: Mrs. VUCANOVICH and Mr. MCMILLAN of North Carolina.

H.R. 3893: Mr. COURTER.

H.R. 3907: Mrs. BOXER, Mr. FIELDS, Mr. BARTON of Texas, and Mr. RHODES.

H.R. 4002: Mr. LENT.

H.R. 4008: Mr. LOTT.

H.R. 4036: Mr. CHAPMAN.

H.R. 4074: Mr. GRAY of Illinois.

H.R. 4083: Mr. MINETA.

H.R. 4190: Mr. SYNAR, Mrs. BENTLEY, Mr. TOWNS, Mrs. COLLINS, and Mr. ROE.

H.R. 4192: Mr. CLINGER, Mr. KEMP, Mr. GEPHARDT, Mr. BUNNING, Mr. HUGHES, Mr. UPTON, Mr. MACK, Mr. MCEWEN, Mr. GALLO, Mr. MOAKLEY, Mr. KOLTER, Mr. HANSEN, Mrs. LLOYD, Mrs. SCHROEDER, Mr. WOLF, Mr. WILSON, Mr. AKAKA, Mr. SAXTON, Mr. MOLINARI, Mr. TAYLOR, Mr. BALLENGER, Mr. HAMMERSCHMIDT, Mr. STANGELAND, Mr. MILLER of Ohio, Mr. COBLE, Mr. TAUZIN, Mr. BATEMAN, Mr. CALLAHAN, Mr. PARRIS, Mrs. BENTLEY, Mr. KLECZKA, and Mr. GORDON.

H.R. 4212: Mr. GREEN.

H.R. 4270: Mr. LELAND, Mr. PEPPER, Mr. DIXON, Mr. BONKER, Mr. BROWN of California, Mr. GILMAN, Mr. GRAY of Pennsylvania, Ms. PELOSI, Mr. DEFAZIO, Mr. JEFFORDS, Mr. FEIGHAN, Mrs. ROUKEMA, and Mr. BUSTAMANTE.

H.R. 4373: Mr. ALEXANDER, Mr. LELAND, Mr. BUECHNER, Mr. HOYER, Mrs. BOXER, Mr. LEVIN of Michigan, Mr. CHAPMAN, and Mr. DE LA GARZA.

H.R. 4403: Mr. WEISS, Mr. WHEAT, Mr. HAYES of Illinois, Mrs. KENNELLY, Mr. AUCOIN, Mr. TORRES, Mr. KASTENMEIER, Mr. MORRISON of Connecticut, Mr. KENNEDY, Mr. MOODY, Mr. RODINO, and Mr. TOWNS.

H.R. 4420: Mr. DORNAN of California, Mr. WORTLEY, Mr. DEFAZIO, Mr. LAGOMARSINO, Mr. SMITH of New Hampshire, Mr. BARTON of Texas, Mr. OWENS of New York, Mr. NIELSON of Utah, and Mr. UPTON.

H.R. 4433: Mr. CLINGER.

H.R. 4516: Mr. JEFFORDS, Mr. COLEMAN of Missouri, and Mr. WILLIAMS.

H.J. Res. 138: Mr. MAVROULES.

H.J. Res. 315: Mr. LANTOS and Mr. WILSON.

H.J. Res. 378: Mr. MILLER of Washington, Mr. DONALD E. LUKENS, Mr. LIGHTFOOT, Mr.

LEWIS of California, Mr. ROWLAND of Georgia, Mrs. SAIKI, Mr. SCHULZE, Mr. SKELTON, Mr. SMITH of New Hampshire, Mr. STRATTON, Mr. STUMP, Mr. SWEENEY, Mr. SYNAR, Mr. TAUZIN, Mr. TAYLOR, Mr. THOMAS of Georgia, Mr. WELDON, Mr. WHITTAKER, Mr. YOUNG of Alaska, Mr. HUGHES, Mr. GINGRICH, Mr. REGULA, Mr. CHANDLER, Mr. COLEMAN of Missouri, Mr. COOPER, Mr. DERRICK, Mr. ESPY, Mr. FAWELL, Mr. GEKAS, Mr. GRAY of Illinois, Mr. GUARINI, Mr. HARRIS, Mr. HASTERT, Mr. HEFLEY, Mr. HERTEL, Mr. HUNTER, Mr. HUTTO, Mrs. JOHNSON of Connecticut, Mr. PICKETT, Mr. LOTT, Mr. DE LA GARZA, Mr. BORSKI, Mr. KANJORSKI, Mr. MAZZOLI, Mr. BADHAM, Mrs. BENTLEY, Mr. BILIRAKIS, Mr. BLILEY, Mr. BUECHNER, Mr. CARR, Mr. CLINGER, Mr. COBLE, Mr. COLEMAN of Texas, Mr. COURTER, Mr. CRAIG, Mr. DANNEMEYER, Mr. DREIER of California, Mr. KOLBE, Mr. HUCKABY, Mr. HOUGHTON, Mr. HEFNER, Mr. HANSEN, Mr. HAMMERSCHMIDT, Mr. HALL of Ohio, Mr. GREGG, Mr. GUNDERSON, Mr. GALLEGLY, Mr. EDWARDS of Oklahoma, Mr. ROBINSON, Mr. RHODES, Mr. RAVENEL, Mr. PURSELL, Mr. PETRI, Mr. PERKINS, Mr. PASHAYAN, Mr. PARRIS, Mr. OXLEY, Mr. OWENS of Utah, Ms. OAKAR, and Mr. MONTGOMERY.

H.J. Res. 398: Mr. PETRI, Mr. FIELDS, Mr. DAUB, Mr. PARRIS, Mr. SKEEN, Mr. TRAXLER, Mr. GOODLING, and Mr. EMERSON.

H.J. Res. 438: Mr. RANGEL and Mr. OWENS of Utah.

H.J. Res. 452: Mr. GRANT and Mr. SCHUETTE.

H.J. Res. 458: Mr. MCDADE, Mr. BURTON of Indiana, Mr. FROST, Mr. GUNDERSON, Mr. BROOMFIELD, Mr. KASTENMEIER, Mr. LANTOS, Mr. HASTERT, Mr. LANCASTER, Mr. BATEMAN, Mr. ASPIN, Mr. ARCHER, Mr. BUECHNER, and Mr. MARKEY.

H.J. Res. 476: Mr. QUILLEN, Mr. BORSKI, Mr. LIPINSKI, Mr. YATES, and Mr. LEACH of Iowa.

H.J. Res. 478: Ms. PELOSI, Mr. WEISS, Mr. HAYES of Louisiana, Mr. HORTON, Ms. KAPTUR, Mrs. BENTLEY, Mr. RODINO, Mr. CLEMENT, Mr. LEHMAN of Florida, Mr. FROST, Mr. HOCHBRUECKNER, Mr. GOODLING, Mr. DEFAZIO, Mr. WAXMAN, Mr. JONES of North Carolina, Mr. VENTO, Mr. HUGHES, Mr. HAWKINS, Mr. KANJORSKI, Mr. DYSON, Mr. DINGELL, Mr. SPENCE, Mr. DARDEN, Mr. STANGELAND, Mrs. BYRON, Mr. HOYER, Mr. ANDERSON, Mr. BERMAN, Mr. BIAGGI, Mr. BOUCHER, Mr. BROOMFIELD, Mr. BUSTAMANTE, Mr. CARDIN, Mr. CARPER, Mr. COLEMAN of Texas, Mrs. COLLINS, Mr. DE LUGO, Mr. DICKS, Mrs. LLOYD, Mr. DOWDY of Mississippi, Mr. DUNCAN, Mr. ERDREICH, Mr. FAUNTROY, Mr. FRENZEL, Mr. GUARINI, Mr. GUNDERSON, Mr. HALL of Texas, Mr. HEFNER, Mr. HENRY, Mr. IRELAND, Mr. KOLTER, Mr. LANCASTER, Mr. LEACH of Iowa, Mr. LEWIS of California, Mr. MCEWEN, Mr. MCMILLEN of Maryland, Mr. MANTON, Mr. MATSUI, Mr. MILLER of Ohio, Mr. MURPHY, Ms. OAKAR, Mr. CONYERS, Mr. LEVIN of Michigan, Mr. OWENS of New York, Mr. PERKINS, Mr. PURSELL, Mr. RICHARDSON, Mr. ROBINSON, Mr. PASHAYAN, Mr. SAVAGE, Mr. CAMPBELL, Mr. STAGGERS, Mr. STOKES, Mr. TAUKE, Mr. TAYLOR, Mr. TRAXLER, Mr. VALENTINE, Mr. WALGREN, Mr. YATRON, Mr. HANSEN, Mr. NATCHER, Mr. WOLPE, Mr. DIXON, Mr. FORD of Michigan, Mr. ROGERS, Mrs. VUCANOVICH, Mr. PEPPER, Mrs. KENNELLY, Mr. YATES, Mr. SABO, and Mr. MILLER of California.

H.J. Res. 485: Mr. COOPER, Mr. DUNCAN, Mr. JONES of Tennessee, Mr. MACKAY, Mr. SPRATT, and Mr. TALLON.

H.J. Res. 504: Mr. MCEWEN, Mr. SISISKY, Mr. BONIOR of Michigan, Mr. MAZZOLI, Mr. SMITH of New Hampshire, Mr. VANDER JAGT, Mr. KOLTER, Mr. GRANT, Mr. FORD of Michigan, and Mr. FROST.

H.J. Res. 542: Mr. LUNGREN and Ms. PELOSI.

H.J. Res. 553: Mr. HAMMERSCHMIDT, Mr. CLAY, and Mr. FAUNTROY.

H. Con. Res. 11: Ms. Snowe.

H. Con. Res. 19: Mrs. MEYERS of Kansas.

H. Con. Res. 239: Mr. WAXMAN and Mr. SMITH of New Hampshire.

H. Con. Res. 253: Mr. ACKERMAN, Ms. PELOSI, Mr. GRAY of Pennsylvania, Mr. GRANT, Mr. FAUNTROY, Mr. HOYER, Mr. JONES of North Carolina, Mrs. BOXER, Mr. DEFAZIO, Mr. LAGOMARSINO, Mr. BENNETT, Mr. SMITH of Florida, Mrs. PATTERSON, Mr. TORRES, Mr. LEHMAN of Florida, Mr. PEPPER, Mr. ROE, Mr. WHEAT, Mr. SCHEUER, Mr. MRAZEK, Mr. CLARKE, Mr. SUNIA, Mr. BROWN of California, Ms. KAPTUR, Mr. UPTON, Mr. GLICKMAN, Mr. WEISS, and Mr. DELLUMS

H. Con. Res. 254: Mrs. BENTLEY, Mrs. BOGGS, Mr. FOGLIETTA, Mr. MARTINEZ, Mr. HUGHES, Mr. ECKART, and Mr. DAVIS of Illinois.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

166. By the SPEAKER: Petition of the Presbytery of San Fernando, Northridge, CA, relative to peace in Central America; to the Committee on Foreign Affairs.

167. Also, petition of Jaime S. Valdez, Tempe, AZ, relative to a notice of joiner; to the Committee on the Judiciary.