

## HOUSE OF REPRESENTATIVES—Tuesday, June 14, 1988

The House met at 12 noon.

Rabbi Laszlo Berkowits, Temple Rodef Shalom, Falls Church, VA, offered the following prayer:

O Lord of the Universe, Author of Freedom, our hearts are filled with thanksgiving on this day dedicated to honor the Stars and Stripes, the flag of our beloved country. This flag has been, ever since its creation, a symbol of hope for the oppressed, a banner of liberty for the enslaved yearning to be free.

To this very day this precious symbol of free men and women stirs the hearts of our countrymen to deeds of valor and sacrifice as it did for the generations who came before us.

For it is the banner of freedom, the proud flag of the liberators.

Wherever it is raised and unfurled, it heralds the sacred message: "Proclaim liberty throughout the land to all the inhabitants thereof."

O, may it long wave to the joy of our country and for freedom everywhere. 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.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H.J. Res. 423. Joint resolution to designate the third week in June 1988 as "National Dairy Goat Awareness Week."

The message also announced that the Senate agrees to the amendment of the House to the bill (S. 52) entitled "An act to direct the cooperation of certain Federal entities in the implementation of the Continental Scientific Drilling Program," with an amendment.

The message also announced that the Senate had passed a bill and joint resolution of the following titles, in which the concurrence of the House is requested:

S. 2455. An act entitled, "Death Penalty in Case of Drug Related Killings"; and

S.J. Res. 331. Joint resolution to designate the week of June 19-25, 1988, as the "National Recognition of the Accomplishments of Women in the Workforce Week."

## TRIBUTE TO RABBI LASZLO BERKOWITS

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

Mr. WOLF. Mr. Speaker, I am pleased to welcome to the House of Representatives Rabbi Laszlo Berkowits, who offered our prayer today. Rabbi Berkowits lives in the 10th District of Virginia in Arlington and is Rabbi at Temple Rodef Shalom in Falls Church, VA. Rabbi Berkowits is celebrating his 25th year in the pulpit of Temple Rodef Shalom and I am pleased that he can share his thoughts with us today in our opening prayer.

Twenty-five years is an admirable accomplishment. It has come to my attention that Rabbi Berkowits has celebrated over 1,000 bar-bat mitzvahs, 500 brisses and baby namings, 200 weddings, 25 confirmations, and 25 years of leading his congregation through both happy and trying times. This would be a lifetime of activities to rest on, however, Rabbi Berkowits continues to be an active part of his community partially spurred by his experiences in Europe as a survivor of the Holocaust.

As a concentration camp prisoner at the end of the war Rabbi Berkowits was moved from Budapest to the infamous Auschwitz camp, then as the allies advanced on Hitler's army he was moved to Ravensburg and finally to Wobbelin where he was liberated by United States 82d Airborne troops. Rabbi Berkowits' journey to northern Virginia is a truly remarkable story and is an example of the perseverance and unity the Jewish people have exhibited in pulling themselves from under the repressions and atrocities of World War II.

I celebrate with Rabbi Berkowits and his congregation in his 25th year in northern Virginia, I welcome him to the House of Representatives and I thank him for opening our session today in prayer.

In the prayer, this being Flag Day, Rabbi Berkowits mentioned the American flag. Rabbi Berkowits says that when he was liberated by the 82d Airborne, the first thing that he saw was the American flag, and that is what is specially meaningful, that the rabbi is giving the prayer here today on Flag Day.

## PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE REPORT ON DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT-INDEPENDENT AGENCIES APPROPRIATIONS BILL, 1989

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight, June 14, 1988, to file a privileged report on a bill making appropriations for Department of Housing and Urban Development-Independent Agencies, for the fiscal year 1989 and for other purposes.

Mr. GREEN reserved all points of order on the bill.

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

There was no objection.

## DECISION UPHOLDS RAILROAD WORKERS' SAFETY CONCERNS

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

Mr. BRENNAN. Mr. Speaker, today I would like to extend my congratulations to the railroad employees in my State of Maine and throughout New England, who stood up for railroad safety. I applaud their dedication and determination.

On November 12 of last year, members of the UTU struck Guilford Transportation over allegations of unsafe working conditions.

Yesterday, a federally appointed arbitrator found that the workers had valid reason to be concerned for their safety, and that the strike was therefore legal, and the workers must be reinstated with back pay.

These railroad employees risked careers and their future in order to bring about improved safety.

All of us—workers, businesses which ship by rail, and the general public—have a stake in knowing that the trains that run through our neighborhoods are safe and well run.

We need safe and efficient rail service in New England. We need a carrier who will provide such service. It is my hope that Guilford Transportation will accept this decision, work to improve safety, and begin to treat its workers with the respect they deserve.

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

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

DEMOCRATIC CONGRESSIONAL  
CAMPAIGN COMMITTEE  
LETTER INSULTING

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

Mr. GINGRICH. Mr. Speaker, every Member of the House should be offended by a June 10 letter sent to Members by the Democratic Congressional Campaign Committee. That letter says, "You were apparently duped by Newt." It goes on to suggest, "It has become obvious his actions are generated by self-serving partisan political motives."

That letter from the Democratic Congressional Campaign Committee insults the Committee on Ethics which voted unanimously to investigate the Speaker. It insults Common Cause, the Wall Street Journal, the Washington Post, the New York Times, and 35 other newspapers which have called for an investigation.

Frankly, this House is rapidly dividing up between those who favor openness, honesty and ethics and those who delay, obscure and defend unethical behavior.

The Democratic Congressional Campaign Committee has apparently chosen to cover up rather than clean up.

JUNE 10, 1988.

Enclosed you'll find an informative account by The New York Times regarding the ethics charges brought by Newt Gingrich against Speaker Jim Wright.

As one who signed a letter endorsing the complaint filed by Gingrich, I thought you might be interested to know he has now admitted there were "errors and gaps" in the complaint he filed.

Gingrich is quoted as admitting two of the charges were filed "out of curiosity" and that "I don't expect them to be actionable items."

On another charge, even the attorney who drafted the legal document has admitted the excessive-payments rule cited in the complaint doesn't apply to the book royalties they question.

You were apparently duped by Newt. With further consideration of the matter you might want to distance yourself from his actions. Once again, it has become obvious his actions are generated by self-serving partisan political motives.

I am outraged that Gingrich would knowingly present frivolous charges to the Committee on Standards of Official Conduct. His action demeans the integrity of the committee and deliberately wastes the time of the House and wastes taxpayer's money.

Now that the motives of Gingrich have been revealed I think you should consider removing your name from the petition endorsing Gingrich's ethics committee complaint.

Instead of allowing Gingrich to lead you down some dubious political warpath, I urge you to follow the direction of your distinguished and respected leader, Bob Michel, who has consistently refused to endorse Gingrich's troublemaking crusades.

I am not suggesting in any way that the ethics committee investigation be halted. The Speaker himself has endorsed an investigation to address the issues. What I strongly object to is any attempt to politicize the ethics committee which is expected to operate in an impartial and judicious manner.

Once again, Gingrich has shown a venomous contempt for the integrity of the U.S. House of Representatives. An attitude I don't believe you share.

Respectfully,

BERYL ANTHONY, Jr.,  
Chairman.

GINGRICH ALLEGATIONS  
PARTISAN ATTACK

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

Mr. FROST. Mr. Speaker, I just listened to the gentleman from Georgia. I find his remarks interesting and sometimes entertaining.

I find it curious that the gentleman from Georgia several months ago boasted that he intended to orchestrate his whole activities in a partisan way to coincide with the beginning of the Democratic National Convention. The gentleman from Georgia is within his rights to raise whatever questions that he wishes to raise at whatever time, but it is very curious that he has chosen to do this in the most partisan possible way to coincide with the beginning of our convention in July and that he makes no secret of the fact that this is a partisan attack that he has undertaken.

WE OUGHT TO CHANGE THE  
RULES

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

Mr. THOMAS of California. Mr. Speaker, I really do not understand what all the controversy is over the book, if we were talking about the book itself, the book, of course, being "Reflections of a Public Man." It only costs \$6. I mean, what can one buy for \$6 today? Not much. That is what it is—not much.

In terms of the pages, it works out to about a nickel a page, and the 55-percent royalty produces something in the vicinity of 2 cents a page, and what you get on the page is about 2 cents.

On page 103, for example, the entire page is covered with this:

What people really mean when they say, "The system isn't working," is simply that they are not getting their way. The system assures that each of us may have his say. It does not guarantee that any of us will get his way.

That is it. That is your 2 cents' worth.

The question is not over the book. It is over the procedures involved with

the book. On that point, I totally agree with the Washington Post editorial this morning that said that if the procedures surrounding the book are not against the rules of the House of Representatives, then we ought to change the rules.

□ 1210

THE AMERICAN FLAG FIDELITY  
ACT

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

Mr. STAGGERS. Mr. Speaker, today, Flag Day, I find it appropriate to elaborate upon the details of a national disgrace. For, indeed, our flag has been disgraced. It has come to my attention that many of the old glories flying atop the homes and buildings of our Nation are not the quality products of the proud American worker.

Have we no pride left in this Nation of ours? An American flag that is manufactured abroad should not be allowed to enter this country. For, then, our flag ceases to be American. A foreign company, with its near slave wages and its repeated violations of the flag code, should not be allowed to undermine the competition among American manufacturers of U.S. flags. Here is an example of the kind of shocking product one foreign flag company produces. The label reads: "Made in Taiwan."

We are in dire straits if we cannot protect our own flag from the exploitation of a few profiteering companies abroad. Long may she wave, but long may she wave bearing a "Made in the USA" tag upon her. For this reason, I am introducing a bill today called the American Flag Fidelity Act to prohibit the importation of foreign-made American flags. I urge my colleagues to cosponsor this bill.

LEGISLATION TO ENCOURAGE  
THE REMINING AND RECLAMA-  
TION OF ABANDONED MINED  
LANDS

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

Mr. CLINGER. Mr. Speaker, I am pleased to announce today the introduction of legislation that will not only address the significant environmental and public safety problem of abandoned mine lands, but will do so in a manner that will mutually benefit our Nation's coal industry. This bill is designed to encourage the safe and responsible reclamation of abandoned mine lands by active coal mine operators.

It is estimated that only 10 percent of the Nation's abandoned mine land

sites will be corrected over the life of the AML Reclamation Program established under title IV of the Surface Mining Control and Reclamation Act [SMCRA]. At the same time, it is becoming apparent that some of the SMCRA requirements actually discourage active industry from reclaiming abandoned mine lands. Studies have shown that in many areas coal production is now being shifted from previously affected coal with abandoned mine lands to virgin lands with undeveloped coal reserves.

The AML fund is authorized until 1992 and it is estimated that fee collections will approach \$3 billion by that time. As Representative NICK RAHALL, chairman of Interior's Subcommittee on Mining and Natural Resources pointed out during an oversight hearing last year, this amount will make only a dent in the total amount of abandoned coal mine acreage in the United States. This fact is confirmed by the finding that the current inventory of priority 1 and 2 projects alone exceeds \$5.8 billion in reclamation costs.

Witnesses have testified that under current statute, Pennsylvania will have received AML funding sufficient to address fewer than 35 percent of its high hazard, priority 1 and 2 problems.

In the interest of conserving natural resources and promoting reclamation, it is absolutely imperative that the necessary authorities be granted to encourage coal operators to achieve through remining what the AML Program is unable to address. We must approve legislation that allows the mutual interests of environmentalists, industry, States and local communities to be realized through reclamation and remining.

The bill I am introducing today attempts to provide incentives in a number of ways:

First, The bill sets forth a congressional directive that "surface coal mining operations can be effective in the reclamation of abandoned mine land and should be encouraged to remine and reclaim such areas to maximize reclamation of abandoned mine lands concurrently with coal production."

Second, to encourage reclamation through remining, the bill provides the Secretary of the Interior with the authority to waive or reduce the reclamation fee for remining projects.

Third, the measure amends SMCRA to establish a new title X remining section, allowing the Secretary or approved State program to enter into reclamation agreements with coal mine operators for the reclamation of unreclaimed mine lands and to compensate the operators based on the value of the reclamation performed. The bill allows for the proposal of reclamation projects that can be complet-

ed in conjunction with active surface mining operations. A key provision is the exemption for the use of excess spoil for reclamation purposes.

Fourth, abandoned mine land recovery zones are authorized in an effort to define those areas within a State where unreclaimed mine lands have significant potential to be reclaimed by surface mining operations. Certain incentives are authorized in an effort to target reclamation efforts in these designated areas.

Fifth, the Secretary is authorized to furnish reclamation bond guarantees to operators in return for reclamation work performed. This will allow more actual reclamation work value for the dollar than other mechanisms in use.

Sixth, the bill establishes new authorities to provide additional incentives for the safe and effective removal of existing coal mine waste piles, slurry ponds, and other waste materials.

Seventh, section 210(e) benefits of the Public Utilities Regulatory Policies Act are extended to qualified waste coal fired small production facilities.

During the 99th Congress, I joined with Representative NICK RAHALL in introducing remining legislation to address existing disincentives which held remining operators liable for previous operator's effluent pollution. We were successful in getting our language included as part of the Clean Water Act, enacted into law last year. We must now build upon that success to ensure that reclamation activities continue to move forward.

In numerous meetings with State officials, Federal surface mining authorities, constituents, conservation groups and environmental organizations, support has repeatedly been expressed for increased remining and reclamation activities. In introducing this remining package today, it is my intention that these groups and individuals have an opportunity to evaluate its provisions and offer their comments. Only through the input and support of all interested parties, can we succeed in establishing a remining program that will effectively and safely reclaim America's abandoned mine lands.

I certainly appreciate the valuable work performed by numerous individuals and organizations in developing this legislation. Their advice and expertise has been invaluable in identifying ways to responsibly encourage remining. While only limited time remains in the current congressional session, I look forward to working with my House colleagues and all other interested parties in considering this legislation and furthering the cause of reclamation and remining.

#### GINGRICH ALLEGATIONS AGAINST THE SPEAKER

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

Mr. DYMALLY. Mr. Speaker, I believe it was last Friday that the New York Times carried a story on the so-called Gingrich charges against the Speaker. In that article the gentleman from Georgia [Mr. GINGRICH] openly admits that some of the charges were not founded, but he "just threw them in there for curiosity," recognizing very well that it would make partisan news.

It is a shame that a Member of this House would use false and inaccurate information to generate partisan public publicity at a time when the Democrats will be meeting in Atlanta.

About the book, I have read the book. I found it very delightful, very soothing, very pleasant.

There are two ways one gets reimbursed for a book, and I have had the privilege of coauthoring two, one either gets the money upfront, a large chunk of money, or gets the money after the book has been sold. There is nothing unusual in that. It is an ordinary, everyday occurrence, and I do not know what the big issue is about this book. It is a very good book in my judgment.

The politics involved in these charges, in my judgment, are shameful.

#### CORRECTING INEQUITIES IN THE 1987 FEDERAL HIGHWAY ACT

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

Mr. BUECHNER. Mr. Speaker, yesterday I held a press conference in St. Charles, MO, announcing the introduction of legislation that will correct an inequity in the 1987 Federal Highway Act which has caused many States to lose millions of dollars in valuable highway funds.

This inequity resulted from the practice known as double dipping—a practice which 48 of my colleagues are standing with me to strongly oppose. Double dipping was such a subtle change in the highway bill that the Federal Highway Administration refused to believe it possible. But as many of my colleagues know, it was possible and very costly to our States.

The effect of this double-dipping practice was to increase for some States the amount of obligational authority for spending of Federal funds. But if obligational authority is increased for some States it must be decreased for the other States. And that's exactly what happened. My

State of Missouri lost approximately \$20 million and 35 other States were penalized as well.

All our States need to improve their roads and bridges as well as maintain their Interstate Highway System. But as long as such double-dipping provisions remain on the books, the majority of the States will be shortchanged at the expense of a few.

I urge my colleagues to take a good look at this legislation because even if your State benefited this year from double dipping, it could be a loser next year.

My legislation will make sure there are no winners and losers and put the States on a more equitable footing in the disbursement of Federal funds.

#### SANCTIONS AGAINST SOUTH AFRICA

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

Mr. FOGLIETTA. Mr. Speaker, today the Members of the House Armed Services Committee will markup those aspects of H.R. 1580—South Africa sanctions—which are within our jurisdiction. These include amendments regarding strategic minerals, military cooperation and intelligence cooperation. I will give full support to those amendments as a means to dismantle the South African apartheid system.

The executive branch's policy of constructive engagement has failed. The South African Government has not met any of the criteria for significant progress toward ending apartheid. Furthermore, the country has increased its destabilization of the entire area with its illegal occupation of Namibia, its support for insurgencies in Mozambique and Zimbabwe and Angola, and its raids into Botswana, Swaziland, and Zambia. The United States Government can no longer cast a passing glance at South Africa while its Government continues its systematic suppression of blacks and minorities. The South African Government believes American opposition to its brutal system of apartheid is weak. Let's prove them wrong.

#### DISCRIMINATORY TREATMENT OF FEDERAL EXPRESS BY JAPAN

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

Mr. SUNDQUIST. Mr. Speaker, today my colleague, the gentleman from Tennessee, Mr. HAROLD FORD, and I join together in introducing a concurrent resolution regarding air cargo shipments.

In April, our country and the Japanese Government entered into an agreement to exchange new air cargo services between the two countries. All of the new service opportunities granted to Japanese carriers have been fully implemented.

Federal Express, which was selected by the United States to provide new small package service to Japan, has encountered serious obstacles in implementing its authority as a result of actions by the Japanese Government. So what we find, Mr. Speaker, is that as we open up trade and continue to be a free trading country, too often other countries do not join us. We enter into an agreement that is quickly broken, as in this case by the Japanese Government, who have enjoined full benefit of unrestricted rights granted under the 1985 memorandum of understanding.

Reciprocity has to rule in our trade policy, and I hope my colleagues will join in being critical of the Japanese Government for violating the agreement by restricting our cargo shipments to their country.

#### DEPORTATION OF MUBARAK AWAD

(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, I agree with the President. Israel should not have deported Mubarak Awad.

In light of the ongoing uprising in the Gaza Strip and West Bank in which over 200 Palestinians have been killed and hundreds more have been wounded, it just does not make sense to deport Awad, who founded the Palestinian Center for the Study of Non-violence.

With this action, it makes Mr. Awad the symbol of the plight of the occupied Palestinian people. Deporting Mubarak Awad will not lessen the tension nor the violence in these occupied territories. In fact, it could worsen them by eliminating one of the few voices who sought communication and dialog with Israel, and without dialog and communication there is no other option but bloodshed, and too many Palestinians have already been killed.

#### REINSTITUTING FLAG DAY CEREMONIES IN U.S. HOUSE OF REPRESENTATIVES

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

Mr. McEWEN. Mr. Speaker, today is a very special day. It is a day in which we honor the symbol of our country: Our flag.

All across America today people are pausing to acknowledge what the

guest chaplain today referred to as the symbol of hope, a symbol of liberty, a symbol for free men and women everywhere.

Mr. Speaker, throughout the many years history of this Nation, the Congress of the United States led in the celebration of Flag Day. Some of the most moving ceremonies in the history of our Nation were held right here on this floor on Flag Day.

I would suggest, Mr. Speaker, that it would be good if we reinstated that tradition and if the House is going to be in session on Flag Day that we, too, take a moment to acknowledge our flag.

#### A TRIBUTE TO FRANK DROZAK

(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 want to take this brief opportunity to mourn the passing of Frank Drozak, one of the best labor leaders that this country has known. Frank left us this past weekend after devoting his life to the welfare of our Nation's workers, and we all will miss him.

Frank had a long and illustrious career with the American labor movement and most recently served as the president of the Maritime Trades Department of the AFL-CIO. In this capacity, he spent his time protecting the rights of merchant seamen in U.S. waters and the high seas. Whenever the Committee on Merchant Marine and Fisheries considered legislation involving our important merchant fleet, we could count on good counsel and guidance from Frank. While there were times when we disagreed, we did so honorably as colleagues, not spitefully as enemies. Frank was always ready to do battle for what he believed in, but more often his thoughtful insight and good nature won the day for those he so capably represented.

Just to give you an example, Frank and I had opposing views on the issue of export of Alaskan oil, and I know from experience that he was a worthy opponent. At the same time, we worked closely together on legislation which would allow the development of oil and gas resources in ANWR. There was never any animosity or hard feelings; just a desire on Frank's part to get the job done right.

Mr. Speaker, if I ever get the chance to make it to the Pearly Gates, I know what I will find—St. Peter facing Frank Drozak and a well-organized band of angels who are working to see that their rights are protected.

Bless you Frank, we will miss you.

TREASURY, POSTAL SERVICE  
AND GENERAL GOVERNMENT  
APPROPRIATIONS ACT, 1989

Mr. WHEAT. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 469, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 469

*Resolved*, That during the consideration of the bill (H.R. 4775) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies for the fiscal year ending September 30, 1989, and for other purposes, all points of order against the following provisions in the bill for failure to comply with the provisions of clause 2 of rule XXI are hereby waived: beginning on page 6, line 3 through page 8, line 11; beginning on page 9, lines 3 through 7; beginning on page 23, lines 7 through 11; beginning on page 24, line 17 through page 25, line 18; beginning on page 26, line 19 through page 32, line 17; beginning on page 39, lines 7 through 22; beginning on page 41, line 24 through page 44, line 9; beginning with "Provided," on page 44, line 23 through page 45, line 17; and beginning on page 76, line 23 through page 78, line 8. In any case where this resolution waives points of order against only a portion of a paragraph, a point of order against any other provision in such paragraph may be made only against such provision and not against the entire paragraph. It shall be in order to consider the amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Walker of Pennsylvania, and all points of order against said amendment for failure to comply with the provisions of clause 2(c) of rule XXI are hereby waived, if the motion to rise and report under clause 2(d) of rule XXI is rejected or not offered.

The SPEAKER pro tempore (Mr. HOYER). The gentleman from Missouri [Mr. WHEAT] is recognized for one hour.

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

□ 1225

Mr. Speaker, House Resolution 469 waives points of order against several provisions in H.R. 4775, the Treasury, Postal Service, and General Government appropriations bill for the fiscal year ending 1989. The rule does not provide for the bill's consideration since general appropriations bills are privileged under the rules of the House. Provisions relating to time for general debate are also excluded from the rule. Customarily, general debate is limited by a unanimous-consent request by the chairman of the Appropriations Subcommittee prior to consideration of the bill.

House Resolution 469 waives points of order against specified provisions in the bill for failure to comply with clause 2 of rule XXI. Clause 2, rule XXI prohibits unauthorized appro-

priations and legislative provisions in general appropriations bills. The precise provisions of H.R. 4775 for which these waivers are provided are detailed in the rule by reference to page and line in the bill.

Title I of the bill contains provisions appropriating funds to the U.S. Customs Service and the U.S. Mint. Since the authorizing committees have not reported a bill authorizing appropriations for the Customs Service or the U.S. Mint, a waiver of clause 2, rule XXI is necessary.

Title IV of the bill contains provisions appropriating funds for the Federal Election Commission and making available funds for certain projects in the Federal buildings fund. Title IV also contains provisions which appropriate funds to the national defense stockpile transaction funds and which authorize the acquisition of a new building for the National Archives. Since authorizing legislation for the FEC and the building projects has not been completed, a waiver of clause 2 of rule XXI is necessary.

In instances where the rule waives points of order against only a portion of a paragraph, a point of order against any other provision in such paragraph may be made only against such provision and not against the entire paragraph.

Finally Mr. Speaker, the rule provides that it shall be in order to consider an amendment by, and if offered by, Representative ROBERT WALKER of Pennsylvania, if the motion to rise and report the bill under clause 2(d) of rule XXI is rejected or not offered. In the event that the motion to rise is rejected or not offered, then points of order against the gentleman's amendment for failure to comply with clause 2(c) of rule XXI are waived.

Mr. Speaker, H.R. 4775 is an important measure providing appropriations for a number of agencies including, the Treasury Department, the U.S. Postal Service, the Executive Office and certain independent agencies.

The rule provides for expeditious consideration of the bill. Therefore, I urge that we adopt the rule.

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

Mr. Speaker, 3 weeks ago the House Republican leadership took a special order to point out the pattern of increasing procedural abuses in the House and its committees.

The Rules Committee has been a particular problem in this area. We have seen the increasing use of gag rules which restrict Members' ability to offer amendments and resolutions waiving all the standing rules of the House.

However, there are some other problems affecting the Rules Committee which have received far less attention. Under its own committee rules members of the Rules Committee are enti-

pled to 48 hours' notice of a meeting. In case of an emergency the chairman may dispense with the 48-hour notice. This sounds like a reasonable rule. And it would be if it were not abused. For years, the current chairman and his predecessors used the emergency meeting procedure only for legitimate emergencies. But recently, we have seen a trend toward abuse in this area as well. For example, the routine bill before us today, the Treasury, Postal appropriation bill was declared to be an emergency last Thursday afternoon so that the 48-hour notice could be dispensed with. The committee met on Friday morning with no final printed copy of the committee report available. Mr. Speaker, it didn't even have to be this way. This bill could have been considered tomorrow. And tomorrow's appropriation bill, for which a rule has not been requested, could have been considered today.

Last week we saw the same thing with the National Science Foundation bill. That bill was declared to be an emergency in the Rules Committee so that it could be rushed through without the required 48 hours' notice on May 25. Once again there was no printed committee report available and little opportunity for Members to learn about the provisions of the bill. Then, after all the rush, the rule was not even called up until 2 weeks later on June 9.

Mr. Speaker, we all understand the need to move quickly in case of a real emergency, but the abuse of the concept is the problem. By repeatedly dispensing with the normal 48-hour notice requirement, it means that Members are forced to vote before they have had an opportunity to properly review the legislation. Mr. Speaker, I hope that in the future, the call of emergency meetings will be restricted to real emergencies.

Mr. Speaker, aside from its emergency designation, there is nothing unusual about the provisions of this rule. It waives points of order against the bill for lack of authorization and because there are legislative provisions in this appropriation bill.

It also waives points of order to protect an amendment to be offered by the gentleman from Pennsylvania [Mr. WALKER] providing for a drug-free workplace. This is a longer version of the Walker amendment which is technically legislation on an appropriation bill.

Mr. Speaker, there has been particular interest in a legislative paragraph in this bill which provides for a 4-percent pay increase for all Federal employees including Members of Congress. That language is legislation on an appropriation bill, but it is protected from a point of order by the provisions of this rule.

However, there is nothing in this rule which restricts the normal open amending process for general appropriation bills.

There are several provisions in the bill to which the administration strongly objects. If these provisions are in the bill when it reaches the President's desk, it will be vetoed.

Mr. Speaker, I have no requests for time.

The SPEAKER pro tempore (Mr. HOYER). Without objection, the previous question is ordered on the resolution.

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. ROYBAL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4775) making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending September 30, 1989, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to not to exceed 1 hour, the time to be equally divided and controlled by the gentleman from New Mexico [Mr. SKEEN] and myself.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. ROYBAL].

The motion was agreed to.

The SPEAKER pro tempore. The Chair designates the gentleman from Massachusetts [Mr. DONNELLY] as Chairman of the Committee of the Whole and requests the gentleman from Missouri [Mr. WHEAT] to assume the chair temporarily.

□ 1232

#### IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4775, with Mr. WHEAT (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. Without objection, the bill is considered as having been read the first time.

There was no objection.

The CHAIRMAN pro tempore. Under the unanimous-consent agreement, the gentleman from California [Mr. ROYBAL] will be recognized for 30 minutes and the gentleman from New Mexico [Mr. SKEEN] will be recognized for 30 minutes.

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

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

Mr. Chairman, it is a very great pleasure and a privilege for me to present this bill to the House. I want to take this opportunity to express my appreciation and thanks to those who helped make this presentation possible. We have been working on this bill since last January and have held many hours of committee hearings and it has been only due to the diligence, effectiveness, efficiency and dedication of the committee members that we are able to be here today. I especially appreciate the assistance of the gentleman from New Mexico [Mr. SKEEN]. He has been of invaluable assistance, participating in all of our hearings and I want him and all the other members of the committee to know how much I appreciate their help.

The Appropriations Committee presents a bill for your consideration today that provides \$16.1 billion in recommended appropriations for 1989. The bill before you is: \$50 million below the President's budget; \$998 million over fiscal year 1988; and conforms exactly to the 302(b) allocations for discretionary budget authority and outlays.

The departmental amounts for new budget authority are as follows:

For the Treasury Department, \$7.7 billion, an increase of \$55 million over the budget and \$330 million over 1988;

For the U.S. Postal Service, \$436 million, a decrease of \$91 million below the budget and a reduction of \$93 million below 1988;

For the Executive Office of the President, \$107.5 million, a reduction of \$5.9 million below the amount of the budget request and a reduction of 1 million below 1988;

For independent agencies covered by this bill—such as GSA, the Office of Personnel Management, the Tax Court, and others—\$7.8 billion, a decrease of \$7.9 million below the budget, and an increase of \$749 million over 1988.

Now, may I call your attention to certain specific agencies:

First. For the U.S. Customs Service, the committee recommends \$28 million above the budget in order to bring U.S. Customs staffing up to a level adequate to prevent the influx of massive amounts of drugs and other contraband into this country. The committee added 500 new positions.

The committee believes that the high level of drug abuse and related crime in this country requires a strong law enforcement effort to stem the tide of illicit drugs coming into the United States. The recommended increase would also expedite the processing of visitors to this country and of our citizens returning from abroad. Further, this increase would also expe-

dite the processing of commercial goods being imported, and help prevent the illegal importation of high technology items to unfriendly countries.

I might also point out that the U.S. Customs Service is the second largest producer of revenue for the Government—over \$15 billion per year in customs duties.

Second. For the Internal Revenue Service, the committee recommends the exact amount requested in the President's budget to provide an additional \$241 million and 1,650 positions above fiscal year 1988. For the past several years the committee has been concerned about inadequate funding for the Internal Revenue Service. It now appears that the administration has finally realized the serious shortfalls in IRS funding and has requested adequate funds for that agency for fiscal year 1989.

Third. For the U.S. Postal Service I am particularly pleased today to inform you that this bill provides an appropriation to the Postal Service of \$436.4 million for revenue forgone. This appropriation will permit the Postal Service to maintain current postal rates for preferred rate mailers until the end of fiscal year 1989. Qualified preferred rate mailers are defined as religious, educational, scientific, philanthropic, agricultural, labor, veterans and fraternal organizations, and include such groups as the American Cancer Society, the American Heart Association, the National Easter Seal Society, the March of Dimes, Birth Defects Foundation, the American Association of Retired Persons, National Wildlife Federation, the Salvation Army, as well as many, many others.

These nonprofit groups have long played a vital role in American life, supplying a considerable share of the social services, health care, education, research, arts, culture, community improvement, international relief, conservation, environmental protection, and public advocacy occurring in the United States.

The committee has funded most other agencies, including those within the Executive Office of the President at approximately the budget level.

I again commend the ranking minority member, Mr. SKEEN, for the outstanding job that he has done, and I appreciate the conscientious and faithful service of all the members of the subcommittee. Mr. AKAKA, Mr. HOYER, Mr. COLEMAN, Mr. BOLAND, Mr. YATES, Mr. SKEEN, Mr. LOWERY, and Mr. WOLF have all been highly supportive of the bill now before you.

Mr. Chairman, this is a good bill and a fair bill. I urge the support of all Members.

□ 1240

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

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

Mr. Chairman, I want to begin by thanking the chairman of our subcommittee, the gentleman from California [Mr. ROYBAL], for his kind remarks, and also I want to commend him for the expeditious way in which he handled this committee's hearing and the progress that was made, along with members of the subcommittee.

This, I think, has been one of the most unique instances in my experience, that is, that most of the appropriation bills are coming out way ahead of schedule. In this case we have a subcommittee that has jurisdiction over a wide variety of agencies crucial to the smooth operation of the Federal Government.

Principal among these is the Treasury Department, which includes revenue-producing entities such as the Internal Revenue Service, Customs, and the Bureau of Alcohol, Tobacco and Firearms. These entities are also critically involved in the Nation's war against drugs, as is the Federal Law Enforcement Training Center, which is playing a critical role in the training of Federal law enforcement officers for this effort.

Also, included within the Treasury appropriation are such entities as the Secret Service, the Bureau of the Mint, and the Financial Management Service. The subcommittee, of course, has recommended an appropriation to the Secret Service which is adequate and necessary for the Service to meet its critical objectives.

Additionally, the bill contains appropriations for the U.S. Postal Service—and this part of the appropriation is known as revenue forgone; it is the only area of appropriation that is made to the U.S. Postal Service from the Federal Treasury—the Executive Office of the President, and 11 independent agencies.

Included in this bill are appropriations necessary to effect the transition between administrations, and that is a very crucial recommendation and consideration that is made at this particular time in our history. Every election year generates a tremendous amount of transitional funding that is necessary, and that appropriation has to be made. These are included within the appropriations for the General Services Administration, the Archives, and the Executive Office of the President. In addition, we have worked hard with the General Services Administration in an effort to provide a safe and comfortable workplace for Federal employees.

In summary, Mr. Chairman, the subcommittee has worked very hard, within a tight budgetary constraint, and with new 302(b) allocations and

even tighter appropriations or allocation, and under these budgetary constraints, I think an admirable product has been arrived at. It is crafted in a well-balanced and equitable manner, and I thank the subcommittee chairman, the gentleman from California [Mr. ROYBAL], and commend him and all the subcommittee members and its staff for the fine work they have done on this bill.

As stated before, this bill, as amended, is \$50 million less than the budget request. It is important to remember that the agencies covered by this bill are labor-intensive and small changes have significant effects. This is a responsible bill, one which I wholeheartedly support, and I urge the adoption of our recommendations.

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

Mr. ROYBAL. Mr. Chairman, I yield 5 minutes to the gentleman from Hawaii [Mr. AKAKA].

Mr. AKAKA. Mr. Chairman, I rise in strong support of the Treasury-Postal Service appropriations bill for fiscal year 1989 and ask unanimous consent to revise and extend my remarks.

Before proceeding, I want to commend my colleagues on the Treasury Subcommittee for their hard work. In particular, I want to thank our fine chairman, Ed ROYBAL, and our ranking member, Joe SKEEN, for their leadership in formulating this bill.

Let me also offer warm words of appreciation to our subcommittee staff, Tex Gunnels, and Bill Smith, for their countless hours of work on this bill.

As anyone who has attended our subcommittee meetings can tell you, we operate in an open and almost non-partisan manner. The bill before you today was forged through consensus, and the overwhelming majority its provisions are matters on which we unanimously agree.

I don't have to tell anyone in this Chamber how difficult this year has been for the Appropriations Committee. There simply is not enough money for the work that needs to be done, and many hard choices had to be made in the process of formulating this bill.

Nonetheless, the legislation before you is a fair and responsible bill that deserves every Member's support. The administration's primary objection to the bill is that it exceeds the President's request on two items: appropriations for Postal Service revenue forgone and funding for the Customs Service.

With regard to revenue forgone, according to OMB's "Statement of Administration Policy," and I quote, "The committee failed to recognize the administration's proposal to eliminate inappropriate postal subsidies." Presumably, OMB is speaking of legislation requested by Director Miller which would eliminate revenue forgone's preferential mail rates for all

but a few categories such as free mailing for the blind. Unfortunately, OMB addressed its letter to the wrong committee. Modifications to the revenue forgone program are within the jurisdiction of the authorization committee and not the Appropriations Committee. When and if the modification committee modifies this program, we will then be in a position to comply with the administration's request. Until that time, however, the administration's protest about funding for Postal Service revenue forgone are somewhat hollow.

The second area of administration objection relates to funding for the Customs Service. At a time when the level of drug trafficking has never been higher, I frankly am appalled at the administration's attitude on this issue. Drugs are streaming through our borders and polluting the minds of millions of Americans—from addicts on city street corners, to employees in the workplace and even children in our schools. The amount in this bill is barely adequate for the Customs Service to perform its responsibilities. If funds were available to do so, we would have given the Customs Service more money to fight the war on drugs. Unfortunately, this bill faces the same constraints as every other appropriations bill this year, and all we could muster was \$37 million more than the amount provided in the current year, for an additional 500 Customs inspectors.

I believe that the administration has also attempted to make the issue that some of the additional staff for the Customs Service would be dedicated to commercial operations rather than drug interdiction. I remind my colleagues that every Customs officer is on the front line when it comes to fighting drugs, whether their job assignment is tactical interdiction or inspection and control. Given the cunning ingenuity of drug runners, all Customs personnel are required to maintain constant vigil in an effort to halt the flow of illegal narcotics. Experience has shown that some of the largest drug seizures have occurred during otherwise routine inspections of commercial cargo.

I also remind my colleagues that the Customs Service has been given lead status among Federal law enforcement agencies for drug interdiction. This bill contains the necessary funds to carry out this enhanced responsibility.

It is a tragic fact that illicit drugs are destroying the youth of our Nation. The illegal drug trade is an insidious plague that infects our society and causes pain and anguish in every city and town throughout America.

Only if we are prepared to give the Customs Service the manpower and resources they need can we stop drugs at our borders. Drug runners do not fire

pop guns and do not ride bicycles. They carry uzis and other advanced weapons. They move their illicit cargo in high performance cigarette boats and in advanced jet aircraft which have the most sophisticated radar systems money can buy. Unless we provide the Customs Service with the funds necessary to compete with their opponents on an equal footing, we should not expect them to succeed.

Mr. Chairman, as I said earlier, this is a good bill and I urge every Member to support it.

□ 1250

Mr. SKEEN. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. CONTE].

Mr. CONTE. Mr. Chairman, at the outset I want to commend the chairman of the subcommittee, my good friend, the gentleman from California, Ed ROYBAL, the ranking member, the gentleman from New Mexico, JOE SKEEN, for their leadership during the consideration of the bill and, of course, my good friend, Tex Gunnels, who was here when I first started many years ago on this committee with Chairman Vaughan Gary. Tex was the counsel of that committee then. It says a lot that we have been here a long time, and Tex has always done a good job.

I sat through the subcommittee and the full committee markups on this bill, and believe me, it wasn't easy to make ends meet. Tough decisions were required. The Drug Interdiction Program and revenue enhancement efforts require enormous resources and at every point the committee was faced with cutbacks and limited funds.

Ed ROYBAL and JOE SKEEN responded to this challenge. On behalf of the committee, they have presented the House with a responsible bill. It's within the budget allocation for both outlays and budget authority. For discretionary programs, this bill is about \$263 million or 3 percent over the fiscal year 1988 enacted level. That increase is due primarily to enhancements in two important areas. First, the committee increased funding for drug related programs; \$32 million was added for the Customs Service; \$13.5 million for the BATF and \$4.5 million for the Law Enforcement Training Center. Second, the committee complied with the budget summit agreement and approved a significant increase for revenue collection by the IRS; \$240 million was added for enhanced IRS enforcement, as the President requested. These two areas account for most of the increase over fiscal year 1988 enacted levels.

This slimmed down, bare bones recommendation is recognized by the administration as fiscally responsible. The statement of administration policy on H.R. 4775 says:

The funding provisions in the bill are generally consistent with the President's request.

Even with some disagreement about the scoring of the revenue forgone subsidy, this statement is the closest comment that I have seen to an endorsement of the spending provided in this bill. I can safely say that the administration has no major funding problems with this appropriations bill.

However, despite the committee's hard work to bring a responsible bill to the floor, Director Miller has made his intentions clear. He says that,

If this bill were presented to the President in its present form, I would recommend that he veto the bill.

I think this veto recommendation is misguided, but as I understand it, he objects for basically two reasons.

First, the most objectionable language provision, which would alone be grounds for a veto of this bill, requires OMB to follow the intent of Congress as expressed in the House and Senate Appropriations Committee reports. Mr. Miller calls this provision "totally unacceptable." Well, I find OMB's position equally unacceptable, but without elaborating further, I will include for the RECORD a copy of a letter signed by Chairman WHITTEN, myself, Chairman STENNIS and Senator HATFIELD opposing this executive usurpation of congressional power.

The second objection by the administration concerns the 4-percent pay raise for civilian and military personnel. OMB says "this provision can be interpreted to violate the bipartisan budget agreement by necessitating pay supplementals." This is a contorted reading of the language. As I understand it, this provision says that no more than 50 percent of the cost can be appropriated to make up the pay raise shortfall. With or without this language, the Congress can appropriate nothing to supplement pay costs, or we can rearrange existing priorities to meet the shortfall for particular agencies.

And as far as this Member is concerned there should be no supplementals for pay raise unless the appropriations are offset by corresponding reductions. The budget summit agreement provides for supplementals only when there is a dire emergency. I can understand the administration's concerns about this language, but no where does this provision mandate a supplemental, or does it by itself break the budget summit agreement.

Mr. Chairman, despite these objections, this bill is balanced recommendation. It responds to the important drug related and revenue producing needs funded in this bill, and at the same time it is generally consistent with the President's request. A "yes" vote on this bill is a vote to continue the war on drugs and to maintain the

revenue targets assumed in the budget summit agreement.

I urge all my colleagues to support this bill.

U.S. SENATE,  
COMMITTEE ON APPROPRIATIONS,  
Washington, DC, March 23, 1988.

The PRESIDENT,  
The White House,  
Washington, DC.

DEAR MR. PRESIDENT: We have become aware of Mr. Miller's memorandum dated March 15, 1988, to heads of Cabinet departments and agencies, which states that Congressional reports accompanying the individual appropriations bills and conference report on P.L. 100-202, the Fiscal Year 1988 Continuing Resolution, do not have the force of law and are not approved by the President. Further, he would require each agency head to justify any intended compliance with the Congressional reports.

We would direct your attention to Section 107 of P.L. 100-202, which contains the following language:

"Amounts and authorities provided by this resolution shall be in accordance with the reports accompanying the bills as passed by or reported to the House and the Senate and in the Joint Explanatory Statement of the Conference accompanying this Joint Resolution."

This section of the Continuing Resolution was reported in the House, passed by the House, reported in the Senate, passed by the Senate, and signed by you.

In view of Section 107 and in light of the fact that departments and agencies of the Government which choose to ignore Congressional expressions of intent regarding the use of appropriated funds do so at the peril of strained relations with the Congress, we would recommend that this memorandum of March 15 be withdrawn.

It is hereby requested that the Appropriations Committees of the Senate and the House be provided with a report by March 30, 1988, which outlines Administration intentions regarding the March 15 memorandum and the funds for each program, project, or activity contained in the list attached to that memorandum as may have been updated.

Thank you for your attention to this matter.

Sincerely,

JOHN C. STENNIS.  
MARK O. HATFIELD.  
JAMIE L. WHITTEN.  
SILVIO O. CONTE.

STATEMENT OF ADMINISTRATION POLICY

H.R. 4775—TREASURY/POSTAL APPROPRIATIONS BILL, FISCAL YEAR 1989 (SPONSORS: MR. WHITTEN AND MR. ROYBAL)

The Treasury/Postal Service Appropriations Bill for FY 1989 provides funding levels that are generally consistent with the President's request. The Committee, however, failed to recognize the Administration's proposal to eliminate inappropriate postal subsidies resulting in budget authority that exceeds the President's request by \$458 million.

The bill also includes many objectionable language provisions as well as other provisions restricting the Administration from exercising necessary managerial discretion in fulfilling its executive responsibilities. If this bill were presented to the President in its present form, I would recommend that he veto the bill.



The language provision most objectionable to the Administration and which alone would be grounds for vetoing this bill, requires that the Office of Management and Budget make appropriated funds available for use in strict accordance with otherwise non-binding directives and earmarks included in committee reports. This provision constitutes a totally unacceptable restriction on the Executive Branch's ability to execute appropriations statutes.

The Administration objects to the provision that provides a 4-percent pay raise for Federal civilian personnel and that allows additional appropriations to fund up to 50 percent of the cost of the increase in total pay. We believe that this provision can be interpreted to violate the Bipartisan Budget Agreement by necessitating pay supplementals. The Bipartisan Budget Agreement explicitly prohibited all supplemental appropriations except in "dire emergency". It is, therefore, the Administration's position that all costs of pay increases must be fully absorbed. No supplementals will be transmitted.

Several other language provisions are unacceptable. Of particular concern to the Administration is the language the House has included which waives the budgetary constraints established by the Anti-deficiency Act and directs the lease/purchase of four buildings to be constructed. The Anti-deficiency Act requires that the current Administration and the Congress not commit future Administrations and Congresses to payments without recognizing the full cost of such projects by properly obligating funds to cover these payments. Together, these four projects commit the government to future obligations of over \$800 million in construction costs which are not properly reflected in the bill due to the waiver of the Anti-deficiency Act. The Administration opposes the hiding of budget costs in this manner.

A similar objection exists for the provision which authorizes the lease/purchase of a building for the Internal Revenue Service in Memphis, Tennessee, a new building for the Center for Disease Control, Atlanta, Georgia as well as the provision authorizing the Archivist to acquire a new facility in Maryland.

Additional language provisions attempt to remove the flexibility necessary to the Administration to perform its executive responsibilities. Most objectionable are:

Failure to adopt a limitation on program expenses for the Federal Retirement Thrift Investment Board.

Prohibition against closure or consolidation of executive seminar centers in the OPM appropriation.

Imposition of an FTE floor limiting management's ability to adjust staffing to workload and productivity shifts in the Customs and Alcohol, Tobacco and Firearms appropriations.

This bill also excludes language to ensure that all blue-collar workers including those under negotiated agreements receive the same pay raise as white-collar employees in the Federal Government.

While the funding provisions in the bill are generally consistent with the President's request, the House Committee on Appropriations did not anticipate the enactment of the proposal submitted to Congress that would reduce the level of subsidies provided to the Postal Service. The bill provides for a "revenue foregone" appropriation that is \$417 million in budget authority above the President's budget proposal. The Committee

did not support the Administration's proposal to reduce this subsidy to \$19 million. Failure to approve this proposal will continue the use of inappropriate subsidies for certain classes of mailers (e.g., prestigious professional trade organizations, profitable business seminar companies, "piggy back" advertisers, political advocacy groups, etc.).

If during subsequent consideration of this bill the Administration's "revenue foregone" proposal is not adopted, we urge you to oppose any increase in the level of subsidy beyond that provided in the FY 1987 "revenue foregone" appropriations. This would provide 80 percent of the current law level (\$350 million) or \$86.4 million less than the level provided by the House Committee on Appropriations.

The House Committee on Appropriations also failed to recognize the importance of the Administration's request for funds for a significant management improvement initiative when it did not provide any of the \$5.9 million which was to be used for the development of a comprehensive planning, budgeting, and financial management system. Although none of the funds will be made available before January, 1989, this system is badly needed and will serve as a management information system for key decision-makers in Congress and the Executive Branch for years to come. The Congressional Budget Office and the General Accounting Office have endorsed this modernization effort because of its government-wide application in facilitating the exchange of information between the Congress, OMB, and the agencies.

TREASURY/POSTAL APPROPRIATIONS BILL,  
1989—OBJECTIONABLE PROVISIONS  
I. FUNDING LEVELS

*Payment to the Postal Service Fund.* The bill provides for a revenue foregone subsidy that is \$417 million above the President's budget proposal. The bill does not reflect the Administration's proposal that reduced the budget request to \$19 million by eliminating inappropriate use of these subsidies (e.g. political advocacy mail, prestigious professional trade organizations, profitable business seminar companies, etc.) while continuing federal support for free-for-the-blind and overseas voter mail and shifting most residual costs to unsubsidized mailers.

*Bureau of Alcohol, Tobacco, and Firearms, Salaries and Expenses.* The House Committee on Appropriation's bill provided \$12,500,000 and 216 FTE more than the President's request. The FTE level proposed in the President's budget is sufficient to enable ATF to carry out all of its assigned missions and still increase the number of trained enforcement personnel in operational units.

*Federal Law Enforcement Training Center.* The House Committee on Appropriations provided an additional \$4,493,000 which was not requested by the President and conflicts with the Administration's policy of financing discretionary services from user charges.

*U.S. Secret Service, Salaries and Expenses.* The bill provides \$10 million more than the President's request including \$2.5 million for continued construction at the Rowley Training Center which was not requested by Treasury. This increased funding is not needed to maintain Secret Service operations in light of the reduced activity level following completion of the 1988 Presidential campaign.

*Executive Office of the President, Expenses of Management Improvement.* The

bill does not include \$5.9 million to support a comprehensive planning, budgeting, and financial management system. The proposed improvements are badly needed. The new system will aid key decisionmakers in both the Congress and the Executive Branch as well as assist in exchanging information between Congress, OMB and the agencies for years to come. The Congressional Budget Office and General Accounting Office have endorsed this modernization effort.

*U.S. Customs Service.* The House Committee on Appropriations provides \$37,918,000 and 500 FTE more than the President's request for wage and price inflation and for an additional 500 FTE for commercial services. Automation of Customs' operations has enhanced productivity and supplanted the need for additional FTE to meet workload growth.

*National Defense Stockpile Transaction Fund.* The House Committee on Appropriations recommended an appropriation of \$18 million in grants for the University of Hawaii and the University of Texas at El Paso. These monies are for non-competitive research grants that were not requested by the President and do not directly benefit the purposes of national defense stockpile. These funds are not essential and would be more appropriately provided by private financing.

*National Archives and Records Administration.* The Administration opposes the provision of \$4 million for grants for historic publications and records and \$4.1 million for additional construction of the Kennedy Library. Neither of these funding levels were included in the President's budget and would be more appropriately provided by the private sector.

II. LANGUAGE PROVISIONS

*Office of Management and Budget.* The bill provides that no funds may be used by OMB to prevent or delay the obligation or expenditure of funds identified in either an appropriations bill or in accompanying reports, with the sole exception of rescission proposals permitted by law. This provision restricts the President's ability to execute appropriations statutes and is apparently intended to make report language accompanying this and other appropriations bills—even if written after this provision is enacted—binding on the Executive Branch as if enacted into law. Thus, committee reports reflecting less than full legislative actions (consideration and passage by both Houses and presentment for Presidential signature) could restrict the President's execution of appropriations statutes. These concerns clearly raise fundamental constitutional issues under the "take care" and "presentment" clauses.

Further, this broad language creates ambiguities as to the President's authority to implement and enforce other laws, such as Gramm-Rudman-Hollings, which requires him to withhold and sequester funds if specified deficit targets are exceeded. This provision may inadvertently affect other substantive statutory authorities of the President.

*U.S. Customs Service, Salaries and Expenses.* The bill imposes an FTE floor limiting management's ability to adjust staffing to respond to workload shifts, investments in labor-saving capital equipment and other productivity improvements.

*Bureau of Alcohol, Tobacco, and Firearms, Salaries and Expenses.* The House Committee on Appropriations imposes a FTE floor limiting management's ability to adjust to

workload shifts and to choose the efficient mix of labor and capital resources.

*Bureau of Engraving and Printing.* General provision 527 provides that no funds may be used to contract out or downgrade the positions of the BEP police force. We have directed BEP to study contracting out their police force. This provision limits the President's authority to conduct and review A-76 studies and to minimize the cost of BEP security functions.

*Federal Retirement Thrift Investment Board.* The House Committee on Appropriations did not adopt the proposed language limiting the program expenses of the Board. The obligation limitation language is important because it caps the amount of Thrift Saving Fund monies that the Board can use for administrative expenses. The cap is equal to the Board's own budget estimate for those expenses. The language is also important because it provides a mechanism for oversight of an agency in the Executive Branch.

*General Services Administration, Federal Buildings Fund.* The language exempts four construction projects from 31 U.S.C. 1341(a)(1)(B)—the requirement for full-funding of contracts or obligations. By dictating a less than full-funding approach for accounting of these projects, the effect will be to hide the true costs of obligations of the Government. These four projects obligate the government to over \$800 million in total construction costs, yet the bill reflects none of those costs. The Administration opposes the hiding of budget costs in this manner. A similar objection exists for the provision which authorizes the lease/purchase of a building for the International Revenue Service in Memphis, Tennessee and for the provision which authorizes the lease/purchase of a new building for the Centers for Disease Control in Atlanta, Georgia.

The bill further provides for a \$1 million grant to renovate the Senior Citizens' Health Center, County of Los Angeles, and a \$800,000 grant to establish a Senior Citizens' Health Center at California State University at East Los Angeles. The Administration strongly opposes these grants from the Federal Building fund. The fund is not authorized to spend federal dollars on state and local facilities.

Lastly, the Administration opposes the proposed expenditures for border station improvements for those facilities cited on line 16, page 31 through line 14, page 32.

*General Services Administration, General Provisions.* The bill proposes to require agencies to have their long-distance telecommunications requirements, subject to P.L. 89-306, approved by the Administrator of GSA, prior to seeking alternative procurement options. This language is unnecessary as the Administration already has adequate authority under the Brooks Act to oversee agency telecommunications procurements. If the Congress finds that additional authority is necessary, we suggest that economic efficiency criterion contained in the bill be clarified by requiring that no services be acquired under FTS2000 separately without a net decrease in costs to the government as a whole.

*National Archives and Records Administration.* The Administration opposes the provision authorizing the Archivist to acquire a new facility in Maryland (beginning line 6, page 43 through line 13, page 44).

*General and Administrative Provisions.* The Administration objects to the omission of language that would ensure that all blue-

collar workers including 9(b) employees would receive the same pay raise as their white-collar counterparts. (Section 613(b) page 67) Language should read "Notwithstanding section 9(b) of P.L. 92-393 or section 704(b) of P.L. 95-434, subsection (a) of this section shall apply in such manner as the Office of Personnel Management shall prescribe to any prevailing rate employee to whom such section 9(b) applies.

*Section 510, 522, and 614.* This section prohibits the GSA, OPM, and the Customs Service from closing or consolidating an information center, executive seminar centers, or other sites used to carry out programs of these agencies. The Administration objects to this provision since it prevents GSA, OPN, or Customs Service from exercising its managerial discretion over how best to use its training and facility resources.

*Section 611.* The Administration objects to this provision. To the extent the resolution referred to in this section is a joint resolution, this provision would not present a constitutional issue.

Mr. ROYBAL. Mr. Chairman, I have no further requests for time.

Mr. SKEEN. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Chairman, this bill is somewhat of a mixed blessing so far as I am concerned.

First of all, I appreciate the fact that the committee has cooperated with me in terms of the drug-free workplace amendment, and I think that when we get to the point in the bill that we are going to be able to accept the language which I have offered, which is longer language and which I think clarifies that issue better.

But, Mr. Chairman, I must say that I have some problems with the bill as a whole, and I think that the Members ought to recognize why some of us would have some problems with details of the bill.

We should not allow the debate to go on without discussing the fact that there is a \$1.5 million provision in the bill that raises pay for Members of Congress. That would amount to something in the vicinity of \$3,000 a year additional for Members of Congress that is nicely contained within this bill. In the same bill, and you may find this rather an interesting juxtaposition; in the same bill there is a \$10 million cut in the Air Interdiction Program of the Customs Service in terms of fighting drugs.

Now, the American people may have a hard time understanding that we are serious about the war on drugs when they see us in one bill raising our own pay, but cutting the funds for the program that does the air interdiction of drugs.

Mr. Chairman, most of us understand that the drugs that are now coming into the country, particularly across the southern border, are largely coming in here by air. When you cut the funding for the air interdiction program, you are in fact impacting on our ability to deal with that portion of

the drug crisis, and yet that is what this bill does, and at the the same time it raises the pay to Members of Congress.

I would suggest for a couple thousand reasons that Members may want to be very cautious about this bill. I would suggest that there is good reason for voting for it, and, when all is said and done, it will have the drug-free workplace language in it.

But for me personally, Mr. Chairman, despite the fact that it is my amendment, that is not enough for me to vote for the bill. I will be voting "no."

Mr. SKEEN. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. FRENZEL].

□ 1300

Mr. FRENZEL. Mr. Chairman, like the previous speaker, I am not going to be able to support this bill. It is a little rich for my blood yet.

I congratulate the subcommittee and its chairman and the ranking member for doing the good work and staying below their 302(b) allocation; however, I note that the bill totally increases appropriations from last year by nearly 7 percent, 6.6 something. That is a big increase when we are wrestling with a very large fiscal deficit.

It is one thing to appropriate a current services budget. It is quite another to appropriate at a level of increase that is 50 percent over the deflationary rate, or the CPI rate.

Now, I am told there are very good reasons for the large increases. Some of them relate to the new retirement system of the U.S. Government. Nevertheless, it seems to me that the appropriators when they are obliged to encounter large increases ought to be looking for some balancing items so that they would be able to bring to us a bill that does not exceed the cost-of-living increases. Obviously, they have other goals and other targets. To me those other goals and other targets are not as important as the fact that we continue to run a recurrent deficit that is unaffordable and is, in fact, financed by investors outside the United States.

Finally, I would say with respect to the independent agencies, they also have an unrealistic, unnecessary rate of increase. Of course, they make up a very small percentage of this bill, but if we are simply to take what is given to us by the OMB or by the agency in every case, we are going to wind up overappropriating and we are going to wind up in the hole.

For those reasons, Mr. Chairman, I think the bill should be defeated.

Mr. ROYBAL. Mr. Chairman, I yield such time as he may require to the gentleman from Michigan [Mr. FORD].

Mr. FORD of Michigan. Mr. Chairman, I rise in support of the bill and

to express my appreciation to Chairman ROYBAL, Chairman WHITTEN, and the members of the committee for the fine job they have done in allocating scarce resources among a number of very worthy programs.

I am particularly pleased the bill contains full funding for revenue forgone—\$436 million. Failure to fund this appropriation would result in substantial rate increases for various preferred mailers. These increases would occur October 1 of this year.

There is often confusion as to the purpose of the revenue forgone appropriation, and perhaps some background would be helpful to Members. The term itself—"revenue forgone"—derives from the policy set by Congress long ago that certain types of "preferred mailers" are not to be charged the regular postal rates that most mailers are charged. The Postal Service "forgoes" collecting this revenue from the "preferred" mailers. The Congress then provides this forgone revenue by means of an annual appropriation to the Postal Service.

It is important to note that this appropriation is not an operating subsidy for the Postal Service. Rather, it is necessary to further congressional policy that certain mailers should not pay the full rate.

If Congress does not provide a sufficient appropriation in any particular year, the Postal Service is empowered by law (39 U.S.C. 3627) to raise the preferred rates to the level necessary to make up the difference. This has happened in the past. Because of appropriation shortfalls in fiscal year 1986, the Postal Service raised preferred rates in January 1986 by an average of about 30 percent. Still another rate increase became effective on March 9, 1986.

The overwhelming majority of "revenue forgone" dollars each year goes to the benefit of nonprofit organizations, many of which are still struggling to recover from the financial blows of the calendar year 1986 rate increases.

I would be remiss if I did not advise members that the administration has proposed legislation which it claims would eliminate the need for the revenue forgone appropriation while at the same time holding down rates for certain preferred mailers. This proposal involves "separate subclass pricing" for preferred mailers. In essence, non-preferred mailers would be required to pay higher rates in order that the preferred mailers could continue to mail at reduced rates.

This proposal is extremely controversial and complex. However, even if this proposal were enacted today, it could only be implemented in the context of a general rate proceeding before the Postal Rate Commission and the Postal Service Board of Governors. The rate case filed in 1987 was

decided just last March. We hope there will not be another for several years. So we are looking several years into the future before the administration's proposal could have any effect. And this assumes the Congress agrees with the administration that the proposal has merit.

In closing, I repeat I am very pleased the revenue forgone funds are contained in this bill. I support the bill, and I urge my colleagues to do likewise.

Mr. LOWERY of California. Mr. Chairman, I want to express my strong support for the Treasury-Postal appropriations bill for fiscal year 1989. As a member of the Treasury-Postal Subcommittee, I am well aware of the important tasks performed by the agencies funded through this legislation. The committee carefully evaluated these issues and some tough decisions had to be made to meet the spending limitations dictated by the budget summit agreement. I want to express my thanks to Chairman ROYBAL and Mr. SKEEN, the ranking minority member, for their leadership and hard work on the bill.

This is a responsible funding measure that totals less than the President's request but provides an adequate increase of 6 percent over last year's levels. Funding increases have been provided for important revenue producing agencies such as the U.S. Customs Service, the Internal Revenue Service, and the Bureau of Alcohol, Tobacco and Firearms. In addition to producing funds for the Treasury, these agencies are critically involved in our Nation's war against drugs.

Mr. Chairman, as a representative from San Diego, CA, I am acutely aware of the constantly increasing flow of traffic across our border with Mexico. The interaction between the United States and our neighbor to the south is necessary and will continue to grow. The U.S. Customs Service is the agency that must manage this process. The legislation before us today attempts to provide the Customs Service with the resources needed to meet its complex mission of interdicting drugs while monitoring and processing passenger and commercial traffic into the United States.

The Treasury-Postal appropriations bill provides funding for essential duties of the Federal Government; duties that cannot be carried out by the States. The Appropriations Committee has set adequate funding levels for these fundamental Federal duties and these levels meet the deficit reduction requirements set by the budget summit agreement. I urge the passage of this legislation.

Mrs. MORELLA. Mr. Chairman, as a member of the Subcommittee on Compensation and Employee Benefits of the Committee on the Post Office and Civil Service, I am deeply concerned about the compensation which we provide to Federal employees. A vital part of that compensation package is health insurance coverage for Federal employees and their families.

As we near the vote on the Treasury, Postal Service, and General Government appropriations bill for fiscal year 1989, I would like to remind my colleagues that the legislation we are being asked to approve would not permit a Federal employee or the dependent of a

Federal employee to receive health insurance coverage for all medical options in the event she is raped or is the victim of incest. The legislation permits coverage of abortion services only if the life of the woman would be endangered if the pregnancy is carried to term. Since we have not debated this language in several years, I would like to submit for the RECORD a letter concerning this provision written in 1981 by the representatives of 2 million Federal and Postal employees.

JULY 20, 1981.

DEAR REPRESENTATIVE: On behalf of the two million Federal and postal employees who are represented by the undersigned, we are writing to ask that you oppose any attempts to restrict Federal and postal workers health benefits coverage when the Fiscal Year 1982 Treasury, Postal Service and General Government Appropriations bill is considered on the House Floor within the next two weeks.

Twice in the past year, the Federal Employees' Health Benefits Program (FEHB) has come under attack through an amendment sponsored by Representative John Ashbrook (R-Ohio) which would have prohibited the payment of administrative expenses of any Federal employee health insurance plan which provides coverage for abortions and related medical conditions. We believe that the Ashbrook restriction constitutes an unwarranted attempt by the Congress to inject itself into the collective-bargaining process by eliminating a medical benefit which Federal employees have negotiated as part of their total compensation package.

Presently, the government has little involvement in the Federal Employees' Health Benefits (FEHB) program; it merely negotiates the level of benefits and administers the program and the Plan's funds. The government does not decide what kind of medical program or procedures will be covered. This is done through negotiation with the carriers. Federal workers may choose from a variety of health insurance plans, some of which do not provide coverage for even medically necessary abortions. We believe that this freedom of choice in medical plan selection must be preserved.

Further, in 1972, Congress passed Section 717, Title VII of the Civil Rights Act to provide that the Federal government may not discriminate against its employees on the basis of race, sex, religion, national origin or age. In 1978, Congress enacted the Pregnancy Discrimination Act, which redefined and clarified the definition of sex discrimination under Title VII to include discrimination on the basis of pregnancy, childbirth and related medical conditions.

The Ashbrook amendment, as adopted by the House, on two occasions would deny medical benefits to females, solely on the basis of their sex, by mandating the elimination of health insurance coverage for conditions related to pregnancy. This could reverse the effect of Congressionally mandated bans on discrimination as reflected in the 1972 and 1978 Acts.

In addition, when on April 20, 1979, the Equal Employment Opportunity Commission published its "Guidelines on the Pregnancy Discrimination Act," it stated that no employer would be in compliance with Title VII if it reduced benefits prior to the expiration of a collective bargaining agreement. If Congress adopts the Ashbrook amendment, it will affect all collective-bargaining agreements in the Federal sector immedi-

ately by requiring the renegotiation of health benefits contracts prior to the expiration of current collective-bargaining agreements.

The Commission further stated that, if an employer (in this case, the Federal government) reduces benefits for one class of employees, it must effect a concomitant reduction in benefits FOR ALL OTHER CLASSES OF EMPLOYEES. This would necessitate the total reconstruction of all Federal employee health insurance contracts—contracts which are statutorily included in the Federal employees' total compensation package.

Twice in the past year, the Senate Appropriations Committee has recognized the potentially devastating impact of the Ashbrook restriction and has wisely voted to delete the amendment. We urge you to likewise vote to maintain the current standards in the FEHB program when this legislation reaches the Floor of the House.

Sincerely,

Kenneth T. Blaylock, President, American Federation of Government Employees (AFL-CIO); Moe Biller, General President, American Postal Workers Union (AFL-CIO); Vincent R. Sombrotto, President, National Association of Letter Carriers (AFL-CIO); Jerry Wurf, President, American Federation of State, County and Municipal Employees (AFL-CIO); Kenneth Lyons, President, National Association of Government Employees (IBPO); James Peirce, President, National Federation of Federal Employees; Vincent L. Connery, President, National Treasury Employees Union.

Mr. GILMAN. Mr. Chairman, I rise in support of H.R. 4775, the 1989 appropriations bill for the Treasury Department, Postal Service, Executive Office of the President, and various independent agencies.

H.R. 4775 contains \$436.4 million for revenue foregone.

Presently, without revenue foregone, many nonprofit organizations could not continue to make their vital contribution to our Nation's educational, social, and cultural strength. Such valuable organizations as public libraries and countless other important nonprofit entities would find it considerably difficult to continue their programs without financial help with their mailings; \$436.4 million is \$91.1 below the request and \$80.6 million below the fiscal year 1988 level. The disparity between the request and the committee recommendation is attributable to the rate increase which took effect on April 3, 1988.

Accordingly, I urge my colleagues to support H.R. 4775.

Mr. PICKLE. Mr. Chairman, I want to commend subcommittee Chairman ROYBAL and the Committee on Appropriations for their hard work in developing the fiscal year 1988 appropriations bill for the Internal Revenue Service. The Appropriations Committee and the administration are today recommending a level of funding which is essential if the IRS is going to successfully meet its responsibility to administer the tax laws.

Frankly, it has been my hope that additional funding could be made available to the IRS, to improve the assistance given to taxpayers and to better enforce our existing tax laws. After holding a series of hearings earlier this year, the Ways and Means Subcommittee on Over-

sight identified a number of areas where the performance of the IRS could be improved and additional revenues raised. Based on these findings, Chairman ROSTENKOWSKI and I joined in calling for additional funding for the IRS. I am disappointed that it has not been possible to include this additional funding in this appropriation, however, I recognize that it was not possible under the budget resolution and the budget summit agreement reached last year.

Be that as it may, I am disturbed to hear reports that the other body is considering reducing the IRS budget below what the administration has requested in order to provide additional funding for other agencies. As useful and desirable as the activities of these other agencies may be, the role of the IRS is critical in funding the entirety of the Federal budget. Commissioner Gibbs has pointed out that any cuts in the IRS budget will inevitably result in a much greater revenue loss. If the other body wants money for other agencies and programs, I would suggest that they consider increasing the IRS budget and thereby increase the revenue available to the Treasury.

Mr. Chairman, in conclusion, I would urge my colleagues to support this appropriation. The IRS budget has strong bipartisan support, it represents the administration's request, it does not bust the budget, and I would hope that by our vote today we would send a strong message to our House conferees that we should not allow any reduction in IRS funding.

Mr. RAHALL. Mr. Chairman, I rise in support of H.R. 4775, the Treasury-Postal appropriations for fiscal year 1989. I am happy to see that the \$54.9 million appropriated for the Treasury Department will help to create many new jobs in the U.S. Customs Service and the Internal Revenue Service, as well as continuing funding for new jobs authorized in fiscal year 1988 in the Bureau of Alcohol, Tobacco, and Firearms. The promise of new jobs is always music to my ears, and especially to the ears of my fellow West Virginians.

I must also say, Mr. Chairman, that I am very pleased that H.R. 4775 provides a 4-percent pay increase for all Federal civilian and military personnel. With the cost of living ever on the rise, it has become increasingly difficult to make ends meet. This is no less true for our military and civil service. A 4-percent salary increase will allow those who serve our country the compensation they need and so much deserve.

Finally, the \$436.4 million appropriated for the U.S. Postal Service for revenue foregone on free and reduced rate mail for certain preferred mailers will go a long way in subsidizing the mailing privileges of nonprofit organizations. Often we take our postal system for granted and fail to realize how vital a role the free flow of mail is to businesses of all sorts. This is especially true for nonprofit organizations operating on a tight budget who cannot afford a price hike to one of their most important communication lines: their postal service. I urge my colleagues to support H.R. 4775.

Mr. DYMALLY. Mr. Chairman, I would like to express my support of H.R. 4775, the Treasury and Postal Service appropriations for fiscal year 1989.

I am particularly pleased with the provisions of this measure which continue funding for

revenue foregone and stipulate a 4-percent pay raise for Federal government employees.

Maintaining funds to support reduced mailing rates for nonprofit and charitable organizations, such as hospitals and schools; rural newspapers, libraries, and other qualified preferred-rate mailers, is particularly critical at this point, given the difficult budget decisions facing the Postal Service.

Also, the revenue foregone appropriation allows organizations serving our blind and handicapped citizens to mail materials at no cost.

Finally, a respectable pay increase for Federal government employees is long overdue. The Federal work force has been unfairly hindered with the efforts to reduce the deficit.

Although 4 percent may appear to be a large increase, it would hardly upgrade civil service pay levels to that of their private-sector counterparts. In fact, I am not certain that past increases have even kept up with the level of inflation.

We recently commemorated the invaluable work and dedication of our civil servants to the operations of our Government. Rewarding them with this increase in compensation is only proper and deserving.

I urge my colleagues in the Congress to support H.R. 4775, the Treasury and Postal Service appropriations bill.

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

Mr. ROYBAL. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1989, and for other purposes, namely:*

#### TITLE I

#### OFFICE OF THE SECRETARY

##### SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, including operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; not to exceed \$22,000 for official reception and representation expenses; not to exceed \$200,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on his certificate; not to exceed \$573,000, to remain available until expended, for repairs and improvements to the Main Treasury Building and Annex; \$59,618,000.

##### INTERNATIONAL AFFAIRS

For necessary expenses of the international affairs function of the Office of the Secretary; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business; not to exceed

\$2,000,000 for official travel expenses; and not to exceed \$73,000 for official reception and representation expenses; \$24,063,000.

**FEDERAL LAW ENFORCEMENT TRAINING CENTER**  
**SALARIES AND EXPENSES**

For necessary expenses of the Federal Law Enforcement Training Center, as a bureau of the Department of the Treasury, including purchase (not to exceed fifteen for police-type use) and hire of passenger motor vehicles; for expenses for student athletic and related activities; uniforms without regard to the general purchase price limitation for the current fiscal year; the conducting of and participating in firearms matches and presentation of awards; for community relations in support of law enforcement training; not to exceed \$3,000,000 for major maintenance and facility improvements, and related equipment for the Federal Law Enforcement Training Center to remain available until expended; not to exceed \$5,000 for official reception and representation expenses; room and board for student interns; and services as authorized by 5 U.S.C. 3109: *Provided*, That funds appropriated in this account shall be available for State and local government law enforcement training on a space-available basis; training of foreign law enforcement officials on a space-available basis with reimbursement of actual costs to this appropriation; acceptance of gifts; training of private sector security officials on a space available basis with reimbursement of actual costs to this appropriation; travel expenses of non-Federal personnel to attend State and local course development meetings at the Center: *Provided further*, That the Federal Law Enforcement Training Center shall hire and maintain an average of not less than 325 direct full-time equivalent positions for fiscal year 1989; \$31,018,000.

**FINANCIAL MANAGEMENT SERVICE**  
**SALARIES AND EXPENSES**

For necessary expenses of the Financial Management Service, \$280,461,000, of which not to exceed \$11,737,000, shall remain available until expended for systems modernization initiatives.

**PAYMENT OF GOVERNMENT LOSSES IN SHIPMENT**

For payment of Government losses in shipment, in accordance with section 2 of the Act approved July 8, 1937 (40 U.S.C. 722) \$960,000, to remain available until expended.

**BUREAU OF ALCOHOL, TOBACCO AND FIREARMS**  
**SALARIES AND EXPENSES**

For necessary expenses of the Bureau of Alcohol, Tobacco and Firearms, including purchase of not to exceed five hundred vehicles for police-type use for replacement only; and hire of passenger motor vehicles; hire of aircraft; and services of expert witnesses at such rates as may be determined by the Director; not to exceed \$5,000 for official reception and representation expenses; for training of State and local law enforcement agencies with or without reimbursement; provision of laboratory assistance to State and local agencies, with or without reimbursement; \$231,003,000, of which \$15,000,000 shall be available solely for the enforcement of the Federal Alcohol Administration Act during fiscal year 1989, and of which not to exceed \$1,000,000 shall be available for the payment of attorneys' fees as provided by 18 U.S.C. 924(d)(2): *Pro-*

*vided*, That no funds appropriated herein shall be available for administrative expenses in connection with consolidating or centralizing within the Department of the Treasury the records of receipts and disposition of firearms maintained by Federal firearms licensees or for issuing or carrying out any provisions of the proposed rules of the Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, on Firearms Regulations, as published in the Federal Register, volume 43, number 55, of March 21, 1978: *Provided further*, That none of the funds appropriated herein shall be available for explosive identification or detection tagging research, development, or implementation: *Provided further*, That not to exceed \$300,000 shall be available for research and development of an explosive identification and detection device: *Provided further*, That funds made available under this Act shall be used to maintain a base level of 3,451 full-time equivalent positions for fiscal year 1989.

**UNITED STATES CUSTOMS SERVICE**  
**SALARIES AND EXPENSES**

For necessary expenses of the United States Customs Service, including purchase of up to one thousand motor vehicles for replacement only, including nine hundred and ninety for police-type use and commercial operations; hire of passenger motor vehicles; not to exceed \$110,000 for official reception and representation expenses, including \$100,000 to be available only for the Customs Cooperation Council meeting; and awards of compensation to informers, as authorized by any Act enforced by the United States Customs Service; \$1,004,821,000; of which such sums as become available in the Customs User Fee Account, except sums subject to section 13031(f)(3) of the Consolidated Omnibus Reconciliation Act of 1985, as amended (19 U.S.C. 58c(f)(3)), shall be derived from that Account; of the total, not to exceed \$150,000 shall be available for payment for rental space in connection with preclearance operations, and not to exceed \$4,000,000, to remain available until expended, for research: *Provided*, That uniforms may be purchased without regard to the general purchase price limitation for the current fiscal year: *Provided further*, That none of the funds made available by this Act shall be available for administrative expenses to pay any employee overtime pay in an amount in excess of \$25,000: *Provided further*, That the Commissioner or his designee may waive this limitation in individual cases in order to prevent excessive costs or to meet emergency requirements of the Service: *Provided further*, That none of the funds made available by this Act may be used for administrative expenses in connection with the proposed redirection of the Equal Employment Opportunity Program: *Provided further*, That none of the funds made available by this Act shall be available for administrative expenses to reduce the number of Customs Service regions below seven during fiscal year 1989: *Provided further*, That the United States Customs Service shall hire and maintain an average of not less than 16,599 full-time equivalent positions in fiscal year 1989: *Provided further*, That none of the funds made available in this or any other Act may be used to fund more than nine hundred positions in the Headquarters staff of the United States Customs Service in the fiscal year ending September 30, 1989: *Provided further*, That no funds appropriated by this Act may be used to reduce to single eight hour shifts at airports and that all current services as pro-

vided by the Customs Service shall continue through September 30, 1989: *Provided further*, That not less than \$300,000 shall be expended for additional part-time and temporary positions in the Honolulu Customs District.

**OPERATION AND MAINTENANCE, AIR INTERDICTION PROGRAM**

For expenses, not otherwise provided for, necessary for the hire, lease, acquisition (transfer or acquisition from any other agency), operation and maintenance of aircraft, and other related equipment of the Air Program; \$132,262,000, to remain available until expended: *Provided*, That no aircraft or other related equipment, shall be transferred on a permanent basis to any other Federal agency, Department, or office outside of the Department of the Treasury during fiscal year 1989.

**CUSTOMS FORFEITURE FUND**

**(LIMITATION ON AVAILABILITY OF DEPOSITS)**

For necessary expenses of the Customs Forfeiture Fund, not to exceed \$10,000,000, as authorized by Public Law 98-573, to be derived from deposits in the Fund.

**CUSTOMS SERVICES AT SMALL AIRPORTS**

**(TO BE DERIVED FROM FEES COLLECTED)**

Such sums as may be necessary, not to exceed \$1,588,000, for expenses for the provision of Customs services at certain small airports designated by the Secretary of the Treasury, including expenditures for the salaries and expenses of individuals employed to provide such services, to be derived from fees collected by the Secretary of the Treasury pursuant to section 236 of Public Law 98-573 for each of these airports, and to remain available until expended.

**UNITED STATES MINT**

**SALARIES AND EXPENSES**

For necessary expenses of the United States Mint; \$47,869,000, of which \$665,000 shall remain available until expended for research and development projects.

**BUREAU OF THE PUBLIC DEBT**

**ADMINISTERING THE PUBLIC DEBT**

For necessary expenses connected with any public-debt issues of the United States; \$242,840,000, of which not to exceed \$700,000 for expenses of the National Economic Commission.

**INTERNAL REVENUE SERVICE**

**SALARIES AND EXPENSES**

For necessary expenses of the Internal Revenue Service, not otherwise provided; for executive direction and management services, and hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner; \$94,547,000, of which not to exceed \$25,000 for official reception and representation expenses and of which not to exceed \$500,000 shall remain available until expended, for research.

**PROCESSING TAX RETURNS**

For necessary expenses of the Internal Revenue Service not otherwise provided for; including processing tax returns; revenue accounting; computer services; and hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner; \$1,850,134,000, of which not to exceed \$80,000,000 shall remain available until expended for systems modernization initiatives: *Provided*, That, of

the total amount appropriated under this heading, \$22,900,000 shall be available for the Statistics of Income Program in fiscal year 1989.

#### EXAMINATIONS AND APPEALS

For necessary expenses of the Internal Revenue Service for determining and establishing tax liabilities; employee plans and exempt organizations; tax litigation; hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner; \$1,864,819,000.

#### INVESTIGATION, COLLECTION, AND TAXPAYER SERVICE

For necessary expenses of the Internal Revenue Service for investigation and enforcement activities; including purchase (not to exceed four hundred and fifty-one for replacement only, for police-type use) and hire of passenger motor vehicles (31 U.S.C. 1343(b)); securing unfiled tax returns; collecting unpaid accounts; examining selected employment and excise tax returns; technical rulings; enforcement litigation; providing assistance to taxpayers; and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner: *Provided*, That notwithstanding any other provision of the Act, none of the funds made available by this Act shall be used to reduce the number of positions allocated to taxpayer service activities below fiscal year 1984 levels, or to reduce the number of positions allocated to any other direct taxpayer assistance functions below fiscal year 1984 levels, including, but not limited to Internal Revenue Service toll-free telephone tax law assistance and walk-in assistance available at Internal Revenue Service field offices: *Provided further*, That the Internal Revenue Service shall fund the Tax Counseling for the Elderly Program at \$2,650,000. The Internal Revenue Service shall absorb within existing funds the administrative costs of the program in order that the full \$2,650,000 can be devoted to program requirements; \$1,490,225,000.

#### ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

SECTION 1. Not to exceed 4 per centum of any appropriation made available to the Internal Revenue Service for the current fiscal year by this Act may be transferred to any other Internal Revenue Service appropriation.

SEC. 2. Not to exceed 15 per centum, or \$15,000,000, whichever is greater, of any appropriation made available to the Internal Revenue Service for document matching for the current fiscal year by this Act may be transferred to any other Internal Revenue Service appropriation for document matching.

#### UNITED STATES SECRET SERVICE SALARIES AND EXPENSES

For necessary expenses of the United States Secret Service, including purchase (not to exceed three hundred and forty-three vehicles for police-type use for replacement only) and hire of passenger motor vehicles; hire of aircraft; training and assistance requested by State and local governments, which may be provided without reimbursement; services of expert witnesses at such rates as may be determined by the Director; rental of buildings in the District of Columbia, and fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control, as may be necessary to per-

form protective functions; the conducting of and participating in firearms matches and presentation of awards and for travel of Secret Service employees on protective missions without regard to the limitations on such expenditures in this or any other Act: *Provided*, That approval is obtained in advance from the House and Senate Committees on Appropriations; for repairs, alterations, and minor construction at the James J. Rowley Secret Service Training Center; for research and development; for making grants to conduct behavioral research in support of protective research and operations; not to exceed \$12,500 for official reception and representation expenses; for payment in advance for commercial accommodations as may be necessary to perform protective functions; and for uniforms without regard to the general purchase price limitation for the current fiscal year; \$362,000,000, of which \$2,500,000 shall remain available until expended for continued construction at the James J. Rowley Secret Service Training Center, and of which \$7,126,000 shall be available for Presidential candidate protective activities pursuant to 18 U.S.C. 3056(a)(7).

#### DEPARTMENT OF THE TREASURY— GENERAL PROVISIONS

SECTION 101. Appropriations to the Treasury Department in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries; entering into contracts with the Department of State for the furnishing of health and medical services to employees and their dependents serving in foreign countries; and services as authorized by 5 U.S.C. 3109.

SEC. 102. None of the funds appropriated by this title shall be used in connection with the collection of any underpayment of any tax imposed by the Internal Revenue Code of 1954 unless the conduct of officers and employees of the Internal Revenue Service in connection with such collection complies with subsection (a) of section 805 (relating to communications in connection with debt collection), and section 806 (relating to harassment or abuse), of the Fair Debt Collection Practices Act (15 U.S.C. 1692).

SEC. 103. Not to exceed 2 per centum of any appropriations in this Act for the Department of the Treasury may be transferred between such appropriations. However, no such appropriation shall be increased or decreased by more than 1 per centum and any such proposed transfers shall be approved in advance by the Committees on Appropriations of the House and Senate.

SEC. 104. None of the funds made available by this Act may be used to place the United States Secret Service, the United States Customs Service, or the Bureau of Alcohol, Tobacco and Firearms under the operation, oversight, or jurisdiction of the Inspector General of the Department of the Treasury.

This title may be cited as the "Treasury Department Appropriations Act, 1989".

#### TITLE II POSTAL SERVICE

##### PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsection (c) of section 2401 of title 39, United States Code; \$436,417,000: *Provided*, That mail for overseas voting and mail for the blind shall continue to be free: *Provided further*, That six-day delivery and rural delivery of mail shall

continue at not less than the 1983 level: *Provided further*, That none of the funds made available to the Postal Service by this Act shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer: *Provided further*, That none of the funds provided in this Act shall be used to consolidate or close small rural and other small post offices in the fiscal year ending on September 30, 1989.

#### UNITED STATES POSTAL SERVICE— ADMINISTRATIVE PROVISION

SECTION 1. Funds made available to the United States Postal Service pursuant to section 2401(a) of title 39, United States Code, shall be used hereafter to continue full postal service to the people of Holly Springs proper, including upgrading, remodeling, and improving the United States Post Office building located at 110 North Memphis Street, Holly Springs, Mississippi.

This title may be cited as the "Postal Service Appropriation Act, 1989".

#### TITLE III

#### EXECUTIVE OFFICE OF THE PRESIDENT

##### COMPENSATION OF THE PRESIDENT

For compensation of the President, including an expense allowance at the rate of \$50,000 per annum as authorized by 3 U.S.C. 102; \$250,000: *Provided*, That none of the funds made available for official expenses shall be expended for any other purpose and any unused amount shall revert to the Treasury pursuant to section 1552 of title 31 of the United States Code: *Provided further*, That none of the funds made available for official expenses shall be considered as taxable to the President.

##### OFFICE OF ADMINISTRATION

##### SALARIES AND EXPENSES

For necessary expenses of the Office of Administration; \$16,900,000, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger motor vehicles.

##### THE WHITE HOUSE OFFICE

##### SALARIES AND EXPENSES

For necessary expenses for the White House as authorized by law, including not to exceed \$3,850,000 for services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; including subsistence expenses as authorized by 3 U.S.C. 105, which shall be expended and accounted for as provided in that section; hire of passenger motor vehicles, newspapers, periodicals, teletype news service, and travel (not to exceed \$100,000 to be expended and accounted for as provided by 3 U.S.C. 103); not to exceed \$20,000 for official entertainment expenses, to be available for allocation within the Executive Office of the President; \$27,950,000.

##### EXECUTIVE RESIDENCE AT THE WHITE HOUSE

##### OPERATING EXPENSES

For the care, maintenance, repair and alteration, refurbishing, improvement, heating and lighting, including electric power and fixtures, of the Executive Residence at the White House and official entertainment expenses of the President; \$5,698,000, to be expended and accounted for as provided by 3 U.S.C. 105, 109-110, 112-114.

OFFICIAL RESIDENCE OF THE VICE  
PRESIDENT

OPERATING EXPENSES

For the care, maintenance, repair and alteration, refurbishing, improvement, heating and lighting, including electric power and fixtures, of the official residence of the Vice President, the hire of passenger motor vehicles, and not to exceed \$75,000 for official entertainment expenses of the Vice President, to be accounted for solely on his certificate; \$258,000: *Provided*, That advances or repayments or transfers from this appropriation may be made to any department or agency for expenses of carrying out such activities.

SPECIAL ASSISTANCE TO THE  
PRESIDENT

SALARIES AND EXPENSES

For necessary expenses to enable the Vice President to provide assistance to the President in connection with specially assigned functions, services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 106, including subsistence expenses as authorized by 3 U.S.C. 106, which shall be expended and accounted for as provided in that section; and hire of passenger motor vehicles; \$2,199,000.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

For necessary expenses of the Council in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021); \$2,787,000.

OFFICE OF POLICY DEVELOPMENT

SALARIES AND EXPENSES

For necessary expenses of the Office of Policy Development, including services as authorized by 5 U.S.C. 3109, and 3 U.S.C. 107; \$3,000,000.

NATIONAL CRITICAL MATERIALS  
COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the National Critical Materials Council, including activities as authorized by Public Law 98-373; \$178,000.

NATIONAL SECURITY COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the National Security Council, including services as authorized by 5 U.S.C. 3109; \$5,100,000.

OFFICE OF MANAGEMENT AND  
BUDGET

SALARIES AND EXPENSES

For necessary expenses of the Office of Management and Budget, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109; \$39,780,000, of which not to exceed \$4,500,000 shall be available to carry out the provisions of 44 U.S.C., chapter 35: *Provided*, That, as provided in 31 U.S.C. 1301(a), appropriations shall be applied only to the objects for which appropriations were made except as otherwise provided by law: *Provided further*, That none of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of reviewing any agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.): *Provided further*, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the review of the transcript of actual testimony of witnesses, except for testimony of officials of the Office of Man-

agement and Budget, before the Committee on Appropriations or the Committee on Veterans' Affairs or their subcommittees: *Provided further*, That this proviso shall not apply to printed hearings released by the Committee on Appropriations or the Committee on Veterans' Affairs: *Provided further*, That none of the funds made available by this Act or any other Act shall be used to reduce the scope or publication frequency of statistical data relative to the operations and production of the alcoholic beverage and tobacco industries below fiscal year 1985 levels: *Provided further*, That none of the funds appropriated by this Act shall be available to the Office of Management and Budget for revising, curtailing or otherwise amending the administrative and/or regulatory methodology employed by the Bureau of Alcohol, Tobacco and Firearms to assure compliance with section 205, title 27 of the United States Code (Federal Alcohol Administration Act) or with regulations, rulings or forms promulgated thereunder: *Provided further*, That none of the funds appropriated by this Act for the Office of Management and Budget shall be used by the Director or other official or employee of the Office of Management and Budget to prevent or delay the obligation or expenditure of funds identified in either an appropriations bill or in the accompanying reports except for proposed rescissions as permitted by title X of Public Law 93-344, as amended.

OFFICE OF FEDERAL PROCUREMENT  
POLICY

SALARIES AND EXPENSES

For expenses of the Office of Federal Procurement Policy, including services as authorized by 5 U.S.C. 3109; \$2,353,000.

UNANTICIPATED NEEDS

For expenses necessary to enable the President to meet unanticipated needs, in furtherance of the national interest, security, or defense which may arise at home or abroad during the current fiscal year; \$1,000,000.

This title may be cited as the "Executive Office Appropriations Act, 1989".

Mr. ROYBAL (during the reading). Mr. Chairman, I ask unanimous consent that the bill through and including title III be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there any points of order against title III?

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

Mr. Chairman, for purposes of clarification, I would like to engage in a brief colloquy with my colleague, the gentleman from Massachusetts [Mr. CONTE], and I yield to the gentleman.

Mr. CONTE. I am happy to engage in a colloquy with the gentleman from Idaho.

Mr. CRAIG. Mr. Chairman, could the gentleman clarify the intent of the committee as to sections 623 through 627 of H.R. 4775, regarding the sale of silver from the Federal stockpile?

Mr. CONTE. Mr. Chairman, I would like to assure my good friend, the gen-

tleman from Idaho, that the committee shares his concern about the silver industry in the United States and, of course, the great State of Idaho, in which I had the pleasure of visiting during my career in the Navy. At the gentleman's urging, we attempted to avoid any disruption to the market by spreading the sales over a period of several years.

Mr. CRAIG. It is my understanding that section 626 of the bill also allows the Secretary of the Treasury to limit sales, is that correct?

Mr. CONTE. The gentleman is absolutely correct. The bill expressly provides that the Secretary may reduce the sale amount for any given year if he makes a written determination to Congress that such a sale will severely disrupt the domestic market for silver. It was the intent of the committee to provide the Secretary with this discretion in order—and I emphasize in order—to avoid a severe disruption to the market.

Mr. CRAIG. And is it the committee's understanding that the Secretary would have to review the likelihood of disruption before a sale is made in order to be able to make such a determination?

Mr. CONTE. The committee assumes that the Secretary would make such a determination in advance of each sale. A determination made after the market is severely disrupted certainly would not conform to the committee's intent to avoid disruption to the market; however, as the committee report provides, any part of the amount authorized for disposal that does not severely disrupt the market should be sold.

Mr. CRAIG. Well, Mr. Chairman, I would certainly like to thank my colleague, the gentleman from Massachusetts [Mr. CONTE] for this clarification.

Mr. Chairman, the gentleman made reference to the great State of Idaho and his presence there. Now, it is not everybody who has the privilege of serving in the armed services of this country, but also has the privilege of being in service at Sun Valley, a major national resort in Idaho, and I understand, of course, that was for the purposes of recuperation and hospitalization.

Mr. CONTE. It certainly was, and I met some of the finest people I think I have ever met in my life up there in Idaho in Twin Falls, in Ketchum, in Saw Tooth, and especially near the Snake River, where there's a great run of salmon.

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

Mr. Chairman, for some time the silver producing industry of this Nation has been concerned about the stockpile and the method by which it might be sold down or used, and its greatest concern was that it would be

done in such a way that it would create a cloud over the market or create some degree of market disturbance.

It is not that the industry disagrees with the sale of or the reduction in the amount of silver that is currently within the stockpile, but clearly the method by which that would be reduced.

I believe this legislation and the sections that I and my colleague, the gentleman from Massachusetts, have referred to spell out with some degree of clarity the intent of reduction on an ounce-by-ounce basis and how that would be handled, and most importantly, that the Secretary would be charged with the responsibility of making a determination as to market disturbance, if that were to occur as the result of sale.

I thank my colleague for engaging in this colloquy.

The CHAIRMAN. Are there amendments to title III?

Mr. DORGAN of North Dakota. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I take this time to compliment the chairman of the subcommittee and the ranking member and discuss for just a couple of minutes funding for the Internal Revenue Service.

There has been some debate around town and around the country about what resources IRS needs to accomplish its goals. Some people say that because there is a tax gap there ought to be stronger enforcement to make sure that we collect the revenue that is owed, but not now paid to the Federal Government, by people who do not pay their full share of taxes.

Others say that not only should we invest in more enforcement capability so that we make sure everybody is paying their fair share of taxes, but we should also substantially strengthen the ability of the Internal Revenue Service to assist people, that is, put the service back in the Internal Revenue Service.

I have worked with the chairman of the subcommittee and I know the subcommittee has made a very diligent effort to attempt to identify where investments are necessary to improve enforcement and taxpayer assistance.

What I want to do today is to ask the subcommittee, and ask the Internal Revenue Service, in the days and months and years ahead to consider a plan that we included in the Dorgan Tax Gap Task Force Report last year. That task force included some of the best minds in this town, a former Republican Internal Revenue Service Commissioner, a former Democratic administration Revenue Service Commissioner, a Treasury official, former head of the Joint Tax Committee, and other distinguished tax experts.

The task force analyzed what should be done to close the tax gap.

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They put together a set of bipartisan recommendations. They decided that we needed a two-pronged approach. First, they suggested that we strengthen enforcement in the right areas to make sure everybody is paying their fair share, and second, and no less important in my judgment, make certain that the Internal Revenue Service when enforcing tax laws extends a helping hand to the taxpayers.

What we have seen is centralization of the Service over the years. I want to see during tax season decentralization. I want the Internal Revenue Service to move out into the country, out into the shopping centers, out into the neighborhoods and help taxpayers prepare their tax returns.

Frankly, our tax system is too complicated. It is more fair than it was, but it is still complex. I want the "service" to be put back into the Internal Revenue Service. That is why the Dorgan Task Force developed a program called "IRS Assistance Across America Program." We want the Internal Revenue Service to help people cope with the tax laws in this country.

The subcommittee has taken a long look at taxpayer assistance at the IRS. I want to compliment the chairman for doing so.

Let me just mention several brief items in the "IRS Assistance Across America" recommendations: expand tax-preparation assistance; increase the number of temporary offices across the country during the tax season; expand taxpayer education programs; start a pilot program of tax fairs and taxmobiles with special emphasis on rural areas; improve telephone information assistance; improve the accuracy of tax assistance furnished by the IRS people over the telephone; improve IRS computer capabilities. With this enhancement of taxpayer assistance the American people will understand the Internal Revenue also includes a "service," the Internal Revenue "Service."

Mr. Chairman, I appreciate the work that you have done in this area and hope that we can continue working to make the tax laws more fair and more enforceable, and have the Internal Revenue Service provide more efficient and higher quality taxpayer assistance.

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

Mr. DORGAN of North Dakota. I am happy to yield to the gentleman.

Mr. ROYBAL. Mr. Chairman, I would like to commend the gentleman for his recommendations and assure him that the committee is wholeheartedly in favor of the recommendations that have been made by the task force. We will continue to do anything we

possibly can to see to it that the word "service" does in fact come back into place and full operation of a very important department, the Internal Revenue Service of the United States.

Mr. DORGAN of North Dakota. Mr. Chairman, I thank the gentleman, the chairman, and let me just reemphasize that we need enforcement when nearly \$90 billion is owed but is not paid to the IRS. It makes a lot more sense to get the money from the free-loaders before you increase taxes on the rest of the American people. You also need to give honest taxpayers quality assistance.

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

Mr. DORGAN of North Dakota. I am happy to yield to the gentleman.

Mr. SKEEN. Mr. Chairman, I want to commend the gentleman for the work that he has done and his task force has done. I think it is reflected in the attitude now when the IRS comes before our committee that they are very sensitive to the very points the gentleman has outlined. I think the gentleman has emphasized this kind of response, and particularly the word "service" and it is one of the things that they are now stressing. I think Larry Gibbs and that group from Internal Revenue Service has heard the gentleman's message, and the gentleman's work has been well done. I do also want to commend him and the task force for the work they have done.

Mr. DORGAN of North Dakota. Let me emphasize that I think Commissioner Gibbs has turned the corner at IRS. He is an awfully good administrator trying to do the right thing at the IRS. I compliment him. He has been willing to work with us and with the subcommittee, and is making real progress.

The CHAIRMAN. Are there additional amendments to title III?

If not, the Clerk will read.

The Clerk read as follows:

TITLE IV—INDEPENDENT AGENCIES  
ADMINISTRATIVE CONFERENCE OF  
THE UNITED STATES

SALARIES AND EXPENSES

For necessary expenses of the Administrative Conference of the United States, established by the Administrative Conference Act, as amended (5 U.S.C. 571 et seq.), including not to exceed \$1,000 for official reception and representation expenses; \$1,865,000.

ADVISORY COMMISSION ON  
INTERGOVERNMENTAL RELATIONS

SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of the Advisory Commission on Intergovernmental Relations Act of 1959, as amended (42 U.S.C. 4271-79); \$1,275,000, and additional amounts not to exceed \$200,000, collected from the sale of publications shall be credited to and used for the purposes of this appropriation.



**ADVISORY COMMITTEE ON FEDERAL PAY**

**SALARIES AND EXPENSES**

For necessary expenses of the Advisory Committee on Federal Pay, established by 5 U.S.C. 5306; \$205,000.

**COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED**

**SALARIES AND EXPENSES**

For necessary expenses of the Committee for Purchase From the Blind and Other Severely Handicapped established by the Act of June 23, 1971, Public Law 92-28, \$862,000.

**FEDERAL ELECTION COMMISSION**

**SALARIES AND EXPENSES**

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, as amended; \$15,433,000.

**GENERAL SERVICES ADMINISTRATION**

**FEDERAL BUILDINGS FUND**

**LIMITATIONS ON AVAILABILITY OF REVENUE**

The revenues and collections deposited into the Fund established pursuant to section 210(f) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(f)), shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving Government agencies (including space adjustments) in connection with the assignment, allocation and transfer of space; contractual services incident to cleaning or servicing buildings and moving; repair and alteration of federally owned buildings, including grounds, approaches and appurtenances; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; conversion and extension of federally owned buildings; preliminary planning and design of projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, taxes, and any other obligations for public buildings acquired by purchase contract, in the aggregate amount of \$3,053,403,000, of which (1) not to exceed \$92,139,000 shall remain available until expended for construction of additional projects at locations and at maximum construction improvement costs (including funds for sites and expenses) as follows:

**New Construction:**

**Connecticut:**  
Bridgeport, Federal Building, Courthouse Annex, \$4,138,000  
Hartford, Federal Building Courthouse Annex, \$6,612,000  
**Illinois:**  
Champaign-Urbana, Federal Building, Courthouse, \$8,316,000  
**Michigan:**  
Detroit, Ambassador Bridge Cargo Inspection Facility, \$10,197,000  
**Minnesota:**  
International Falls, Border Station, Site, \$260,000  
**New Jersey:**  
Camden, U.S. Post Office, Courthouse Annex, \$18,728,000  
Paterson, Federal Building, \$6,552,000  
Trenton, Federal Building, Courthouse Annex, \$25,939,000

**South Carolina:**  
Columbia, Federal Building and Courthouse Claim, \$100,000  
**Virgin Islands:**  
St. Croix, Federal Building, Courthouse, \$8,827,000  
Construction Projects, less than \$500,000, \$2,470,000:

*Provided*, That each of the immediately foregoing limits of costs on new construction projects may be exceeded to the extent that savings are effected in other such projects, but by not to exceed 10 per centum: *Provided further*, That all funds for direct construction projects shall expire on September 30, 1990, and remain in the Federal Buildings Fund except funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date: *Provided further*, That claims against the Government of less than \$100,000 arising from direct construction projects, acquisitions of buildings and purchase contract projects pursuant to Public Law 92-313, be liquidated with prior notification to the Committees on Appropriations of the House and Senate to the extent savings are effected in other such projects; (2) not to exceed \$550,673,000 which shall remain available until expended, for repairs and alterations: *Provided further*, That funds in the Federal Buildings Fund for Repairs and Alterations shall, for prospectus projects, be limited to the amount by project as follows, except each project may be increased by an amount not to exceed 10 per centum unless advance approval is obtained from the Committees on Appropriations of the House and Senate for a greater amount:

**Repairs and Alterations:**  
**Alaska:**  
Juneau, Federal Building, Post Office, Courthouse, \$24,700,000  
**Alabama:**  
Montgomery, Federal Building, Courthouse, \$515,000  
**Arkansas:**  
Pine Bluff, Federal Building, Post Office, Courthouse, \$2,084,000  
**California:**  
County of Los Angeles, for a grant for Senior Citizens Health Center renovation, \$1,000,000  
California State University at East Los Angeles for a grant to establish a center, \$800,000  
Santa Ana, Federal Building, \$1,406,000  
San Diego, Federal Building, \$1,742,000  
**District of Columbia:**  
Mary Switzer Federal Building, \$502,000  
Commerce Building, \$2,457,000  
Interstate Commerce Building, \$526,000  
Health and Human Services, \$1,395,000  
U.S. Customs Building, \$754,000  
Internal Revenue Service, \$2,179,000  
Housing and Urban Development, \$1,221,000  
Hubert H. Humphrey Federal Building, \$606,000  
Ariel Rios Federal Building, New Post Office, \$29,000,000  
General Accounting Office, \$12,000,000  
GSA Headquarters, \$23,000,000  
James V. Forrestal Building, \$19,970,000  
**Florida:**  
Jacksonville, Federal Building, \$6,889,000  
Miami, Federal Building, \$1,415,000  
**Hawaii:**  
Honolulu, Kalaniano'le Federal Building, \$5,680,000  
**Kentucky:**  
Louisville, Post Office, Courthouse, Customhouse, \$9,435,000

**Louisiana:**  
New Orleans, Boggs Federal Building, Courthouse, \$10,245,000  
New Orleans, Customhouse, \$1,672,000  
**Maryland:**  
Avondale, Interior (Bureau of Mines), \$6,000,000  
Woodlawn, SSA Complex \$7,030,000  
Baltimore, Garmatz Federal Building, Courthouse, \$800,000  
Suitland, Federal Building, #3, \$1,926,000  
Suitland, Federal Building, #4, \$817,000  
Baltimore, Fallon Federal Building, \$6,901,000  
**Massachusetts:**  
Boston, John F. Kennedy Federal Building, \$10,000,000  
Boston, McCormack Federal Building, Courthouse, \$3,000,000  
**Missouri:**  
Overland, Federal Archives and Records Center, \$3,059,000  
**Mississippi:**  
Jackson, Eastland Post Office, Courthouse, \$2,143,000  
**New Jersey:**  
Newark, Rodino Federal Building, \$5,201,000  
Trenton, Federal Building, Courthouse \$1,417,000  
**New Mexico:**  
Albuquerque, Chavez Federal Building, Courthouse, \$3,207,000  
Albuquerque, Federal Building, \$1,967,000  
**New York:**  
Brooklyn, Cellar Federal Building, \$16,000,000  
Rochester, Keating Federal Building, \$6,800,000  
New York, United States Mission to the United Nations, \$4,300,000  
**Ohio:**  
Cleveland, Celebrezze Federal Building, \$5,836,000  
**Pennsylvania:**  
Philadelphia, Green Federal Building, \$1,200,000  
Philadelphia, SSA Computer Center, \$950,000  
**South Carolina:**  
Charleston, Rivers Federal Building, \$1,275,000  
**Tennessee:**  
Memphis, Davis Federal Building, \$9,466,000  
**Texas:**  
Austin, Federal Building, \$3,241,000  
Austin, Internal Revenue Service Center, \$3,282,000  
Austin, Post Office, Courthouse, \$7,995,000  
Houston, Casey Federal Building, Courthouse, \$8,008,000  
Lubbock, Federal Building, Courthouse, \$3,674,000  
**Utah:**  
Salt Lake City, Post Office, Courthouse, \$2,543,000  
**Virginia:**  
McLean, Central Intelligence Agency, Headquarters, \$2,336,000  
McLean, Central Intelligence Agency Printing Plant, \$746,000  
Reston, J.W. Powell Federal Building, \$1,336,000  
Arlington, Heating Plant, \$593,000  
Richmond, Annex, \$3,287,000  
**Vermont:**  
Burlington, Federal Building Post Office, Courthouse, \$4,100,000  
**Wisconsin:**  
Milwaukee, Federal Building, Courthouse, \$7,586,000

Capital Improvements of United States-Mexico Border Facilities, \$28,678,000, as follows:

Nogales, AZ  
 Mariposa, \$102,500  
 Calexico, CA  
 R & A, \$6,202,305  
 San Ysidro, CA  
 Signs/security, \$1,043,855  
 Columbus, NM, \$325,000  
 Brownsville, TX  
 Gateway Bridge  
 Security, \$218,000  
 Expand Lanes, \$1,253,865  
 R & A, \$3,870,065  
 B & M Bridge, \$3,227,000  
 Del Rio, TX  
 Expand Lanes, \$1,075,000  
 Eagle Pass, TX \$4,050,000  
 El Paso, TX  
 Ysleta, \$2,700,000  
 Bridge of the Americas, \$1,000,000  
 Hidalgo, TX, \$1,110,410  
 Laredo, TX  
 Convent Street, \$2,500,000  
 Minor Repairs and Alterations,  
 \$212,780,000:

*Provided*, That additional projects for which prospectuses have been fully approved may be funded under this category only if advance approval is obtained from the Committees on Appropriations of the House and Senate: *Provided further*, That all funds for repairs and alterations prospectus projects shall expire on September 30, 1990, and remain in the Federal Buildings Fund except funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date; (3) not to exceed \$142,450,000 for payment on purchase contracts entered into prior to July 1, 1975; (4) not to exceed \$1,200,000,000 for rental of space; (5) not to exceed \$881,703,000 for real property operations; (6) not to exceed \$49,740,000 for program direction and centralized services; and (7) not to exceed \$136,698,000 for design and construction services which shall remain available until expended: *Provided further*, That obligations of funds for lease, lease purchase, or installment purchase public buildings projects authorized in the fiscal year 1988 Continuing Resolution for the General Services Administration at Oakland, California and San Francisco, California, and for the Environmental Protection Agency and Department of Transportation shall be limited to the current fiscal year for which payments are due without regard to 31 U.S.C. 1341(a)(1)(B): *Provided further*, That for the purposes of this authorization, buildings constructed pursuant to the Public Buildings Purchase Contract Act of 1954 (40 U.S.C. 356), the Public Buildings Amendments of 1972 (40 U.S.C. 490), and buildings under the control of another department or agency where alterations of such buildings are required in connection with the moving of such other department or agency from buildings then, or thereafter to be, under the control of the General Services Administration shall be considered to be federally owned buildings: *Provided further*, That none of the funds available to the General Services Administration with the exception of those for Capital Improvements for United States-Mexico Border Facilities; Memphis, Tennessee, Internal Revenue Service Center; Avondale, Maryland, Interior Department (Bureau of Mines), shall be available for expenses in connection with any construction, repair, alteration, and acquisition project for which a prospectus, if required by the Public Buildings Act of

1959, as amended, has not been approved, except that necessary funds may be expended for each project for required expenses in connection with the development of a proposed prospectus: *Provided further*, That funds available in the Federal Buildings Fund may be expended for emergency repairs when advance approval is obtained from the Committees on Appropriations of the House and Senate: *Provided further*, That amounts necessary to provide reimbursable special services to other agencies under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(f)(6)) and amounts to provide such reimbursable fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control as may be appropriate to enable the United States Secret Service to perform its protective functions pursuant to 18 U.S.C. 3056, as amended, shall be available from such revenues and collections: *Provided further*, That revenues and collections and any other sums accruing to this fund during fiscal year 1989 excluding reimbursements under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 490(f)(6)) in excess of \$3,053,403,000 shall remain in the Fund and shall not be available for expenditure except as authorized in appropriation Acts.

#### FEDERAL SUPPLY SERVICE

##### OPERATING EXPENSES

For expenses authorized by law, not otherwise provided for, necessary for property management activities, utilization of excess and disposal of surplus personal property, rehabilitation of personal property, transportation management activities, transportation audits by in-house personnel, procurement, and other related supply management activities, including services as authorized by 5 U.S.C. 3109; \$47,829,000.

#### FEDERAL PROPERTY RESOURCES SERVICE

##### OPERATING EXPENSES

##### (INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for carrying out the functions of the Administrator with respect to utilization of excess real property; the disposal of surplus real property, the utilization survey, deed compliance inspection, appraisal, environmental and cultural analysis, and land use planning functions pertaining to excess and surplus real property; \$12,109,000 to be derived from proceeds from transfers of excess real property and disposal of surplus real property and related personal property, subject to the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-5).

#### REAL PROPERTY RELOCATION

For expenses not otherwise provided for, \$16,000,000 to remain available until expended, necessary for carrying out the functions of the Administrator with respect to relocation of Federal agencies from property which has been determined by the Administrator to be other than optimally utilized under the provisions of section 210(e) of the Federal Property and Administrative Services Act of 1949, as amended: *Provided*, That such relocations shall only be undertaken when the estimated proceeds from the disposition of the original facilities approximate the appraised fair market value of such new facilities and exceed the estimated costs of relocation. Relocation costs include expenses for and associated with acquisition of sites and facilities, and expenses

of moving or repurchasing equipment and personal property. These funds may be used for payments to other Federal entities to accomplish the relocation functions: *Provided further*, That nothing in this paragraph shall be construed as relieving the Administrator of General Services or the head of any other Federal agency from any obligation or restriction under the Public Buildings Act of 1959 (including any obligation concerning submission and approval of a prospectus), the Federal Property and Administrative Services Act of 1949, as amended, or any other Federal law, or as authorizing the Administrator of General Services or the head of any other Federal agency to take actions inconsistent with statutory obligations or restrictions placed upon the Administrator of General Services or such agency head with respect to authority to acquire or dispose of real property.

#### GENERAL MANAGEMENT AND ADMINISTRATION

##### SALARIES AND EXPENSES

For necessary expenses of agency management of activities under the control of the General Services Administration, and general administrative and staff support services not otherwise provided for; for providing accounting, records management, and other support incident to adjudication of Indian Tribal Claims by the United States Court of Claims, and services authorized by 5 U.S.C. 3109; \$122,774,000, of which \$800,000 shall be available only for, and is hereby specifically earmarked for personnel and associated costs in support of Congressional District and Senate State offices: *Provided*, That this appropriation shall be available, subject to reimbursement by the applicable agency, for services performed for other agencies pursuant to subsections (a) and (b) of section 1535 of title 31, United States Code.

#### INFORMATION RESOURCES MANAGEMENT SERVICE

##### OPERATING EXPENSES

For expenses authorized by law, not otherwise provided for, necessary for carrying out Government-wide and internal responsibilities relating to automated data management, telecommunications, information resources management, and related activities, including services as authorized by 5 U.S.C. 3109; and for the Information Security Oversight Office established pursuant to Executive Order 12356; \$36,835,000.

#### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General; \$25,400,000: *Provided*, That not to exceed \$10,000 shall be available for payment for information and detection of fraud against the Government, including payment for recovery of stolen Government property.

#### ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

For carrying out the provisions of the Act of August 25, 1958, as amended (3 U.S.C. 102 note), and Public Law 95-138; \$1,431,000: *Provided*, That the Administrator of General Services shall transfer to the Secretary of the Treasury such sums as may be necessary to carry out the provisions of such Acts.

#### EXPENSES, PRESIDENTIAL TRANSITION

For expenses necessary to carry out the provisions of the Presidential Transition Act of 1963, as amended (3 U.S.C. 102, note), \$3,000,000: *Provided*, That the availability of these funds shall be in accordance with sections 3(b) and 4 of the Act.

**NATIONAL DEFENSE STOCKPILE TRANSACTION FUND**

For the fiscal year ending September 30, 1989, in addition to the funds previously appropriated to the National Defense Stockpile Transaction Fund, notwithstanding the provisions of 50 U.S.C. 98h, there is hereby appropriated \$18,000,000 to the Fund, to remain available until expended, the amounts to be allocated for the following projects:

University of Hawaii at Manoa pursuant to 50 U.S.C. 98a and 98g(a), for a grant to construct and equip a strategic materials research facility; \$15,000,000;

University of Texas at El Paso pursuant to 50 U.S.C. 98a and g for a grant to study and facilitate the development, transfer, and installation of strategic materials technologies among American industries; \$3,000,000.

**GENERAL SERVICES ADMINISTRATION—GENERAL PROVISIONS**

**SECTION 1.** The appropriate appropriation or funds available to the General Services Administration shall be credited with the cost of operation, protection, maintenance, upkeep, repair, and improvement, included as part of rentals received from Government corporations pursuant to law (40 U.S.C. 129).

**SEC. 2.** Funds available to the General Services Administration shall be available for the hire of passenger motor vehicles.

**SEC. 3.** Not to exceed 1 per centum of funds made available in appropriations for operating expenses and salaries and expenses, during the current fiscal year, may be transferred between such appropriations for mandatory program requirements. Any transfers proposed shall be submitted promptly to the Committees on Appropriations of the House and Senate for approval.

**SEC. 4.** Funds in the Federal Buildings Fund made available for fiscal year 1989 for Federal Buildings Fund activities may be transferred between such activities only to the extent necessary for mandatory program requirements. Any transfers proposed shall be submitted promptly to the Committees on Appropriations of the House and Senate for approval.

**SEC. 5.** Funds hereafter made available to the General Services Administration for the payment of rent shall be available for the purpose of leasing, for periods not to exceed thirty years, space in buildings erected on land owned by the United States.

**SEC. 6.** The Administrator of General Services shall proceed with the site selection and design for construction of a facility of not less than 182,000 usable square feet for the Social Security Administration in Wilkes-Barre, Pennsylvania, pursuant to section 115 of the joint resolution entitled, "A Joint Resolution making continuing appropriations for the fiscal year 1987 and for other purposes", approved October 30, 1986 (100 Stat. 3341-49; Public Law 99-591).

**SEC. 7.** Notwithstanding any provisions of this Act or any other Act in any fiscal year, the Administrator of General Services is authorized and directed to charge the Department of the Interior for alterations to the Avondale, Maryland property at rates so as to recover the approximate applicable cost incurred by General Services Administration in providing such alterations, and the Department of the Interior is authorized to repay such charges out of any appropriation available to the department and the payments shall be deposited in the fund established by 40 USC 490(f).

**SEC. 8. (a) LEASE-PURCHASE AGREEMENT.**—The Administrator of General Services shall

acquire from the State of Tennessee or a political subdivision thereof by lease-purchase of a building to house the Internal Revenue Service Center in Memphis, Tennessee, and such other Federal agencies as may be appropriate.

**(b) LIMITATIONS.—**

**(1) SIZE.**—The building to be acquired under subsection (a) may not exceed 600,000 gross square feet in size plus such additional space as may be necessary for parking.

**(2) COST.**—The total cost of the lease-purchase agreement under this section to the United States may not exceed \$36,000,000, plus reasonable interest thereon, as well as operating costs, if applicable.

**(3) TERM.**—The term of the lease-purchase agreement under this section may not exceed thirty years. The agreement shall provide that ownership of the building will vest in the United States on or before the end of such term.

**(4) OBLIGATION OF FUNDS.**—Obligations of funds under this section shall be limited to the current fiscal year for which payments are due without regard to section 1341(a)(1)(B) of title 31, United States Code.

**(c) SALE OF LEASEHOLD INTEREST.**—The Administrator of General Services shall sell any leasehold or other interest which the United States has in the building which is providing office space for Internal Revenue Service Center in Memphis, Tennessee, and shall deposit the proceeds from such sale in the Federal Buildings Fund established by section 210(f) of the Federal Property and Administrative Services Act of 1949.

**SEC. 9.** The General Services Administration is directed to construct under their lease-purchase authority, a 40,000 net square foot office building at the CDC campus in Chamblee, Georgia, designed with funds which Congress provided the Center for Disease Control in the fiscal year 1987 Department of Labor, Health and Human Services, and Education, and Related Agencies Appropriations, and shall be acquired without regard to the provisions of the Public Buildings Act of 1959 regarding prospectus approval by lease-purchase contracts entered into by the General Services Administration prior to their construction using funds appropriated annually to the General Services Administration from the Federal Buildings Fund for the rental of space which shall hereafter be available for this purpose. The contracts shall provide for the payment of the purchase price and reasonable interest thereon by lease or installment payments over a period not to exceed thirty years. The contracts shall further provide that title to the buildings shall vest in the United States at or before expiration of the contract term upon fulfillment of the terms and conditions of the contracts. The Federal Buildings Fund shall be reimbursed from the annual appropriation to the Centers for Disease Control—Disease Control, Research, and Training (or any other appropriation hereafter made available to the CDC for construction of research facilities) and such appropriations shall hereafter be available for the purpose of reimbursing the Federal Buildings Fund. Obligations of funds under these transactions shall be limited to the current fiscal year for which payments are due without regard to 31 U.S.C. 1502 and 1341(a)(1)(B).

**NATIONAL ARCHIVES AND RECORDS ADMINISTRATION**

**OPERATING EXPENSES**

For necessary expenses in connection with National Archives and Records Administration and related activities, as provided by

law, and for expenses necessary for the review and declassification of documents, and for the hire of passenger motor vehicles, \$125,962,000 of which \$4,000,000 for allocations and grants for historical publications and records as authorized by 44 U.S.C. 2504, as amended, shall remain available until expended, and of which \$4,100,000 shall remain available until expended for continuation of construction at the John F. Kennedy Library in Boston Massachusetts: *Provided*, That notwithstanding the provisions of 31 U.S.C. 1341(a)(1) or any other provisions of law, the Archivist of the United States is authorized, pursuant to 44 U.S.C. 2903, to enter into a contract for construction and related services for a new National Archives facility in Prince George's County, Maryland, on a site provided, without charge, to the United States by the University of Maryland or the State of Maryland, which site may be transferred to the United States by less than fee simple estate, but shall remain available to the United States so long as it shall be used as a National Archives facility. The contract shall provide, by lease or installment payments payable out of annual appropriations over a period not to exceed thirty years, for the payment of the purchase price and associated costs, which shall not exceed \$205,000,000 plus escalation to the midpoint of construction, and reasonable interest thereon. The contract shall further provide that title to the building shall vest in the United States at or before the expiration of the contract term upon fulfillment of the terms and conditions of the contract.

**OFFICE OF PERSONNEL MANAGEMENT**

**SALARIES AND EXPENSES**

**(INCLUDING TRANSFER OF TRUST FUNDS)**

For necessary expenses to carry out functions of the Office of Personnel Management pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109, medical examinations performed for veterans by private physicians on a fee basis, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, not to exceed \$2,500 for official reception and representation expenses, and advances for reimbursements to applicable funds of the Office of Personnel Management and the Federal Bureau of Investigation for expenses incurred under Executive Order 10422 of January 9, 1953, as amended; \$107,477,000, of which \$170,000 shall be for the salaries, administrative support and for other expenses of the Commission on Executive, Legislative and Judicial Salaries; in addition to \$77,017,000 for administrative expenses, including direct procurement of health benefits printing, for the retirement and insurance programs, of which \$7,000,000 shall be for costs incurred in implementing the recordkeeping system of the Federal Employees Retirement System, to be transferred from the appropriate trust funds of the Office of Personnel Management in the amounts determined by the Office of Personnel Management without regard to other statutes: *Provided*, That the provisions of this appropriation shall not affect the authority to use applicable trust funds as provided by section 8348(a)(1)(B) of title 5, U.S.C.: *Provided further*, That no part of this appropriation shall be available for salaries and expenses of the Legal Examining Unit of the Office of Personnel Management established pursuant to Executive

Order 9358 of July 1, 1943, or any successor unit of like purpose: *Provided further*, That the President's Commission on White House Fellows, established by Executive Order 11183 of October 3, 1964, may, during the fiscal year ending September 30, 1989, accept donations of money, property, and personal services in connection with the development of a publicity brochure to provide information about the White House Fellows, except that no such donations shall be accepted for travel or reimbursement of travel expenses, or for the salaries of employees of such Commission.

#### REVOLVING FUND

Pursuant to section 4109(d)(1) of title 5, United States Code, costs for entertainment expenses of the President's Commission on Executive Exchange shall not exceed \$12,000.

#### GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES HEALTH BENEFITS

For payment of Government contributions with respect to retired employees, as authorized by chapter 89 of title 5, United States Code, and the Retired Federal Employees Health Benefits Act (74 Stat. 849), as amended, \$2,374,414,000, to remain available until expended.

#### PAYMENT TO CIVIL SERVICE RETIREMENT AND DISABILITY FUND

For financing the unfunded liability of new and increased annuity benefits becoming effective on or after October 20, 1969, as authorized by 5 U.S.C. 8348, and annuities under special Acts to be credited to the Civil Service Retirement and Disability Fund, \$4,858,668,000: *Provided*, That annuities authorized by the Act of May 29, 1944, as amended (22 U.S.C. 3682(e)), August 19, 1950, as amended (33 U.S.C. 771-75), may hereafter be paid out of the Civil Service Retirement and Disability Fund.

#### MERIT SYSTEMS PROTECTION BOARD SALARIES AND EXPENSES

##### (INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out functions of the Merit Systems Protection Board pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles; \$20,488,000, together with not to exceed \$1,400,000 for administrative expenses to adjudicate retirement appeals to be transferred from the Civil Service Retirement and Disability Fund in amounts determined by the Merit Systems Protection Board.

#### OFFICE OF SPECIAL COUNSEL

##### SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of the Special Counsel pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978 (Public Law 95-454), including services as authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles; \$4,761,000.

#### FEDERAL LABOR RELATIONS AUTHORITY

##### SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, including services as

authorized by 5 U.S.C. 3109, including hire of experts and consultants, hire of passenger motor vehicles, rental of conference rooms in the District of Columbia and elsewhere; \$17,540,000: *Provided*, That public members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government Service, and compensation as authorized by 5 U.S.C. 3109.

#### UNITED STATES TAX COURT SALARIES AND EXPENSES

For necessary expenses, including contract reporting and other services as authorized by 5 U.S.C. 3109; \$29,345,000: *Provided*, That travel expenses of the judges shall be paid upon the written certificate of the judge; and in addition, \$1,225,000 shall be available only for installation of a chiller/air conditioning system in the United States Tax Court Headquarters Building in the District of Columbia, to remain available until expended.

This title may be cited as the "Independent Agencies Appropriations Act, 1989".

Mr. ROYBAL (during the reading). Mr. Chairman, I ask unanimous consent that title IV of the bill be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

##### POINT OF ORDER

Mr. FRENZEL. Mr. Chairman, I have a point of order in title IV.

Mr. Chairman, I have a point of order against the language on page 44 after the word "expended" on line 20, extending down, up to the word "provided" on line 23.

The CHAIRMAN. Does the gentleman from California wish to be heard on the point of order?

Mr. ROYBAL. Will the gentleman again please state his point of order?

Mr. FRENZEL. My point of order applies against the language on page 44, on line 20, beginning after the word "expended," and extending through line 23, up until the word "provided."

The CHAIRMAN. Does the gentleman from California wish to respond?

Mr. ROYBAL. Mr. Chairman, this deals with work that is in progress and is not included.

The CHAIRMAN. Do additional Members wish to be heard on the point of order?

Mr. FRENZEL. Mr. Chairman, may I make a point of order?

The CHAIRMAN. The gentleman may make his point of order.

Mr. FRENZEL. Mr. Chairman, I believe that here we are appropriating for an unauthorized project, and I believe the regular order should apply.

The rule is rule XXI, clause 2(a), I believe.

The CHAIRMAN (Mr. DONNELLY). The Chair will rule the Kennedy Library is an unauthorized project, but is owned by the Federal Government

and has been funded previously. It is the understanding of the Chair that the funds appropriated in the bill are for the continuation of project the construction of that for which funds were first appropriated in 1984, so the point of order does not lie under the work-in-progress exception in clause 2(a) rule XXI.

The Clerk will read.

The Clerk read as follows:

#### TITLE V—GENERAL PROVISIONS

##### THIS ACT

SECTION 501. Where appropriations in this Act are expendable for travel expenses of employees and no specific limitation has been placed thereon, the expenditures for such travel expenses may not exceed the amount set forth therefor in the budget estimates submitted for the appropriations: *Provided*, That this section shall not apply to travel performed by uncompensated officials of local boards and appeal boards of the Selective Service System; to travel performed directly in connection with care and treatment of medical beneficiaries of the Veterans' Administration; to travel of the Office of Personnel Management in carrying out its observation responsibilities of the Voting Rights Act; or to payments to inter-agency motor pools where separately set forth in the budget schedules.

Sec. 502. No part of any appropriations contained in this Act shall be available to pay the salary of any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his period of active military or naval service and has within ninety days after his release from such service or from hospitalization continuing after discharge for a period of not more than one year made application for restoration to his former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his former position and has not been restored thereto.

Sec. 503. No part of any appropriation made available in this Act shall be used for the purchase or sale of real estate or for the purpose of establishing new offices inside or outside the District of Columbia: *Provided*, That this limitation shall not apply to programs which have been approved by the Congress and appropriations made therefor.

Sec. 504. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

Sec. 505. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

Sec. 506. No part of any appropriation contained in this Act shall be available for the procurement of, or for the payment of, the salary of any person engaged in the procurement of any hand or measuring tool(s) not produced in the United States or its possessions except to the extent that the Administrator of General Services or his designee shall determine that a satisfactory quality and sufficient quantity of hand or meas-

uring tools produced in the United States or its possessions cannot be procured as and when needed from sources in the United States and its possessions, or except in accordance with procedures prescribed by section 6-104.4(b) of Armed Services Procurement Regulation dated January 1, 1969, as such regulation existed on June 15, 1970: *Provided*, That a factor of 75 per centum in lieu of 50 per centum shall be used for evaluating foreign source end products against a domestic source end product. This section shall be applicable to all solicitations for bids opened after its enactment.

Sec. 507. None of the funds made available to the General Services Administration pursuant to section 210(f) of the Federal Property and Administrative Services Act of 1949 shall be obligated or expended after the date of enactment of this Act for the procurement by contract of any service which, before such date, was performed by individuals in their capacity as employees of the General Services Administration in any position of guards, elevator operators, messengers, and custodians, except that such funds may be obligated or expended for the procurement by contract of the covered services with sheltered workshops employing the severely handicapped under Public Law 92-28.

Sec. 508. No funds appropriated in this Act shall be available for administrative expenses in connection with implementing or enforcing any provisions of the rule TD ATF-66 issued June 13, 1980, by the Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms on labeling and advertising of wine, distilled spirits, and malt beverages, except if the expenditure of such funds, is necessary to comply with a final order of the Federal court system.

Sec. 509. None of the funds appropriated or made available by this Act shall be used to competitively procure electric utility service, except where such procurement is expressly authorized by the Federal Power Act or by State law or regulation.

Sec. 510. None of the funds appropriated in this Act may be used for administrative expenses to close the Federal Information Center of the General Services Administration located in Sacramento, California.

Sec. 511. None of the funds made available by this Act for the Department of the Treasury may be used for the purpose of eliminating any existing requirement for sureties on customs bonds.

Sec. 512. None of the funds made available by this Act shall be available for any activity or for paying the salary of any Government employee where funding an activity or paying a salary to a government employee would result in a decision, determination, rule, regulation, or policy that would prohibit the enforcement of section 307 of the 1930 Tariff Act.

Sec. 513. None of the funds made available by this Act shall be available for the purpose of transferring control over the Federal Law Enforcement Training Center located at Glynn, Georgia, out of the Treasury Department.

Sec. 514. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not heretofore authorized by the Congress.

Sec. 515. No part of any appropriation contained in this Act shall be available for the payment of the salary of any officer or employee of the United States Postal Service, who—

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any officer

or employee of the United States Postal Service from having any direct oral or written communication or contact with any Member or committee of Congress in connection with any matter pertaining to the employment of such officer or employee or pertaining to the United States Postal Service in any way, irrespective of whether such communication or contact is at the initiative of such officer or employee or in response to the request or inquiry of such Member or committee; or

(2) removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance of efficiency rating, denies promotion to, relocates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any officer or employee of the United States Postal Service, or attempts or threatens to commit any of the foregoing actions with respect to such officer or employee, by reason of any communication or contact of such officer or employee with any Member or committee of Congress as described in paragraph (1) of this subsection.

Sec. 516. Except for vehicles provided to the President, Vice President and their families, or to the United States Secret Service, none of the funds provided in this Act to any Department or Agency shall be obligated or expended to procure passenger automobiles as defined in 15 U.S.C. 2001 with an EPA estimated miles per gallon average of less than twenty-two miles per gallon. The requirements of this section may be waived by the Administrator of the General Services Administration for special purposes or special mission automobiles.

Sec. 517. No funds appropriated by this Act shall be available to pay for an abortion, or the administrative expenses in connection with any health plan under the Federal employees health benefit program which provides any benefits or coverage for abortions.

Sec. 518. The provision of section 517 shall not apply where the life of the mother would be endangered if the fetus were carried to term.

Sec. 519. No later than October 1, 1989, the Administrator of General Services, or any Federal officer assuming the Administrator's responsibilities with respect to management of the stockpile, shall use all funds authorized and appropriated before January 1, 1985 from the National Defense Stockpile Transaction Fund to evaluate, test, relocate, upgrade or purchase stockpile materials to meet National Defense Stockpile goals and specifications in effect on October 1, 1984.

Sec. 520. No part of any appropriation contained in this Act shall be available for the procurement of, or for the payment of, the salary of any person engaged in the procurement of stainless steel flatware not produced in the United States or its possessions, except to the extent that the Administrator of General Services or his designee shall determine that a satisfactory quality and sufficient quantity of stainless steel flatware produced in the United States or its possessions, cannot be procured as and when needed from sources in the United States or its possessions or except in accordance with procedures provided by section 6-104.4(b) of Armed Services Procurement Regulations, dated January 1, 1969. This section shall be applicable to all solicitations for bids issued after its enactment.

Sec. 521. None of the funds appropriated by this Act may be used to establish on a

permanent basis any test or program of the "port of arrival immediate release and enforcement determination."

Sec. 522. None of the funds appropriated by this Act may be used to solicit bids, lease space, or enter into any contract to close or consolidate executive seminar centers for the Office of Personnel Management.

Sec. 523. Not later than October 1, 1989, of the amounts made available pursuant to section 519 of the Treasury, Postal Service and General Government Appropriations Act, 1987, as incorporated in section 101(m) of Public Laws 99-500 and 99-591, not less than \$1,000,000 shall be obligated for a pilot project to upgrade technologically obsolete cobalt deposited in the National Defense Stockpile. The funds used in this section for upgrading shall not exceed \$2,000,000.

Sec. 524. The Administrator of General Services, under section 210(h) of the Federal Property and Administrative Services Act of 1949, as amended, shall acquire, by means of a lease of up to 30 years duration, space for the United States Courts in Tacoma, Washington, at the site of Union Station, Tacoma, Washington.

Sec. 525. Funds under this Act shall be available as authorized by sections 4501-4506 of title 5, United States Code, when the achievement involved is certified, or when an award for such achievement is otherwise payable, in accordance with such sections. Such funds may not be used for any purpose with respect to which the preceding sentence relates beyond fiscal year 1989.

Sec. 526 (a) Notwithstanding any other provision of law, during fiscal year 1989, the authority to establish higher rates of pay under section 5303 of title 5, United States Code, may—

(1) in addition to positions paid under any of the pay systems referred to in subsection (a) of section 5303 of title 5, U.S.C., be exercised with respect to positions paid under any other pay system established by or under Federal statute for positions within the executive branch of the Government; and

(2) in addition to the circumstance described in the first sentence of subsection (a) of section 5303 of title 5, U.S.C., be exercised based on—

(A) pay rates for the positions involved being generally less than the rates payable for similar positions held—

(i) by individuals outside the Government; or

(ii) by other individuals within the executive branch of the Government;

(B) the remoteness of the area or location involved;

(C) the undesirability of the working conditions or the nature of the work involved, including exposure to toxic substances or other occupational hazards; or

(D) any other circumstances which the President (or an agency duly authorized or designated by the President in accordance with the last sentence of section 5303(a) of title 5, U.S.C., for purposes of this subparagraph) may identify.

Nothing in paragraph (2) shall be considered to permit the exercise of any authority based on any of the circumstances under such paragraph without an appropriate finding that such circumstances are significantly handicapping the Government's recruitment or retention efforts.

(b)(1) A rate of pay established during fiscal year 1989 through the exercise of any additional authority under subsection (a) of section 5303 of title 5, U.S.C.—

(A) shall be subject to revision or adjustment.

(B) shall be subject to reduction or termination (including pay retention), and

(C) shall otherwise be treated,

in the manner as generally applies with respect to any rate otherwise established under section 5303 of title 5, United States Code.

(2) The President (or an agency duly authorized or designated by the President in accordance with the last sentence of section 5303(a) of title 5, United States Code, for purposes of this subsection) may prescribe any regulations necessary to carry out this subsection.

(c) Any additional authority under this section may, during fiscal year 1989, be exercised only to the extent that amounts otherwise appropriated under this Act for purposes of section 5303 of title 5, United States Code, are available.

SEC. 527. None of the funds available in this Act may be used to contract out positions or downgrade the position classification of the Bureau of Engraving and Printing Police Force.

SEC. 528. The building located at 400 West Bay Street in Jacksonville, Florida, shall hereafter be known and designated as the "Charles E. Bennett Federal Building". Any references in any law, regulation, document, record, map, or other paper of the United States to this building is deemed to be a reference to the "Charles E. Bennett Federal Building".

Mr. ROYBAL (during the reading). Mr. Chairman, I ask unanimous consent that title V be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there any points of order on title V?

#### POINTS OF ORDER

Mr. CRANE. Mr. Chairman, I make a point of order against section 520 on page 56 of H.R. 4775 as constituting legislation on an appropriation bill and, therefore, in violation of rule XXI, clause 2.

Mr. ROYBAL. Mr. Chairman, is not the request of the gentleman from Illinois too late?

The CHAIRMAN. The Chair will protect the gentleman from Illinois. The gentleman has a right to make an objection or a point of order.

Mr. CRANE. Mr. Chairman, I thank the Chairman.

Rule XXI, clause 2, has been interpreted to mean that language in an appropriation bill may not impose on Federal officials additional duties not required by law or make the appropriation contingent upon the performance of such duties.

Section 520 prohibits appropriated funds from being used in the procurement of any stainless steel flatware not produced in the United States except to the extent the Administrator of GSA determines that a satisfactory quality and sufficient quantity of stainless steel flatware produced in

the United States cannot be procured as and when needed from domestic sources.

Section 520 specifically imposes an additional duty on a Federal official to make a determination not otherwise required by law and establishes a procurement requirement not in existing laws.

Similar language in previous Treasury appropriation bills has been stricken on points of order, and for these reasons, Mr. Chairman, I hope that a point of order that section 520 violates rule XXI, clause 2, be sustained.

The CHAIRMAN. Does the gentleman from California wish to be heard on the point of order?

Mr. ROYBAL. Mr. Chairman, I concede the point of order.

The CHAIRMAN (Mr. DONNELLY). The gentleman from California concedes the point of order.

The Chair sustains the point of order of the gentleman from Illinois.

Mr. CRANE. Mr. Chairman, I have another point of order.

I make a point of order that section 506, on page 52, is in violation of clause 2 of rule XXI and, therefore, should be stricken from the bill.

Clause 2 of rule XXI states:

No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress, nor shall any provision in any such bill or amendment thereto changing existing law be in order.

Section 506 provides authority to the Administrator of GSA, or his designee, to make determinations as to the availability of a sufficient quantity and satisfactory quality of hand or measuring tools produced in the United States or its possessions. The Administrator also must make a determination as to whether purchases are made in accordance with the armed services procurement regulations and thereby exempt from the restrictions of this section.

The designation of such authority goes beyond the limitations of funds which are the subject of this appropriation. It imposes additional duties, not required by law, on the Administrator and thereby constitutes an effort to change existing law under the guise of a limitation.

Mr. Chairman, I make a point of order that section 506 is in violation of clause 2 of rule XXI.

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

Mr. CRANE. Mr. Chairman, I am happy to yield to the gentleman.

The CHAIRMAN. The Chair will recognize the gentleman from Massachusetts on the point of order.

Mr. CONTE. Mr. Chairman, I did not ask the gentleman to yield on the flatware, but that was my amendment, too.

On this one here, we are really having a difficult time on these measuring tools here in the United States. There are not too many of them, and they are little companies. They are really getting knocked around by the Japanese, and I would appreciate it if the gentleman would reconsider on his point of order.

□ 1325

Mr. CRANE. I certainly respect the gentleman's concern and I have the greatest respect and admiration for my golfing partner, but with all due respect we have a lot of these hand tool manufacturers in my home area, the greater Chicago area. To mandate this is troublesome to me. If it were to make sure that there is an exhaustive search conducted to see if we cannot find comparable equipment available manufactured here in the United States, I would not be troubled. But I think the mandating provisions of this are indeed not in order.

The CHAIRMAN. Does the gentleman from California [Mr. ROYBAL] wish to be heard on the point of order?

Mr. ROYBAL. Mr. Chairman, if the gentleman will not reconsider his point of order, I have no other alternative but to concede the point of order.

The CHAIRMAN [Mr. DONNELLY]. The Chair sustains the point of order.

Are there any amendments to title V?

If not, the Clerk will read.

The Clerk read as follows:

#### TITLE VI—GENERAL PROVISIONS

##### DEPARTMENTS, AGENCIES, AND CORPORATIONS

SECTION 601. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with section 16 of the Act of August 2, 1946 (60 Stat. 810), for the purchase of any passenger motor vehicle (exclusive of buses and ambulances), is hereby fixed at \$6,600 except station wagons for which the maximum shall be \$7,600. *Provided*, That these limits may be exceeded by not to exceed \$2,700 for police-type vehicles, and by not to exceed \$4,000 for special heavy-duty vehicles: *Provided further*, That the limits set forth in this section shall not apply to electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976.

SEC. 602. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922-24.

SEC. 603. Unless otherwise specified during the current fiscal year no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental

United States unless such person (1) is a citizen of the United States, (2) is a person in the service of the United States on the date of enactment of this Act, who, being eligible for citizenship, has filed a declaration of intention to become a citizen of the United States prior to such date and is actually residing in the United States, (3) is a person who owes allegiance to the United States, (4) is an alien from Cuba, Poland, South Vietnam, or the Baltic countries lawfully admitted to the United States for permanent residence, or (5) South Vietnamese, Cambodian, and Laotian refugees paroled in the United States after January 1, 1975: *Provided*, That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his status have been complied with: *Provided further*, That any person making a false affidavit shall be guilty of a felony, and, upon conviction, shall be fined no more than \$4,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for any other provisions of existing law: *Provided further*, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of Ireland, Israel, the Republic of the Philippines or to nationals of those countries allied with the United States in the current defense effort, or to temporary employment of translators, or to temporary employment in the field service (not to exceed sixty days) as a result of emergencies.

Sec. 604. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for space and services and those expenses of renovation and alteration of buildings and facilities which constitute public improvements performed in accordance with the Public Buildings Act of 1959 (73 Stat. 749), the Public Buildings Amendments of 1972 (86 Stat. 216), or other applicable law.

Sec. 605. Funds made available by this or any other Act for administrative expenses in the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, United States Code, shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia; services in accordance with 5 U.S.C. 3109; and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which they are made available: *Provided*, That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

Sec. 606. No part of any appropriation for the current fiscal year contained in this or any other Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve the nomination of said person.

Sec. 607. Pursuant to section 1415 of the Act of July 15, 1952 (66 Stat. 662), foreign credits (including currencies) owed to or owned by the United States may be used by Federal agencies for any purpose for which

appropriations are made for the current fiscal year (including the carrying out of Acts requiring or authorizing the use of such credits), only when reimbursement therefor is made to the Treasury from applicable appropriations of the agency concerned: *Provided*, That such credits received as exchanged allowances or proceeds of sales of personal property may be used in whole or part payment for acquisition of similar items, to the extent and in the manner authorized by law, without reimbursement to the Treasury.

Sec. 608. No part of any appropriation contained in this or any other Act shall be available for interagency financing of boards, commissions, councils, committees, or similar groups (whether or not they are interagency entities) which do not have a prior and specific statutory approval to receive financial support from more than one agency or instrumentality.

Sec. 609. Funds made available by this or any other Act to (1) the General Services Administration, including the fund created by the Public Building Amendments of 1972 (86 Stat. 216), and (2) the "Postal Service Fund" (39 U.S.C. 2003), shall be available for employment of guards for all buildings and areas owned or occupied by the United States or the Postal Service and under the charge and control of the General Services Administration or the Postal Service, and such guards shall have, with respect to such property, the powers of special policemen provided by the first section of the Act of June 1, 1948 (62 Stat. 281; 40 U.S.C. 318), but shall not be restricted to certain Federal property as otherwise required by the proviso contained in said section and, as to property owned or occupied by the Postal Service, the Postmaster General may take the same actions as the Administrator of General Services may take under the provisions of sections 2 and 3 of the Act of June 1, 1948 (62 Stat. 281; 40 U.S.C. 318a, 318b), attaching thereto penal consequences under the authority and within the limits provided in section 4 of the Act of June 1, 1948 (62 Stat. 281; 40 U.S.C. 318c): *Provided*, That when the Administrator of General Services delegates responsibility to protect property under this charge and control to the head of another Federal agency, that agency may employ guards to protect the property who shall have the same powers of special policemen in same manner as the foregoing.

Sec. 610. None of the funds available under this or any other Act shall be available for administrative expenses in connection with the designation for construction, arranging for financing, or execution of contracts or agreements for financing or construction of any additional purchase contract projects pursuant to section 5 of the Public Building Amendments of 1972 (Public Law 92-313) during the period beginning October 1, 1976, and ending September 30, 1989.

Sec. 611. None of the funds made available pursuant to the provisions of this Act shall be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a resolution of disapproval duly adopted in accordance with the applicable law of the United States.

Sec. 612. No part of any appropriation contained in, or funds made available by, this or any other Act shall be available for any agency to pay to the Administrator of the General Services Administration a higher rate per square foot for rental of space and services (established pursuant to section 210(j) of the Federal Property and

Administrative Services Act of 1949, as amended) than the rate per square foot established for the space and services by the General Services Administration for the fiscal year for which appropriations were granted.

Sec. 613. (a)(1) Notwithstanding any other provision of law, and except as otherwise provided in this section, no part of any of the funds appropriated for the fiscal years ending September 30, 1989, or September 30, 1990, by this Act or any other Act, may be used to pay any prevailing rate employee described in section 5342(a)(2)(A) of title 5, United States Code, or any employee covered by section 5348 of that title—

(1) during the period from the date of expiration of the limitation imposed by section 613 of the Treasury, Postal Service, and General Government Appropriations Act, 1988, until the first day of the first applicable pay period that begins not less than ninety days after that date, in an amount that exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with such section 613; and

(2) during the period consisting of the remainder, if any, of fiscal year 1989, and that portion of fiscal year 1990, that precedes the normal effective date of the applicable wage survey adjustment that is to be effective in fiscal year 1990, in an amount that exceeds, as a result of a wage survey adjustment, the rate payable under paragraph (1) of this subsection by more than the overall average percentage adjustment in the General Schedule during fiscal year 1989.

(b) Notwithstanding any other provision of law, no prevailing rate employee described in subparagraph (B) or (C) of section 5342(a)(2) of title 5, United States Code, may be paid during the periods for which subsection (a) of this section is in effect at a rate that exceeds the rates that would be payable under subsection (a) were subsection (a) applicable to such employee.

(c) For the purpose of this section, the rates payable to an employee who is covered by this section and who is paid from a schedule that was not in existence on September 30, 1988, shall be determined under regulations prescribed by the Office of Personnel Management.

(d) Notwithstanding any other provision of law, rates of premium pay for employees subject to this section may not be changed from the rates in effect on September 30, 1988, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this section.

(e) The provisions of this section shall apply with respect to pay for services performed by any affected employee on or after October 1, 1988.

(f) For the purpose of administering any provision of law, including section 8431 of title 5, United States Code, or any rule or regulation that provides premium pay, retirement, life insurance, or any other employee benefit, that requires any deduction or contribution, or that imposes any requirement or limitation, on the basis of a rate of salary or basic pay, the rate of salary or basic pay payable after the application of this section shall be treated as the rate of salary or basic pay.

(g) Nothing in this section may be construed to permit or require the payment to any employee covered by this section at a rate in excess of the rate that would be payable were this section not in effect.

(h) The Office of Personnel Management may provide for exceptions to the limita-

tions imposed by this section if the Office determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.

Sec. 614. None of the funds made available in this Act may be used to plan, implement, or administer (1) any reduction in the number of regions, districts or entry processing locations of the United States Customs Service; or (2) any consolidation or centralization of duty assessment or appraisal functions of any offices in the United States Customs Service.

Sec. 615. During the period in which the head of any department or agency, or any other officer or civilian employee of the Government appointed by the President of the United States, holds office, no funds may be obligated or expended in excess of \$5,000 to renovate, remodel, furnish, or redecorate the office of such department head, agency head, officer, or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such renovation, remodeling, furnishing, or redecoration is expressly approved by the Committees on Appropriations of the House and Senate.

Sec. 616. (a) If any individual or entity which provides or proposes to provide child care services for Federal employees during fiscal year 1989 or any fiscal year thereafter, applies to the officer or agency of the United States charged with the allotment of space in the Federal buildings in the community or district in which such individual or entity provides or proposes to provide such service, such officer or agency may allot space in such a building to such individual or entity if—

- (1) such space is available;
- (2) such officer or agency determines that such space will be used to provide child care services to a group of individuals of whom at least 50 percent are Federal employees; and
- (3) such officer or agency determines that such individual or entity will give priority for available child care services in such space to Federal employees.

(b)(1) If an officer or agency allots space during fiscal year 1989 or any fiscal year thereafter, to an individual or entity under subsection (a), such space may be provided to such individual or entity without charge for rent or services.

(2) If there is an agreement for the payment of costs associated with the provision of space allotted under subsection (a) or services provided in connection with such space, nothing in title 31, United States Code, or any other provision of law, shall be construed to prohibit or restrict payment by reimbursement to the miscellaneous receipts or other appropriate account of the Treasury.

(3) For the purpose of this section, the term "services" includes the providing of lighting, heating, cooling, electricity, office furniture, office machines and equipment, telephone service (including installation of lines and equipment and other expenses associated with telephone service), and security systems (including installation and other expenses associated with security systems).

Sec. 617. Funds appropriated in this or any other Act may be used to pay travel to the United States for the immediate family of employees serving abroad in cases of death or life threatening illness of said employee.

Sec. 618. (a) Notwithstanding the provisions of sections 112 and 113 of title 3, United States Code, each Executive agency

detailing any personnel shall submit a report on an annual basis in each fiscal year to the Senate and House Committees on Appropriations on all employees or members of the armed services detailed to Executive agencies, listing the grade, position, and offices of each person detailed and the agency to which each such person is detailed.

(b) The provisions of this section shall not apply to Federal employees or members of the armed services detailed to or from—

- (1) the Central Intelligence Agency;
- (2) the National Security Agency;
- (3) the Defense Intelligence Agency;
- (4) the offices within the Department of Defense for the collection of specialized national foreign intelligence through reconnaissance programs;
- (5) the Bureau of Intelligence and Research of the Department of State;
- (6) any agency, office, or unit of the Army, Navy, Air Force, and Marine Corps, the Federal Bureau of Investigation and the Drug Enforcement Administration of the Department of Justice, the Department of the Treasury, and the Department of Energy performing intelligence functions; and
- (7) the Director of Central Intelligence.

(c) The exemptions in part (b) of this section are not intended to apply to information on the use of personnel detailed to or from the intelligence agencies which is currently being supplied to the Senate and House Intelligence and Appropriations Committees by the executive branch through budget justification materials and other reports.

(d) For the purposes of this section, the term "Executive agency" has the same meaning as defined under section 105 of title 5, United States Code (except that the provisions of section 104(2) of title 5, United States Code shall not apply) and includes the White House Office, the Executive Residence, and any office, council, or organizational unit of the Executive Office of the President.

Sec. 619. (a) None of the funds made available by this or any other Act with respect to any fiscal year may be used to make a contract for the manufacture of distinctive paper for United States currency and securities pursuant to section 5114 of title 31, United States Code, with any corporation or other entity owned or controlled by persons not citizens of the United States, or for the manufacture of such distinctive paper outside of the United States or its possessions. This subsection shall not apply if the Secretary of the Treasury determines that no domestic manufacturer of distinctive paper for United States currency or securities exists with which to make a contract and if the Secretary of the Treasury publishes in the Federal Register a written finding stating the basis for the determination.

(b) None of the funds made available by this or any other Act with respect to any fiscal year may be used to procure paper for passports granted or issued pursuant to the first section of the Act entitled "An Act to regulate the issue and validity of passports, and for other purposes", approved July 3, 1926 (22 U.S.C. 211a), if such paper is manufactured outside of the United States or its possessions or is procured from any corporation or other entity owned or controlled by persons not citizens of the United States. This subsection shall not apply if no domestic manufacturer for passport paper exists.

Sec. 620. TEMPORARY AUTHORITY TO TRANSFER LEAVE.—In order to ensure that the experimental use of voluntary leave

transfers established under Public Laws 99-500, 99-591, and 100-202 may continue and may cover additional employees in fiscal year 1989, the Office of Personnel Management may continue to operate by regulation, notwithstanding chapter 63 of title 5, United States Code, a program under which the unused accrued annual leave of officers or employees of the Federal Government may be transferred for use by other officers or employees who need such leave due to a personal emergency as defined in the regulations. The Office may provide by regulation for such exceptions from the provisions of section 7351 of title 5 as the Office may determine appropriate for the transfer of leave under this section. The Veterans' Administration may operate a similar program for employees subject to section 4108 of title 38, United States Code. The programs operated under this section shall expire at the end of fiscal year 1989, but any leave that has been transferred to an officer or employee under the programs shall remain available for use until the personal emergency has ended, and any remaining unused transferred leave shall, to the extent administratively feasible, be restored to the leave accounts of the officers or employees from whose accounts it was originally transferred.

#### EMPLOYEE DISCLOSURE AGREEMENTS

Sec. 621. No funds appropriated in this or any other Act for fiscal year 1989 may be used to implement or enforce the agreements in Standard Forms 189 and 4193 of the Government or any other nondisclosure policy, form or agreement if such policy, form or agreement:

(1) concerns information other than that specifically marked as classified; or, unmarked but known by the employee to be classified; or, unclassified but known by the employee to be in the process of a classification determination;

(2) contains the term classifiable;

(3) directly or indirectly obstructs, by requirement of prior written authorization, limitation of authorized disclosure, or otherwise, the right of any individual to petition or communicate with Members of Congress in a secure manner as provided by the rules and procedures of the Congress;

(4) interferes with the right of the Congress to obtain executive branch information in a secure manner as provided by the rules and procedures of the Congress;

(5) imposes any obligations or invokes any remedies inconsistent with statutory law;

Provided, That nothing in this section shall affect the enforcement of those aspects of such nondisclosure policy, form or agreement that do not fall within subsection (1)-(5) of this section.

Sec. 622. (a)(1)(A) Notwithstanding any other provision of law, in the case of fiscal year 1989, the overall percentage of the adjustment under section 5305 of title 5, United States Code, in the rates of pay under the General Schedule, and in the rates of pay under the other statutory pay systems, shall be an increase of 4 percent.

(B) Each increase in a pay rate or schedule which takes effect pursuant to subparagraph (A) shall, to the maximum extent practicable, be of the same percentage, and shall take effect as of the first day of the first applicable pay period commencing on or after January 1, 1989.

(2) Notwithstanding any other provision of law, amounts appropriated in order to provide for the adjustment under paragraph



(1) shall cover not to exceed 50 percent of the increase in total pay for fiscal year 1989.

(3) For the purpose of this subsection—

(A) the term "total pay" means, with respect to a fiscal year, the total amount of basic pay which will be payable to employees covered by the statutory pay systems for service performed during such year;

(B) the term "increase in total pay" means, with respect to a fiscal year, that part of total pay for such year which is attributable to the adjustment taking effect under this subsection during such year; and

(C) the term "statutory pay system" has the meaning given such term by section 5301(c) of title 5, United States Code.

(b)(1) Any adjustment required by section 1009 of title 37, United States Code, in elements of the compensation of members of the uniformed services to become effective during fiscal year 1989 shall not be made.

(2) The rates of basic pay, basic allowance for subsistence, and basic allowance for quarters of members of the uniformed services are increased by 4 percent effective on January 1, 1989.

Sec. 623. Effective September 1, 1989, none of the funds made available to the Department of the Treasury by this Act shall be used to store, protect, maintain, own, hold or otherwise control more than 35,000,000 fine troy ounces of silver.

Sec. 624. Effective September 1, 1990, none of the funds made available to the Department of the Treasury by this or any other Act with respect to any fiscal year shall be used to store, protect, maintain, own, hold or otherwise control more than 30,000,000 fine troy ounces of silver.

Sec. 625. Effective September 1, 1991, none of the funds made available to the Department of the Treasury by this or any other Act with respect to any fiscal year shall be used to store, protect, maintain, own, hold or otherwise control more than 25,000,000 fine troy ounces of silver.

Sec. 626. The Secretary of the Treasury may reduce the amount of silver required to be sold pursuant to this Act if he makes a written determination to the Congress that such a sale will severely disrupt the domestic market for silver.

Sec. 627. None of the funds appropriated by this or any other Act may be expended by any Federal agency to procure any product or service that is subject to the provisions of Public Law 89-306 and that will be available under the procurement by the Administrator of General Services known as "FTS2000" unless—

(1) such product or service is procured by the Administrator of General Services as part of the procurement known as "FTS2000"; or

(2) that agency establishes to the satisfaction of the Administrator of General Services that—

(A) the agency's requirements for such procurement are unique and can not be satisfied by property and services procured by the Administrator of General Services as part of the procurement known as "FTS2000"; and

(B) the agency procurement, pursuant to such delegation, would be cost-effective and would not adversely affect the cost-effectiveness of the FTS2000 procurement.

Mr. ROYBAL (during the reading). Mr. Chairman, I ask unanimous consent that title VI of the bill, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there any points of order to title VI?

AMENDMENT OFFERED BY MR. CRANE

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

The Clerk read as follows:

Amendment offered by Mr. CRANE: Page 77, line 3, insert ", except that this subparagraph shall not apply to positions paid at or above the rate payable for level V of the Executive Schedule under title 5, United States Code" before the period.

Mr. ROYBAL. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from California reserves a point of order on the amendment.

Mr. CRANE. Mr. Chairman, I would like to be heard on the point of order, but I have discussed with my distinguished colleague, the gentleman from California, the language of my amendment. The other side had preferable language that they felt was more definitive on this subject.

Mr. Chairman, could we have the Clerk read that and then go to the point of order?

The CHAIRMAN. Is the gentleman from Illinois asking unanimous consent to withdraw his amendment?

Mr. CRANE. Mr. Chairman, I ask unanimous consent to substitute the language of the majority side for my language and to withdraw this amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT OFFERED BY MR. CRANE

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

The Clerk read as follows:

Amendment offered by Mr. CRANE: On line 3, page 77, strike the period and add the following: ", except for any office or position in the legislative, executive, or judicial branch or in the government of the District of Columbia if the rate of salary or basic pay payable for that office or position as of September 30, 1988, was equal to or greater than that rate of basic pay then payable for level V of the Executive Schedule under section 5316 of title 5, United States Code."

Mr. CONTE. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Massachusetts reserves a point of order.

Mr. CRANE. Mr. Chairman, the arguments that I would advance toward including everybody at level 5 Executive position or above from enjoying a 4-percent pay raise is that if we review the actions that this body has taken over the course of this term, and go back to 1987 at the level 1 level, Cabinet secretaries, they got a 12-percent raise at that time. They went from \$88,800 to \$99,500.

Level 2, which includes Members of Congress, got a 16-percent raise, going from \$77,400 to \$89,500. Level 3 went from \$75,800 to \$82,500, a 9-percent increase. Level 4 enjoyed a 4-percent increase, and level 5 enjoyed a 3-percent increase.

I think, Mr. Chairman, given the fairly healthy pay raises that in these categories we have enjoyed over the course of this term of Congress that it is inappropriate at this time, when we will be enjoying a cost of living increase, to contemplate another increase in our salary schedule.

I think in addition to that, Mr. Chairman, that based upon performance that we should not be contemplating such pay raises until we demonstrate that we are indeed capable of exercising the fiscal responsibility that would help bring our books into better balance.

I frankly would like to see us enjoy working on a commission basis in this body where if we managed to effect reductions to get our books in balance, then we might be paid a percentage. But in the absence of that, for the present time, Mr. Chairman, it seems to me that these scheduled pay increases are inappropriate, and for that reason I would urge my colleagues on both sides of the aisle wholeheartedly to embrace this fiscally responsible measure.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from Massachusetts [Mr. CONTE] wish to be heard on the point of order?

Mr. ROYBAL. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The gentleman from Massachusetts [Mr. CONTE] withdraws his point of order.

The gentleman from California [Mr. ROYBAL] will state his point of order.

Mr. ROYBAL. Mr. Chairman, the amendment is a nonlegislative limitation to a general appropriation bill. Under the revised clause 2, rule XXI, such amendments are not in order during the reading of a general appropriation bill.

The revised rule states in part:

Except as provided in paragraph (d), no amendment shall be in order during consideration of a general appropriation bill proposing a limitation not specifically contained or authorized in existing law for the period of the limitation.

Mr. Chairman, the gentleman's amendment is not specifically contained or authorized in existing law and therefore is in violation of rule XXI, clause 2(c).

Mr. CRANE. Mr. Chairman, may I speak in opposition to the point of order?

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. CRANE. Mr. Chairman, since the Rules Committee chairman has allowed the section of the bill which deals with pay increases to remain, and it exempted this section from points of order to allow this appropriations bill to contain authorizing language, it is in order to perfect this bill if the amendment does not add any further legislation.

I would urge the Chair to consider overruling the point of order.

The CHAIRMAN (Mr. DONNELLY). The gentleman from Illinois [Mr. CRANE] has stated the situation and the rule correctly and, therefore, the Chair overrules the point of order.

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

Mr. Chairman, first of all I would indicate that I am not sure that this language would obviate the President, in the normal statutory manner under title 5, to submit in September a proposed increase for Federal workers, including the members of the executive, judiciary and legislative branches who are exempted by this amendment.

If the President proposes some percentage increase other than 4 percent, under the statute that increase will go into effect. So we are merely separating the Members of Congress and others covered by the amendment from the 4 percent. Some other percentage will apply if the President exercises his statutory authority.

I think I should put that on the record. I do not think that question is resolved.

But, more importantly, I would like to simply make a point that by not accepting for level five employees and above of the Federal Government in all 3 branches a 4-percent increase, along with all other Federal workers, we simply are creating an atmosphere in which once again in the future it will be proposed that we take a larger increase than others and create once again the atmosphere that implies at least that we are asking ourselves to be treated differently than others when in fact that is not the case.

We are, like many other people in the judicial branch and top level appointees of the President, far behind where we would be in terms of income based on any reasonable economic or financial indices applied. Social Security recipients, General Schedule Federal workers, military retirees you can name the group, they have received far more in terms of cost-of-living adjustments since 1970 than those of us in these top level positions.

For example, if we had attained the increases that other General Schedule Federal workers had attained since 1970, we would be making \$98,800 at this point, not the \$89,500 we are currently making.

I understand the gentleman's concern about performance, and I think we can all be self-critical in terms of

what any legislative body or any administration or any court in this land provides in terms of public service. But it seems to me that it is shortsighted for us to regularly exempt ourselves from what is required to provide employees of the Federal Government with the modest increase that simply allows them to keep up with the cost of living.

In real terms, Federal workers have lost a great deal of income and so have Members of Congress and members of the judiciary and senior officials in the executive branch. Today in real terms, our current salaries provide us with about \$30,000 a year in 1970 dollars. That is the result of the erosion by inflation and the result of the unwillingness on the part of the Congress to face up to these responsibilities when we have the opportunity to accept no more than we are providing other employees. We failed most instances, and today we are short of what is a proper amount of compensation for that reason.

So I regret that the gentleman from Illinois has offered the amendment.

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

Mr. FAZIO. I am happy to yield to the gentleman from Illinois.

Mr. CRANE. Mr. Chairman, the fact is when I first came to Congress in 1969 the Congress had just previously enacted a pay raise, just before I got here, and my recollection is that the pay schedule at that time was in the neighborhood of \$42,500.

Mr. FAZIO. The gentleman is correct.

Mr. CRANE. Had that been indexed, to be sure we would be making \$150,000 a year today as Members. That is not to say that the \$42,500 figure was correct, although I would observe that in terms of performance, 1969 was the last year we had a balanced budget. So maybe it was in order for Members to reward themselves with a pay raise that was a degree of appreciation and compensation for the outstanding performance of Congress in living within its means.

But if Members look at recent performance and the extravagances that have been going on, I would argue that this is an inappropriate time for this kind of an adjustment, and I thank the gentleman for yielding.

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

Mr. Chairman, this matter has been under discussion for a very long time, but I believe that the amendment is somewhat unjust. We may take the position that Members of Congress should not be included in any increase at all. I take the opposite position.

I think the Members of Congress should be paid whatever the prevailing salary should be. I do not think that this has been the case over a period of years.

But then as one excludes the Members of Congress, and use that as an excuse, we also do damage to hundreds of other people who work for the Federal Government and have made a career out of that service. For example, this will include all judges and all persons above level V which includes a multitude of individuals and positions. That not only includes the House of Representatives, but all Federal employees who earn more than \$72,500. It also includes the Delegates to the House, the Resident Commissioner of Puerto Rico, the President pro tempore of the Senate, which is an important position, a position of leadership in the Senate. It includes the majority leader and the minority leader of the Senate and of the House. Again, these are individuals who are not only elected to represent their specific districts, but once they get here they have additional duties that make it necessary for them to work not just the regular schedule, but to go beyond that, to actually assume a position of leadership that makes it possible for this House and this legislative body to function.

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Now as we look at the entire list we find that it does also include the Chief Justice of the United States, the circuit judges, the judges of the Court of International Trade, the judges of the U.S. Claims Court and it also includes bankruptcy judges that, incidentally, at the present time earn less than Members of Congress.

In taking this position one may take the position again that they are in favor of Members of Congress receiving an additional increase even though they deserve it, but you take the position also that anyone that has reached the level of importance in the hierarchy of the various departments, that they too are restricted to an inadequate salary not based on recommendations made by experts in the Government itself.

So I oppose this amendment because I believe that fairness must prevail, Mr. Chairman. I do not believe, again, that the amendment is fair.

It is for that reason that I must rise to oppose it.

Mr. HOYER. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, first of all let me say that on behalf of the literally over 2 million employees who the Pay Advisory Commission, appointed by this President, has said is 24 percent behind private sector counterparts in comparable positions, I want to thank the gentleman for limiting his amendment and providing for the opportunity for those employees to receive a cost-of-living adjustment. It is not

that, it is a comparability adjustment, but effectively that is what it is.

However, let me also strongly oppose the amendment.

First, if I may, let me deal with the tough political issue and the tough political issue is for STENY HOYER or for any other Member of this House to stand up and say, "I and my family are entitled to and ought to get a cost-of-living adjustment."

If in fact this amendment is defeated, Members of Congress will receive, and the American public ought to know out front, in the open, Members of Congress will have received a 2-percent adjustment in January 1 of this year and then a 2-percent adjustment in January 1989.

I want to tell every Member of the House, I want to tell the 525,000 people who give me the privilege and honor of serving in this House, if they do not believe that STENY HOYER is worth a 2-percent adjustment they ought not to send me back to this House.

I do not come hat in hand. I do not come apologetic for the fact that I believe that I ought to be compensated and my family ought to be in a position to be supported well by their father and their husband who could earn three or four times as much.

I like serving in this House, but I am not embarrassed, not one whit, nor do I have to do it under the table or behind back doors, to say that I believe Members of Congress ought to be kept current with inflation.

I hope the American public believes that. I hope they believe that each Member that represents them in each one of the districts is worth that.

I would suggest further, if they do not, replace that Member; send a new Member that you believe is worth that kind of consideration for the 50, 60, 70 hours a week that they perform.

Now the gentleman from Illinois mentioned the fact that in 1970, Members of Congress made \$42,500. Effectively, Members of Congress today in terms of 1970 dollars earn \$29,300. In other words, Mr. Chairman, we have backed up, backed up approximately 25 percent.

I do not think the American public expect that. The American public does not expect us to enrich ourselves as Members of Congress; I do not either. No Member serves in this body to enrich themselves.

The gentleman from Illinois also made the following observation that I think the American public needs to understand: From 1970 to 1988, 19 years, 12 of those years Congress received zero adjustment, just as the gentleman from Illinois' amendment would affect.

Now what happened as a result of that? Well, we may have felt good politically for 9 years, that we could beat our chests and pull out our hair and

say, "We did not take a raise." But what happened? Members have families, Members have housing costs, just like everybody else; they have kids going to school. So there was a pent-up frustration and a request, "We need some adjustment in our salary because we cannot afford to live on \$29,000."

Two houses, most of you—I do not have two houses—families to support. So there were adjustments. There were adjustments in nine of those years, big adjustments. Why? Because we did not do what I think we ought to do and that is take the same thing that our Federal employees get, no more, no less.

The gentleman from Connecticut during the course of this debate 2 years ago said, "Ah-ha, people are going to vote against this amendment and who would we allow to pay our salary? The American Bankers Association?"

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

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

Mr. HOYER. The American Bankers Association, the American Federation of Government Employees, other organizations of that type? Now let me talk about other employees, and my problem, really, unfortunately is with the scope of this amendment: The Pay Advisory Committee has said there is a 24-percent gap between what civilians in the Government make and civilians in the private sector make. What does that mean? That means we have a brain drain in the Federal Government. It means that we are not able to recruit and retain the best possible people to run NASA, the FBI, Drug Enforcement Administration. All of those agencies, I could go on—the National Institutes of Health; we are going to cap those people and tell them, "No adjustment."

Those people are not slave labor in the United States, they are not trapped in Government service. They can look to the private sector that is getting 5- or 10- or 15- or 25-percent adjustments. And they leave.

What does that do? It diminishes the quality of service to the American public that we on this floor promised.

Now the gentleman from Illinois said that maybe we ought to have a system that would cut the budget. Now the gentleman from Illinois and I may have a disagreement on what a good expenditure is. That is not the test. The test is not how much we cut out. That is a test of how people on this floor vote. A majority might vote for the cut or a majority might vote against the cut. That is a policy determination. It is not a determination that ought to decide whether a

Member of Congress is earning his or her money; it is an issue of disagreement on where the policy is.

I may agree with the gentleman from time to time that we do not operate as effectively as we might collectively. I think sometimes this body is less than the sum of its parts.

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

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

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

Mr. HOYER. I am glad to yield to the gentleman from Illinois.

Mr. CRANE. I thank the gentleman for yielding.

Mr. Chairman, the gentleman cited going back to 1968, the pay increase that occurred at that time. My recollection, and I will stand corrected, is that we went from \$30,000 to \$42,500 in that increase. If you index the \$30,000 then what we are making today is totally consistent with what Members were making prior to the 1968 increase.

Mr. HOYER. I am sure if the gentleman says that was the adjustment in 1968 I am not going to deny that because I do not have that figure. I started with 1970, the last 18 years.

If you start in 1970 when we were making \$42,500—I was not here, but the gentleman was.

Mr. CRANE. I came in 1969 if the gentleman will yield further, in an off year. But my recollection was that we had a pay increase just before I came here.

Can the chairman enlighten me? My point is there was a jump there as I recall that went from \$30,000 to \$42,500.

My point is if the gentleman will yield further, that if you index \$30,000, we are at the mark with our current pay schedule.

Now if you take the \$42,500, to be sure, as I mentioned earlier, we would be way beyond that. But you look at the performance of this body and it is pretty hard to rationalize giving us the kinds of offsets that occurred when we went from \$30,000 to \$42,500 because in 1969 as I noted, was the last year we had a balanced budget.

Mr. HOYER. The gentleman got the time for me and I want to be generous in yielding to him, but reclaiming my time, let me state to the gentleman I am not sure of his figure; he may or may not be correct in terms of indexing from 1968, but in terms of your salary, 1968 when you started, I think it is appropriate to note that if we had just had the cost-of-living adjustment, not a comparability adjustment which would have been greater, but the cost-

of-living adjustment, we would now be making right today \$129,400.

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

(On request of Mr. FAZIO and by unanimous consent, Mr. HOYER was allowed to proceed for 3 additional minutes.)

Mr. HOYER. We are making \$89,500, \$30,000 less than that. Nobody in America is going to cry about us making \$89,500. That is not the issue.

I wanted to get, in the short time I have available to me, to the Pay Advisory Committee, Presidentially appointed, has pointed out that we are at great risk in losing our capable people and not being able to recruit them.

In point of fact, the gentleman's amendment precludes that segment of the Federal work force that has the greatest disparity in pay, that is top managers, because the Federal Pay Advisory Committee and the Bureau of Labor Statistics when they do their analysis will point out to you that the greatest discrepancy is upper level management, who, when compared to the private sector, that is comparable responsibility, comparable numbers of employees supervised, et cetera, et cetera, will show clearly that they are at the greatest disadvantage and therefore the most difficult to retain and to recruit.

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

Mr. HOYER. I am glad to yield to the gentleman from California.

Mr. FAZIO. I thank the gentleman for yielding.

Mr. Chairman, I want to congratulate the gentleman on his statement and on the candor with which he has confronted this very sensitive issue and not only in front of his own constituents but the American people in general. Particularly, I want to congratulate him for pointing out that in our own unwillingness to deal with our own financial needs, we have roped in a whole group of Federal, judicial, and executive branch employees who must be given some relief. I will tell the gentleman that when the President's Quadrennial Commission recommendations is reported next January, if this Congress is not sufficiently courageous to deal with their own problems up front, I will join the gentleman in doing something that is very unpopular in this institution and that is breaking the executive and judicial branches stranglehold that we have placed on them and allowing them to get the kind of increases that the Quadrennial Commission—which is appointed to represent a whole range of political points of view to recommend to the President—recommend an appropriate level to compensate Cabinet officials, members of the judiciary and other senior level and general schedule employees, particularly the

Senior Executive Service who have never been adequately compensated since the Civil Service Reform Act created them in the first place.

Mr. HOYER. I thank the gentleman for his comments. In closing, Mr. Chairman, let me read the following. This is from a civilian employee of 16 years in the Department of Defense. I know the gentleman from Illinois is concerned with the defense posture in the United States and I share that concern.

□ 1355

He says: "If the pay for technical work is not raised by about"—not 4 percent, which is this amendment—"is not raised by about 50 percent, we will have the bottom 10 percent of university technical grads evaluating and authorizing the spending of billions of dollars of tax money based on proposals developed by the top 10 percent of the university grads—a horrifying prospect."

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

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

Mr. HOYER. Mr. Chairman, in closing, let me say to my colleagues that if they are concerned about congressional salaries, this is a flavor stand, if you will, not substantive, because the congressional aspect of this pay raise is less than one two-hundredths of a percent. So it is not money we are talking about; it is image. It is political posturing.

Let us not damage the ability of our Federal Government to act effectively, domestically and internationally. We are the leaders of the free world. We need the best possible people we can get in public service.

Mr. Chairman, I ask that this amendment be rejected for the welfare of the American people and indeed all the world.

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

Mr. Chairman, I was not going to speak today until I heard my colleague, the gentleman from Maryland, Mr. HOYER, speak.

I would ask the author of the amendment to consider this: That is he wants to do this for Members of Congress, fine, but to do it to the FBI agents that all of us would call on if we were to find out today that a loved one had been kidnaped is really a mistake. To do it to the DEA agents and to Mr. Kaminer, who was killed, as you recall, down in Mexico by the drug runners, to do it to people like that, to do it to the people at NIH who are working on cancer research, to do it to someone like Timothy McCarthy at the Secret Service division who stopped the bullet that would have killed the President of the United

States is really a mistake, and I would hope that we could separate them out.

If the Congress in its wisdom, or lack of wisdom, wants to do this to itself, then it ought to have the right to do that to itself, but I would hope that for these senior career Federal employees who do not run every 2 years, who have dedicated their lives and who are at the Naval Research Lab working on high technology equipment, with so many other needs we have in the United States, that we could separate this, because this bill would cover all the bankruptcy judges and circuit court executives, senior executive services, U.S. claims court judges, the deputy director of the administrative courts, the deputy administrator and offices of the court, the Deputy Public Printer, and on and on.

Mr. Chairman, I want to salute the gentleman from Maryland [Mr. HOYER]. Let me say that I do not have two homes, I have one. I have three kids in college, and I thank the Lord that we have been blessed and have been able to educate them. So I am not going to be impacted by this.

I say to the Members, if you want to do this to yourselves, then I think you have the right to do it, but I would hope there would be an amendment to correct it.

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

Mr. WOLF. I yield to the gentleman from California.

Mr. FAZIO. Mr. Chairman, I appreciate the fervor with which the gentleman speaks. I would simply point out that during this debate that has ensued after the offering of this amendment, not one Member has spoken in favor of the amendment other than the author. There may be others in the body who will insert remarks in the RECORD, in order to be on the right side politically as we enter into the elections in November. But I think that speaks louder than words in terms of where the sentiment of this body really is, not only in terms of the people the gentleman speaks of, his constituents, these Federal employees, but also in terms of our own compensation. I think that really ought to be where the media which covers this debate so carefully would find public opinion in this body.

Mr. Chairman, there really is no desire to effect this amendment today. It probably will pass because ultimately Members cannot afford to vote no, but that is where the people really are.

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

Mr. WOLF. I yield to the gentleman from Virginia.

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

Mr. WOLF. I yield to the chairman of the subcommittee.

Mr. ROYBAL. Mr. Chairman, I would like to commend the gentleman from Virginia for the position he has taken.

First of all, I think we all realize that if there are those who want to keep the status quo with regard to congressional salaries, the only thing they have to do is return that money to the Treasury.

The other thing is that I am concerned about those individuals who head important departments and who earn \$72,500. In other words, under this amendment no one who earns that amount of money will get an increase. This includes Customs agents who are in charge of the interdiction of narcotics, Secret Service, and all the law enforcement agencies of the Federal Government. These agencies, as we know, have a tremendous responsibility, first of all, and those responsibilities deal with the interdiction of narcotics that come into our schools and universities on a daily basis. So we are telling these individuals, "Regardless of the job you do, you are frozen at that level, and you are not entitled to an increase regardless of increases in the cost of living."

Mr. Chairman, I think that is a mistake, and I commend the gentleman for the position he has taken.

Mr. WOLF Mr. Chairman, I thank the subcommittee chairman.

Mr. Chairman, let me tell the Members what one of the biggest problems is. The Members ought to know this, they should be listening in their offices, and the American people ought to be listening. One of the biggest problems we have is that we do not have the ability to recruit good and decent people to come into the Federal work force to work on AIDS research and cancer research. Both my mother and father died of cancer. If we are to find a cure for cancer, it is going to be at NIH. We are losing the best people.

Mr. Chairman, this amendment is really not going to help improve the situation.

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

Mr. Chairman, I am out of breath because I ran from my office over here to speak on this subject. Like the gentleman before me, I had not intended to speak on this subject either, because it is a subject that is very difficult for Members of Congress to address. Like virtually every one of the Members of this great institution of which we are privileged to be Members, I ran for Congress and was elected for the privilege of public service not for the pay, accordingly, I do not believe that Members of Congress should vote for their own pay. I support the law that was enacted in 1969, I believe, to establish a Presidential commission that makes recommendations on matters of remuneration to

the President, after which the President decides what Members of Congress should receive for compensation. I think that is the way it should remain, and because I support the policy of not voting on my own pay, I will oppose this amendment today.

I think it is wrong to increase our own salaries, and I think likewise, it is wrong to decrease our own salaries.

But I am deeply concerned about short changing the civil servants that make our country work. I think it is wrong to short change senior members of the executive. It is becoming increasingly more difficult to attract capable, competent, dedicated people who are educated to the field of public service.

Recent studies show that during the last 20 years a smaller percentage of college graduates are entering Government service. While public service was attractive 20 years ago, Harvard Law School reports that the percentage of graduates going into public interest and legal aid has dropped to less than 2 percent while the percentage of graduates entering Government service has drifted downward over the last 10 years by as much as 50 percent. The 50-percent decline in college graduates entering public service is partly because of the real decline in compensation and partly because some politicians have used public servants as whipping boys. It is so easy to criticize the faceless bureaucrats and, frankly, the charge, in most cases, is unfounded and unfair. Most public servants work hard every day at the jobs putting in overtime for which they are not compensated and it is a gross injustice to disparage public service by characterizing civil servants in bad light which is so common by Members of Congress.

□ 1405

Mr. Chairman, it is unfair to pick on public servants who cannot defend themselves against these unfair charges. It is a cheap shot. It does a great injustice to our country to discourage competent people from entering public service. I know from personal experience in my own office that staff associates work far beyond the average work day of most Americans and this is time for which they are not justly compensated.

It is a shameful performance when Congressmen and Presidents misrepresent these facts. It is wrong and I personally believe any Member of Congress who takes unfair advantage of a public servant for a political gain ought to be ashamed of themselves.

Mr. Chairman, I urge my colleagues to vote against this amendment.

Mrs. MORELLA. Mr. Chairman, I oppose the amendment proposed by the gentleman from Illinois. While I agree that Members of Congress should be barred from the 4-percent pay raise, I am distressed that senior mem-

bers of the Federal Government would also be prevented from receiving the increase.

The pay raise is a matter of parity. Federal salaries are on average 24 percent below those paid to employees in the private sector. It is imperative that we be able to recruit and retain the best minds that our country has to offer, for it is Federal personnel that run the business of our country.

Mr. Chairman, the Crane amendment would affect the morale of those individuals at the highest levels of Government—professionals and career Federal employees. We should not penalize those Federal employees with the longest periods of service. A failure to provide the pay raise to them would represent still another attack on the Federal work force, thereby further eroding the prestige of a civil service career. I urge my colleagues to oppose this amendment.

Mr. DREIER of California. Mr. Chairman, today I rise to offer my wholehearted support for the Crane amendment to H.R. 4775, the Treasury, Postal Service, and general appropriations bill, which would specifically exempt Members of Congress from the 4-percent cost-of-living increase. Congressional salaries have skyrocketed over the last several years in comparison with those of the American work force. For myself, and my constituents who have witnessed this alarming trend, I urge the House to adopt this amendment.

Given the need to make significant reductions in Federal spending, it would be ludicrous and irresponsible to even consider granting Members of Congress what would amount to three raises over the course of 2 years. In fact, I would like to see this amendment go farther by repealing the 12-percent raise Congress received in February 1987.

Mr. Chairman, as I have publicly stated many times before, I believe any congressional pay raise proposal should be considered and voted on separately. The Congress has used questionable tactics in the past to secure pay raises by attaching them to important appropriations bills. But, the American people are fed up with these highly unethical tactics. They have made their objections perfectly clear and will vehemently protest a continuation of the recently used underhanded parliamentary techniques.

While I oppose H.R. 4775, Mr. Chairman, I strongly urge my colleagues to support the Crane amendment. Let's make completely clear the sentiment of the Congress that we believe it is wrong to slip these unwarranted raises into congressional appropriations bills.

Mr. BRENNAN. Mr. Chairman, I support Representative CRANE's amendment exempting Members of Congress from receiving the 4-percent pay increase called for in this bill.

I was troubled to learn that a pay increase for Members of Congress was included in this measure. While I support a cost-of-living adjustment for our Federal workers and U.S. Postal workers, I cannot support a 4-percent increase for Members of Congress. This provision simply sends the wrong signal to our constituents.

My constituents support an adequate level of compensation for their elected representatives. Mainers also recognize the need to address the serious deficit confronting our

Nation. To ask our constituents to tighten their belts and at the same time grant a pay increase to the Congress only serves to undermine efforts to achieve a national consensus on deficit reduction.

The inclusion of a pay increase for Congress in this measure clouds a bill which deserves support. There are many worthwhile provisions contained in H.R. 4775, particularly relating to assisting our tax collection and curbing drug smuggling through the Customs Service.

This amendment will rid the bill of the one serious reservation I have about its contents. I urge my colleagues to join me in support of this amendment and continue sending a signal to our constituents and the financial community that we are serious about achieving deficit reduction.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. CRANE].

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

Mr. CRANE. Mr. Chairman, on that, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present. Pursuant to the provisions of clause 2 of rule XXIII, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the pending question following the quorum call. Members will record their presence by electronic device.

The call was taken by electronic device.

The following Members responded to their names:

□ 1439

[Roll No. 180]

Ackerman	Boucher	Cooper
Akaka	Boxer	Coughlin
Alexander	Brennan	Courter
Anderson	Brooks	Coyne
Andrews	Broomfield	Craig
Annunzio	Brown (CA)	Crane
Applegate	Brown (CO)	Crockett
Archer	Bruce	Dannemeyer
Army	Bryant	Darden
Aspin	Buechner	Daub
Atkins	Bunning	Davis (IL)
AuCoin	Burton	Davis (MI)
Badham	Bustamante	de la Garza
Baker	Byron	DeFazio
Ballenger	Callahan	DeLay
Barnard	Campbell	Dellums
Bartlett	Cardin	Derrick
Barton	Carper	DeWine
Bateman	Carr	Dickinson
Bates	Chandler	Dicks
Bellenson	Chapman	Dingell
Bennett	Chappell	DioGuardi
Bentley	Cheney	Dixon
Bereuter	Clarke	Donnelly
Berman	Clay	Dorgan (ND)
Bevill	Clinger	Dornan (CA)
Bilbray	Coats	Dowdy
Billrakis	Coble	Downey
Billey	Coelho	Dreier
Boehlert	Coleman (MO)	Durbin
Boggs	Coleman (TX)	Dwyer
Boland	Collins	Dymally
Bonior	Combest	Dyson
Borski	Conte	Early
Bosco	Conyers	Eckart

Edwards (CA)	Leath (TX)	Robinson
Edwards (OK)	Lehman (CA)	Rodino
Emerson	Lehman (FL)	Roe
English	Lent	Rogers
Erdreich	Levin (MI)	Rose
Evans	Levine (CA)	Rostenkowski
Fascell	Lewis (CA)	Roth
Fawell	Lewis (FL)	Roukema
Fazio	Lewis (GA)	Rowland (CT)
Feighan	Lightfoot	Rowland (GA)
Fields	Lipinski	Roybal
Fish	Livingston	Sabo
Flake	Lloyd	Saiki
Flippo	Lott	Savage
Florio	Lowery (CA)	Sawyer
Foglietta	Lowry (WA)	Saxton
Foley	Lujan	Schaefer
Ford (MI)	Lukens, Thomas	Scheuer
Frenzel	Lukens, Donald	Schneider
Frost	Madigan	Schroeder
Galleghy	Manton	Schuette
Gallo	Markey	Schulze
Garcia	Marlenee	Shumer
Gaydos	Martin (IL)	Sensenbrenner
Gejdenson	Martin (NY)	Sharp
Gekas	Martinez	Shaw
Gephardt	Matsui	Shays
Gibbons	Mavroules	Shumway
Gilman	Mazzoli	Shuster
Gingrich	McCandless	Sikorski
Glickman	McCloskey	Siskis
Gonzalez	McCollum	Skaggs
Goodling	McCrery	Skeen
Gordon	McCurdy	Skelton
Gradison	McDade	Slattery
Grandy	McEwen	Slaughter (NY)
Grant	McGrath	Slaughter (VA)
Gray (IL)	McHugh	Smith (FL)
Green	McMillan (NC)	Smith (IA)
Gregg	McMillen (MD)	Smith (NE)
Guarini	Meyers	Smith (NJ)
Gunderson	Mfume	Smith (TX)
Hall (OH)	Michel	Smith, Denny
Hall (TX)	Miller (CA)	(OR)
Hamilton	Miller (OH)	Smith, Robert
Hammerschmidt	Miller (WA)	(NH)
Hansen	Mineta	Smith, Robert
Harris	Moakley	(OR)
Hastert	Molinari	Snowe
Hatcher	Mollohan	Solarz
Hayes (LA)	Montgomery	Solomon
Hefley	Moorhead	Spratt
Hefner	Morella	St Germain
Henry	Morrison (CT)	Staggers
Herger	Morrison (WA)	Stallings
Hertel	Mrazek	Stangeland
Hiler	Murphy	Stark
Hochbrueckner	Murtha	Stenholm
Holloway	Myers	Stokes
Hopkins	Natcher	Stratton
Horton	Neal	Stump
Houghton	Nichols	Sundquist
Hoyer	Nielson	Sweeney
Hubbard	Nowak	Swift
Huckaby	Oberstar	Swindall
Hughes	Obey	Synar
Hunter	Olin	Tauke
Hutto	Ortiz	Tauzin
Hyde	Owens (NY)	Taylor
Ireland	Owens (UT)	Thomas (CA)
Jeffords	Oxley	Thomas (GA)
Jenkins	Panetta	Torres
Johnson (CT)	Parris	Torricelli
Johnson (SD)	Pashayan	Towns
Jones (NC)	Patterson	Traficant
Jones (TN)	Pelosi	Traxler
Jontz	Penny	Udall
Kanjorski	Pepper	Upton
Kaptur	Perkins	Valentine
Kasich	Petri	Vander Jagt
Kastenmeier	Pickett	Vento
Kennedy	Pickle	Visclosky
Kennelly	Porter	Volkmer
Kildee	Price	Vucanovich
Kleczka	Pursell	Walgren
Kolbe	Quillen	Walker
Kolter	Rahall	Watkins
Konnyu	Rangel	Waxman
Kostmayer	Ravenel	Weber
Kyl	Regula	Weiss
LaFalce	Rhodes	Weldon
Lagomarsino	Richardson	Wheat
Lancaster	Ridge	Whittaker
Lantos	Rinaldo	Whitten
Latta	Ritter	Williams
Leach (IA)	Roberts	Wilson

Wise	Wyden	Young (AK)
Wolf	Wyllie	Young (FL)
Wolpe	Yates	
Wortley	Yatron	

The CHAIRMAN. Four hundred Members have answered to their names, a quorum is present, and the Committee will resume its business.

The pending business is the demand of the gentleman from Illinois [Mr. CRANE] for a recorded vote.

A recorded vote was refused. So the amendment was agreed to.

The CHAIRMAN. Are there additional amendments to title VI?

□ 1430

AMENDMENT OFFERED BY MR. WALKER

Mr. WALKER. Mr. Chairman, pursuant to the rule, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WALKER: On page 79, after line 23 insert the following new section:

Sec. 628. No funds appropriated under this Act shall be expended in any workplace that is not free of illegal use or possession of controlled substances which is made known to the federal entity or official to which funds are appropriated under this Act. Pursuant to this section an applicant for funds to be appropriated under this Act shall be ineligible to receive such funds if such applicant fails to include in its application an assurance that it has, and will administer in good faith, a policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances by its employees.

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

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

There was no objection.

PARLIAMENTARY INQUIRIES

Mr. ROYBAL. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. Does the gentleman from Pennsylvania [Mr. WALKER] yield to the gentleman from California [Mr. ROYBAL] for that purpose?

Mr. WALKER. Mr. Chairman, I will be glad to yield to the gentleman from California [Mr. ROYBAL] for a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. ROYBAL. Mr. Chairman, I asked for a parliamentary inquiry for the purpose of clarifying the action that has just taken place. It is my understanding that the noes prevailed on a voice vote with regard to the amendment before the House.

Mr. WALKER. No, that is not right. Mr. ROYBAL. Is that correct?

The CHAIRMAN. The gentleman is incorrect. On the voice vote, the Chair announced that the ayes have it.

The gentleman from Illinois [Mr. CRANE] then asked for a recorded vote

and a recorded vote did not proceed because not enough Members stood to order a recorded vote.

Mr. ROYBAL. Mr. Chairman, further under my parliamentary inquiry, then the Chair ruled that the amendment was adopted.

The CHAIRMAN. The gentleman is correct.

Mr. ROYBAL. And the situation at the present time then is a state of confusion.

The CHAIRMAN. The Chair will state that there is no confusion at all. The amendment is adopted.

Mr. ROYBAL. The amendment is adopted, then the next order of business would be the order of the House.

Mr. DONNELLY. The pending amendment is an amendment offered by the gentleman from Pennsylvania [Mr. WALKER].

Mr. MADIGAN. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. Does the gentleman from Pennsylvania [Mr. WALKER] yield to the gentleman from Illinois [Mr. MADIGAN] for that purpose?

Mr. WALKER. Mr. Chairman, I am glad to yield to the gentleman from Illinois [Mr. MADIGAN] for a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. MADIGAN. Mr. Chairman, under the circumstances just described by the Chair, is a motion to reconsider the vote by which the amendment was agreed to in order?

The CHAIRMAN. A motion to reconsider is not in order in the Committee of the Whole.

Mr. MADIGAN. Mr. Chairman, further under my parliamentary inquiry, when will such a motion be in order?

The CHAIRMAN. The amendment will be reported back to the House and then if the gentleman from Illinois [Mr. MADIGAN] wishes, the gentleman could ask for a separate vote on that amendment.

Mr. MADIGAN. I thank the Chair.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Chairman, the amendment that is before us is an amendment that was made in order under the rule. It is an amendment that includes language beyond the language that had been previously adopted on the subject of the drug-free workplace. Previously, we had a no-funds standard. Under this particular amendment what we are now doing is we are adding in the language that we adopted the other day in the House that was authored by the gentleman from Michigan [Mr. KILDEE]. What that language does is basically clarify the matter so that we have the applicant in his application answer a provision that will guarantee a drug-free workplace and then administering

that particular program and policy in good faith.

Mr. Chairman, I would like to focus on the drug war that we also talk so much about and simply tell the Members that what we are attempting to do in this amendment is provide more clarity than we have been able to provide in some of the appropriation amendments in the past.

I think the gentleman from California [Mr. ROYBAL] and the gentleman from New Mexico [Mr. SKEEN] are prepared to accept this amendment and if that is the case, I do not see the need to spend a lot of time on it.

Mr. SKEEN. Will the gentleman yield?

Mr. WALKER. Mr. Chairman, I yield to the gentleman from New Mexico [Mr. SKEEN].

Mr. SKEEN. Mr. Chairman, this side has no opposition at all to this amendment being offered by the gentleman from Pennsylvania [Mr. WALKER] and we accept it.

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

Mr. WALKER. Mr. Chairman, I yield to the gentleman from California [Mr. ROYBAL].

Mr. ROYBAL. Mr. Chairman, I believe the gentleman from Pennsylvania [Mr. WALKER] is making a very persuasive argument with respect to his amendment. I am happy to accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. WALKER].

The amendment was agreed to.

#### AMENDMENT OFFERED BY MR. CHAPPELL

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

The Clerk read as follows:

Amendment offered by Mr. CHAPPELL: Page 61, strike out line 1 and all that follows through the end of line 6.

Mr. CHAPPELL. Mr. Chairman, I will simply state that there is a provision in the bill which provided for naming a building in Jacksonville, FL, for our good colleague, Mr. CHARLIE BENNETT. He prefers that this not be done and, therefore, I ask by this amendment that the matter be considered at this point and that we vote aye on the amendment to withdraw that from the bill.

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

Mr. CHAPPELL. I yield to the gentleman from California.

Mr. ROYBAL. Mr. Chairman, the committee will also yield to the wishes of the gentleman from Florida [Mr. BENNETT] and agree with the amendment as presented.

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

Mr. CHAPPELL. I yield to the gentleman from New Mexico.

Mr. SKEEN. Mr. Chairman, this side has no objection to this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. CHAPPELL].

The amendment was agreed to.

The CHAIRMAN. Are there other amendments to title VI?

If not, the Clerk will read.

The Clerk read as follows:

This Act maybe cited as the "Treasury, Postal Service and General Government Appropriations Act, 1989".

□ 1445

The CHAIRMAN. Are there any further amendments?

Mr. ROYBAL. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore, Mr. PANETTA, having assumed the chairman Mr. DONNELLY, Chairman of the Committee of the Whole House on the State of the Union, reported that the Committee, having had under consideration the bill (H.R. 4775) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1989, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment?

Mr. MURTHA. Mr. Speaker, I demand a separate vote on the so-called Crane amendment.

The SPEAKER pro tempore. Is a separate vote demanded on any other amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The Clerk will report the amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment: On line 3, page 77, strike the period and add the following: " , except for any office or position in the legislative, executive, or judicial branch or in the government of the District of Columbia if the rate of salary or basic pay payable for that office or position as of September 30, 1988, was equal to greater than the rate of basic pay then payable for level V of the Executive Schedule under section 5316 of title 5, United States Code."

The SPEAKER pro tempore. The question is on the amendment.

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

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

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 230, nays 170, not voting 31, as follows:

[Roll No. 181]

YEAS—230

Anderson	Gingrich	Neal
Andrews	Glickman	Nichols
Applegate	Goodling	Nielson
Archer	Grandy	Olin
Arney	Grant	Owens (UT)
AuCoin	Gregg	Oxley
Baker	Gunderson	Patterson
Ballenger	Hall (TX)	Penny
Barnard	Hamilton	Petri
Bartlett	Hammerschmidt	Pickett
Barton	Hansen	Price
Bennett	Harris	Pursell
Bentley	Hastert	Quillen
Bereuter	Hatcher	Ravenel
Bevill	Hayes (LA)	Regula
Bilbray	Hefley	Rhodes
Bilirakis	Henry	Richardson
Boucher	Herger	Ridge
Brennan	Hertel	Ripaldo
Broomfield	Hiler	Ritter
Brown (CO)	Hochbrueckner	Roberts
Bruce	Holloway	Rogers
Bryant	Hopkins	Roth
Buechner	Houghton	Roukema
Bunning	Hubbard	Rowland (CT)
Burton	Huckaby	Rowland (GA)
Byron	Hughes	Saiki
Callahan	Hutto	Saxton
Campbell	Hyde	Schaefer
Carr	Ireland	Schneider
Chapman	Jeffords	Schroeder
Cheney	Jenkins	Schuette
Clarke	Johnson (CT)	Sensenbrenner
Clinger	Johnson (SD)	Sharp
Coats	Jontz	Shaw
Coble	Kaptur	Shays
Coleman (MO)	Kasich	Shumway
Combest	Kastenmeier	Shuster
Coughlin	Kildee	Sikorski
Courter	Kolbe	Skaggs
Craig	Konnyu	Skelton
Crane	Kyl	Slattery
Dannemeyer	Lagomarsino	Slaughter (NY)
Darden	Lantos	Slaughter (VA)
Daub	Leach (IA)	Smith (NE)
Davis (IL)	Lewis (FL)	Smith (NJ)
Davis (MI)	Lightfoot	Smith (TX)
DeFazio	Lloyd	Smith, Denny
DeLay	Lott	(OR)
Derrick	Lowry (WA)	Smith, Robert
DeWine	Lujan	(NH)
Dickinson	Luken, Thomas	Smith, Robert
DioGuardi	Lukens, Donald	(OR)
Dorgan (ND)	Mariennee	Snowe
Dornan (CA)	Martin (IL)	Solomon
Dowdy	Mavroules	Spratt
Dreier	McCandless	Staggers
Dwyer	McCloskey	Stallings
Dyson	McCollum	Stangeland
Eckart	McCrery	Stump
Edwards (OK)	McCurdy	Sundquist
Emerson	McEwen	Sweeney
English	McMillan (NC)	Swindall
Erdreich	McMillen (MD)	Synar
Evans	Meyers	Tauke
Fawell	Miller (OH)	Tauzin
Fields	Miller (WA)	Thomas (GA)
Flippo	Mollohan	Trafficant
Florio	Montgomery	Traxler
Gallely	Moorhead	Upton
Gallo	Morrison (WA)	Valentine
Gekas	Murphy	Vander Jagt
Gilman	Nagle	Visclosky

Volkmer  
Vucanovich  
Walker  
Watkins  
Weber

Weldon  
Whittaker  
Whitten  
Wise  
Wolpe

Wyden  
Yllie  
Yatron  
Young (FL)

NAYS—170

Ackerman	Gejdenson
Akaka	Gephardt
Alexander	Gibbons
Annunzio	Gonzalez
Aspin	Gordon
Atkins	Gradison
Badham	Gray (IL)
Bateman	Green
Bates	Guarini
Beilenson	Hall (OH)
Berman	Hawkins
Billie	Hefner
Boehlert	Horton
Boland	Hoyer
Bonior	Hunter
Borski	Jones (NC)
Bosco	Jones (TN)
Boxer	Kanjorski
Brooks	Kennedy
Brown (CA)	Kennelly
Bustamante	Klezcka
Cardin	Kolter
Carper	Kostmayer
Chandler	LaFalce
Chappell	Lancaster
Clay	Latta
Coelho	Leath (TX)
Coleman (TX)	Lehman (CA)
Collins	Lehman (FL)
Conte	Lent
Conyers	Levin (MI)
Cooper	Levine (CA)
Coyne	Lewis (CA)
Crockett	Lewis (GA)
de la Garza	Lipinski
Dellums	Livingston
Dicks	Lowery (CA)
Dingell	Madigan
Dixon	Manton
Donnelly	Markey
Downey	Martin (NY)
Durbin	Martinez
Dymally	Matsui
Early	Mazzoli
Fascell	McDade
Fazio	McGrath
Feighan	McHugh
Fish	Mfume
Flake	Miller (CA)
Foglietta	Mineta
Foley	Moakley
Ford (MI)	Molinari
Frank	Morella
Frenzel	Morrison (CT)
Frost	Mrazek
Garcia	Murtha
Gaydos	Myers

Natcher	Nader
Nowak	Nichols
Oberstar	Obeyesekere
Obey	Ortiz
Owens (NY)	Owens (NY)
Panetta	Panetta
Parris	Pashayan
Pashayan	Pelosi
Pelosi	Pepper
Pepper	Perkins
Perkins	Pickle
Pickler	Porter
Porter	Rahall
Rahall	Rangel
Rangel	Robinson
Robinson	Rodino
Rodino	Roe
Roe	Rose
Rose	Rostenkowski
Rostenkowski	Roybal
Roybal	Sabo
Sabo	Savage
Savage	Sawyer
Sawyer	Scheuer
Scheuer	Schulze
Schulze	Schumer
Schumer	Sisisky
Sisisky	Skeen
Skeen	Smith (FL)
Smith (FL)	Smith (IA)
Smith (IA)	Solarz
Solarz	St Germain
St Germain	Stark
Stark	Stenholm
Stenholm	Stokes
Stokes	Stratton
Stratton	Swift
Swift	Taylor
Taylor	Thomas (CA)
Thomas (CA)	Torres
Torres	Torricelli
Torricelli	Towns
Towns	Udall
Udall	Vento
Vento	Walgren
Walgren	Waxman
Waxman	Weiss
Weiss	Wheat
Wheat	Williams
Williams	Wilson
Wilson	Wolf
Wolf	Wortley
Wortley	Yates
Yates	Young (AK)

NOT VOTING—31

Anthony
Biaggi
Boggs
Bonker
Boulter
Clement
Duncan
Edwards (CA)
Espy
Ford (TN)
Gray (PA)

Hayes (IL)
Inhofe
Jacobs
Kemp
Leland
Lungren
Mack
MacKay
Mica
Michel
Moody

□ 1506

The Clerk announced the following pairs:

On this vote:  
Mr. Jacobs for, with Mr. Leland against.  
Mr. Nelson for, with Mr. Hayes of Illinois against.  
Mr. Boulter for, with Mr. Anthony against.  
Mr. WALGREN and Mr. YOUNG of Alaska changed their votes from "yea" to "nay."  
Mr. TRAXLER, Mr. BAKER, Ms. KAPTUR, Messrs. COLEMAN of Mis-

souri, McMILLEN of Maryland, DWYER of New Jersey, BUECHNER, JENKINS, BEVILL, and BARNARD, and Mrs. BYRON changed their votes from "nay" to "yea."

So the amendment was agreed to. The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. STRATTON. Mr. Speaker, on roll-call No. 181, I am recorded as voting "no." I intended to vote "aye."

Mr. Speaker, I ask unanimous consent that this statement appear in the permanent RECORD immediately after the vote.

The SPEAKER pro tempore (Mr. COOPER). Is there objection to the request of the gentleman from New York?

There was no objection.

TREASURY, POSTAL SERVICE AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1989.

The SPEAKER pro tempore (Mr. PANETTA). The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore 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 301, noes 96, not voting 34, as follows:

[Roll No. 182]

AYES—301

Ackerman	Bryant	DeWine
Akaka	Bustamante	Dicks
Alexander	Byron	Dingell
Anderson	Callahan	DioGuardi
Andrews	Campbell	Dixon
Annunzio	Cardin	Donnelly
Anthony	Carper	Dorgan (ND)
Applegate	Carr	Dowdy
Aspin	Chandler	Downey
Atkins	Chapman	Durbin
AuCoin	Chappell	Dwyer
Barnard	Clarke	Dymally
Bateman	Clay	Dyson
Bates	Clinger	Early
Beilenson	Coble	Eckart
Bennett	Coelho	Edwards (CA)
Bentley	Coleman (TX)	Emerson
Berman	Collins	English
Bevill	Conte	Erdreich
Bilbray	Conyers	Evans
Boehlert	Cooper	Fascell
Boland	Coughlin	Fazio
Bonior	Courter	Feighan
Borski	Coyne	Fish
Bosco	Crockett	Flake
Boucher	Darden	Florio
Boxer	Daub	Foglietta
Brennan	Davis (MI)	Foley
Brooks	de la Garza	Ford (MI)
Broomfield	DeFazio	Frank
Brown (CA)	Dellums	Frost
Bruce	Derrick	Gallo



Garcia	Martin (NY)	Savage
Gaydos	Martinez	Sawyer
Gejdenson	Matsui	Saxton
Gephardt	Mavroules	Schaefer
Gibbons	Mazzoli	Scheuer
Gilman	McCloskey	Schneider
Gonzalez	McCrery	Schroeder
Goodling	McCurdy	Schuette
Gordon	McDade	Schulze
Grandy	McGrath	Schumer
Grant	McHugh	Sharp
Gray (IL)	McMillen (MD)	Sikorski
Green	Meyers	Sisisky
Guarini	Mfume	Skaggs
Gunderson	Michel	Skeen
Hall (OH)	Miller (CA)	Skelton
Hall (TX)	Miller (OH)	Slaughter (NY)
Hamilton	Mineta	Smith (FL)
Hammerschmidt	Moakley	Smith (IA)
Hansen	Molinari	Smith (NE)
Harris	Mollohan	Smith (NJ)
Hastert	Montgomery	Snowe
Hatcher	Morella	Solarz
Hawkins	Morrison (CT)	Solomon
Hayes (LA)	Morrison (WA)	Spratt
Hefley	Mrazek	St Germain
Hefner	Murphy	Staggers
Henry	Murtha	Stallings
Herger	Nagle	Stangeland
Hertel	Natcher	Stark
Hochbrueckner	Nichols	Stokes
Hopkins	Nowak	Stratton
Horton	Oakar	Sundquist
Houghton	Oberstar	Swift
Hoyer	Obey	Synar
Eubbard	Ortiz	Tauzin
Huckaby	Owens (NY)	Taylor
Hutto	Owens (UT)	Thomas (GA)
Jeffords	Panetta	Torres
Jenkins	Parris	Torricelli
Johnson (CT)	Pashayan	Towns
Johnson (SD)	Patterson	Traficant
Jones (NC)	Pelosi	Traxler
Jones (TN)	Pepper	Udall
Jontz	Perkins	Valentine
Kanjorski	Pickett	Vander Jagt
Kaptur	Pickle	Vento
Kastenmeier	Porter	Visclosky
Kennedy	Price	Volkmer
Kennelly	Quillen	Walgren
Kildee	Rahall	Watkins
Klecza	Rangel	Waxman
Kolbe	Ravenel	Weber
Kolter	Regula	Weiss
Kostmayer	Richardson	Weldon
LaFalce	Ridge	Wheat
Lantos	Rinaldo	Whitten
Leath (TX)	Robinson	Williams
Lehman (CA)	Rodino	Wilson
Lehman (FL)	Roe	Wise
Lent	Rogers	Wolf
Levin (MI)	Rose	Wolpe
Levine (CA)	Rostenkowski	Wortley
Lewis (GA)	Roth	Wyden
Lott	Roukema	Yates
Lowery (CA)	Rowland (CT)	Yatron
Lowry (WA)	Rowland (GA)	Young (AK)
Manton	Roybal	
Markey	Sabo	

## NOES—96

Archer	Dornan (CA)	Lightfoot
Army	Dreier	Lipinski
Badham	Edwards (OK)	Lloyd
Baker	Fawell	Lujan
Ballenger	Fields	Lukens, Thomas
Bartlett	Frenzel	Lukens, Donald
Barton	Galleghy	Madigan
Bereuter	Gekas	Marlenee
Billirakis	Gingrich	Martin (IL)
Bliley	Glickman	McCandless
Brown (CO)	Gradison	McCollum
Buechner	Gregg	McEwen
Bunning	Hiler	McMillan (NC)
Burton	Holloway	Miller (WA)
Cheney	Hughes	Moorhead
Coats	Hunter	Myers
Coleman (MO)	Hyde	Neal
Combest	Ireland	Nielson
Craig	Kasich	Olin
Crane	Kyl	Oxley
Dannemeyer	Lagomarsino	Penny
Davis (IL)	Latta	Petri
DeLay	Leach (IA)	Pursell
Dickinson	Lewis (FL)	Rhodes

Roberts	Smith, Denny	Swindall
Sensenbrenner	(OR)	Tauke
Shaw	Smith, Robert	Thomas (CA)
Shays	(NH)	Upton
Shumway	Smith, Robert	Vucanovich
Shuster	(OR)	Walker
Slattery	Stenholm	Whittaker
Slaughter (VA)	Stump	Wyllie
Smith (TX)	Sweeney	Young (FL)

## NOT VOTING—34

Biaggi	Jacobs	Nelson
Boggs	Kemp	Packard
Bonker	Konnyu	Pease
Boulter	Lancaster	Ray
Clement	Leland	Ritter
Duncan	Lewis (CA)	Russo
Espy	Livingston	Saiki
Flipflo	Lungren	Spence
Ford (TN)	Mack	Studds
Gray (PA)	MacKay	Tallon
Hayes (IL)	Mica	
Inhofe	Moody	

## □ 1525

The Clerk announced the following pair:

On this vote:

Mr. Nelson for, with Mr. Jacobs against.

Mr. HUGHES and BEREUTER changed their vote from "aye" to "no."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. ROYBAL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and include extraneous matter, on the bill just passed.

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

There was no objection.

## PERSONAL EXPLANATION

Mr. NIELSON of Utah. Mr. Speaker, last week I was not available because of district business, and I missed roll-call votes 168 through 179.

Had I been present, I would have voted yes on rollcall Nos. 168, 170, 171, 173, 174, 177, 178, and 179.

Had I been present, I would have voted no on rollcall Nos. 169, 172, and 176.

## PERSONAL EXPLANATION

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

Mr. BEREUTER. Mr. Speaker, I take this time to present my explanation of missed votes. On Thursday and Friday of last week I was absent and excused from the proceedings of the House for reasons of official business. Three recorded votes occurred during my absence. I wish to include for the RECORD at this point my statement of how I would have voted had I been

present for these votes. I would have voted as follows:

"Aye" on final passage of H.R. 4418, the National Science Foundation authorization;

"Nay" on the motion to approve the Journal; and

"Aye" on the motion to close the conference on the authorization for the Department of Defense.

## LEGISLATIVE PROGRAM

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

Mr. FOLEY. Mr. Speaker, I take this time to inform the House that tomorrow the House is scheduled to meet at 10 a.m., but I will state that I intend to ask unanimous consent that when the House adjourns today, it will adjourn to meet at 11 a.m. tomorrow.

Mr. Speaker, tomorrow the House is scheduled to consider the Labor-HHS appropriations for fiscal year 1989 under the leadership of the distinguished gentleman from Kentucky [Mr. NATCHER].

There is a possibility that that appropriation bill may be concluded before the end of what normally would be the legislative day, and I would like to inform the Members that in the event the HHS bill is concluded early, we will begin consideration of the Commerce, State, Justice appropriation bill for fiscal year 1989.

On Thursday the House will meet at 10 a.m. and consider the Agriculture appropriations bill for fiscal year 1989.

## HOUR OF MEETING ON TOMORROW

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 a.m. on tomorrow, Wednesday, June 15, 1988.

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

There was no objection.

## IMPOSING CRIMINAL PENALTIES FOR DAMAGE TO RELIGIOUS PROPERTY AND OBSTRUCTION OF PERSONS IN FREE EXERCISE OF RELIGIOUS BELIEFS

Mr. CONYERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 794) to amend chapter 13 of title 18, United States Code, to impose criminal penalties for damage to religious property and for obstruction of persons in the free exercise of religious beliefs, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

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

Mr. GEKAS. Mr. Speaker, reserving the right to object, I would ask the chairman of the Subcommittee on Criminal Justice, the gentleman from Michigan [Mr. CONYERS], to review and to explain the bill at hand.

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

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

Mr. CONYERS. Mr. Speaker, I thank my colleague, the ranking Member of the Subcommittee on Criminal Justice, for yielding.

Mr. Speaker, the bill that we have before us today, S. 794, expands current law to make it a Federal crime to travel in or use an instrumentality of interstate or foreign commerce to damage religious real property or obstruct persons engaged in the free exercise of their religious beliefs. It is virtually identical to H.R. 3258 which passed the House with strong bipartisan support on October 5, 1987. There are only three minor differences between S. 794 and the House passed bill, each of which are acceptable to Members on both sides of the aisle. First, this bill adds a scienter element by inserting the word "intentionally" before each of the two provisions setting forth the prohibited conduct in section (1)(a). Second, a provision has been added which requires written notification by the Attorney General that a prosecution under this act is in the public interest and necessary to secure substantial justice. This appears as section (1)(d). And finally, the word "mosque" is specifically included within the definition of real religious property set forth in section (1)(e).

Mr. Speaker, acts of vandalism, harassment and violence targeted at people and property solely because of their race, religion, sexual orientation, or ethnic origin threaten to tear apart the fabric of our society. This type of conduct demands a strong governmental response, one designed to discourage the perpetrators, provide support to the victims, and educate members of the affected communities. I believe that this legislation, S. 794, represents an important first step toward addressing these needs.

Religiously motivated violence and vandalism appears to be on the rise in our society. Although precise statistics on the number of these incidents are not yet compiled by the Federal law enforcement community, data from those States and localities which do collect such information does show an increase.

One month ago, on May 18, the House overwhelmingly passed a bill I introduced, H.R. 3193, the Hate Crime Statistics Act. That legislation requires the Attorney General to collect and publish statistics on crimes which

manifest prejudice based on race, religion, homosexuality, or heterosexuality, or ethnic origin. Once it is enacted into law, we will have accurate nationwide statistics on the overall hate crime problem to guide police and legislators in their efforts to curtail them.

The Anti-Defamation League of B'nai B'rith regulatory compiles data on anti-Semitic incidents. In January of this year, the ADL reported that it had received information on 1,018 incidents in 1987, an increase of 12 percent over the previous year—694 of these involved acts of vandalism ranging from swastika daubings to arson and pipe bombings. There were 324 acts of harassment, threats, and assaults.

The American-Arab Anti-Discrimination Committee has also reported incidents of religiously motivated violence and vandalism. At a hearing held in June 1986, by the Subcommittee on Criminal Justice, which examined hate violence directed at Americans of Arab descent, testimony was received about the Dar as-Salaam Mosque in Houston which in June 1985, was damaged by two bombs thrown through the window. A dinner which had been scheduled there the previous day to celebrate a religious holiday had been canceled due to a series of threats received over the phone.

An important factor in eliminating religiously motivated crimes is the concern and support shown by members of one religious group or community toward another. At the hearing I have described on anti-Arab violence, we heard testimony from Hyman Bookbinder of the American Jewish Committee. He came to express his organization's view that violence against any social or ethnic group is intolerable. This type of compassion and understanding helps build bridges that can overcome differences and disagreements. Arabs and Jews sitting at the same table, denouncing violence and searching for peace was a welcome sight for me and my colleagues on the subcommittee to see.

I want to commend my colleague from Kansas, Mr. GLICKMAN, who authored H.R. 3258, for his commitment and leadership on this matter. The enactment of this legislation will help increase public awareness of this and other types of hate crimes. It will do much to stem the tide of violence which threatens to drown religious freedom in this country.

A hate crime injures more than just the immediate victim; it threatens the free exercise of civil and constitutional rights by each of us. By criminalizing acts of religious violence and vandalism and devoting Federal resources to the collection of information about hate crimes, we will be demonstrating a strong national commitment to their ultimate elimination.

Mr. GEKAS. Mr. Speaker, I thank the gentleman from Michigan [Mr. CONYERS].

Further reserving the right to object, Mr. Speaker, I simply want to state that although there are many of us who continue to fear the overexpansion of Federal jurisdiction in matters that are best handled by law enforcement on the local level and although we made that point clear in many different ways, even in this legislation, we recognize that this legislation is a good compromise between that concern or that worry and the need to focus on the vandalism that now knows no boundaries and crosses State lines with respect to the intent to conduct such vandalism. Therefore, in the limited way the Federal Government has to involve itself, it does so through this legislation, and we approve the concept.

For those purposes, Mr. Speaker, I will withdraw any objection I might have.

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

Mr. GEKAS. I yield to the gentleman from Kansas.

Mr. GLICKMAN. Mr. Speaker, I thank my colleague for yielding, and I thank the gentleman from Michigan [Mr. CONYERS] and the gentleman from Pennsylvania [Mr. GEKAS] for their help on this bill.

Mr. Speaker, I was the principal sponsor of the religious violence bill that passed the House last year. The Senate bill, S. 794, differs from the House bill in a few minor respects: it includes a provision that requires certification by the Attorney General or his designee that prosecution of a specific incident under the law would be in the public interest. The Justice Department assures us that this is not a cumbersome procedure. The bill also makes it clear that only "intentional" attacks are subject to the penalties enumerated in the law, and the loss caused by the destruction or defacement of religious property must be in excess of \$10,000. I believe that none of these changes substantially affect or weakens the bill.

I support this bill because the incidence of religious violence and other hate motivated crimes is increasing in this country. Even more ominous is the increase of racist organizations, such as the Skinheads and the Aryan Youth Movement, which profess broad hatred toward blacks and Jews. Frightening stories of churches, synagogues, mosques being defaced and vandalized appear in the press almost weekly, and there is great concern that these attacks could continue in the future. We in Congress must send out the message that violence against religious institutions will not be tolerated, and that those who act upon religious and ethnic hatred will be severely punished. I request my colleagues

support in approving these changes and sending S. 794 to the President, who I expect to sign it.

Mr. FISH. Mr. Speaker, I thank my colleague for yielding.

Mr. Speaker, S. 794 is very similar to H.R. 3258 introduced by my colleague from Kansas, Mr. GLICKMAN, which I supported and which passed the House October 5, 1987, under suspension. S. 794 differs only in that three minor amendments were added during consideration in the other body in response to suggestions of the Justice Department. These amendments are of a noncontroversial nature and represent, I think an improvement of the bill. S. 794 is similar to legislation I introduced several years ago.

Mr. Speaker, crimes against religious property and those which interfere with the free exercise of one's religion are hateful and cannot be tolerated in our democracy. These crimes undermine a basic and cherished right. While the primary responsibility to prevent such crimes should be upon States and localities, sometimes these crimes are of such a nature that Federal law enforcement can serve as an important supplementary tool. This is particularly so when those destroying religious property or interfering with the free exercise of religion travel across State lines.

Mr. Speaker, I urge support of this bill.

□ 1535

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

Mr. GEKAS. Mr. Speaker, I yield to the gentleman from California.

Mr. DYMALLY. Mr. Speaker, I would like to pose a question to the chairman through the gentleman from Pennsylvania [Mr. GEKAS].

Does the bill cover religious shrines such as temples; for example, a Hindu temple or other religious buildings which are not included specifically in the bill?

Mr. GEKAS. Mr. Speaker, I would have to answer affirmatively to the gentleman from California [Mr. DYMALLY] that the language that is already included in the bill is contemplated to cover institutions of religious leaning of all stripes.

Mr. DYMALLY. Mr. Speaker, I thank the gentleman from Pennsylvania.

Mr. CONYERS. Mr. Speaker, will the gentleman yield to me?

Mr. GEKAS. I yield to the gentleman from Michigan [Mr. CONYERS].

Mr. CONYERS. Mr. Speaker, I absolutely concur in his response to the gentleman from California [Mr. DYMALLY].

Mr. GEKAS. Mr. Speaker, I withdraw my reservation of objection and urge passage of the bill.

Mr. DYMALLY. Mr. Speaker, I rise today in support of S. 794, a bill which makes it a Fed-

eral crime to interfere forcibly with the free exercise of religion.

I would like to extend my compliments to both sponsors, the distinguished Representative from Kansas, Mr. GLICKMAN and the honorable Senator from Ohio, Mr. METZENBAUM for their diligence and commitment to ensuring that our laws impose criminal penalties for damage to religious property and for obstruction of persons in the free exercise of religious beliefs.

On December 22, 1987, I expressed my support for H.R. 3258, a companion bill to S. 794, which the House passed on June 14, 1988. Our forefathers long ago came to our shores seeking refuge from religious persecution. Ever since, our Constitution has guaranteed religious freedom for all our citizens. This bill extends these protections by ensuring that those who do not abide by our Constitution are dealt with appropriately by our law enforcement system.

Mr. Speaker, when I addressed the House last regarding this bill, I expressed my concern that the bill was not clear in that it did not specifically include the protection of mosques. At that time, I cited as an example of violence against the Islamic community nationwide one incident, when two homemade pipe bombs were thrown from a truck through the window of a mosque in Houston, TX causing \$50,000 in damage. Other mosques throughout the country were vandalized or threatened, and some even received threats stating: "You people are dead."

There has never been a greater need to protect the American Islamic community. According to a recent study published in Time magazine, the American Islamic population is rapidly approaching 5 million strong, and is estimated to become the second largest religious community in this country in 30 years.

I am glad to say, today, that Senator METZENBAUM has amended his bill to remove all ambiguity, and specifically to include the term mosques under its protection. I am grateful to the Senator for his amendment which demonstrates clearly that this is a truly comprehensive bill, one which affords protection to all religious segments of our society.

Mr. Speaker, I believe that this is an important legislation, one which reaffirms our heritage of religious tolerance as guaranteed by our Constitution, and I urge my colleagues to support its passage.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 794

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

SECTION 1. CRIMINAL PENALTIES FOR DAMAGE TO RELIGIOUS PROPERTY AND FOR OBSTRUCTION OF PERSONS IN THE FREE EXERCISE OF RELIGIOUS BELIEFS.

Chapter 13 of title 18, United States Code, is amended by adding at the end the following new section:

"§247. Damage to religious property; obstruction of persons in the free exercise of religious beliefs

"(a) Whoever, in any of the circumstances referred to in subsection (b) of this section—

"(1) intentionally defaces, damages, or destroys any religious real property, because of the religious character of that property, or attempts to do so; or

"(2) intentionally obstructs, by force or threat of force, any person in the enjoyment of that person's free exercise of religious beliefs, or attempts to do so;

shall be punished as provided in subsection (c) of this section.

"(b) The circumstances referred to in subsection (a) are that—

"(1) in committing the offense, the defendant travels in interstate or foreign commerce, or uses a facility or instrumentality of interstate or foreign commerce in interstate or foreign commerce; and

"(2) in the case of an offense under subsection (a)(1), the loss resulting from the defacement, damage, or destruction is more than \$10,000.

"(c) The punishment for a violation of subsection (a) of this section shall be—

"(1) if death results, a fine in accordance with this title and imprisonment for any term of years or for life, or both;

"(2) if serious bodily injury results, a fine in accordance with this title and imprisonment for not more than ten years, or both; and

"(3) in any other case, a fine in accordance with this title and imprisonment for not more than one year, or both.

"(d) No prosecution of any offense described in this section shall be undertaken by the United States except upon the notification in writing of the Attorney General or his designee that in his judgment a prosecution by the United States is in the public interest and necessary to secure substantial justice.

"(e) As used in this section—

"(1) the term 'religious real property' means any church, synagogue, mosque, religious cemetery, or other religious real property; and

"(2) the term 'serious bodily injury' means bodily injury that involves a substantial risk of death, unconsciousness, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty."

#### SEC. 3. TECHNICAL AMENDMENT.

The table of sections for chapter 13 of title 18, United States Code, is amended by adding at the end the following new item:

"247. Damage to religious property; obstruction of persons in the free exercise of religious beliefs."

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

#### GENERAL LEAVE

Mr. CONYERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on S. 794, the Senate bill just passed.

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

There was no objection.

**CORRECTING ENROLLMENT OF S. 952, PROVIDING GREATER DISCRETION FOR SUPREME COURT SELECTION OF CASES FOR REVIEW**

Mr. KASTENMEIER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate concurrent resolution (S. Con. Res. 123) to correct the enrollment of the bill (S. 952) to improve the administration of justice by providing greater discretion to the Supreme Court in cases it will review, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate concurrent resolution.

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

Mr. GEKAS. Mr. Speaker, reserving the right to object, I yield to the gentleman from Wisconsin [Mr. KASTENMEIER] to explain the contents of the legislation.

Mr. KASTENMEIER. Mr. Speaker, I thank the gentleman for yielding, and I would be pleased to explain the Senate Concurrent Resolution 123.

Mr. Speaker, it corrects a technical error in the enrollment of the bill S. 952, a bill passed by the House on June 7, 1988, under suspension of the rules. The correction cures an erroneous amendment to section 25 to the Federal Insecticide, Fungicide and Rodenticide Act. The amendment has been cleared by both the minority and also the Committee on Agriculture, and once this enrolling change is made by the Secretary of the Senate, the bill will proceed forthwith to the White House for the signature of President Reagan.

Mr. GEKAS. Mr. Speaker, I thank the gentleman from Wisconsin.

Mr. Speaker, I withdraw my reservation of objection and urge adoption of the Senate concurrent resolution.

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

There was no objection.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 123

*Resolved by the Senate (the House of Representatives concurring),* That, in the enrollment of the bill (S. 952), an Act to improve the administration of justice by providing greater discretion to the Supreme Court in cases it will review, and for other purposes, the Secretary of the Senate shall make the following change:

Strike out subsection (i) of Section 6 and insert in lieu thereof the following:

(i) Section 25(a)(4) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w(a)(4)) is amended by—

(1) repealing clause (ii) of subparagraph (E); and

(2) striking out the following:

“(E) JUDICIAL REVIEW.—

“(i) Any”, and inserting in lieu thereof the following:

“(E) JUDICIAL REVIEW.—Any”.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

**INCREASING AUTHORIZATION FOR THE SEWALL-BELMONT HOUSE NATIONAL HISTORIC SITE**

Mr. VENTO. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2203) to increase the amount authorized to be appropriated with respect to the Sewall-Belmont House National Historic Site, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Senate amendment:

Page 2, after line 19, insert:

SEC. 2. EXPANSION OF THE DELTA REGION PRESERVATION COMMISSION.

Section 907(a) of Public Law 95-625, as amended, is further amended as follows:

(1) In clause (6), strike “region; and” and insert “region;”.

(2) In clause (7), strike “Arts.” and insert “Arts; and”.

(3) Add the following new clause:

“(8) one member who shall have experience as a folklorist and who is familiar with the cultures of the Mississippi Delta Region appointed by the Secretary of the Smithsonian Institution.”.

SEC. 3. SAIPAN HARBOR AND SAN JOSE HARBOR PROJECTS.

(a) There is authorized to be appropriated to the Secretary of the Interior such sums as are necessary for construction of the Saipan harbor project in the Northern Mariana Islands, in accordance with the May 1987 draft feasibility report of the Honolulu District Engineer.

(b) There is authorized to be appropriated such sums as are necessary for project planning, design, and construction for replacement of the main breakwater and for necessary dredging of the San Jose harbor on the Island of Tinian for in the Northern Mariana Islands. The cost-sharing provisions of Public Law 99-662 shall apply to the project, and particular consideration shall be given to possible defense uses of the harbor in determining the benefits of this project.

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

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

Mrs. VUCANOVICH. Mr. Speaker, reserving the right to object, will the gentleman from Minnesota explain what is involved in this request?

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

Mrs. VUCANOVICH. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Speaker, on May 16, the House passed H.R. 2203, a bill introduced by our colleague Congresswoman LINDY BOGGS that increases the

amount authorized to be appropriated for the Sewall-Belmont House National Historic Site. That site, home of Alice Paul, founder of the National Woman's Party and author of the Equal Rights Amendment, preserves and interprets an important aspect of American political and social history.

The Senate has amended this bill and sent it back to us. Their amendment expands the membership of the Delta Region Preservation Commission by adding a folklorist appointed by the Secretary of the Smithsonian and authorizes appropriations for the construction of the Saipan Harbor project in the Northern Mariana Islands. The Delta Region Preservation Commission, charged with assisting the Jean Lafitte National Historical Park in New Orleans, has long proved its value to that park and the addition of a folklorist will no doubt assist it further. The Saipan project will allow the economic development of Tinian Harbor and provide this country with a more useful harbor facility in that part of the world for military purposes. I recognize the significance of this project, and recommend that the House accept this amendment to H.R. 2203.

Mr. Speaker, I would ask the gentleman from Nevada [Mrs. VUCANOVICH] to yield to the gentleman from the Virgin Islands [Mr. DE LUGO] for further comment with regard to the Saipan project as this is part of the gentleman's responsibility.

Mrs. VUCANOVICH. Mr. Speaker, I am happy to yield to the gentleman from the Virgin Islands.

Mr. DE LUGO. Mr. Speaker, I thank the gentleman from Nevada for yielding, and I thank the chairman of the subcommittee for his consideration of this matter.

Mr. Speaker, I support the request of the gentleman from Minnesota, Chairman VENTO, not only because of the bill's park provisions but also because of an insular provision added by the Senate.

This provision would effectively technically amend the authorization for the Saipan, Northern Mariana Islands Harbor project which I sponsored. It would also authorize the Tinian Harbor project in that Commonwealth.

This part of the amendment was worked out between the Insular and International Affairs Subcommittee, which I chair, and the Senate Energy and Natural Resources Committee, chaired by BENNETT JOHNSTON.

The Insular areas can always count on Senator JOHNSTON to lead the response in the other body to their needs. His work on this matter, including a recent visit to the Commonwealth, proves that this case is no exception.

Members of the Committee on Interior and Insular Affairs have been working with Senator JOHNSTON on the need for port facilities in the Northern Mariana Islands for some time. The 1980 Omnibus Territories Act required a study of the need for improvements.

The study was conducted by the Corps of Engineers in 1981 and then Interior Under Secretary Donald Paul Hodel said it concluded the Commonwealth's ports "are generally in a state of disrepair and that improvements are necessary." In particular, the report noted that the Commonwealth's primary port in Saipan could not accommodate even commonsized vessels.

The inadequacy of the facilities has restricted the economic and social development of the Commonwealth. It also has implications for the vital role of the islands in our Nation's Pacific defense, as is shown by the current inability of a military preposition vessel homeported in the islands to actually dock there.

The 1986 Omnibus Water Projects Act included an authorization for \$14 million for the offshore improvements to the Saipan Harbor. The Commonwealth would fund the other third of the cost of this phase of the project, about \$7 million, as well as the on-shore phase of the project, estimated to cost some \$35 million.

The Senate amendment would require that the project be developed as planned in a 1987 study by the Corps of Engineers. It is supported by Gov. Pedro P. Tenorio.

The Committee on Interior and Insular Affairs has recommended funding of the Federal share of the project in fiscal year 1989. I hope that at least a portion of these funds can be provided.

The Senate amendment would also authorize planning, design, and construction of the offshore phase of improvements to the Tinian Harbor. I understand that this phase of the Tinian project should cost about the same as the offshore phase of the Saipan project. The same Federal-Commonwealth cost-sharing is also intended to apply.

Tinian has the potential to be an important fishing port and much of the island is leased to the Federal Government for military purposes. These potential uses are limited by its inadequate dock and seriously deteriorated breakwater, which was built in World War II, however.

It had been our intent to include the authorization for this project in the omnibus insular areas legislation that the gentleman from California, Representative LAGOMARSINO, and I have been working on with Senators JOHNSTON and McCLURE and other Members of this House and the other body. However, I am pleased that we have

this earlier means of addressing this need.

I urge the acceptance of the amendment and final passage of the bill.

Mrs. VUCANOVICH. Mr. Speaker, I thank the gentleman from the Virgin Islands, and I appreciate the explanation by the gentleman from Minnesota [Mr. VENTO], as well as the comments of the gentleman from the Virgin Islands [Mr. DE LUGO].

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

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

There was no objection.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on the Senate amendment just concurred in.

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

There was no objection.

#### ESTABLISHING SAN FRANCISCO MARITIME NATIONAL HISTORICAL PARK IN CALIFORNIA

Mr. VENTO. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1044) to establish the San Francisco Maritime National Historical Park in the State of California, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Senate amendments:

Page 1, line 5, strike out "1987" and insert "1988".

Page 3, line 4, strike out "but".

Page 4, line 12, strike out "administered" and insert "credited".

Page 4, line 12, after "with" insert "subsection 4(f) of".

Page 4, line 18, strike out "administered" and insert "credited".

Page 4, line 19, after "with" insert "subsection 4(f) of".

Page 4, strike out all after line 20, over to and including line 14, on page 6 and insert:

(e) GENERAL MANAGEMENT PLAN.—Within 2 years after establishment of the park, the Secretary shall prepare and transmit to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate a general management plan for the park. The plan shall include, but not be limited to:

(1) a description of the resources of the park including, but not limited to, maritime and associated artifacts, documents, the fol-

lowing historic vessels: the sailing ship Balclutha; the steam schooner Wapama; the steamship SS Jeremiah O'Brien; the ferry Eureka; the schooner C.A. Thayer; the tug Ellipton Hall; the tug Hercules; and the scow schooner Alma, and other real and personal property comprising the park collections such as written and illustrative material, objects, wrecks, small watercraft, and vessels;

(2) plans for the preservation of each historic vessel, including docking facilities, maintenance and ship repair facilities, and estimates for the costs thereof; a determination of the need for permanent docking facilities in a location best suited to the preservation of the historic vessels and for visitor access to the historic vessels; methods of accommodating visitors while protecting the historic vessels; and methods for providing for the proper care, exhibition, and storage of the park collections;

(3) plans for the location, preliminary design, and estimated cost of public facilities to be developed for the park, including a museum building, visitor parking, and public transit access; and

(4) plans for the interpretation of the historic vessels and park collections.

Page 7, line 8, after "donation" insert: Notwithstanding any other provision of law, the Secretary is authorized to enter into an agreement with the State of California or any political subdivision thereof under which the Secretary may improve and may use appropriated funds for the improvement of berthing facilities if the State or any political subdivision thereof makes available to the Secretary, in accordance with terms and conditions acceptable to the Secretary, lands and interests in land for the purpose of berthing the ships and providing visitor access to the historic ships.

Page 7, line 9, strike out "(d)" and insert "(d)(1)".

Page 7, after line 21, insert:

(2) ACQUISITION LIMITATION.—The Secretary shall not acquire any historic vessel pursuant to this subsection until the Secretary has notified the Committees in writing that sufficient funds have been made available to preserve and maintain those vessels listed in paragraph 3(e)(1) of this Act.

Page 8, strike out lines 10, 11, and 12, and insert:

(3) 4 members appointed for terms of 5 years from recommendations submitted by the Mayor of San Francisco with special consideration given to individuals with knowledge of museum and/or maritime issues and who represent the local fishing industry, recreational users, the business community, and neighborhood groups.

Page 8, strike out lines 20 and 21.

Page 10, line 18, after "Act" insert "but not to exceed \$200,000 for planning".

Mr. VENTO (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendments be considered as read and printed in the RECORD.

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

Mrs. VUCANOVICH. Mr. Speaker, reserving the right to object, will the gentleman from Minnesota [Mr. VENTO] explain what is involved, please?

Mr. VENTO. Mr. Speaker, will the gentlewoman yield?

Mrs. VUCANOVICH. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Speaker, in the past few years we have increasingly come to recognize the importance of this Nation's maritime heritage. The early history of this Nation is closely tied to its maritime history. The maritime industry fed us, provided us with key trading commodities, with defense, with travel routes and even with light sources.

Although there are many units of the National Park System located on its coasts, lakes, bays, and rivers, only the Salem Maritime National Historic Site in Massachusetts has specifically focused on the preservation and interpretation of our maritime heritage. At the same time, out in San Francisco, under the National Park Service's care is a unique and impressive collection of maritime vessels, as well as maritime documents and artifacts ranging from small schooners to large sailing ships. These have been part of the Golden Gate National Recreational Area.

H.R. 1044 by establishing the San Francisco Maritime National Historical Park will provide these historical resources with increased recognition, and protection. The House passed this legislation a year ago. The Senate just passed it. The Senate amended H.R. 1044 in several ways, most of them minor and technical. The date of the act has changed to "1988," and the description of the general management plan was changed slightly, a limitation on acquisition of other historic vessels unless sufficient funds are available for the preservation and maintenance of those vessels currently in the park was added and two additional members of the advisory commission, to be named by the mayor of San Francisco, were added. Finally, a cap of \$200,000 on planning for the park was specified in the authorization of appropriations. These changes are minor and helpful, and I ask that H.R. 1044, as amended by the Senate, be passed by the House.

Ms. PELOSI. Mr. Speaker, I want to express my strong support for H.R. 1044, a bill to establish the San Francisco Maritime National Historical Park.

This legislation was intended to be introduced by former Congresswoman Sala Burton last year but her early death made it impossible for her to fulfill this dream. Chairman UDALL responded by introducing H.R. 1044, and with the able leadership of Chairman VENTO, shepherded it through the legislative process. Their work has been essential to the success of this bill and I commend them both for their extraordinary efforts in support of this important legislation to preserve the historic ship collection of the National Maritime Museum.

H.R. 1044 establishes the San Francisco Maritime National Historical Park as a new unit of the National Park System. This would allow the fleet of historic ships, five of which are designated National Historic Landmarks,

to be preserved along with the museum artifacts now in the possession of the National Park Service.

These vessels have survived the ravages of the sea and now stand as monuments of our rich maritime history. It is only fitting that their contribution to California commerce and our Nation's maritime industry be so recognized.

The success of H.R. 1044 is due, in no small measure, to the significant contribution Congresswoman Sala Burton made to this endeavor. Her role will be appropriately acknowledged by designating the museum building for this collection the "Sala Burton Building." The people of San Francisco are pleased to know that this landmark will stand in her memory.

□ 1545

Mrs. VUCANOVICH. Mr. Speaker, I appreciate the explanation of the gentleman from Minnesota, and I withdraw my reservation of objection.

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

There was no objection.

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

There was no objection.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the Senate amendments to H.R. 1044, just concurred in.

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

There was no objection.

#### EXTENDING WITHDRAWAL OF CERTAIN PUBLIC LANDS IN LINCOLN COUNTY, NV

Mr. VENTO. Mr. Speaker, I ask unanimous consent that the Committee on Interior and Insular Affairs and the Committee on Armed Services be discharged from further consideration of the bill (H.R. 4799) to extend the withdrawal of certain public lands in Lincoln County, NV.

The Clerk read the title of the bill.

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

Mrs. VUCANOVICH. Reserving the right to object, Mr. Speaker, this is a bill that I have worked on and am well aware of.

I would appreciate the gentleman from Minnesota [Mr. VENTO] explaining the bill.

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

Mrs. VUCANOVICH. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Speaker, at the outset, let me give my thanks to the

gentleman from California [Mr. DELLUMS], the subcommittee chairman on the Armed Services Committee, who has a responsibility and interest in this matter and has been very cooperative as we have tried to work out an agreement on the withdrawal of the Groom Range area to meet the concerns of the Nellis Air Force Range and the Air Force.

Mr. Speaker, this bill would extend the present withdrawal of the Groom Mountain area in Lincoln County, NE.

This area of public lands adjoins the Nellis Air Force Range, which is one of the Air Force's most important areas for training and for highly sensitive activities with a direct bearing on the national defense. However, not being part of that military area, it has not been covered by the restrictions on public access or other activities applicable to the Nellis complex.

In 1981, the Air Force became concerned that public access to the Groom Mountain area presented a threat to the security of activities within the Nellis Range complex. They later acted to block public access to the Groom Mountain lands, even though they had no authority to take such steps. In 1984, Congress authorized continued closure of the Groom Mountain area through enactment of Public Law 98-485. That law provided that the withdrawal of these lands would end on December 31, 1987.

In 1986, through enactment of an Omnibus Military Lands Withdrawal Act, Congress renewed the withdrawal of the Nellis Range complex for continued military use until November 6, 2001.

Last year, as the end of the withdrawal period for the Groom Mountain area neared, the administration requested that it be extended by incorporating the area within the Nellis range complex. On December 1, 1987, the House approved this as part of H.R. 2142, which also included designation of wilderness areas in Nevada's National Forests and adjustments of land in Nevada managed by the Forest Service and the Bureau of Land Management. Because that was so close to the December 31 deadline, the House and Senate then joined in extending the Groom Mountain withdrawal until March 31 of this year. It was our hope that this would give the Senate sufficient time to complete action on the overall Nevada lands bill passed by the House.

For the same reason, the gentleman from California [Mr. DELLUMS] and I later sought and obtained approval of additional legislation that extended the Groom Mountain withdrawal until June 15.

Now, the Senate has acted on Nevada lands legislation finally. And the way is clear for the Interior Committee and the House to seek a confer-

ence to attempt to resolve the differences between the House and Senate versions of that legislation.

Meanwhile, however, the June 15 deadline for withdrawal of the Groom Mountain area is hard upon us. I believe that we should act so as to avoid any chance that the Air Force's important activities at Nellis might suffer from problems that could arise if the withdrawal of the Groom Mountain area should expire. Therefore, I have joined with the gentleman from California, Mr. DELLUMS, who chairs the Military Installations Subcommittee of the Committee on Armed Services. To introduce this separate legislation which would give the Air Force the long-term withdrawal they are seeking and which the House approved last December.

Mr. Speaker, it is my hope that we could proceed to pass this bill without delay. I expect that the Senate would act likewise, and that then we will proceed to conference with the Senate with respect to the other Nevada land matters dealt with in H.R. 2142, without further involving the Air Force.

Mrs. VUCANOVICH. Mr. Speaker, I thank the gentleman from Minnesota for his explanation. As the gentleman has well pointed out, the deadline, of course, is June 15 as far as solving the withdrawal of these lands that will benefit Nellis and, of course, the defense of our country.

I am just sorry that the Lands Exchange bill was not a part of this, but I understand the pressures that the chairman of the subcommittee feels, so I certainly am not going to object to this. I am glad to see this coming to the floor. I appreciate the gentleman from Minnesota [Mr. VENTO] and the gentleman from California [Mr. DELLUMS] dealing with this problem. It will certainly be helpful for my State.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 4799

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Section 1(b) of the Military Lands Withdrawal Act of 1986 (100 Stat. 3457) is amended by striking out the period at the end of paragraph (2) and by inserting in lieu thereof the following: "and lands comprising approximately 89,600 acres of land in Lincoln County, Nevada, as generally depicted on the map entitled 'Groom Mountain Addition to Nellis Air Force Range' dated September 1984 and filed in accordance with section 2."*

SEC. 2. CONFORMING AMENDMENT.—Section 5(b)(2) of the Military Lands Withdrawal Act of 1986 (100 Stat. 3463) is hereby amended by striking out subparagraph (B) and by striking out "(A)" after "(2)".

The bill was ordered to be engrossed and read a third time, was read the

third time, and passed, and a motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 4799, the bill just passed.

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

There was no objection.

#### AWARDING PRESIDENTIAL MEDAL OF FREEDOM TO THREE U.S. CITIZENS KILLED IN AFGHANISTAN

Mr. DYMALLY. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the concurrent resolution (H. Con. Res. 260) expressing the sense of the Congress that the President should award the Presidential Medal of Freedom to Charles E. Thornton, Lee Shapiro, and Jim Lindelof, citizens of the United States who were killed in Afghanistan and ask for its immediate consideration.

The Clerk read the title of the concurrent resolution.

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

Mrs. MORELLA. Mr. Speaker, reserving the right to object, the minority has no objection to this legislation.

Mr. Speaker, I yield to the gentleman from New Jersey [Mr. COURTER] who is the chief sponsor of House Concurrent Resolution 260, to authorize the award of the Presidential Medal of Freedom to three United States citizens killed in Afghanistan.

Mr. COURTER. Mr. Speaker, I rise today to pay tribute to three men who paid the ultimate price of freedom. These men were on the front line in what has been called a twilight struggle, which they sought to illuminate by bringing the desperate realities of the struggle for liberty in Afghanistan to the attention of the world.

Jim Lindelof. Lee Shapiro. Charles Thornton. These are the names of Americans who died in Afghanistan at the hands of Soviet troops. It is well worth remembering the circumstances of their deaths. The first American to die was Charles Thornton, a medical reporter for the Arizona Republic. On September 19, 1985, Thornton was murdered in an ambush by Soviet troops while preparing a story on volunteer doctors in Afghanistan. Two years later, on October 9, 1987, Lee Shapiro and Jim Lindelof were ambushed and murdered while making a documentary. Returning to Pakistan after 5 months of filming, they were strafed by helicopter gunships. Linde-

lof was killed instantly, but Shapiro, despite his wounds, attempted to save their film. The Soviets responded by landing their helicopters in order to shoot Shapiro several more times, ensuring his death.

Their sacrifice must not be in vain. Today, there is hope for an independent Afghanistan, free of foreign invaders, due to our persistent efforts and especially to the valiant struggle of the Afghan freedom fighters. Yet these efforts would not have had a chance for success without the increased international awareness of the Soviet invasion and its brutal war against the Afghan people. This was made possible by brave journalists who refused to be deterred by threats made by Soviet "diplomats," like Vitaly Smirnov, the Soviet Ambassador to Pakistan, who warned journalists, "do not try to enter Afghanistan with the so-called Mujaheddin any longer \* \* \* in the future, the bandits and so-called journalists will be killed."

It is fitting and proper then that these journalists, who gave their lives, should be honored for their courage and determination. On March 9 I introduced House Concurrent Resolution 260, cosponsored by the distinguished gentleman from California, Mr. MATSUI, and Arizona, Mr. STUMP, which expressed the sense of the Congress that the President should award the Presidential Medal of Freedom to Charles Thornton, Lee Shapiro, and Jim Lindelof, citizens of the United States who were killed in Afghanistan. I am pleased that this measure has received a great deal of bipartisan support from my colleagues. I believe that with passage of this legislation, we can bestow recognition upon three Americans who paid the price of freedom in Afghanistan's brutal and senseless war.

Mrs. MORELLA. Mr. Speaker, I thank the gentleman for his comments, and I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 260

Whereas the armed forces of the Soviet Union have waged a brutal war of conquest against the people of Afghanistan for 8 years;

Whereas foreign correspondents attempting to cover the war in Afghanistan have always been subject to extreme danger;

Whereas the danger to foreign correspondents became even greater in 1984 when the Soviet Ambassador to Pakistan explicitly threatened foreign journalists entering Afghanistan in the company of the Afghan resistance, known as the mujaheddin;

Whereas, on September 19, 1985, Charles E. Thornton, a medical reporter for the Ari-

zona Republic, was killed by Soviet troops while preparing a story about volunteer doctors in Afghanistan;

Whereas, on October 9, 1987, Lee Shapiro, of North Bergen, New Jersey, and Jim Lindelof, of California, were ambushed and murdered by Soviet troops while filming a documentary on the war in Afghanistan;

Whereas the statements of Abdul Malik, the Afghan interpreter and guide who accompanied Lee Shapiro and Jim Lindelof and who witnessed their deaths, demonstrate that the 2 Americans were strafed by helicopter gunships of the Soviet Union and shot by Soviet soldiers who then confiscated their equipment and film; and

Whereas Charles E. Thornton, Lee Shapiro, and Jim Lindelof displayed great courage by facing the perils of war and the lethal threat directed against correspondents and ultimately gave their lives to inform the world of the struggle for liberty taking place in Afghanistan: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring),* That it is the sense of the Congress that—

(1) the President should posthumously award the Presidential Medal of Freedom to Charles E. Thornton, Lee Shapiro, and Jim Lindelof in honor of their brave efforts to document the Afghan struggle for freedom; and

(2) the President should present the award to the families of Charles E. Thornton, Lee Shapiro, and Jim Lindelof at the White House on March 21, 1988, which the people of Afghanistan celebrate as the start of the new year and which date in 1987 was designated as Afghanistan Day in the United States.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

#### BALTIC FREEDOM DAY

Mr. DYMALLY. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service and the Committee on Foreign Affairs be discharged from further consideration of the Senate joint resolution (S.J. Res. 249) designating June 14, 1988, as "Baltic Freedom Day," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

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

Mrs. MORELLA. Reserving the right to object, Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. RITTER], who is the chief sponsor of House Joint Resolution 474, designating June 14, 1988, that is today, as "Baltic Freedom Day."

Mr. RITTER. Mr. Speaker, I am pleased to be this year's sponsor of Baltic Freedom Day, June 14, 1988. Today's passage of Senate Joint Resolution 249 in the House, demonstrates congressional resolve to recognize the continuing desire and right of the people of Lithuania, Latvia and Estonia for freedom and independence from the Soviet Union.

As a member of the Helsinki Commission and as cochairman of the Ad Hoc Committee on the Baltic States and Ukraine, I want to thank the Baltic-American communities for their continued support of freedom for the Baltic nations. Without their work and encouragement, the voices in support of the Baltic people would not be heard as loudly as they are heard in the Soviet Union and around the world.

This resolution is particularly appropriate this year in light of the positive changes taking place in the Soviet Union. It is my hope that Gorbachev's openness and restructuring campaign will be broadened and expanded to include greater autonomy and rights for the Baltic people.

The Baltic nations of Latvia, Lithuania and Estonia have individual and separate cultures, with national traditions and languages distinctively different from Russian. It is unreasonable to expect these people to abandon their hopes for self-determination. There is no reason for the United States to abandon its policy of nonrecognition of the illegal forced incorporation of the Baltic States into the Soviet Union. The Baltic people want no more than the opportunity to determine their own economic destiny while preserving their values and the distinctiveness of their culture. Such self-determination should, in no way, serve to threaten the Soviets.

A review of history shows the Baltic people have both deep roots and a resolute spirit. The Lithuanian Kingdom was established in 1251 and Lithuania enjoyed self-determination for over 500 years. Lithuanians were able to keep the hope of freedom alive during 123 years of occupation by Russians and Germans until they regained their freedom in 1918. The shores of the Baltic Sea have been home to Estonians since 2000 B.C. Free until the 13th century, Estonia as well, was not to regain its freedom until the close of World War I. And, Latvia enjoys a rich and independent heritage that dates back over 4000 years. With such deep and independent roots, we cannot, after only 43 years of Soviet rule, discount the ability of these people to regain their freedom. And, the Baltic people have not given up on themselves.

1987 and 1988 mark two historic years of Baltic activism.

I call upon the Soviets to fully guarantee the rights expressed in their constitution; doing so, will strengthen, not weaken, the Soviet Union. Our two nations can make advances toward one another, but we will not grow close as long as freedom and self-determination is denied, as long as the Helsinki accords do not remain fully implemented. I look forward to the day when the Baltic nations and peoples enjoy freedom and self-determination.

My hope is that this resolution, commemorating June 14, 1988, as Baltic Freedom Day, will hasten the coming of that day.

MARCH 1987

Latvian human rights group Helsinki 86 calls for demonstrations in Riga on June 14, to honor Baltic victims of Stalinist deportations in 1941.

JUNE 1987

Over 5,000 Latvians are joined by Estonians and Lithuanians on June 14 for flower laying ceremony at the Monument of Freedom in Riga. Soviets begin to harass demonstration leaders, forcing some to emigrate to the West.

AUGUST 1987

The Estonian Group for Full Publication of the Molotov-Ribbentrop Pact (MRP-AEG) is formed in Tallinn, and joins Lithuanians in calling for a public demonstration on August 23, the anniversary of the pact. Latvians also call for a similar rally in their capital.

Successful mass demonstrations are held in Baltic capitals on August 23: 2,000 in Vilnius, 5,000 in Tallinn and 10,000 in Riga. As a result, many Baltic activists are harassed, put under house arrest or detained by KGB.

Representatives of the Joint Baltic American National Committee JBANC and other Baltic-American groups confront Soviet spokesman during a week of debates at the Conference on US-USSR Relations in Chautauqua, NY.

OCTOBER 1987

Baltic freedom fighters Tilt Madison (Estonian), Rolands Silaraups (Latvian) and Vytautas Skuodis (Lithuanian) testify before the Commission on Security and Cooperation in Europe, Washington, DC.

3,000 Estonians gather in Voru to honor the dead from Estonia's War of Liberation (1918-1920).

NOVEMBER 1987

3,000 Estonians gather at a war cemetery in Parnu to commemorate victims of the War of Liberation.

On November 18, thousands of armed Soviet militia block off streets in Riga to prevent nationalist demonstrations. An officially sponsored anti-American rally is held by the Soviets. In Liepaja, Latvia, 800 peaceful marchers are attacked by Soviet riot police; many are hospitalized.

JANUARY 1988

The formation of the Estonian National Independence Party is announced at a press conference in Moscow. The Party will act as an opposition group to the Communist Party of Estonia.

A Latvian Communist Party member, Dr. Juris Vidins, joins the Latvian human rights group Helsinki 86 and is subsequently expelled from the Party.

FEBRUARY 1988

In Tartu, security forces with dogs and tear gas prevent Estonians from holding a rally to commemorate signing of Estonian-Soviet Russian Peace Treaty of 1920. 800 demonstrators are re-routed to an auditorium.

Estonian and Lithuanian activists call for public demonstrations to commemorate their nation's respective independence days. The Soviets begin a public campaign to halt the rallies and invite Western journalists to Tallinn to discuss "nationalities" issues at a Soviet press conference.



An estimated 100,000 Lithuanian Catholics attend church services two days prior to the anniversary of Lithuanian Independence Day, Feb. 16. On Feb. 15, Soviet authorities hold an official rally to protest President Reagan's resolution on Lithuania. On Feb. 16, 10-15 thousand Lithuanians gather for a rally in Gediminas Square in Vilnius.

Despite massive police presence between 10-15 thousand Estonians gather in Tallinn to observe Estonian Independence Day.

The Soviet Foreign Ministry accuses Voice of America (VOA) of misrepresenting nationalist sentiment in the Baltic States. VOA's Director Richard Carlson denies the charges.

Mrs. MORELLA. Further reserving the right to object, Mr. Speaker, I am a cosponsor of this very important resolution.

I associate myself with the remarks of the gentleman from Pennsylvania [Mr. RITTER] who spoke so eloquently on it.

Mr. LIPINSKI. Mr. Speaker, more than 40 years ago, the people of the independent Republics of Latvia, Lithuania, and Estonia, were overrun by invading armies of the Soviet Union with the cooperation of the Nazi regime.

On June 14, 1988, "Baltic Freedom Day," we remember that illegal action which signaled the end of freedom and liberty, and the beginning of injustice and persecution of the Baltic peoples. At the same time, we also salute the courage and determination of the Baltic peoples who continue to this day their peaceful struggle for freedom.

Just last year, the voices declaring the right to live as free men and women have grown much stronger in the Baltic States. Courageous people have risked serious punishment to protest conditions that are unacceptable. Here in the United States, meanwhile, Americans with strong ties to family and friends in the Baltic States have championed their noble cause.

Thanks to their tireless efforts, increased attention has been paid here in the United States to the serious problems that now exist in Latvia, Lithuania, and Estonia, as well as other formally independent states now under Soviet domination.

More and more Americans are now aware that the Baltic peoples do not enjoy self-government; they do not enjoy religious freedom; they do not have the opportunity to celebrate their culture. Indeed, it is remarkable how successful they have been in preserving their cultural identity despite the intense russification conducted by the Soviet Union. When the U.S. Government judges the U.S.S.R.'s record on human rights, their actions in the Baltic States must be taken into consideration.

Today, on Baltic Freedom Day, we renew our pledge never to recognize the incorporation of the Baltic States into the Soviet Union. Even more, we pay tribute to the spirit and determination of a people who will never back down in the cause of freedom. We stand with them on this important day, and will continue to do so that the men, women, and children of Latvia, Lithuania, and Estonia, can be free once again.

Mr. BROOMFIELD. Mr. Speaker, I wish to join my colleagues in supporting House Joint Resolution 474, to proclaim this day as "Baltic

Freedom Day," and to send a clear message to the Soviet Union that the United States continues to protest the occupation of the sovereign Baltic nations of Estonia, Latvia, and Lithuania.

These three Baltic nations were forcibly brought into the Soviet sphere in the early days of World War II, when, after a deal between Stalin and Hitler, Soviet troops invaded these nations and took control from their legitimate, internationally recognized governments. Over the close to five decades that the Soviet occupation has lasted, the Soviet Government has attempted to solidify its control by trying to destroy the cultural identity of these nations, and eliminate their leaders.

However, despite the best efforts of Moscow, it is clear that they have failed, and that the hope of freedom and the dream of once again regaining their independence burns deeply in the hearts of the people of these three nations.

The mass demonstrations we have seen take place in these nations recently, and the other efforts to assert their identity as Estonians, Latvians, or Lithuanians clearly show that the people continue to view themselves as living in an occupied nation.

Mr. Speaker, the United States has continued to demonstrate its opposition to the Soviet attempts to incorporate these nations into the U.S.S.R., through such resolutions as House Joint Resolution 474, and by continuing to recognize their governments in exile, and we must continue to do so. Despite the nearly five decades that have passed, we must not become callous to the Soviet conquest of the Baltic nations, and abandon the people of these countries.

As a cosponsor of this resolution, I wish to congratulate Congressman RITTER for his leadership and hard work on this issue. I also wish to urge my colleagues to vote in support of House Joint Resolution 474, and designate today as "Baltic Freedom Day."

Mr. HOYER. Mr. Speaker, today, June 14 is Baltic Freedom Day, the day on which Baltic peoples all over the world commemorate the tragic 1941 deportation, by Soviet dictator Josef Stalin, of thousands of citizens from Estonia, Latvia, and Lithuania to Siberia. Without trial, without advance notice, and for many, without the hope of returning, these people were herded onto trains and shipped off to exile and death.

Last year on this date, about 5,000 Latvians in Soviet-occupied Latvia commemorated the deportations by peacefully marching to the Monument to Freedom in the center of Riga where they laid flowers in memory of Stalin's victims. Since that time, thousands of Estonians and Lithuanians have joined with their Latvian neighbors in peaceful protests to demand the cultural and national freedoms to which they are entitled under the Helsinki accords.

In October of last year, the Helsinki Commission held hearings on the Baltic situation. We heard testimony from three former Estonian, Latvian, and Lithuanian dissidents who had recently arrived in the West after having been released from labor camp. They reported extensively on the continued violation of human rights in the Baltic States, and emphasized the continuing spirit of resistance in their

countries against the Soviet occupation, the spirit that even four decades of Soviet occupation had been unable to quell.

Nevertheless, it would be untrue to say that there have been no changes in the Baltic States under Soviet General Secretary Gorbachev. The fact that the demonstrations to which I have referred have been allowed to take place is an indication of change. The press in the Baltic States has also been able to more openly address the "blank spots" in Soviet history concerning the Stalinist era and the period of independence prior to the Soviet takeover. Even the central press in Moscow has admitted that the Baltic peoples do have legitimate grievances against immigrants who wish to live in the Baltics but refuse to learn the native language.

I am informed that there will be demonstrations today in each of the Baltic capitals, and at least in Riga, Communist Party officials have given their approval for the demonstrations to take place. We hope that these demonstrations will be allowed to take place peacefully. The police chief of Moscow was quoted recently as saying that as long as demonstrations in that city are peaceful, the police do not interfere. We hope that his counterparts in Tallinn, Riga, and Vilnius share the same counsel.

The legitimate demands of the Baltic peoples provide General Secretary Gorbachev with an excellent opportunity to demonstrate his good faith in the area of nationality relations. As Chairman of the Helsinki Commission, which is mandated by law to monitor the Helsinki accords, it is my hope that the legitimate grievances of the Baltic peoples will be heeded and remedied in Moscow. There are still Baltic political prisoners in Soviet labor camps and exile. No effective steps have been taken to stem the flow of non-Russian emigrants into the Baltics. The major blank spot in Soviet history, the text of the Molotov-Ribbentrop pact with its secret protocols, has yet to be published in the Soviet Union. And little has been done to address the growing environmental crisis caused by Moscow's exploitation of natural resources in the Baltic region.

On this Baltic Freedom Day, Mr. Speaker, I encourage Mr. Gorbachev to make full use of the opportunity to begin to alleviate the problems of the Baltic peoples.

Mr. HYDE. Mr. Speaker, in this era of glasnost, perestroika and the generally improved relations between the U.S. and the U.S.S.R., we commemorate today an anniversary that we, as standard bearers of free people everywhere, ought not forget.

To some of this generation the names Lithuania, Latvia, and Estonia strike no responsive chord. The U.S.S.R. is delighted. It has spent more than 45 years trying to erase our collective memory the fact that these Baltic republics ever existed, and if it could, it would rip references to them from every history book and map in the world.

Why?

Because in 1940, during the chaos of World War II, the Soviet Union seized these three republics and forcibly incorporated them into the U.S.S.R. Freedoms were abolished, and Soviet oppression was inflicted upon these

proud and courageous peoples. Then on June 14, 1941, the U.S.S.R. began mass deportations of hundreds of thousands of Lithuanians, Latvians, and Estonians to Siberia in an attempt to further break their national will.

These three republics, free and proud members of the League of Nations, and recognized by the world as sovereign governments, were swallowed overnight by the U.S.S.R. which continues to occupy them and deny their peoples basic rights, religious freedoms, and self-determination.

It can be said to the credit of the United States that our Government has refused to recognize their inclusion in the U.S.S.R. and continues to recognize the Baltic republics as sovereign states entitled to stand independently among the other nations of the world. And the people of the Baltic republics, likewise, have refused to let the light of hope go out as they have struggled and suffered for 40 years under Soviet domination and oppression.

The Soviet Union must know that time will not erase their shame and that the injustices of today will only recall more vividly their crimes of yesterday.

The people of the Baltic republics must know and draw strength from the fact that Americans share their desire for freedom and national independence and have resolved to keep their plight vividly before all the people of the world, including their captors.

Mr. DONALD E. "BUZ" LUKENS. Mr. Speaker, 48 years ago the free states of Lithuania, Latvia, and Estonia become subjected to the brutal and unscrupulous suppression by the Soviet Union. The Soviet occupation of these Baltic States stripped the people of their political and religious freedoms.

In recognizing Baltic Freedom Day, we sadly remember the Soviet Union's illegal annexation of the free Baltic States. Although the Baltic States have been taken physically by the Soviets, they still have in them the dreams of peace and freedom. Even under the cruelest of circumstances, the Baltic people maintain their courageous spirit for independence.

In the senseless massacre of a proud people, the Soviets have used the process of "Russification" in which Baltic culture has been taken and replaced by communist ways.

Mr. Speaker, we must all pay homage to the Baltic people who fought and died in defense of freedom against Soviet forces over 40 years ago. We must never forget this tragedy and remember that the Baltic spirit is still alive today.

Mrs. MORELLA. Mr. Speaker, today we celebrate Flag Day, the 211th anniversary of the Stars and Stripes as adopted by the Second Continental Congress at Philadelphia in 1777. We also have before us today a bill which designates June 14, 1988, as "Baltic Freedom Day".

Mr. Speaker, whereas we in America have enjoyed our freedom for over two centuries, the Baltic Republics of Lithuania, Latvia, and Estonia have been subjugated by a repressive government which illegally seized and occupied their territory in 1940. We in the United States of America take our two centuries of freedom for granted; the Baltic nations of Latvia, Estonia, and Lithuania are pleading for

their independence from the Union of Soviet Socialist Republics after 48 years of domination.

Our Government has never recognized the takeover of these lands by the Soviet Union; we recognize the right of these people to govern themselves. They are a people with a separate culture and language from the people of Russia—their national traditions differ from their captors. This Nation has always championed the rights of other countries to govern themselves.

The U.S.S.R. subjected the Baltic people to a mass deportation in 1941. Many of these people took refuge on the shores of the United States. These American citizens of Latvian, Estonian, and Lithuanian origin still yearn for freedom for those they left behind.

Mr. Speaker, I believe that the passage of this bill, Senate Joint Resolution 249, will give hope to the enslaved people of the Baltic Republics and send a clear message to Russia, in the spirit of glasnost, that the ability of people to govern themselves under political and religious freedom is far more effective than repressive foreign domination.

I hope that the flags of independent Latvia, Estonia, and Lithuania will fly high and proud, the way we fly Old Glory. Mr. Speaker, I urge all our colleagues to support Senate Joint Resolution 249 and commend the gentleman from Pennsylvania [Mr. RITTER] for his sponsorship of the House counterpart, House Joint Resolution 474.

Mrs. MORELLA. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 249

Whereas the people of the Baltic Republics of Lithuania, Latvia, and Estonia have cherished the principles of religious and political freedom and independence;

Whereas the Baltic Republics have existed as independent, sovereign nations belonging to and fully recognized by the League of Nations;

Whereas the Union of the Soviet Socialist Republics (U.S.S.R.) in collusion with Nazi Germany signed the Molotov-Ribbentrop pact which allowed the U.S.S.R. in 1940 to illegally seize and occupy the Baltic States and by force incorporated them against their national will and contrary to their desire for independence and sovereignty into the U.S.S.R.;

Whereas due to Soviet and Nazi tyranny, by the end of World War II, the Baltic nations had lost 29 per centum of their total population;

Whereas the people of the Baltic Republics have individual and separate culture, national traditions, and languages distinctively foreign to those of Russia;

Whereas the U.S.S.R. since 1940 has systematically implemented its Baltic genocide by deporting native Baltic peoples from their homelands to forced labor and concentration camps in Siberia and elsewhere, and by relocating masses of Russians to the Baltic Republics, thus threatening the Baltic Cultures with extinction through russification;

Whereas the U.S.S.R. has imposed upon the captive people of the Baltic Republics

an oppressive political system which has destroyed every vestige of democracy, civil liberties, and religious freedom;

Whereas the people of Lithuania, Latvia and Estonia find themselves today subjugated by the U.S.S.R., locked into a union they deplore, denied basic human rights, and persecuted for daring to protest;

Whereas the U.S.S.R. refuses to abide by the Helsinki accords which the U.S.S.R. voluntarily signed;

Whereas the United States stands as a champion of liberty, dedicated to the principles of national self-determination, human rights, and religious freedom, and opposed to oppression and imperialism;

Whereas the United States as a member of the United Nations has repeatedly voted with a majority of that international body to uphold the right of other countries of the world to determine their fates and be free of foreign domination;

Whereas the U.S.S.R. has steadfastly refused to return to the people of the Baltic States of Lithuania, Latvia, and Estonia the right to exist as independent republics separate and apart from the U.S.S.R. or permit a return of personal, political and religious freedoms; and

Whereas 1988 marks the forty-eighth anniversary of the United States continued policy of nonrecognition of the illegal forcible occupation of Lithuania, Latvia and Estonia by the U.S.S.R.: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That—*

(1) the Congress recognizes the continuing desire and right of the people of Lithuania, Latvia and Estonia for freedom and independence from the domination of the U.S.S.R.;

(2) the Congress deplores the refusal of the U.S.S.R. to recognize the sovereignty of the Baltic Republics and to yield to their rightful demands for independence from foreign domination and oppression;

(3) the fourteenth day of June 1988, the anniversary of the mass deportation of Baltic peoples from their homelands in 1941, be designated "Baltic Freedom Day" as a symbol of the solidarity of the American people with the aspirations of the enslaved Baltic people; and

(4) the President of the United States be authorized and requested to issue a proclamation for the observance of Baltic Freedom Day with appropriate ceremonies and activities and to submit the issue of the Baltic Republics to the United Nations so that the issue of Baltic self-determination will be brought to the attention of the United Nations General Assembly.

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

RECOGNIZING CIVILIAN CONSTRUCTION WORKERS IN DEFENSE OF WAKE ISLAND, 1941

Mr. DYMALLY. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the concurrent resolution (H. Con. Res. 301) recognizing the heroic acts of civilian construction workers who participated in the defense of Wake

Island during its invasion by Japan during December 8 through 23, 1941, and ask for its immediate consideration.

The Clerk read the title of the concurrent resolution.

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

Mrs. MORELLA. Reserving the right to object, Mr. Speaker, the chief sponsor of this resolution is the gentleman from California [Mr. PACKARD].

Mr. Speaker, the minority has no objection to this legislation, and I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the concurrent resolution as follows:

H. CON. RES. 301

Whereas following the attack on Pearl Harbor on December 7, 1941, Japanese armed forces assaulted the South Pacific islands of Wake, Guam, and Cavite on December 8, 1941;

Whereas civilian construction workers on Wake Island assisted in building a base for the defense of the Pacific under the direction of United States Naval Air Base contractors;

Whereas until they were overpowered and forced to surrender, these civilian construction workers, using meager weapons and equipment, fought alongside members of the Marines in defense of Wake Island for 16 days against continuous attacks by Japan;

Whereas a monument commemorating the heroic actions of these civilian construction workers has recently been erected on Wake Island and will be dedicated on June 15, 1988; and

Whereas these civilian workers have never been recognized by Congress for their display of patriotism against overwhelming odds; Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring),* That Congress recognizes the heroic acts of civilian construction workers who participated in the defense of Wake Island during its invasion by Japan during December 8 through 23, 1941.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

NATIONAL ADULT DAY CARE CENTER WEEK

Mr. DYMALLY. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 147) designating the week beginning on the third Sunday of September in 1988 as "National Adult Day Care Center Week," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

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

□ 1600

Mrs. MORELLA. Mr. Speaker, reserving the right to object, I think that every day should be adult day care center day.

Mr. Speaker, the minority has no objection to this joint resolution.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 147

Whereas more than 1,200 adult day care centers are in operation nationwide, providing safe and positive environments to functionally disabled adults and senior citizens who are in need of daytime assistance or supervision;

Whereas adult day care centers have comprehensive programs providing a variety of services related to health, including medical therapy, medication monitoring, counseling, and health education;

Whereas adult day care centers are operated by professional staffs which identify individual health needs and give appropriate advice;

Whereas adult day care centers assist functionally disabled adults and senior citizens in maintaining a maximum level of independence;

Whereas adult day care centers provide opportunities for social interaction to individuals who otherwise may be socially isolated; and

Whereas adult day care centers offer relief to families who otherwise must provide constant care to functionally disabled adults and senior citizens, including victims of Alzheimer's disease and other forms of dementia; Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the week beginning on the third Sunday of September in 1988 is designated as "National Adult Day Care Center Week". The President is requested to issue a proclamation calling on the people of the United States to observe such week with appropriate ceremonies and activities.

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

UNITED STATES-CANADA DAYS OF PEACE AND FRIENDSHIP

Mr. DYMALLY. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 587) designating July 2 and 3, 1988, as "United States-Canada Days of Peace and Friendship," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

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

Mrs. MORELLA. Mr. Speaker, reserving the right to object, the minority has no objection to this legislation.

Mr. BONIOR. Mr. Speaker, I am pleased today to express my support for House Joint Resolution 587, the United States-Canada Days of Peace and Friendship, which I have the privilege of sponsoring. The United States-Canada Days of Peace and Friendship were first approved by the 99th Congress and celebrated for the first time in 1987. Many communities in the United States and Canada held events to celebrate the uniqueness of the American-Canadian friendship.

This year, the United States and Canada Days of Peace and Friendship again has bipartisan support in the House. I am pleased that we were able to introduce the bill with 218 cosponsors including both Democrats and Republicans. The large number of cosponsors indicates, I think, that Americans value our Nation's friendship with Canada.

I believe that, considering the many border wars and other problems in the world today, we are very lucky to have such a stable working relationship with our longest bordering country, Canada. Few nations have learned, as we have, how to air differences and yet maintain a strong alliance. Perhaps we have had so few problems because both nations are democracies committed to peace and equality in our countries, on our continent, and in the world.

The United States and Canada share the greatest common ties of any two nations. This fact is particularly important considering the cultural diversity that both of our nations share. My commemorative recognizes the similarities between the people who settled our two countries and the cultural diversity that both countries have maintained despite the growth of their population and boundaries.

Canadians are our relatives and friends. Many Americans have relatives in Canada or can trace their ancestry back to Canada; many Canadians have American relatives or can trace their ancestry back to the United States. Certainly, with the brisk business and tourist trade between the two countries, many Americans and Canadians claim each other as friends.

Let's make official a celebration of the peace and friendship that exists between two great nations. I urge my colleagues to join me in passing House Joint Resolution 587, the United States-Canada Days of Peace and Friendship.

Mrs. MORELLA. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 587

Whereas Congress passed a joint resolution designating July 2 and 3, 1987, as "United States-Canada Days of Peace and Friendship" to symbolize the Nation's commitment to improving relations with Canada;

Whereas the Canadian Parliament passed a similar resolution commemorating the

continued peace and friendship between the United States and Canada;

Whereas although the democratic systems of government of the United States and Canada are quite different from each other, both systems embody the same ideals of freedom, democracy, human rights, and justice;

Whereas the American Bar Association, the Canadian Bar Association, and the International Rotary are joining with universities in 5 States and 5 Canadian Provinces in a United States-Canada Days of Peace and Friendship project to provide outstanding high school and college students from the United States and Canada with an opportunity to study the constitutions and systems of law and government of the United States and Canada;

Whereas many other international educational projects are also associated with United States-Canada Days of Peace and Friendship;

Whereas the Premier of each of the 10 Canadian Provinces, the Governor of each State that borders Canada, and leaders of education, industry, culture, and other branches of government in the United States and Canada have become honorary sponsors of United States-Canada Days of Peace and Friendship; and

Whereas Congress is deeply interested in the governmental, military, and cultural relations of the United States and Canada: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That July 2 and 3, 1988, are designated as "United States-Canada Days of Peace and Friendship", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such days with appropriate programs, ceremonies, and activities.*

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### POLISH AMERICAN HERITAGE MONTH

Mr. DYMALLY. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 475) to designate October 1988 as "Polish American Heritage Month," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

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

Mrs. MORELLA. Mr. Speaker, reserving the right to object, the minority has no objection to this legislation.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the joint resolution, as follows:

#### H.J. RES. 475

Whereas the first Polish immigrants to North America were among the settlers of Jamestown, Virginia, in the 17th century;

Whereas Kazimierz Pulaski, Tadeusz Kosciuszko, and other Poles came to the British colonies in America to fight in the Revolutionary War and to risk their lives and fortunes for the creation of the United States;

Whereas Poles and Americans of Polish descent have distinguished themselves by contributing to the development of arts, sciences, government, military service, athletics, and education in the United States;

Whereas the Polish Constitution of May 3, 1791, was directly modeled on the Constitution of the United States, is recognized as the second written constitution in history, and is revered by Poles and Americans of Polish descent;

Whereas Americans of Polish descent and Americans sympathetic to the struggle of the Polish people to regain their freedom remain committed to a free and independent Polish nation;

Whereas Poles and Americans of Polish descent take great pride in and honor the achievements of the greatest son of Poland, His Holiness Pope John Paul II;

Whereas Poles and Americans of Polish descent take great pride in and honor the achievements of Nobel Peace Prize laureate Lech Walesa, the founder of the Solidarity Labor Federation;

Whereas the Solidarity Labor Federation was founded in August 1980 and is continuing its struggle against oppression by the Government of Poland; and

Whereas the Polish American Congress is observing its 44th anniversary this year and is celebrating October 1988 as Polish American Heritage Month; Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That October 1988 is designated as "Polish American Heritage Month", and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States to observe the month with appropriate ceremonies and activities.*

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. DYMALLY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on joint and concurrent resolutions just passed and agreed to.

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

There was no objection.

#### COMMUNICATIONS FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, DC,  
June 13, 1988.

Hon. JIM WRIGHT,  
The Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House at 3:10 p.m. on Monday, June 13, 1988 and said to contain a message from the President whereby he transmits the Agreement between the U.S.A. and the Portuguese Republic on Social Security and a report that explains the provisions of the Agreement and provides other information.

With great respect, I am,

Sincerely yours,

DONALD K. ANDERSON,  
Clerk, House of Representatives.

#### UNITED STATES-PORTUGAL AGREEMENT ON SOCIAL SECURITY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 100-206)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Ways and Means, and ordered to be printed:

(For message, see proceedings of the Senate of Monday, June 13, 1988, at page S 7664.)

#### TRIBUTE TO DR. DAISAKU IKEDA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DYMALLY] is recognized for 5 minutes.

Mr. DYMALLY. Mr. Speaker, I call to the attention of my colleagues, a man known the world over for his relentless pursuit of peace, harmony, and understanding between people and the nations of the world.

Dr. Daisaku Ikeda, president of the 17 million member Soka Gakkai International, has devoted his life to the teachings of Nichiren Soshu and the promotion of youth participation in achieving peace throughout the world. I would like to pay tribute to Dr. Ikeda today on the occasion of being awarded the first Congressional Peace Through Youth International Award from the 31st District Congressional Advisory Commission.

This is a fitting honor to a man whose life has been completely devoted to youth and world peace through the activities of Soka Gakkai—whose motto is to promote peace, culture and education, based on Buddhism and activities to support and strengthen the functions of the United Nations on a global scale.

Dr. Ikeda was born on January 2, 1928 in Japan. In 1947, he became a member of the Nichiren Shoshu Bud-

dhist religion and began studying under the direction of Josei Toda, the Soka Gakkai lay organization's second president. In 1948 he graduated from the Toyo Business School and entered the Taisei Institute where he studied economics.

The 1960's proved to be a time of blossoming productivity for Dr. Ikeda. In 1960, he was inaugurated as the President of the Soka Gakkai lay organization. He held this position for 20 years, providing the leadership for the movement as it grew from fewer than 1 million, to its present total of 8.5 million households.

In January 1962, Dr. Ikeda founded the Institute of Oriental Philosophy. This was just the beginning of an illustrious career of laying the groundwork and eventually establishing institutions which are critical components in Japanese society today.

His commitment to youth education and participation in society is evident in his unprecedented record of starting seven institutions of learning: Tokyo Soka Gakuen Junior and Senior High School; Soka University; Kansai Soka Gakuen Junior and Senior High School; Sapporo Soka Elementary School; Kansai Soka Elementary School; and the Soka Women's Junior College.

Dr. Ikeda's interest in fostering understanding and a sense of history to the youth of today has proven to be a tireless effort, and his creation of the Fuji Art Museum in May 1973, and the Tokyo Fuji Art Museum in November 1983, are just additional measures which demonstrate his commitment to maintaining the generational links in society. In October of 1963, Dr. Ikeda founded the Min-On Concert Association. The following year, he founded Komeito, which is currently Japan's third largest political party.

A prominent author in Japan with numerous publications, Dr. Ikeda is the recipient of honorary doctorate degrees from Moscow University (May 1975), University of Sofia, Bulgaria (May 1981) and Soka University (November 1983). He holds honorary professorships at National University of San Marcos, Lima; Beijing University; Fudan University and the University of Santo Domingo. His dialogue with the late, renowned world historian, Arnold Toynbee produced for joint publication entitled: "Toynbee-Ikeda Dialogue", published by Oxford University Press. He has authored over forty books and numerous essays and shorter works.

The awarding of the Thirty-first District Congressional Peace Through Youth International Award is just the latest recognition of his dedication to international peace and harmony. In August of 1981, he was awarded the United Nations Peace award; in December 1981, the Poet Laureate; in February, 1984, the Order of the Sun

of Peru with Grand Cross; in September, 1986, the Kenya Oral Literature Association Award; in February 1986, China's Peace and Friendship Cup; in February 1987, the Order of Vasco Nunes de Balboa, Panama; and the G. Ramachandran Award for International Understanding.

With all of the war and conflict in the world today, it is an honor to recognize the work and life achievements of someone so dedicated and committed to peace and harmony. This effort becomes particularly attractive when the endeavor incorporates the youth of the world. Dr. Ikeda has demonstrated that his efforts toward the education of the youth of the world is a life long endeavor. For his relentless struggle toward the finer aspects of human existence, Dr. Ikeda should be an inspiration to us all.

I call on my colleagues to join me in recognizing the activities of this dedicated and committed human being who has shown throughout his life that peace, harmony and understanding are achievable in this world, and the youth of our world are not to be excluded in the pursuit of that goal.

#### TRIBUTE TO ADM. JAMES WATKINS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts [Mr. FRANK] is recognized for 5 minutes.

Mr. FRANK. Mr. Speaker, I want to pay tribute today to Adm. James Watkins who was appointed by President Reagan to head the Commission on AIDS. When President Reagan first appointed this Commission there was among a lot of people, myself included, a great deal of skepticism, and the early days of the Commission seemed to many of us to justify that skepticism.

Under somewhat adverse circumstances, Admiral Watkins took the chairmanship of that Commission. Admiral Watkins has given great service to his country already in his naval career, but he still took over this chairmanship and has turned in what I believe to be one of the most impressive performances we have seen from a public official acting in a position of great pressure.

Mr. Speaker, AIDS is a subject on which because there is so much understandable fear that a lot of nonsense gets spoken, much of it here. People have out of their understandable fear acted in ways that are not sensible.

The public health community, the medical profession, the nursing profession, have all generally argued for a reasonable and sensible and thoughtful approach to AIDS but there are people inside and outside this body who have not been willing to follow the lead of the public health officials

who have in fact, whatever their motives, exaggerated the fears of people and argued and proposed things that would have made things worse.

Mr. Speaker, into that set of conflicting pressures stepped Admiral Watkins.

Mr. Speaker, he recently put out the second part of his report. It is a document with which I suspect no Member of this House agrees entirely, but which on the whole I regard as one of the most thoughtful, sensible, and courageous public documents that has been put forward.

I want to pay tribute to Admiral Watkins. He did not need, with that distinguished military career behind him, to step into this very difficult situation. People tend to be remembered for the last controversial thing that they did. In Admiral Watkins' case he put potentially in jeopardy his very distinguished reputation by getting into a situation of great controversy. Not everyone would have done that. Not only did he apparently not worry at all about that, and being a man of considerable commitment to public service, but he proceeded to become expert, well informed, and courageous not just in accepting the job but in carrying it out.

□ 1615

His most recent recommendations, for instance, begin with a recommendation that we enact policies at the Federal level as we have begun to do in some areas over the objections of some to protect people who are infected with the AIDS virus from discrimination as a matter of public health. Admiral Watkins made the point that we have heard from others in the public health field that protecting people against unfair discrimination—and no one is suggesting that anyone put himself at any significant risk by exposure to this terrible illness—but when consistent with medical knowledge, does not present the risk, and that is the case for most of these people most of the time.

Admiral Watkins said they ought not to be vulnerable to discrimination based on a lack of knowledge, based on prejudice, based in some cases on an ignorance that is almost malign, because he said if one does that, one discourages people from coming forward, from participating in the kinds of experimentation we need and participating in the studies. Again, that is a point public health people have been making for some time, and Admiral Watkins coming from his military background, coming to it with no preconceptions, coming to it with a somewhat conservative reputation, appointed by Ronald Reagan, and when he said this, he gives a point about anti-discrimination that it had not had. He joins others in the administration in

taking a courageous position on how to deal with AIDS in a sensible and humane way.

These other people like him have been exposed to some unfair and uninformed criticism, and I am talking about Dr. Koop, the Surgeon General, Constance Horner, the head of the Office of Personnel Management, who promulgated for the Federal Government a nondiscriminatory policy, a model that others ought to follow.

When Admiral Watkins, Dr. Koop, Constance Horner, three Reagan appointees with primary jurisdictions in these areas for personnel policy, for public health, specifically for AIDS, when they endorse these policies of nondiscrimination, when they talk about the importance of confidentiality not simply as a matter of someone's rights but as a matter of good public health, I hope it will be noted within this body that the rest of the Commission on AIDS—and the indications are that this will happen—will follow the lead that Admiral Watkins has given. He has given this country the lead many times before. He has very notably done so most recently.

#### BALTIC STATES FREEDOM DAY

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, June 14 is the 48th anniversary of the illegal Soviet occupation of Latvia, Estonia, and Lithuania. In 1940, these three Baltic States were overrun and forced into annexation by the Communists, who were committed to the systematic destruction of these nations.

Since 1940, Soviet historians have been persistent in their attempts to rewrite history to prove that these three nations voluntarily accepted Communist rule. However, in truth, many brave men, women, and children of Latvia, Estonia, and Lithuania risked their lives in their fight against this Soviet domination, and they continue in their efforts today to preserve their own national, cultural, and religious heritage.

June 14 marked the sad beginning of years of terror and massive deportation of the Baltic peoples at the hands of the Communists. First the intellectuals and political activists were executed, and then, the peasants and others whose only desire was to live in peace, were uprooted from their native lands and driven savagely to Siberian labor camps. Many perished of starvation, disease, and exposure. The Soviets imposed harsh restrictions on the religious practices, customs, and use of native languages on the remaining citizens.

Although the Nazi invasion interrupted these russification efforts, when the Communists regained control in 1944, they reoccupied the Baltic States, and the deportations continued. Almost 10 percent of the Baltic population was deported between 1948 and 1949.

The United States has never recognized this illegal annexation of the Baltic States by

the Soviet Union, and I was privileged to add my name as a cosponsor to House Joint Resolution 474, a bill to designate June 14, 1988, as "Baltic Freedom Day," to recognize the cherished principles of religious and political freedom held by the brave peoples of Latvia, Estonia, and Lithuania. A copy of this legislation follows:

#### H.J. Res. 474

Whereas the people of the Baltic Republics of Lithuania, Latvia, and Estonia have cherished the principles of religious and political freedom and independence;

Whereas the Baltic Republics have existed as independent, sovereign nations belonging to and fully recognized by the League of Nations;

Whereas the Union of the Soviet Socialist Republics (U.S.S.R.) in collusion with Nazi Germany signed the Molotov-Ribbentrop Pact, which allowed the U.S.S.R. in 1940 to illegally seize and occupy the Baltic States, and by force incorporated them against their national will and contrary to their desire for independence and sovereignty into the U.S.S.R.;

Whereas, due to Soviet and Nazi tyranny, by the end of World War II, the Baltic nations had lost 20 per centum of their total population;

Whereas the people of the Baltic Republics have individual and separate culture, national traditions, and languages distinctively foreign to those of Russia;

Whereas the U.S.S.R., since 1940, has systematically implemented its Baltic genocide by deporting native Baltic peoples from their homelands to forced labor and concentration camps in Siberia and elsewhere, and by relocating masses of Russians to the Baltic Republics, thus threatening the Baltic cultures with extinction through russification;

Whereas the U.S.S.R. has imposed upon the captive people of the Baltic Republics an oppressive political system which has destroyed every vestige of democracy, civil liberties, and religious freedom;

Whereas the people of Lithuania, Latvia, and Estonia find themselves today subjugated by the U.S.S.R., locked into a union they deplore, denied basic human rights, and persecuted for daring to protest;

Whereas the U.S.S.R. refused to abide by the Helsinki accords, which the U.S.S.R. voluntarily signed;

Whereas the United States stands as a champion of liberty, dedicated to the principles of national self-determination, human rights, and religious freedom, and opposed to oppression and imperialism;

Whereas the United States, as a member of the United Nations, has repeatedly voted with a majority of that international body to uphold the right of other countries of the world to determine their fates and be free of foreign domination;

Whereas the U.S.S.R. has steadfastly refused to return to the people of the Baltic States of Lithuania, Latvia, and Estonia the right to exist as independent republics separate and apart from the U.S.S.R. or permit a return of personal, political, and religious freedoms; and

Whereas 1988 marks the forty-eighth anniversary of the United States continued policy of nonrecognition of the illegal forcible occupation of Lithuania, Latvia, and Estonia by the U.S.S.R.; Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That—*

(1) the Congress recognizes the continuing desire and right of the people of Lithuania, Latvia, and Estonia for freedom and independence from the domination of the U.S.S.R.;

(2) the Congress deplores the refusal of the U.S.S.R. to recognize the sovereignty of the Baltic Republics and to yield to their rightful demands for independence from foreign domination and oppression;

(3) the fourteenth day of June 1988, the anniversary of the mass deportation of Baltic peoples from their homelands in 1941, is designated "Baltic Freedom Day" as a symbol of the solidarity of the American people with the aspirations of the enslaved Baltic people; and

(4) the President of the United States is authorized and requested to issue a proclamation for the observance of Baltic Freedom Day with appropriate ceremonies and activities and to submit the issue of the Baltic Republics to the United Nations so that the issue of Baltic self-determination will be brought to the attention of the United Nations General Assembly.

Today, the Baltic citizens struggle within the Soviet Union to obtain their basic freedoms, and we in Congress must continue to demonstrate support for the people of Latvia, Estonia, and Lithuania in their efforts to achieve self-determination. Before President Reagan met with General Secretary Gorbachev in their recent Moscow summit meeting, I was proud to join with a number of my colleagues in the House of Representatives signing a letter to the President to urge him to include a group of Baltic Americans in his Moscow delegation and to meet privately with a group of prominent Baltic religious and human rights activists during his visit to the Soviet Union. A copy of that letter follows:

MAY 17, 1988.

President RONALD REAGAN,  
*The White House, 1600 Pennsylvania Avenue, Washington, DC.*

DEAR PRESIDENT REAGAN: We, the undersigned Members of the United States House of Representatives, strongly urge you to include a group of Baltic Americans in your Moscow delegation and to meet privately with a group of leading Baltic religious and human rights activists during your visit to the Soviet Union.

We encourage you to meet with the following Estonians, Latvians and Lithuanians during your trip to Moscow:

Estonians: Mati Kiirend, Eve Parnaste, Juri Mikk, Lagle Parek, Endel Ratas, Kalju Matik, Erik Udam.

Latvians: Dr. Juris Vidins, Rev. Juris Rubenis, Rev. Modris Plate, Ivars Zulovskis.

Lithuanians: Nijole Sadunaite, Vytautas Bogusis, Father Jonas Kastytis Matulionis, Antanas Terleckas, Mr. Petras Cidzikas, Bishop Julijonas Steponavicius, Mrs. Jadvyga Bieliauskiene.

A personal meeting with these Baltic activists would provide them, the leaders of the broadly-based religious and human right movement in the Baltic States, with a strong base of moral support.

A private meeting between the President of the United States and Baltic dissidents would serve as an unmistakable reaffirmation of the United States' stand regarding the Soviet-occupied Baltic States. It would also provide you with a clear insight into the situation within the Baltic States, which, due to our non-recognition policy,

maintain a distinctive position in the United States' relationship with the Soviet Union.

Mr. Speaker, on this occasion of the 48th anniversary of Baltic Freedom Day, I am proud to join with Americans of Latvian, Estonian, and Lithuanian descent in the 11th Congressional District of Illinois which I am honored to represent, and all over this Nation, as we commemorate the sad fate and memory of the victims of communist persecution. We hope and pray that the independent governments of Latvia, Estonia, and Lithuania will one day be restored so that these three nations will once again be able to determine the course of their own destinies in their own free homeland.

#### PERSONAL EXPLANATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. MACKAY] is recognized for 5 minutes.

Mr. MACKAY. Mr. Speaker, due to a previous commitment I missed several votes. Had I been able to vote, I would have voted for the Crane amendment to H.R. 4775.

I appreciate having this opportunity to state my position on this measure.

#### TRIBUTE TO FRANK DROZAK

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, over the weekend, the U.S. merchant marine—actually the U.S. maritime industry—lost one of its own, one of its staunchest supporters, one of its strongest leaders, Frank Drozak, president of the Seafarers International Union and president of the AFL-CIO's maritime trades department.

This is truly a sad period for the SIU and for the entire maritime industry. I have also lost a dear friend.

Mr. Drozak was a true union leader. A union official who has labored his entire life with only one goal—the welfare and benefit of his fellow deep water seamen.

But, Mr. Drozak's leadership and support of labor unions extended beyond the SIU. He was an ardent supporter of all unions and all workers. He fought for the working man, regardless of the issue.

Like all great union leaders, Mr. Drozak started at the bottom, learned his trade, rose through the ranks to eventually attain the highest office within the union.

A native of Coy, AL, Mr. Drozak left his home town at the age of 16 and went to Mobile where he obtained his first job in a local shipyard.

Helping to build ships obviously instilled the lure of sea in Mr. Drozak. During World War II, he served his country in the U.S. merchant marine, shipping in many capacities on deck. At the height of his seagoing career, he acquired his bo'sun license, the top

unlicensed rating on a merchant vessel.

At the close of war, the Seafarers International Union prevailed upon the young Frank Drozak to come ashore to channel his energies as an organizer in the port of Mobile.

His hard work and success as an organizer was quickly recognized and Mr. Drozak moved up through the ranks rapidly from organizer to port agent in Philadelphia in 1964.

I remember the first time I met Frank Drozak—together with his late brother Paul—an identical twin—when they were brought into the international office circle by Paul Hall, to help in the continuing battle to stem the erosion of the maritime base of this country. The two of them made such an imposing picture as they assumed their roles to help in that battle.

He also represented the union on the west coast, with San Francisco serving as his base and where he was elected as a vice president of the international union in 1965.

During that period of time, Mr. Drozak insured the proper crewing of U.S. vessels which served as the important material pipeline between the United States and troops fighting in Vietnam.

In 1972, Mr. Drozak shifted to the SIU's headquarters, where he became vice president in charge of contracts.

He served in that capacity until 1980, when he succeeded the late Paul Hall, his long-time friend and confidant, as president of the Seafarers International Union and as president of Maritime Trades Department, AFL-CIO. The MTD embraces 43 unions and 8 million members which are linked directly and indirectly to the ports and ships of this great Nation.

In late 1981, Frank Drozak was elected to the AFL-CIO executive council, where he served as vice-president.

As I mentioned, Frank Drozak was a tireless worker on behalf of union activities. He also understood and fought in behalf of the Nation's industrial base. He was concerned about its erosion, about its transfer overseas—particularly at a time when the maritime fleet was declining—no ships, no manufacturing was his worry.

In addition to his direct union responsibilities, he actively participated through his membership on these committees:

Public Advisory Committee on the Law of the Sea, Labor Subcommittee Chairman.

New York State Coastal Management Citizens Advisory Committee.

AFL-CIO Ad Hoc Maritime Committee.

Board of Governors, National Maritime Council.

United Way of Tri-State-New York.

National Coordinating Committee on Multiemployer Plans.

Private Sector Advisory Committee to the United States Trade Representative.

Union Label and Service Trades Department of the State of New York.

ILA Joint Maritime Council.

Labor Advisory Committee for Trade Negotiations and Trade Policy, Service Subcommittee Chairman.

Honorary Chairman, American Trade Union Council for Histadrut.

Board of Trustees, Human Resources Development Institute.

National Board of the A. Philip Randolph Institute.

Services Policy Advisory Committee (SPAC), Office of the United States Trade Representatives.

American Income Life Insurance Company, Member, Labor Advisory Board.

Member, AFL-CIO Executive Council Ad Hoc Committee on Legislative Priorities.

Member, AFL-CIO Standard Committee on Economic Policy.

Member, AFL-CIO Standing Committee on International Affairs.

Member, AFL-CIO Standing Committee on Organization and Field Services.

Member of the Board, Free Trade Union Institute.

I might note, Mr. Speaker, that the Seafarers Union have had as its policy for decades—help for all labor unions, in their battles with the hope that those unions in turn would support the embattled maritime industry. The SIU has always endeavored to broaden the base and Frank Drozak worked continuously at it.

Mr. Speaker, as the record clearly and graphically illustrates Frank Drozak was a caring man—a man who dedicated himself to helping to improve the life of America's working men and women.

Just as he fought for so long for this industry, he fought for 1 year with the same determination to defeat the cancer that was overtaking him. He lost the earthly battle in the end, but he now rests with the Lord.

I want to extend my personal condolences to his wife, Marianne Rogers Drozak, of Alexandria; his daughter, Sarah Frankie Bell, of Winston-Salem, NC, and to the other members of his family.

I also want to extend my condolences to all of the members of the Seafarers International Union on the passing of their president.

□ 1625

Mr. GAYDOS. Mr. Speaker, will the gentlewoman yield?

Mrs. BENTLEY. I am happy to yield to the gentleman from Pennsylvania.

Mr. GAYDOS. Mr. Speaker, I thank the gentlewoman from Maryland for yielding and wish to commend her for having the foresight and the persist-

ence to take these special orders. I know there are an awful lot of Members who will make their prepared remarks a part of the official RECORD, but this came so suddenly that I know a lot of them could not be here. Therefore, I am going to make my prepared remarks a part of the RECORD at this point and then proceed to make some personal observations.

Mr. Speaker, when I first met Frank Drozak he was president of the Seafarers Union, and I have my colleague here from Pennsylvania with me today, Mr. JOHN MURTHA, a member of the Steel Caucus, and the gentlewoman in the well herself has been a very, very valuable member of the Steel Caucus, as well as myself, and in this official capacity I was exposed to his magnetism and his sincere desire to want to work with the Steel Caucus as a group and to help in our problem and to help his problem. The gentlewoman from Maryland in her prepared remarks I think very properly pointed out that Frank Drozak was the moving element when it came to recognizing the fact on a projected plane that the Seafarers were in trouble in this country and the Merchant Marine was in trouble, serious trouble. He very unselfishly said you need our help, the Seafarers International, and you have it, and for want of a better descriptive term, he put his muscle where his mouth was.

Frank Drozak did not hesitate to make available to us statistics gathered through a lot of effort and work and cost to the Seafarers Union and he made them available to us in the Steel Caucus, which we incorporated into the materials and the items that we had researched. We did use the Seafarers because they had power and they had influence, and they had position, and at every turn he was there to help us. For that I will always be eternally grateful to him as an individual.

Then he even carried it further than that. He would make no excuse when we had a hearing, when we asked him to appear before the Steel Caucus he was there, and he was there with significant statistics, and he was there himself, personally, with his staff, and he was there to open himself up to unlimited interrogation, and he helped us immeasurably on so many occasions. I do not think it would be gilding the lily, nor would I be making an improper statement if I said that in an immeasurable part what we have accomplished over the last 12 to 15 years in the Steel Caucus, in a large, measurable part can be sincerely attributable to Mr. Drozak in his leadership position, and also the International Union that he led so capably.

So I feel the Steel Caucus has suffered a great loss today. I am going to miss him personally, and I am going to miss what he stood for. I am going to miss sincerely the assistance he gave

us, and I very reluctantly conclude at this time that we are probably going to suffer as far as our accomplishments in the future with the Steel Caucus, at least for a while, because we do not have our good friend, Frank Drozak there to call upon, to help us in our hour of need.

So at this time I would, probably very clumsily, like to spread upon the record on behalf of the Steel Caucus, thanks, Frank, for what you have done for us. I hope your successor is just half as sensitive to our needs, and the record speaks for itself. He was a gentleman, a dedicated leader, and he was an absolute assist and a helper, and I almost considered him a member of the Steel Caucus.

So in concluding, I am sure that the gentlewoman from Maryland, who has done so much work with the Steel Caucus, shares my sincere feelings for Frank Drozak, that man of all men, and such a dedicated man, he has helped us in so many places that my heart is very heavy in this particular day under these circumstances. I had the pleasure yesterday to extend my condolences to his widow and to his family.

I would like to thank the gentlelady from Maryland for yielding.

Mr. Speaker, I join my colleagues today in paying tribute to the late Frank Drozak, president of the Seafarers International Union.

When Frank Drozak started his lifelong career in the American maritime industry, he was only 16. At that young age he took a shipyard job at the port of Mobile, AL.

Soon afterward he served the Nation in the merchant marine during the Second World War. When the war ended, he returned to Mobile and earned a position on the staff of the Seafarers Union.

For the rest of his life, Frank worked for the Seafarers and moved through the ranks. In 1980, he received the highest post in that organization when he became president.

While president, he was also a member of the AFL-CIO's executive council, and president of the AFL-CIO's Maritime Trades Department.

As head of the Maritime Trades Department, he had responsibility for managing 43 national and international unions with a combined membership of 8.5 million workers.

These millions of workers could not have had a more able spokesman. Frank used his broad knowledge of trade and maritime issues to work effectively for the interests of men and women working in the shipping industry.

Frank has also been concerned for years about the decline of our maritime industry and the threat of this decline to our national defense.

When the President's Commission on Merchant Marine and Defense issued its ominous report on the dangerously inadequate state of our sealift capacity, Frank made the issue a personal crusade and contacted Members of Congress.

Frank also worked to save the jobs of our Seafarers. Right now, only half of our 14,000

active seamen trained in deep sea shipping are employed.

Unemployment has deeply wounded our sailing labor pool and unfair foreign shipping competition and restrictions have hurt their employers.

In spite of these challenges, Frank Drozak never gave up. He fought for both the jobs of American sailors and the vitality of our shipping industry.

We will all miss Frank's friendly manner, his outstanding leadership, and his ability to run one of this Nation's most important unions.

His successor will have a tough job ahead. The maritime industry will face more rough waters before we are able to even out the trade balance and rebuild out shipping strength.

But, the job will be far easier because of the outstanding work Frank Drozak has done.

I join Frank's family and friends in both mourning his death and celebrating his life. Frank Drozak was a leader, friend, and great American, and I am very glad I had the opportunity to know him.

Mr. GEJDENSON. Mr. Speaker, will the gentlewoman yield?

Mrs. BENTLEY. I am happy to yield to the gentleman from Connecticut.

Mr. GEJDENSON. Mr. Speaker, I would just like to join my two colleagues and friends here on the floor in commending especially the gentlewoman from Maryland for taking this time for someone who has been a good friend to many of us here, who has fought for the people within his union and the interests of this Nation, and in maintaining our maritime abilities, and I would just take this one moment to express my condolences to his wife and family.

Mrs. BENTLEY. I am sure they will appreciate it, and I thank the gentleman from Connecticut for participating.

Mr. GONZALEZ. Mr. Speaker, will the gentlewoman yield?

Mrs. BENTLEY. I am happy to yield to the gentleman from Texas.

Mr. GONZALEZ. Mr. Speaker, I thank the distinguished gentlewoman from Maryland for yielding, and also thank her for this special order in which we are memorializing indeed a real leader and one who, strangely enough, since I have no ocean or port or any kind of marine activity, I got to know very well, because studying my voting record they discovered that I had a consistent pattern of support for those aims and objectives of not only his Seafarers Union but the related activities. So on getting to know him I used to kid him by saying I have an ulterior purpose, Mr. Drozak. It has been my hope and my desire and my intention to try to bring naval activity to the San Antonio River in San Antonio, TX, which, of course, as my colleagues may know, San Antonio is completely landlocked.

So I was really very much saddened to hear of his passing I believe yester-



day, and wish to join the gentlewoman from Maryland in expressing my condolences and sincere regrets, and wishing some surcease from sorrow for the relatives.

Mrs. BENTLEY. I am sure his family will appreciate that from the gentleman from Texas.

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

#### GENERAL LEAVE

Mrs. BENTLEY. 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. HOCHBRUECKNER). Is there objection to the request of the gentlewoman from Maryland?

There was no objection.

#### NATIONAL APPLIANCE ENERGY CONSERVATION AMENDMENT ACT OF 1988

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut [Mr. GEJDENSON] is recognized for 30 minutes.

Mr. GEJDENSON. Mr. Speaker, I rise today to encourage the President to sign the National Appliance Energy Conservation Amendment Act of 1988, passed by this House yesterday. This bill will add fluorescent light ballasts to the list of products covered by the Appliance Energy Conservation Act passed by the Congress last year and signed into law by the President. With the addition of ballasts, these ballasts alone, which are more energy efficient than the existing ballasts, will provide a savings to consumers over the next dozen years of \$11 billion and save as much as \$35 billion in construction costs of new facilities to generate the electricity that would have been needed had we not passed this law and if the President signs it into law.

One of our hopes is that the President will sign the law, and I hope that Members and the people in this country will contact the President, write to the President, and ask him to sign this piece of legislation. It is a small step to regain an energy policy for this Nation.

In 1973 the Arab oil embargo, the long gas lines and the skyrocketing prices of home heating oil, petroleum, and electricity shocked this Nation into action. In 1979, the Government of the United States spent close to \$1 billion in support of new energy programs. Today we find ourselves a nation adrift when it comes to new energy legislation.

The 1980's have brought us a temporary oil glut. Prices have become depressed, dropping to \$10, \$12, or \$15 a barrel, and the Federal Government

has more than cut in half its commitment to energy conservation. This administration and this country need to take the advantage of depressed oil prices at a time when there is a glut on the international oil market to move forward with a new energy policy that combines energy efficiency and new technology to make this Nation less dependent on foreign and unstable sources of energy.

Becoming energy self-sufficient is something that will give us a greater defense than some of the commitments we have made to star wars and other defense systems that are not serving this Nation like the B-1 bomber today and the MX missile. The pennies that we spend on energy independence will make this Nation strong and make us capable of economic greatness for future generations.

In 1973 the United States imported 6.2 million barrels per day. We have imported 40 trillion barrels of oil since 1973, and once again are on the increase, importing close to 7 million barrels per day. The days of \$17 a barrel oil are numbered, and to ensure energy stability and security we must reduce that dependence on foreign oil. Alternative energy sources, which not only make us more independent, but help us with environmental impacts of acid rain, of the greenhouse effect and which give our industries an opportunity to be more competitive, must be pursued, for a nation that is dependent on expensive petroleum and expensive energy is a nation that will find it difficult to export, difficult to compete in an international marketplace where other countries can produce the same product for roughly half of the amount of energy. We need to look at ethanol from corn and grain. We need to look at natural gas and methanol, which are cleaner burning, and we need to look at solar, wind, and geothermal, and when we look at energy conservation we find they are the cleanest and often the cheapest methods of saving energy and of keeping our environment clean and making American industry economically competitive.

One of the greatest damages to our economy during the increase in energy prices of the 1970's was not only that it depleted us of many of our resources by sending these to the oil exporting nations, but as individual families we had to shift our spending from buying the kinds of consumer items that kept this economy rolling and deprived Americans of the steam, the engine for this economy. What happened was instead of buying American made automobiles or other products made in this country, we took those dollars and we sent them to Saudi Arabia and other exporting nations. It slowed down the economy in this country, it

hurt our Nation, and we ought not let ourselves get in that situation again.

Fluorescent ballasts and the efficiency they bring will save consumers, as I said earlier, \$11 billion in the next dozen years. It will reduce peak demand by 7,000 megawatts by the year 2000, reducing the need for 7 new generating plants, 1,000-megawatt generating plants, with a potential savings of \$35 billion, and the associated rate shock to consumers who are suddenly confronted with a \$4 billion or \$5 billion increase in their rate base, and find that their weekly wages simply go less far to buy the consumer goods that they need.

The Appliance Efficiency Standards Act which we passed last year will save consumers \$28 billion by the year 2000 and eliminate the need for 22 1,000-megawatt plants. Assuming a plant would cost between \$4 billion and \$5 billion a year, this could save American consumers as much as \$110 billion in avoided construction costs, not to mention the interest on that construction.

□ 1640

We have looked at issues like international competitiveness, and not only is this a message for industry in this country that manufactures the normal kind of industrial goods, but in many consumer appliances the efficiency standards will give American manufacturers an opportunity to compete. Today many of Japan's refrigerators are as much as twice as efficient as American refrigerators. That efficiency, if the price of electricity was suddenly to skyrocket again, would give them an advantage in the marketplace.

With this new ballast legislation it would put American manufacturers in the forefront of energy efficient ballast for fluorescent lights and will save American consumers a significant amount of money.

But it is more than money we talk about; the reduction of nuclear waste, the waste from coal and oil fired plants is significant. A nuclear plant generates approximately 30 tons of nuclear waste per year. Reducing the need for 7 to 29 reactors, as expected by the 2 efficiency bills, would reduce anticipated nuclear waste by 210 to 870 tons of high level nuclear waste, nuclear waste that we have yet to come up with a hard solution for burying over the long-term—although we are presently looking at sites.

Reduced emissions that cause acid rain and contribute to ozone problems will benefit all of us, those reduced emissions that are presently contributing to the global warming of our greenhouse and give us the potential of horrendous economic impact as grain States and others go through catastrophic weather changes that

may prevent them from being the breadbasket of the world they are today. The President has an opportunity in signing this bill for more efficient ballast for the fluorescent lights in taking a small step. The small step is important. But we must do more than that one step with fluorescent lighting standards, added to the efficiency appliance legislation we passed last year; we must move forward with the kind of research in energy in a new energy policy that will tie together economic and scientific research, proper exploration in the marketplace, not in a distorted marketplace, but in a real marketplace.

If our colleagues from States in the South, oil-producing States are having economic trouble, we ought to help them through that economic trouble but not by placing an additional burden on the New England States and the Northeast States. If we believe in the marketplace, if we want to make energy decisions that are market-oriented, we need to make sure that we do that not just when oil prices are at \$40 per barrel, but to make sure we do that at \$17 per barrel. The solution is not to add additional cost to the States in the Northeast in their production and in their living in their homes; the solution is to make sure this opportunity of reduced energy prices to develop a real energy policy for this Nation for decades to come.

Mr. Speaker, I would ask my colleagues and friends to join with me in asking the President to sign this important legislation.

#### UNDERSTANDING AIDS; CENTRAL AMERICA; AND OTHER MATTERS OF INTEREST

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. BURTON] is recognized for 60 minutes.

Mr. BURTON of Indiana. Mr. Speaker, I would like to talk briefly this evening on a number of subjects. In addition to that, I would like to have unanimous consent to enter into the RECORD some newspaper articles that deal with some very important issues.

Mr. Speaker, today is the Latvian day of mourning which deals with the Soviet occupation and the mass extermination and deportation of Latvians in 1941 on this date.

I would like to enter that into the RECORD.

The article referred to is as follows:

#### LATVIAN DAY OF MOURNING

The Latvian human rights group, Helsinki '86, has declared June 14 a national day of mourning in Soviet-occupied Latvia.

On this day in 1941, the Soviet Union began the mass extermination and deportation of Latvians, Estonians and Lithuanians from their historic homelands.

Last year, thanks to the courageous efforts of Helsinki '86, 5,000 Latvians defied Soviet authorities by gathering at the Monument of Freedom in Riga to honor publicly their martyred family members and friends.

Reluctantly, the Soviets have begun to admit that these terrible deportations did take place. However, the Soviet spirit of glasnost has its limits.

What the Soviets do not admit is that the 1941 deportations followed the illegal 1940 invasion and the occupation and annexation of the Baltic states into the Soviet Union. The deportations were not an accident but a part of Soviet policy designed to destroy the Baltic states.

Although the mass deportations have stopped, the oppression of the Baltic people in their occupied lands continues. As long as Latvia, Estonia and Lithuania remain under Soviet rule, not only June 14 but every other day of the year will continue to be a national day of mourning.

ERIKA VITOLINS.

INDIANAPOLIS.

#### 47 YEARS OF INFAMY

Last year on June 14 thousands of Latvians defied the Soviet rulers of their country to publicly commemorate the victims of the Stalinist deportations of 1941.

On this day 47 years ago over 16,000 Latvians were taken from their homes and sent to die in Siberia. The deportations followed the illegal Soviet invasion and annexation of Latvia, and were designed to destroy the independent Latvian nation.

This year the Latvian human rights group Helsinki 86 has again called for a national day of mourning. Although the Soviets reluctantly tolerated last year's demonstration, they have cracked down on such expressions of "glasnost" since then, and have expelled many of the leading members of Helsinki 86.

Although 47 years have passed, the oppression of Latvian people by the Soviets continues. While Soviet methods have changed, their purpose is the same.

I urge my fellow Americans to join the Latvian people in observing this day of mourning, not only to honor those who died, but to express support for those who are still struggling to regain their freedom and independence.

DACE ABELTINS.

INDIANAPOLIS.

Also, Mr. Speaker, there is an article here which deals with Zola Budd, a great woman's distance runner who has been put in some very difficult situations because she came from South Africa. I would like to enter that into the RECORD, as follows:

#### DRIVING A GREAT ATHLETE FROM COMPETITION

(By Jeffrey Hart)

Zola Budd is a great athlete, quite possibly the fastest woman in the world. If she were a tennis player, she would be right up there with Martina Navratilova and Steffi Graf.

Budd is a kind of nature child. She began running almost as soon as she could walk, usually with one or two of her dogs. She ran barefoot, mile after mile, faster and faster. She is a solitary spirit, not talkative, apparently more at home with animals than with other human beings.

But she won't compete in this year's Olympics in Seoul, South Korea, and she

may well have been driven out of competition forever. Her problem is that she was born in South Africa.

When South Africa was banned from world competition because of apartheid, Budd, in order to keep competing, moved to England in 1984 and became a British subject. The whole incredible and tragic story is recounted in a recent Sports Illustrated. It is enough to make the very stones weep.

In England, Budd became a prime target for the British left. She was picketed, jeered, insulted. When she ran for practice, she would be ambushed, pushed into the bushes, tripped up. "I am just a runner," she would say, eyes down, voice barely audible. "I am not a politician." Or, "I have been made to feel like a criminal. I have been continuously hounded and can't take it anymore. I still don't know what I'm supposed to have done—who am I supposed to have hurt?"

For a moral education in the spirit of our age, study one of the pictures in Sports Illustrated. In the foreground is Budd, running a cross-country race. Immediately behind her is a mob, their faces twisted with hatred, jeering and screaming and waving anti-apartheid placards. One placard says that "Zola Represents Apartheid Not Britain." Budd's running shirt has "England" written across her chest. I cannot remember a more hateful, evil, despicable scene.

In accordance with the ban on South Africa, Budd has not competed in her homeland. However, she found her life in England so unsettling that she did visit South Africa occasionally. The International Amateur Athletic Committee decided that her visits home violated the "spirit" if not the letter of the ban on South Africa, a decision made under a threat from black African countries not to compete in Seoul if Budd were allowed in.

In England, Budd was on the edge of "nervous exhaustion," i.e., a breakdown. She was kept away from prescription drugs as a suicide prevention measure. Her companion of 19 years, a gray parrot, suddenly died in South Africa. "I have lost my love for athletics," she said. "I don't want anything to do with (running) or any other sport."

She has gone home to South Africa, where she is very popular among blacks. In 1984, she was voted sports star of the year by Bona, a sports magazine with mostly black readers.

The self-righteous fury of the left has probably destroyed a great athlete, the joyful barefoot runner of the veldt. (And where were you, feminists, where were you, Gloria Steinem, when this rare human being's independence was being smashed?)

"I am just a runner," Budd says. The philosopher Henri Bergson once remarked that "God plays." It was a wise observation. He meant that God's activity occurs for its own sake, for the sheer joy of it, and not for any further end. The activity is the end in itself. In the pure joy of running, hitting a ball or swimming, we touch that realm of doing a thing for its own sake. Following that line of thought, you can see why it is so reprehensible for the left to have hurt Budd so badly.

You can argue that Budd should have been tougher, hired body guards and a public relations firm, told the left to shove it. But apparently she isn't made that way. She went home when the gray parrot died.

Come back, Zola Budd. Don't let them do it to you, and to all of us. There are people out here who don't hate you in the name of

"tolerance," and want to see you run like the wind. Become an American, maybe. Navratilova did, and Ivan Lendl is moving toward U.S. citizenship. There are a lot of people in America who would be willing to be very tough on your behalf.

Mr. Speaker, I also have an article which deals with Flag Day which I think is one of the best articles I have ever read on why we should be flying our flag, as follows:

TRIBUTE TO THE GOOD THAT OLD GLORY  
REPRESENTS

(By Shirley Vogler Meister)

Last summer I cared for my preschool grandson during his mother's recovery from a leg injury. The first morning I sat on the patio while David whirled around on his two-wheel bicycle, the backyard driveway turnaround being perfect pavement for him. After a while, he said, "Grandma, you're supposed to do this . . ." and he placed his hand over his heart. He wanted to ride his bicycle while I stood in pledge-of-allegiance position. And he wanted me to sing.

"What should I sing? I asked.

"You know, Grandma: . . . by the dawn's early light . . ."

"You mean this?" And I sang a few lines of the Star Spangled Banner, "Oh, say can you see, by the dawn's early light . . ."

That was it. So David circled the turnaround over and over, and I sang the national anthem over and over.

Neighbors must've wondered at this strange sight: me at song-filled, hand-over-heart attention and my grandson beaming happily on his bike. What I didn't know until my daughter explained was that David was mimicking the opening ceremonies at stock car races to which his mother had taken him. Before the races began, drivers waived American flags from their windows as they lapped the racetrack; and the crowd stood respectfully to sing The Star Spangled Banner.

A couple of months later when I watched a parade with David. I noticed he was always one of the first to stand at attention when the American flag passed by.

David is learning early what most Americans are proud to do: show respect for the Stars and Stripes. Despite the negative attitudes of disgruntled citizens who demean the U.S. flag, the majority believe the flag is symbolic of the freedoms we enjoy. Ours is a nation that even gives others the right not to stand in respect if they so choose. The freedom to dissent in an appropriate manner is no less important than the freedom to enjoy the blessings of liberty.

Today is Flag Day. Citizens will display Old Glory in tribute to the good that the flag represents. To honor those who respect our flag (and my grandson who loves the song), the first stanza of the Star Spangled Banner follows. The original poem, titled The Defense of Fort M'Henry, was written in 1814 by lawyer Francis Scott Key. His inspiration came from watching an American flag survive an all-night bomb barrage. The tune to which the words are sung is generally credited to British composer John Stafford Smith.

Oh, say can you see by the dawn's early light

What so proudly we hail'd at the twilight's last gleaming,

Whose broad stripes and bright stars through the perilous fight

O'er the ramparts we watch'd were so gallantly streaming?

And the rockets' red glare, the bombs bursting in air,

Gave proof through the night that our flag was still there.

Oh, say does that star-spangled banner yet wave

O'er the land of the free and the home of the brave?

David might not know this song verbatim but he understands the courtesy due Old Glory. He was proud of the three flags we attached to his bicycle for his fourth birthday.

What he doesn't understand is why someone stole his bike not long after that. Ironically, the thief's action twists the true meaning of "land of the free" and demonstrates through the cowardice of stealing from a child that, unfortunately, not every one in our "home" is "brave."

UNDERSTANDING AIDS

Mr. Speaker, not too long ago, the Surgeon General of the United States along with the Centers for Disease Control and the Department of Health and Human Services sent out to every household in America a flyer, a brochure which said that we should learn as much about AIDS as possible. The title of the brochure is "Understanding AIDS."

On the front page there was a message from the Surgeon General.

While a lot of the brochure was very important and I think it is something that every American ought to read and take to heart, particularly if they have younger children, it made some categorical statements that are of great concern to me and I wanted to talk to those today.

I would like to, during the course of my presentation, make a case for routine or mandatory testing for all Americans for the AIDS virus and I want to tell you why.

Dr. Alan Salzberg of Miles City, MT, has done a very comprehensive computerized analysis of the AIDS pandemic using every cohort study that he could get his hands on.

According to his projections, by the year 1989 we will have cumulative cases in the United States of around 197,000 people who have active AIDS.

Today according to CDC, and they are 6 months behind in their reporting, they have approximately 50,000 to 60,000 people who are dead or dying of the AIDS virus.

Dr. Salzberg's projections which were started some time ago showed a figure of some 63,000 which is not really too far out of line with what CDC has come up with. He projects that by 1989 we will have 197,000 dead or dying; 1995, 2.1 million dead or dying; and by the year 2005, unless we get on with a routine or mandatory testing program, as many as 12 million Americans dead or dying from the AIDS virus with another 35 million people becoming carriers.

When you look at the study that he extrapolated his information from, it sure causes a great deal of concern among anyone who has read this

study. But because of that I think we need to know how AIDS is being transmitted, where it is being transmitted most rapidly, who is transmitting it and all the ways that it is being transmitted so that we can get a handle on dealing with it.

Now in the brochure that was put out by the Surgeon General and CDC and HHS, they made some categorical statements which really concerned me.

I would like to read a little bit from the brochure.

It says that the AIDS virus is transmitted through sexual intercourse, the sharing of drug needles or to babies of infected mothers before or during birth.

Now this week in Stockholm, Sweden, they are having an international conference on AIDS. During that conference in Stockholm, Sweden, it has been found that several mothers who obtained AIDS after they had their children then subsequently transmitted the disease through breast-feeding to their children. In fact, there have been six cases of the lethal AIDS virus called HIV being spread through breast milk which were reported Monday at the Fourth International Conference on AIDS.

It appears to be substantially higher, if the woman catches a virus while she is breast-feeding because she is likely to produce high levels of virus in her breast milk early in the infection.

One typical case was presented by Dr. Pierre Weinberg of France where a 28-year-old woman received a transfusion of AIDS-tainted blood after giving birth. She then breast-fed her baby for a month. Two years later she developed AIDS and her child did also.

Now if you read the brochure put out by CDC and HHS, you will not get the impression that it can be transmitted through any way except through sexual intercourse, sharing of needles or childbirth.

The fact of the matter is that the AIDS virus is in every single bodily fluid that a human being has who is infected with the AIDS virus. It is in the saliva, the urine, the blood, in the sweat, in every bodily fluid.

So there is concern about other ways it might be transmitted outside the normally accepted channels of transmission.

In the brochure the Surgeon General said you will not get AIDS from a mosquito bite. He goes on to say the AIDS virus is not transmitted through the mosquito's salivary glands like other diseases such as malaria or yellow fever. Well, Dr. MacLeod and Dr. Whiteside of the Center for Tropical Diseases in Miami, FL, who deal with tropical diseases in Little Haiti and Little Havana where there are a lot of immigrants are absolutely convinced that in some cases the AIDS

virus has been transmitted through mosquito bites.

Now when they came up here and I talked to them about it and they testified they told me that it is not transmitted through the salivary glands of the mosquito but if a mosquito bites somebody who has the AIDS virus and goes over and bites someone else and you hit that mosquito, the blood in the mosquito would be going into the wound not unlike a needle injection.

So there is a concern about that. So a categorical statement saying you cannot get it that way is something I think we ought to look into. I do not know if it is communicated that way. I am not a scientist. But I do know there is a question about it.

They said you will not get AIDS from saliva, sweat, tears, urine and so forth. Well, the fact of the matter is that when you brush your teeth sometimes your gums bleed and sometimes there is a little lesion in your mouth and if you kiss somebody with the AIDS virus, knowing that 230 million of the AIDS virus can fit on the period at the end of a sentence you would have to say that there might be some risk. As a matter of fact, I asked some of the so-called experts whether or not they would be willing to have an intimate kiss with a person who has the AIDS virus if they had a lesion in their mouth? And of course they said "well, of course not, because there might be a risk factor."

And there is a risk factor.

Yet in this brochure it says that you cannot get AIDS from saliva, sweat, tears, urine and so forth.

Then it goes on to say specifically that you cannot get AIDS from a kiss. Well, since it is in every bodily fluid I think there is some question.

So what I am trying to get across to my colleagues and to the people across this country is that we ought to find out the answers about the AIDS virus, we ought to find out what parts of the country it is spreading most rapidly in, we ought to find out if it is being spread through insect vectors, we ought to find out if it is being spread through kissing, we ought to find out if it is being spread in other ways that we do not know about and the only way we are going to be able to come to any valid conclusions is to have a large-scale testing program.

You cannot do it on a voluntary basis because you would get spotty results. It has to be on a large-scale basis.

So I once again plead with my colleagues, with the health officials of this country who are very concerned about AIDS as we all are, because it may be the No. 1 health problem that mankind has ever faced, we need to get on with a routine or mandatory testing program so that we could come to some valid conclusions; so that we will not be making categorical state-

ments or coming to conclusions that might be in error, because if you make an error, even if only one person is put at risk or one person gets the AIDS virus as a result of that error, it is a horrible, horrible mistake, particularly if it is somebody in your own family.

I would just say to my colleagues we have a bill before us in the Congress that would mandate routine testing or mandatory testing for everyone in the country. The cost, compared to the cost of taking care of people in hospitals who come down with the AIDS virus, is very small indeed.

I think it is the prudent thing to do, to come up with some logical conclusions on how to deal with this very, very difficult problem.

I am not criticizing my colleagues who are disagreeing with us.

We had a gentleman, a colleague earlier who talked about some of us being irresponsible because we believe that we should do some more in-depth studying of the disease. I believe that the more knowledge we have the better off we are going to be. The projections by Dr. Salzberg are that we will have 35 million people infected with the virus by the year 2005 and 12.3 million people dead or dying.

Now 2005 may seem like a long way off, but it is only 17 years. If you look at your children or your grandchildren, you start to realize that they are not going to be very old when this bomb really explodes, if his projections are correct.

I might add his projections are parallel, almost exactly, with what the CDC has come up with to date. So if his projections are correct from here on out as they have been correct so far, we are in for a long, long hard ugly ride. I think we had better find out what we are dealing with and that would require routine or mandatory testings so that everybody will be tested on a regular basis.

I would like to talk about one other subject briefly this evening, Mr. Speaker, because I think it is very, very important.

In 1932, 33, 34, 35 in Geneva, Switzerland, the allied powers, United States, France, Britain, and others were having what they called a disarmament conference. They felt like after World War I, the best way to make sure there would be no more wars would be for all the countries in the world to take apart their weapons so there would be no mechanism for countries to go to war with one another.

While these countries were unilaterally disarming and talking about total disarmament as far as all the countries in the world were concerned, a man named Adolf Hitler was building up the biggest military machine in the history of mankind in violation of the Treaty of Versailles.

While Great Britain was disarming unilaterally, not increasing its military output one bit, they were selling airplane engines to Hitler. It seems kind of funny when we look back in retrospect at what was going on at that time that anybody would be so naive, and yet that really happened, and that took us to not only the brink of war but to the greatest war, the greatest disaster, that man had ever faced up to this time.

I was in Normandy, France, a week ago to help dedicate a museum. It is a \$6 million museum that is trying to educate the people of the world, particularly the young people, about how to stay out of war, what it takes to make sure that another Hitler does not evolve out of some country and take us to the brink of another world war. The thing that came across the most to the people who visited that museum and listened to the great speeches of Winston Churchill and the haranguing by Adolf Hitler was that the best way to stay out of war is for the free countries of the world to make sure they are so strong that no one would dare to attack them.

Had Britain, France, the United States and other countries been that far-sighted in 1935, 1936, 1937, and 1938, World War II would have been avoided. In fact, Winston Churchill said, "Had the allied powers had the common sense found in most English households, World War II would never been taken place."

The reason I bring this up is that on Sunday, 2 days ago, there was a huge disarmament march in front of the United Nations in New York, on New York's Avenue of the Americas, and thousands of people there were marching in favor of disarmament, and while they were marching, the Soviet Union was continuing the biggest military buildup in history, even surpassing what Hitler did. The Soviet Union today is spending 17 percent of its gross national product on military armament.

I wish that everybody in the Congress would read this book. It is put out every year by the Department of Defense. I wish every American could read this book. It is called "Soviet Military Power: An Assessment of the Threat." While we are marching in the streets of America, talking about disarming the world, like they did in the 1930's, the Soviet Union continues its insatiable desire for military power with a huge buildup. Let me read what Frank Carlucci, our Secretary of Defense, had to say in the preface of this publication.

He said, "Military output has not been reduced nor has military spending been decreased in the Soviet Union. On the contrary, the Soviet military budget under Secretary Gor-

bachev continues to grow at the rate of 3 percent a year."

Not only have they been building the greatest military machine in history but they are continuing to grow at 3 percent a year, and at that level it represents 15 to 17 percent of their gross national product.

Do the Members know how much we spend of our GNP on defense? It is about 5 to 6 percent. So they are spending 3 times that much.

"Most important, the Soviet force, posture and military capabilities detailed in this book are not consistent with a defensive military posture."

They are not building a defensive military posture; they are building an offensive military machine.

So while our friends are marching for disarmament in New York, like they did in Paris, in London, and in the United States in the 1930's when Hitler was building his huge military machine, the same thing is going on today. It is very sad that we do not learn from history.

The best way to make sure the United States of America remains strong and free, that Great Britain remains strong and free, and France and all the other allied powers in NATO remain strong and free today is for us to be so strong that the Soviet Union will not dare attack. But let us look at the things they are building. Let me give the Members a couple of examples.

In this body Members have talked about this, and I believe Presidential candidate Dukakis has talked about the necessity to cut spending for the rail garrison mobile ICBM. The Soviet Union already has one. They already have an SS-18, what they call a rail garrison or a mobile transported missile system.

They have said that we do not need the Midgetman, a single warhead ICBM as a deterrent force that we could drive any place in the country so they cannot hit it and knock it out from the other side of the world. The Soviet Union already has and is deploying today the SS-25, which is a single warhead mobile launch ICBM.

I could go on and on and on. The Soviet Union has been building a tremendous nuclear arsenal as well as a conventional force structure. Most people in this country think that we have an army that is equivalent to that of the Soviet Union's. The Soviet Union has 211 divisions; we have 29. They have 211 and we have 29. That does not include the Warsaw Pact forces that they control. Compared to NATO, when you consider the Warsaw Pact countries, the Warsaw Pact countries have twice as many military personnel and 5 times as many tanks and military field equipment. Yet we continue to see people walking across this country and in the free countries of

the world demonstrating for disarmament.

The quickest way to get into a military conflict, I say to my friends, is for us to unilaterally disarm while the Soviets continue to build their strength. I am for cutting fat and waste out of the Defense Department, like any other agency of Government, but we must not cut into the muscle and bone of our defense lest we create the threat of war, or worse.

I would like to conclude by reading an article that was in the Indianapolis Star today about what is going on in Central America, because as we demonstrate for disarmament, as we talk about peace, and as Mr. Gorbachev talks about glasnost, they continue to build and they continue to export war materials throughout the world. The Soviet Union has sent over \$2 billion of war materials into Nicaragua, over \$2 billion of war materials into Angola, and over 2 billion dollars' worth of war materials into Mozambique in just recent years, as well as sending war materials to other countries like Ethiopia, Zimbabwe, and elsewhere. And while they are doing that, there is a movement in this country for us to pull in our horns and have an isolationist attitude.

So this article, I think, has a great deal of relevance. The article is entitled "A Secret War," and it says this:

Democracy made advances in Latin America during the Reagan years, but they could be wiped out by communist bloc forces encouraged by wavering, inconsistent U.S. policies.

In El Salvador, the elective democracy led by President Jose Napoleon Duarte, under the pressures of a prolonged civil war, is threatened by his removal from the scene because of his personal battle with cancer.

The threat to El Salvador is heightened by the congressional policy, formulated by the Democratic majority, of cutting off aid to the Nicaraguan freedom fighters, whose military capabilities were a main factor in inducing the Sandinistas to sign the peace accords.

The article then quotes Jeane Kirkpatrick, former U.N. Ambassador:

As Jeane Kirkpatrick said in her June 5 column in the Indianapolis Star, "El Salvador's economic prospects depend on an end to its civil war and that, in turn, depends on cutting off the flow of arms from Nicaragua (into El Salvador). But U.S. intelligence officials know arms are flowing despite Sandinista commitments to the contrary" in the peace accords.

I was in Chalatenango Province in El Salvador last year, and I talked to a captured Communist guerrilla. This is in El Salvador, in the mountains outside San Salvador. I asked him where he received his training and his weapons, and he told me that his men and his weapons were trained and the weapons received from Nicaragua. He was trained in a training camp for Communist guerrillas outside Managua, and yet he was in El Salvador fighting the democracy, the democrat-

ic government of José Napoleon Duarte. Yet many of my colleagues do not believe they are sending weapons and men into these fledgling democracies to undermine them.

We must remember that the Communists in Nicaragua have said in no uncertain terms that their revolution is international, that their revolution is without borders, and that they intend to spread that revolution into El Salvador, Guatemala, and Honduras, and up into Mexico. And the Soviet Union is anxious for them to succeed because our border is 2,000 miles long. That is why I call it the soft underbelly of America.

We are getting illegal aliens by the millions coming across that border. If that revolution spreads throughout all of Central America, we will get a tidal wave of humanity fleeing oppression in that part of the world just south of the Mexican-American border.

So we have a lot at stake. We certainly do not want our boys down there. As I said before in special orders, President Escona of Honduras told me in a private conversation that if things get out of control and the peace process does not work down there, he is going to ask for 50,000 United States troops in his country alone. So there is a lot at stake in Central America, especially for those of us who have children or grandchildren we are concerned about.

"Sandinista forces," the article goes on, "are saying, 'We will win in Nicaragua, and El Salvador will follow,'" reported Kirkpatrick.

□ 1705

If El Salvador does fall, that will free the Communist Sandinista forces to turn their attention to the three remaining Central American democracies, Costa Rica, Honduras, and Guatemala, and just above Guatemala is Mexico.

"Presumably there are a few Democrats in the House who would actually welcome the consolidation of power by the Communist government of Nicaragua. It is easy enough to understand why they are mobilized to prevent assistance to the Contras. But why many other Democrats have agreed to make this issue a litmus test of party loyalty surpasses understanding," Ambassador Kirkpatrick wrote, and she is right.

While Communist forces are being consolidated in Nicaragua, the Nicaraguans and Cubans continue their conspiring with the military dictator of Panama, Gen. Manuel Noriega, who has transformed his country into a worrisome new locus of Communist infection.

As the plot thickens in Central America, the prospective outcome of Mexico's general elections on July 6 is clouded by a severe economic crisis,

wild inflation, grinding poverty, and a terrific crime wave.

George Byram Lake, an expert on Mexican affairs, writing in the June 10 National Review says the current situation strikingly resembles that of 1910 when the people rebelled, the ruling party was overthrown and Mexico exploded into a decade of civil war in which more than 1 million Mexicans perished of wounds, disease, and starvation.

The elements that could make the most of another such human explosion are ready. If the opportunity arises, they will go into action with a unified strategy. We are talking about the Communists right now. They are conducting a secret war whose political fronts reach across the United States, even into Congress.

The United States has no unified strategy for coping with them, and it needs one. We most certainly do, my colleagues. We need to have a strategy to deal with the Communists in Central America.

Mr. Speaker, the Freedom Fighters are on their last legs. If they do not get any aid, they will become history in a short period of time, and with them goes any hope of containing the Communist menace in Central America without direct intervention by the United States.

That is why it is so important that we pay attention to the freedom fighters before they go out of existence, before they flee Nicaragua and come into Honduras, Costa Rica, El Salvador, and then, when they realize that is going to be hopeless as well, come flooding across the Mexican-American border into the United States of America along with people from the other countries.

Mr. Speaker, we have a lot at stake, but most of all we have at stake our young boys who will have to fight and defend that soft underbelly of America, the Mexican-American border.

Mr. Speaker, I do not want that to happen, and I have said this many times before. I have a son, Danny Lee Burton II, and he is 13 years old, and I do not want him down there fighting in 5 or 6 years, nor do I believe any other Americans want that to happen. But, if we continue to take this head-in-the-sand approach hoping this Communist menace is going to go away while the Soviet Union continues to pour millions and millions of dollars and thousands of tons of war supplies into Nicaragua, we are going to reap the whirlwind, and we are going to reap it severely.

So, Mr. Speaker, I would just like to end by saying to my colleagues: Do not take my word for it. Read "Soviet Military Power." It is in your office. Every Member got at least one copy of this. So, you will see how the Soviets are expanding their military power. Read how they are sending their military

equipment and war materials into the trouble spots of the world, the strategic pressure points of the world, and then come to some conclusions about what we should be doing as a nation to be sure that we remain strong and free.

Mr. Speaker, we must be resolute if we are to remain free. I think it was Thomas Jefferson who said that the price of freedom is eternal vigilance, and Winston Churchill said time and time again, "Does arming mean it is a call to war?" He said, "I declare it to be quite to the contrary. I declare it to be the sole guarantee of peace."

Think about that, being strong, the sole guarantee of peace.

#### RESTRICTIVE RULES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Mississippi [Mr. LOTT] is recognized for 15 minutes.

Mr. LOTT. Mr. Speaker, some of our colleagues on the other side of the aisle took a special order last Thursday, June 9, to respond to the charges made in our Republican special order of May 24 on the breakdown of the legislative process in the House.

The Democratic response was purportedly designed to "set the record straight." However, I am afraid the result of that hour-long exercise by the status quo defenders was to muddy the waters and muddle the record more than ever.

A case in point is their lame defense of restrictive rules which limit the number of amendments which may be offered to legislation. Our colleagues took offense at the use of the word "restrictive" in describing such rules, and decided to counter with a quiver full of euphemisms. So, restrictive rules have been redesignated as "modified," "structured," and "not entirely open." That's a little like calling a dead person "not entirely alive."

But, just in case the viewing public was not sufficiently persuaded by this dazzling display of rhetorical archery, our friends decided to play a Florida version of William Tell by mixing apples and oranges for plinking off the top of their heads. Thus, 44 percent of restrictive rules in this Congress that our research unveiled as of May 23 of this year was magically shrunk to 36 percent.

How did they arrive at this figure? It was easy, actually. For their base figure they counted all rules reported instead of just those which provide for the initial consideration of legislation, even though the restrictive rules they counted come only from the latter category.

Thus, while our Democratic friends have the same number of restrictive rules for this Congress as we do, 44, they have not used the same common denominator which should be, at this time, 102 instead of 122. While one might assume from their presentation that the extra 20 rules they count are open as opposed to restrictive, that is not the case.

Instead, there are rules for such things as conference reports, which are anything but open. But, since conference reports cannot be amended under our rules, they cannot and

should not, in all fairness, be categorized as restrictive. And we do not do so in our documentation. But, to leave the impression that they are somehow not restrictive is a complete fraud. The apples and oranges mixers have served us a rotten fruit salad.

But, even more important in all this is that our colleagues completely ignore the alarming increase in such rules over the last five Congresses. In the 95th Congress, 1977-78, such rules comprised only 12 percent of the total. But that has steadily increased in each Congress since to 19, 20, 28, and 36 percent in the 96th to 99th Congresses, respectively. And, as of today, they comprise 43 percent of all rules granted for the initial consideration of legislation. That's a 258-percent increase in the percentage of restrictive rules over just 12 years: nothing to sneeze at.

Yes, Republicans have supported some of those restrictive rules when there has either been no controversy or there have been good-faith, bipartisan efforts to accommodate the concerns and amendments of most of our Members. But, the fact that this has become such a source of protest and controversy in recent times is precisely because there is less and less of this kind of accommodation, and more and more political hardball shutouts being played.

For Democrats to cavalierly dismiss such differences in kind and number as just business as usual is to miss a very significant alteration in the nature of this institution. When even we hear complaints from Democratic Party members in the House about being shut out of the process on such important bills as welfare reform, and for the Democratic leadership to be deaf to such complaints, is a disturbing confirmation that the arrogance of power does breed a callous insensitivity and disregard for the festering problems which infect the body politic.

Let us hope that both parties will come to recognize this for the problem that it is and put an end to the abusive use of such restrictive rules to the detriment of Members' rights and democratic values in this, the people's House.

At this point in the RECORD, Mr. Speaker, I insert the most recent tables on open versus restrictive rules, including a specific listing of such rules in this 100th Congress. The materials follow:

OPEN AND RESTRICTIVE RULES, 95TH-100TH CONGRESS

Congress	Total rules granted <sup>1</sup>	Open rules <sup>2</sup>		Restrictive rules <sup>3</sup>	
		Number	Percent	Number	Percent
95th.....	241	213	88	28	12
96th.....	198	161	81	37	19
97th.....	112	90	80	22	20
98th.....	145	105	72	40	28
99th.....	101	65	64	36	36
100th.....	102	58	57	44	43

<sup>1</sup>Total rules counted are all those providing for the initial consideration of legislation (as opposed to special rules on conference reports, etc.).

<sup>2</sup>Open rules are those which permit any Member to offer any amendment to a measure which is otherwise in compliance with House rules.

<sup>3</sup>Restrictive rules are those which limit the number of amendments which can be offered, and include so-called modified open and modified closed rules as well as completely closed rules.

Sources: Survey of Activities, Committee on Rules, 95th-99th Congresses; "Notices of Action Taken," Committee on Rules, 100th Congress (as of June 10, 1988). Prepared by minority counsel, Subcommittee on the Legislative Process, Committee on Rules.

## RULES REPORTED IN THE 100TH CONGRESS

(Providing for the initial consideration of legislation in House)

Rule No. H. Res.	Date granted	Rule type <sup>1</sup>	Bill number and title
26	Jan. 7, 1987	C	Establishing three select committees.
27	do	C	H.R. 1: Water Quality Act.
38	Jan. 8, 1987	C	H.R. 2: Surface transportation.
109	Mar. 4, 1987	O	H.R. 558: Homeless Relief Act.
116	Mar. 10, 1987	C	H.J. Res. 175: Contra aid moratorium.
135	Mar. 31, 1987	MC	H.R. 1320: Land and Water Conservation Fund Act amendments.
139	Apr. 7, 1987	MC	H. Res. 139: Budget resolution.
148	Apr. 22, 1987	MO	H.R. 1827: Supplemental appropriations.
151	Apr. 27, 1987	MC	H.R. 3: Omnibus trade bill.
152	Apr. 28, 1987	MO	H.R. 1748: DOD authorization.
156	Apr. 5, 1987		
160	May 6, 1987		
154	May 4, 1987	MO	H.R. 27: F.S.L.I.C.
155	May 5, 1987	O	H.R. 1039: Mineral Lands Leasing Act.
165	May 12, 1987	MC	H.R. 2360: Public debt limit.
172	May 19, 1987	O	H.R. 5: School Improvement Act.
171	do	O	H.R. 1451: Older Americans Act.
178	May 28, 1987	O	H.R. 953: Maritime authorization.
179	do	O	H.R. 1934: Fairness doctrine.
182	June 2, 1987	O	H.R. 2355: EPA authorization.
183	do	O	H.R. 2330: NSF authorization.
184	do	O	H.R. 2160: Bureau of Standards.
186	June 4, 1987	O	H.R. 157: Constitution Day.
187	do	O	H.R. 2112: Intelligence authorization.
190	June 9, 1987	MO	H.R. 1777: State Department authorization.
191	do	O	H.R. 4: Omnibus Housing Act.
196	June 16, 1987	MO	H.R. 281: Double-breasting.
197	June 17, 1987	C	Special budget procedures.
206	June 22, 1987	O	H.R. 2712: Interior appropriations.
207	June 23, 1987	O	H.R. 2700: Energy-Water appropriations.
215	June 29, 1987	O	H.R. 2763: Commerce-Justice State appropriations.
219	July 1, 1987	MO	H.R. 2342: Coast Guard authorization.
220	July 8, 1987	O	H.R. 2782: NASA authorization.
221	July 9, 1987	O	H.R. 2890: DOT appropriations.
222	July 13, 1987	O	H.R. 2906: MilCon appropriations.
223	do	O	H.R. 2907: Treasury-Postal appropriations.
227	July 21, 1987	MC	H.R. 2470: Catastrophic health.
230	July 23, 1987	O	H.R. 618: Nicaragua-Salvadoran deportation stay.
233	July 28, 1987	C	H.R. 3022: Debt limit extension.
234	do	O	H.R. 1414: Price-Anderson Act.
237	Aug. 3, 1987	O	H.R. 1315: NRC authorization.
238	do	MO	H.J. Res. 132: Armenian genocide.
241	Aug. 4, 1987	O	H.R. 2686: Public Works/Economic Development.
253	Aug. 7, 1987	O	H.R. 1327: Public Health Service.
256	Sept. 9, 1987	MC	H.R. 1154: Textile Trade Act.
257	do	O	H.R. 2600: SEC authorization.
263	Sept. 15, 1987	O	H.R. 442: Civil Liberties Act.
265	Sept. 17, 1987	MO	H.R. 3030: Ag Credit Act.
267	Sept. 21, 1987	O	H.R. 2783: HUD appropriations.
270	Sept. 22, 1987	C	H.J. Res. 362: continuing appropriations.
273	Sept. 23, 1987	O	H.R. 2939: Independent counsel.
275	Sept. 29, 1987	MO	H.R. 2310: Airport improvement.
278	Sept. 30, 1987	MO	H.R. 2310: Airport improvement.
279	Oct. 1, 1987	O	H.R. 2897: FTC amendments.
280	Oct. 6, 1987	O	H.R. 162: Risk notification.
281	Oct. 8, 1987	O	H.R. 3025: Radioactive waste compact.
282	do	O	S. 640: Water-Power authorization.
291	Oct. 22, 1987	O	H.R. 2224: Panama Canal Commission.

## RULES REPORTED IN THE 100TH CONGRESS—Continued

(Providing for the initial consideration of legislation in House)

Rule No. H. Res.	Date granted	Rule type <sup>1</sup>	Bill number and title
292	Oct. 27, 1987	O	H.R. 515: Fair credit disclosure.
293	do	MO	H.R. 3100: Foreign aid authorization.
295	Oct. 28, 1987	O	H.R. 1212: Polygraph protection.
296	do	MC	H.R. 3545: Reconciliation.
298	Oct. 29, 1987	MC	H.R. 3645: Reconciliation II.
299	do	O	H.R. 3479: Gas Royalty Act.
302	Nov. 4, 1987	MC	H.J. Res. 394: Continuing resolution.
303	do	O	H.R. 435: Uniform poll closing.
305	Nov. 5, 1987	O	H.R. 1326: Infant Mortality Amendments.
307	Nov. 10, 1987	O	S. 1667: NOAA authorization.
310	Nov. 17, 1987	MC	H.R. 1720: Welfare reform.
314	Nov. 18, 1987	MC	H.R. 3436: Long-term health care.
316	Nov. 19, 1987	C	H.R. : Sequester extender.
318	Dec. 1, 1987	O	H.R. 791: Ground water research.
321	Dec. 2, 1987	MC	H.J. Res. 395: Continuing appropriations resolution.
328	Dec. 9, 1987	O	H.R. 1467: Endangered species.
329	do	MC	H. Res. 327: Iran-Contra records.
331	do	MC	H.R. 1720: Welfare reform.
337	Dec. 17, 1987	O	H.R. 3674: Fishery agreement.
340	Dec. 20, 1987	C	H.J. Res. 431: Short-Term CR.
360	Feb. 2, 1988	O	H.R. 3396: Refore air controllers.
375	Feb. 16, 1988	O	H.R. 1054: Military medical malpractice suits.
390	Mar. 1, 1988	MC	H.J. Res. 484: Contra aid.
391	do	MC	S. 557: Civil rights restoration.
403	Mar. 16, 1988	O	H.R. 2707: Disaster Relief Act.
410	Mar. 22, 1988	MC	H. Con. Res. 268: Budget resolution.
415	Mar. 29, 1988	O	H.R. 3932: Presidential transition.
416	do	O	H.R. 3933: Historical Records Commission.
417	do	C	H.J. Res. 523: Contra aid.
421	Mar. 30, 1988	O	S. 858: Abandoned Shipwreck Act.
428	Apr. 18, 1988	MC	H.R. 4222: Immigration amnesty.
435	Apr. 25, 1988	MO	H.R. 4264: DOD authorization.
436	Apr. 27, 1988	MO	Do.
438	May 3, 1988	C	H. Con. Res. 293: Trade corrections.
441	May 10, 1988	MC	H.R. 4471: Miscellaneous international affairs.
442	do	O	H.R. 1801: Juvenile Justice.
443	do	O	H.R. 3193: Hate crime statistics.
447	May 12, 1988	O	H.R. 4567: Energy-Water appropriations.
448	May 17, 1988	O	H.R. 3146: Lottery advertising.
449	do	O	H.R. 4586: MilCon appropriations.
456	May 23, 1988	O	H.R. 4387: Intelligence authorization.
457	do	MC	H.R. 4637: Foreign Operations appropriations.
458	May 25, 1988	O	H.R. 4561: NASA authorization.
459	do	O	H.R. 4418: NSF authorization.
460	do	O	H.R. 4505: DOE authorization.
466	June 2, 1988	MC	H.R. 3436: Older Americans tech. corrections amendments.
469	June 10, 1988	O	H.R. 4775: Treasury-Postal appropriations.

<sup>1</sup>Code: A completely open amendment process is provided for by an open rule (O). Restrictive rules are those which provide for less than a completely open amendment process and include: closed rules (C); modified closed rules (MC); and modified open rules (MO).

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CLEMENT (at the request of Mr. FOLEY), for today and June 15, on account of illness.

Mr. LELAND (at the request of Mr. FOLEY), for today, on account of official business.

Mr. RUSSO (at the request of Mr. FOLEY), for today, on account of illness.

Mr. PACKARD (at the request of Mr. MICHEL), for today and the balance of the week, on account of official business.

Mr. RAY (at the request of Mr. FOLEY), for today and the balance of the week, 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 Mrs. BENTLEY) to revise and extend their remarks and include extraneous material:)

Mr. EMERSON, for 5 minutes, on June 15.

Mr. LOTT, for 15 minutes, today.

Mr. DREIER of California, for 5 minutes, today.

(The following Members (at the request of Mr. FRANK) to revise and extend their remarks and include extraneous material:)

Mr. ANNUNZIO, for 5 minutes, today.

Mr. MACKEY, for 5 minutes, today.

Mr. GEJDENSEN, for 30 minutes, today.

Mr. GONZALEZ, for 60 minutes, today.

Mr. GONZALEZ, for 60 minutes, on June 15.

Mr. GONZALEZ, for 60 minutes, on June 16.

Mr. GONZALEZ, for 60 minutes, on June 20.

## EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mrs. BENTLEY) to revise and extend their remarks and include extraneous material:)

Mr. DANNEMEYER.

Mr. CLINGER.

Mr. HEFLEY.

Mr. HASTERT.

Mrs. MORELLA.

Mr. DORNAN of California in three instances.

Mr. GINGRICH in two instances.

Mr. MICHEL.

Mr. PURSELL.

Mr. CHANDLER.

Mr. BALLENGER.

Mrs. MEYERS of Kansas.

Mr. SWINDALL.

Mr. PORTER.

Mr. SMITH of New Jersey.

Mr. HENRY.

Mr. GILMAN.

(The following Members (at the request of Mr. FRANK) to revise and extend their remarks and include extraneous material:)

Mr. FAUNTROY.  
Mr. CLARKE.  
Mr. BERMAN.  
Mr. DOWNEY of New York.  
Mr. LEHMAN of Florida.  
Mr. RANGEL.  
Mr. TORRES.  
Mr. SOLARZ.  
Mr. LAFALCE in two instances.  
Mr. HOYER.  
Mr. MAVROULES.  
Mr. SMITH of Florida in five instances.  
Mr. HALL of Ohio.  
Mr. LANTOS.  
Mr. PEPPER.  
Mr. PICKETT.  
Mr. ROE.  
Mr. HERTEL.  
Mr. FAZIO.  
Mr. GARCIA in two instances.

#### SENATE JOINT RESOLUTION REFERRED

A joint resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 331. Joint resolution to designate the week of June 19-25, 1988, as the "National Recognition of the Accomplishments of Women in the Workforce Week"; to the Committee on Post Office and Civil Service.

#### ADJOURNMENT

Mr. BURTON of Indiana. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 10 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, June 15, 1988, at 11 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3799. A letter from the Chairman, Securities and Exchange commission, transmitting a draft of proposed legislation to amend the Securities Exchange Act of 1934 to require that members of exchanges, brokers, dealers, banks, associations, or other entities that exercise fiduciary powers holding securities as nominees provide proxy and other shareholder communications to investment company beneficial security holders; to require these same entities, holding securities as nominees, to provide information statements to investment company and noninvestment company beneficial security holders; and to require investment companies to provide information statements to record holders prior to any security holder vote when proxies, consents, or authorizations are not solicited; to the Committee on Energy and Commerce.

3800. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of reports of political contributions by Michael H. Newlin, of Maryland, and Keith Lapham Brown, of Colorado, Ambassador-designate and members of their families, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

3801. A letter from the Chairman, Board of Foreign Scholarships, transmitting the Board's 24th annual report on the Fulbright Program, pursuant to 22 U.S.C. 2457; to the Committee on Foreign Affairs.

3802. A letter from the Acting Administrator, General Services Administration, transmitting the agency's fifth biennial report on excess and surplus personal property programs for the period October 17, 1985 through October 16, 1987, pursuant to 40 U.S.C. 493; to the Committee on Government Operations.

3803. A letter from the Records Officer, U.S. Postal Service, transmitting notice of a computer matching program between the Postal Service and the State of Utah, pursuant to 5 U.S.C. 552a(o); to the Committee on Government Operations.

3804. A letter from the Executive Director, U.S. Olympic Committee, transmitting the annual audit and activities report for calendar year 1987, pursuant to 36 U.S.C. 382a(a); to the Committee on the Judiciary.

3805. A letter from the Director, Office of Personnel Management, transmitting the agency's annual report on drug and alcohol abuse prevention, treatment, and rehabilitation programs and services for Federal civilian employees covering fiscal year 1987, pursuant to 5 U.S.C. 7363; to the Committee on Post Office and Civil Service.

3806. A letter from the Secretary, Board of Governors, U.S. Postal Service, transmitting the semiannual report on the civil misrepresentation investigative activities of the Service covering the period October 1, 1987-March 31, 1988, pursuant to 39 U.S.C. 3013 (97 Stat. 1317); to the Committee on Post Office and Civil Service.

3807. A letter from the Assistant Secretary of the Army (Civil Works), transmitting a report from the Chief of Engineers, Department of the Army, on Grays Harbor, WA., together with other pertinent reports; to the Committee on Public Works and Transportation.

3808. A letter from the Secretary of Commerce, Department of Commerce, transmitting a report on barriers to the commercialization of Federal computer software and the feasibility and cost of compiling an inventory of federally funded training software, pursuant to 15 U.S.C. 3710; to the Committee on Science, Space, and Technology.

3809. A letter from the Chairman, Prospective Payment Assessment Commission, transmitting an evaluation of the Department of Health and Human Service's report on studies of urban-rural and related geographical adjustments in the Medicare prospective payment system, pursuant to Public Law 100-203, section 4009(h)(1); to the Committee on Ways and Means.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 3559. A bill to authorize the acquisition of 25 acres to be used for an administrative headquarters for Canaveral National Seashore; with amendments (Rept. 100-695). Referred to the Committee of the Whole House on the State of the Union.

Mr. ASPIN: Committee on Armed Services. H.R. 4229. A bill to amend title 10, United States Code, to codify in that title certain defense-related permanent free-standing provisions of law; with amendments (Rept. 100-696). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 3880. A bill to extend the authorization of the Upper Delaware Citizens Advisory Council for an additional 10 years. (Rept. 100-697). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 3960. A bill to authorize the establishment of the Charles Pinckney National Historic Site in the State of South Carolina, and for other purposes; with an amendment (Rept. 100-698). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 4212. A bill to amend the joint resolution of April 27, 1962, to permit the Secretary of the Interior to establish the former home of Alexander Hamilton as a national memorial at its present location in New York, NY; with an amendment (Rept. 100-699). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRANK: Committee on the Judiciary. H.R. 4612. A bill to amend title 28, United States Code, to provide for an exclusive remedy against the United States for suits based upon certain negligent or wrongful acts or omissions of U.S. employees committed within the scope of their employment, and for other purposes; with amendments (Rept. 100-700). Referred to the Committee of the Whole House on the State of the Union.

Mr. BOLAND: Committee on Appropriations. H.R. 4800. A bill making appropriations for the Department of Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1989, and for other purposes (Rept. 100-701). Referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. VENTO (for himself and Mr. DELLUMS):

H.R. 4799. A bill to extend the withdrawal of certain public lands in Lincoln County, NV; jointly, to the Committees on Armed Services and Interior and Insular Affairs.

By Mr. BOLAND:

H.R. 4800. A bill making appropriations for the Department of Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations,



and offices for the fiscal year ending September 30, 1989, and for other purposes.

By Mr. BROWN of Colorado (for himself and Mr. SCHAEFER):

H.R. 4801. A bill to amend the Clean Air Act to provide for the testing of motor vehicles at high altitudes; to the Committee on Energy and Commerce.

By Mr. BUECHNER (for himself, Mr. BAKER, Mr. BARNARD, Mr. BEVILL, Mr. BOEHLERT, Mr. COLEMAN of Missouri, Mr. DAUB, Mr. DURBIN, Mr. ECKART, Mr. EMERSON, Mr. EVANS, Mr. FAWELL, Mr. FUSTER, Mr. GINGRICH, Mr. GRANDY, Mr. GRAY of Illinois, Mr. GREGG, Mr. HATCHER, Mr. HAYES of Illinois, Mr. HAYES of Louisiana, Mr. HOUGHTON, Mr. JOHNSON of South Dakota, Ms. KAPTUR, Mr. LANCASTER, Mr. LEACH of Iowa, Mr. LENT, Mr. LEWIS of Georgia, Mr. LIPINSKI, Mr. MADIGAN, Mr. MCCURDY, Mr. MONTGOMERY, Mr. NAGLE, Mr. PENNY, Mr. PETRI, Mr. ROBERTS, Mr. ROBINSON, Mr. ROWLAND of Georgia, Mr. RUSSO, Mr. SKELTON, Mr. SLATTERY, Mr. SMITH of New Hampshire, Mr. TALLON, Mr. TAUKE, Mr. VOLKMER, Mrs. VUCANOVICH, Mr. WHITTAKER, and Mr. WILLIAMS):

H.R. 4802. A bill to deny discretionary project funds to States that voluntarily reduced the period of availability of interstate highway construction funds for any fiscal year; to the Committee on Public Works and Transportation.

By Mr. CHANDLER (for himself, Mr. BONKER, and Mr. FRENZEL):

H.R. 4803. A bill to provide for the continuation of parallel imports under section 526 of the Tariff Act of 1930; to the Committee on Ways and Means.

By Mr. CLINGER:

H.R. 4804. A bill to amend titles I, II, IV, and V of the Surface Mining Control and Reclamation Act of 1977, and to add a new title X, to encourage the remining and reclamation of abandoned mined lands by active mining operations, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DOWNEY of New York (for himself and Mr. PRICKLE):

H.R. 4805. A bill to amend the Internal Revenue Code of 1986 to make the research credit available to certain start-up ventures; to the Committee on Ways and Means.

By Mr. HANSEN (for himself and Mr. NIELSON of Utah):

H.R. 4806. A bill establishing a system of compensation for individuals harmed by nuclear testing, and for other purposes; jointly, to the Committees on the Judiciary and Energy and Commerce.

By Mr. KASTENMEIER:

H.R. 4807. A bill to amend title 28, United States Code, to make certain improvements with respect to the Federal judiciary, and for other purposes; to the Committee on the Judiciary.

By Mr. LAFALCE:

H.R. 4808. A bill to amend the National Housing Act to authorize the Federal Savings and Loan Insurance Corporation to assess the special assessment on the basis of risk criteria which the Corporation may develop; to the Committee on Banking, Finance and Urban Affairs.

By Mr. LEACH of Iowa:

H.R. 4809. A bill to require the Federal Home Loan Bank Board to prescribe regulations to limit the direct investment authority of thrift institutions, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mrs. MEYERS of Kansas:

H.R. 4810. A bill to amend the Public Health Service Act to require that individuals convicted of crimes relating to sexual misconduct be tested with respect to acquired immune deficiency syndrome, and for other purposes; to the Committee on Energy and Commerce.

By Mr. RANGEL:

H.R. 4811. A bill to amend part M of title I of the Omnibus Crime Control and Safe Streets Act of 1968 to provide for direct grants to units of local government to enforce State and local laws that establish offenses similar to offenses established in the Controlled Substances Act; and to authorize appropriations for fiscal years 1990, 1991, and 1992 to carry out such part; to the Committee on the Judiciary.

By Mr. ROWLAND of Georgia (for himself, Mr. JENKINS, and Mr. FLIPPO):

H.R. 4812. A bill to amend the Internal Revenue Code of 1986 to provide that a waiver under an interest rate adjustment clause on a small issue bond shall not be treated as resulting in a new issue for purposes of determining deductibility of interest by a financial institution; to the Committee on Ways and Means.

By Mr. SHAW:

H.R. 4813. A bill to amend the National Forest System Drug Control Act of 1986, and for other purposes; jointly, to the Committee on Agriculture, Interior and Insular Affairs, and the Judiciary.

H.R. 4814. A bill to amend title 39, United States Code, and the Comprehensive Drug Abuse Prevention and Control Act of 1970 to provide certain authorities to the Postal Service, and for other purposes; jointly, to the Committees on Energy and Commerce, the Judiciary, and Post Office and Civil Service.

By Mr. SMITH of New Hampshire:

H.R. 4815. A bill to amend the Atomic Energy Act of 1954 to provide for State and local participation in the emergency planning process, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SOLOMON:

H.R. 4816. A bill to amend the Export Administration Act of 1979 to prohibit United States corporations from entering into commercial ventures using the Soviet space station and to prohibit United States satellites from being launched from launch vehicles owned by certain countries; jointly, to the Committees on Foreign Affairs and Science, Space, and Technology.

By Mr. STAGGERS:

H.R. 4817. A bill to prohibit the importation of foreign-made flags of the United States of America; to the Committee on Ways and Means.

By Mr. VENTO (for himself, Mr. UDALL, Mr. LAGOMARSINO, Mr. AKAKA, Mr. DE LUOGO, Mr. SUNIA, Mr. FUSTER, and Mr. BLAZ):

H.R. 4818. A bill to establish the National Park of Samoa; to the Committee on Interior and Insular Affairs.

By Mr. SUNDQUIST (for himself and Mr. FORD of Tennessee):

H. Con. Res. 316. Concurrent resolution to express deep concern that the Japanese Ministry of Transport has imposed unreasonable and unjustifiable obstacles which have precluded Federal Express from implementing its small-package express service between the United States and Japan pursuant to the 1985 Memorandum of Understanding between the United States and Japan; to the Committee on Ways and Means.

By Mr. DORNAN of California (for himself and Mrs. JOHNSON of Connecticut):

H. Con. Res. 317. Concurrent resolution to express the sense of the Congress concerning support for amateur radio and amateur radio frequency allocations vital for public safety purposes; to the Committee on Energy and Commerce.

## MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

412. By the SPEAKER: Memorial of the Legislature of the State of Oklahoma, relative to the Soviet armed forces; to the Committee on Foreign Affairs.

413. Also, memorial of the Legislature of the State of Hawaii, relative to Americans and resident aliens of Japanese ancestry and Alaskan Aleuts; to the Committee on the Judiciary.

414. Also, memorial of the House of Representatives of the State of Hawaii, relative to satellite technology in the fishing industry; restoration of Federal funds to the Regional Aquaculture Center Program; to the Committee on Merchant Marine and Fisheries.

415. Also, memorial of the Legislature of the State of Hawaii, relative to U.S. Coast Guard services in Hawaii; to the Committee on Merchant Marine and Fisheries.

416. Also, memorial of the Legislature of the State of Hawaii, relative to a veterans hospital in Hawaii; to the Committee on Veterans' Affairs.

417. Also, memorial of the Legislature of the State of Oklahoma, relative to exempting certain interest income from taxation; to the Committee on Ways and Means.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BONKER:

H.R. 4819. A bill to authorize the Secretary of Transportation to issue a certificate of documentation which authorizes the vessel *Suva* to engage in the coastwise trade; to the Committee on Merchant Marine and Fisheries.

By Mr. BORSKI:

H.R. 4820. A bill to authorize the Secretary of Transportation to issue a certificate of documentation which authorizes the vessel *Albert* to engage in the coastwise trade; to the Committee on Merchant Marine and Fisheries.

## ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 39: Mr. ANNUNZIO.  
H.R. 303: Mr. NELSON of Florida and Mr. MCCREERY.

H.R. 901: Mr. OWENS of Utah.  
H.R. 1049: Mr. CLAY.  
H.R. 1358: Mr. SOLARZ.  
H.R. 1531: Mr. BLAZ, Ms. SLAUGHTER of New York, Mr. ROWLAND of Connecticut, Mr. WALGREN, and Mr. BOSCO.  
H.R. 1632: Mr. MINETA.

H.R. 1897: Mr. LANCASTER, Mr. BILBRAY, Mr. CONTE, Mr. MAZZOLI, Mr. TORRES, Mr. HATCHER, Mr. DEFAZIO, Mr. ECKART, Mr. MFUME, and Mr. DREIER of California.

H.R. 1938: Mrs. MORELLA.

H.R. 2168: Mr. DORGAN of North Dakota and Mr. GINGRICH.

H.R. 2514: Mrs. LLOYD.

H.R. 2726: Mr. ECKART and Mr. BONIOR of Michigan.

H.R. 3044: Mrs. MARTIN of Illinois, Mr. LEACH of Iowa, Mr. CLINGER, and Mr. VANDER JAGT.

H.R. 3132: Mr. RAVENEL.

H.R. 3178: Mr. LEWIS of Georgia.

H.R. 3250: Mr. DENNY SMITH.

H.R. 3418: Mr. AU COIN, Mr. PETRI, Mr. ROWLAND of Connecticut, Mr. BORSKI, Mr. BIAGGI, Mr. MINETA, Mr. GILMAN, Mr. RAVENEL, Mr. BRYANT, Mr. HALL of Texas, Mr. SLATTERY, Mr. KOSTMAYER, Mr. LOWRY of Washington, Mr. HILER, Mr. CLARKE, Mrs. BYRON, Mr. MOODY, and Mr. TAUZIN.

H.R. 3455: Mr. SAVAGE, Mr. HOCHBRUECKNER, Mr. FISH, and Mrs. SAIKI.

H.R. 3503: Mr. GARCIA.

H.R. 3663: Mr. TOWNS.

H.R. 3788: Mr. DONALD E. LUKENS, Mr. GRANT, Mr. MCDADE, and Mrs. PATTERSON.

H.R. 3891: Mr. McMILLEN of Maryland, Mr. SABO, Mr. BEILSON, Mr. WHEAT, Mr. NEAL, Ms. KAPTUR, Mr. MARTINEZ, Mr. LANTOS, Mr. STAGGERS, Mr. SLATTERY, Mr. FORD of Michigan, Mr. CLAY, Mr. STOKES, Mr. GORDON, Mr. LELAND, and Mr. CROCKETT.

H.R. 3907: Mr. ANTHONY, Mr. BOSCO, and Mr. HAYES of Louisiana.

H.R. 3978: Mr. BATES, Mr. BONIOR of Michigan, Mr. DOWNEY of New York, Mr. FASCELL, Mr. FOGLIETTA, Mr. GREEN, Mr. LEVIN of Michigan, Mr. MARKEY, Mr. MORRISON of Connecticut, Mr. PEPPER, and Mr. TOWNS.

H.R. 4012: Mr. SABO, Mr. KOLTER, Mr. TOWNS, and Mr. SOLARZ.

H.R. 4038: Mr. WORTLEY, Mr. SCHUETTE, Mr. LAGOMARSINO, Mr. DONALD E. LUKENS, and Mr. HYDE.

H.R. 4060: Mr. OWENS of Utah, Mr. BORSKI, Mr. BRUCE, Mr. MANTON, and Mr. NEAL.

H.R. 4127: Mr. LENT, Mr. TOWNS, Mr. SAVAGE, Mr. HAYES of Illinois, Mr. SKAGGS, Mr. LANCASTER, Mr. RIDGE, Mr. DYSON, Mr. MURTHA, Mr. JENKINS, Mr. COOPER, Mr. BROWN of California, Mr. WELDON, Mr. GALLO, Mr. ROWLAND of Georgia, Mrs. LLOYD, and Mr. WYDEN.

H.R. 4150: Mr. GLICKMAN, Mr. COBLE, and Mrs. BOGGS.

H.R. 4221: Mr. GALLO, Mr. MCHUGH, Mr. OXLEY, Mr. BARTON of Texas, Mr. DAUB, Mr. ERDREICH, Mr. DEWINE, Mr. ACKERMAN, Mr. GARCIA, Mr. BUSTAMANTE, and Mr. LAGOMARSINO.

H.R. 4257: Mr. MCEWEN, Mr. MCDADE, Mr. SMITH of Texas, Mr. CLEMENT, Mr. STRATTON, Mr. PORTER, Mr. TRAFICANT, Mr. ESPY, Mr. SUNDQUIST, Mr. WEBER, Mr. VANDER JAGT, Mr. BALENGER, Mr. HENRY, Ms. SLAUGHTER of New York, Mr. BONIOR of Michigan, Mr. LANTOS, and Mr. PEPPER.

H.R. 4260: Mr. RIDGE, Mr. DWYER of New Jersey, and Mrs. MEYERS of KANSAS.

H.R. 4297: Mr. MCCURDY.

H.R. 4325: Mr. TOWNS, Mr. CHAPMAN, and Mr. DEFAZIO.

H.R. 4352: Mr. GORDON, Mr. DE LUGO, and Mr. TALLON.

H.R. 4410: Mr. KASICH, Mr. DEWINE, Mr. FEIGHAN, Mr. GRADISON, Mr. HALL of Ohio, Ms. KAPTUR, Mr. LATTI, Mr. THOMAS A. LUKE, Mr. DONALD E. LUKENS, Mr. MILLER

of Ohio, Ms. OAKAR, Mr. OXLEY, Mr. REGULA, Mr. TRAFICANT, and Mr. WYLIE.

H.R. 4428: Mr. TOWNS, Mr. GILMAN, Mr. HAYES of Illinois, Mr. RANGEL, and Mr. HORTON.

H.R. 4438: Mr. GRAY of Illinois, Mr. BUSTAMANTE, Mr. KOSTMAYER, Mr. FLIPPO, Mr. HAMMERSCHMIDT, Mr. DAVIS of Illinois, Mr. MCDADE, Mr. OLIN, Mr. JOHNSON of South Dakota, and Mr. VANDER JAGT.

H.R. 4444: Mrs. BENTLEY and Mr. DONALD E. LUKENS.

H.R. 4450: Mr. FROST.

H.R. 4463: Mr. ERDREICH, Mr. IRELAND, Mr. MCEWEN, Mr. McGRATH, and Mr. CLINGER.

H.R. 4514: Mr. CAMPBELL, Mr. JENKINS, Mr. DAVIS of Michigan, Mr. SKEEN, and Mr. MARLENEE.

H.R. 4542: Mr. ROBERT F. SMITH, Mr. WHITTEN, Mr. MORRISON of Washington, and Mr. COMBEST.

H.R. 4548: Mr. ENGLISH and Mr. FAUNROY.

H.R. 4554: Mr. STARK, Mr. RAVENEL, Mr. ANDREWS, Mr. LEACH of Iowa, Mr. KASTENMEIER, Mrs. LLOYD, Mr. KOLTER, Mrs. BOGGS, Mr. RAHALL, Mr. ROE, Mr. DEFAZIO, Mr. SKELTON, Ms. PELOSI, Mr. WALGREN, Mr. LANCASTER, Mr. SOLOMON, and Mr. BEVILL.

H.R. 4570: Mr. LEVINE of California.

H.R. 4576: Mr. GLICKMAN, Mr. MCEWEN, Mr. DANNEMEYER, Mr. SLATTERY, and Mr. PRICE of North Carolina.

H.R. 4635: Mr. DONALD E. LUKENS.

H.R. 4651: Mr. SKAGGS.

H.R. 4655: Mr. PURSELL, Mr. DOWDY of Mississippi, and Mr. BOUCHER.

H.R. 4758: Mr. GEKAS, Mr. FISH, Mr. EDWARDS of Oklahoma, Mr. SYNAR, Mr. BRYANT, Mr. TRAXLER, Mr. LOTT, Mr. MANTON, Mr. FEIGHAN, Mr. BIAGGI, Mr. BOUCHER, Mr. KILDEE, Mr. RODINO, Ms. OAKAR, and Mr. SWINDALL.

H.R. 4760: Mr. CHAPMAN, Mr. NEAL, Mr. JACOBS, Mr. DEFAZIO, Mrs. BOXER, and Mr. FAZIO.

H.J. Res. 330: Mr. MARTINEZ, Mr. ROE, Mr. HYDE, Mr. FAWELL, Mr. LELAND, Mr. TALLON, Mr. LOWRY of Washington, Mr. WALGREN, Mr. LEVIN of Michigan, and Mr. ACKERMAN.

H.J. Res. 453: Mr. VENTO, Mr. BROOMFIELD, Mr. DICKS, Mr. TAUZIN, and Mr. MARTINEZ.

H.J. Res. 463: Mr. BRYANT, Mr. DEFAZIO, Mrs. JOHNSON of Connecticut, Mr. LANCASTER, Mrs. MARTIN of Illinois, Mr. BERMAN, Mr. BOSCO, Mr. HOCHBRUECKNER, Mr. HUNTER, Mr. INHOFE, Mr. KEMP, Mr. THOMAS A. LUKE, Mr. DONNELLY, Mr. MCCOLLUM, Mr. RICHARDSON, Mr. MFUME, Mr. SAVAGE, Mr. SIKORSKI, Mr. LAFALCE, Mr. DUNCAN, Mr. NIELSON of Utah, Mr. SPENCE, Mr. DEWINE, Mr. KENNEDY, Mr. APPLIGATE, Mr. MARKEY, Mr. COURTER, Mr. HAYES of Louisiana, and Mr. BENNETT.

H.J. Res. 464: Mr. RINALDO, Mr. HOCHBRUECKNER, Mr. SHAYS, Mr. CRAIG, Mr. LENT, Mr. RIDGE, and Mr. MINETA.

H.J. Res. 485: Mr. BARTLETT, Mr. TORRICELLI, and Mr. BOULTER.

H.J. Res. 488: Mr. AU COIN, Mr. ST GERMAIN, Mr. CRAIG, Mr. BRUCE, Mr. MRAZEK, Mr. CLARKE, Mr. HAYES of Louisiana, Mr. HILER, Mr. GUNDERSON, Mr. HAYES of Illinois, Mr. HEFNER, Mr. HYDE, Mr. HERTEL, Mr. MINETA, Mr. AKAKA, Mr. WELDON, Mr. LEHMAN of California, Ms. KAPTUR, Mrs. KENNELLY, Mr. LATTI, Mr. LEWIS of Georgia, Mr. MCEWEN, Mr. McGRATH, Mr. McMILLEN of Maryland, Mr. MACKAY, Mr. MARTIN of New York, Mr. MILLER of Washington, Mr. IRELAND, Mr. NEAL, Mr. RANGEL, Mr. RAVENEL, Mr. SAXTON, Mr. SABO, Mr. DENNY SMITH, Mr. STOKES, Mr. SUNIA, Mr. KENNEDY, Mr. TALLON, Mr. TRAFICANT, Mr. WISE,

Mr. LAFALCE, Mr. TOWNS, and Mrs. VUCANOVICH.

H.J. Res. 509: Mr. HAYES of Illinois, Mr. FRENZEL, Mr. HENRY, Mr. DOWDY of Mississippi, Mr. ESPY, and Mr. FOGLIETTA.

H.J. Res. 555: Mr. DREIER of California and Mr. GALLO.

H.J. Res. 557: Mr. BENNETT, Mr. RUSSO, Mr. OWENS of New York, Mr. ACKERMAN, Mr. LIPINSKI, Mr. DOWDY of Mississippi, Mr. BARNARD, Mr. SHUMWAY, Ms. KAPTUR, Mr. GARCIA, Mr. BUECHNER, Mr. MADIGAN, Mr. SMITH of New Jersey, Mr. WALGREN, Mr. KASTENMEIER, Mr. MOAKLEY, Mr. KASICH, Mr. LEACH of Iowa, Mr. DYMALLY, Mr. TAUKE, and Mrs. LLOYD.

H. Con. Res. 28: Mr. LIPINSKI and Mr. BROOMFIELD.

H. Con. Res. 232: Mr. SHUSTER, Mr. KOSTMAYER, and Mr. WALGREN.

H. Con. Res. 260: Mr. MORRISON of Washington, Mr. GEPHARDT, Mr. HOPKINS, Mr. SLAUGHTER of Virginia, Mr. PANETTA, Mr. MINETA, Mr. CLEMENT, Mr. PICKETT, Mr. WISE, and Mr. MORRISON of Connecticut.

H. Con. Res. 265: Mr. SHAYS and Mr. HOCHBRUECKNER.

H. Con. Res. 277: Mr. GEJDNENSON, Mr. BROWN of California, Mr. BERMAN, Mr. TOWNS, Mr. ATKINS, Mr. BORSKI, Mr. WEISS, and Mr. AU COIN.

H. Con. Res. 303: Mr. FUSTER, Mr. NEAL, Mr. OWENS of New York, Mr. INHOFE, Mr. WORTLEY, Mr. JEFFORDS, Mr. BORSKI, Mr. WAXMAN, and Mrs. COLLINS.

H. Con. Res. 305: Mr. BEILSON, Mr. BORSKI, Mr. BOUCHER, Mr. BROWN of California, Mr. DORGAN of North Dakota, Mr. FRANK, Mr. GEJDNENSON, Mr. GILMAN, Mr. GLICKMAN, Mr. HUGHES, Mr. LEVIN of Michigan, Mr. MCHUGH, Mrs. MORELLA, and Mr. MRAZEK.

H. Res. 286: Mr. GARCIA.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

182. By the SPEAKER: Petition of the city clerk, Buffalo, NY, relative to the trade bill; to the Committee on Ways and Means.

183. Also, petition of the city clerk, Buffalo, NY, relative to revenue bonds; to the Committee on Ways and Means.

184. Also, petition of the city clerk, Buffalo, NY, relative to tax exempt bonds; to the Committee on Ways and Means.

#### AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 4783,

By Mr. DORNAN of California:  
—At the end of the bill, before the short title, insert the following new section:

Sec. . . No funds under this Act may be used by the Secretary of Health and Human Services—

(1) to continue an exemption under section 505(i) of the Federal Food, Drug, and Cosmetic Act for the drug RU-486 when used as a drug to cause an abortion or as an abortifacient; or

(2) to consider any application under section 505 of such Act for the approval of a new drug application for such drug when used for such purpose.