

HOUSE OF REPRESENTATIVES—Wednesday, November 15, 1989

The Reverend Thomas B. Curran, member of the Oblates of St. Francis de Sales, Philadelphia, PA, offered the following prayer:

Heavenly Father, we ask You to send Your spirit upon these lawmakers of the 101st Congress. Endow them with inspiration, courage, and selfless leadership. May their deliberations and decisions address the true needs of our Nation.

We recall the words of our first President, George Washington, who prayed for the protection of Almighty God upon these United States. We repeat his prayer that God might dispose our leaders to do justice, to love mercifully, and to act in imitation of the ruler of all humanity.

For we can be that "city upon a hill." The eyes of all people may be upon us but our eyes are fixed upon You. For You, Heavenly Father, are the source of our strength and guidance. We are confident that You will lead us into the next century and into Your presence forever.

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.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Missouri [Mr. BUECHNER] come forward and lead the House in the Pledge of Allegiance?

Mr. BUECHNER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

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 bill of the House of the following title:

H.R. 2120. An act to amend the Deep Seabed Hard Mineral Resources Act to authorize appropriations to carry out the provisions of the act for fiscal years 1990, 1991, 1992, 1993, and 1994.

The message also announced that the Senate agrees to the amendments of the House to the bill (S. 978) entitled "An Act to authorize the establishment within the Smithsonian In-

stitution of the National Museum of the American Indian, to establish a memorial to the American Indian, and for other purposes."

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 3402. An act to promote political and economic democracy in Poland and Hungary to those countries develop and implement programs of comprehensive economic reform.

WELCOME TO FATHER THOMAS CURRAN, TODAY'S GUEST CHAPLAIN

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

Mr. BORKSI. Mr. Speaker, I would like to thank Father Thomas Curran for giving today's opening prayer.

For each of the last 3 years, Mr. Speaker, Father Curran has invited me to address his civics class at Father Judge High School in northeast Philadelphia.

Today I am delighted to return the favor.

Father, welcome to my job.

As an Oblate of St. Francis de Sales, Father Curran taught for 7 years at Father Judge.

I can tell you from personal experience in his classroom that he was a dedicated teacher who inspired respect, interest, and enthusiasm in his students.

His commitment to the Catholic Church and to helping people stimulated his interest in the law, and earlier this year, he began law school at Catholic University here in Washington.

When he completes his legal education, Father Curran hopes to become an advocate for the poor, possibly as a public defender.

I am especially pleased that Father Curran could join us on such a historic day.

We will soon convene a joint session of Congress to receive Polish solidarity leader Lech Walesa.

It is the first time in 165 years that a joint session has been called for a private citizen.

Mr. Speaker, one of the greatest of my predecessors said that "in this House, sir, the people govern."

I am proud to be a Member of the body which today honors a man who has done as much for the cause of

giving people the power to govern as any man in this century.

So, Father Curran, and our other distinguished guest "Vee-Tom" Pon Vah-Wen-Sa.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to make an announcement.

The Chair announces that during the joint meeting to receive the Honorable Lech Walesa, only the doors immediately opposite the Speaker and those on his left and right will be open.

RECESS

The SPEAKER. Pursuant to the order of the House of Thursday, November 9, 1989, the House will stand in recess subject to the call of the Chair.

Accordingly (at 10 o'clock and 5 minutes a.m.), the House stood in recess subject to the call of the Chair.

JOINT MEETING OF THE HOUSE AND SENATE TO HEAR AN ADDRESS BY THE HONORABLE LECH WALESZA, CHAIRMAN, SOLIDARNOSC

The Speaker of the House presided. The Doorkeeper, the Honorable James T. Molloy, announced the Vice President and Members of the U.S. Senate, who entered the Hall of the House of Representatives, the Vice President taking the chair at the right of the Speaker, and Members of the Senate the seats reserved for them.

The SPEAKER. The Chair appoints as members of the committee on the part of the House to escort the Honorable Lech Walesa, Chairman, Solidarnosc, into the Chamber:

The gentleman from Missouri [Mr. GEPHARDT];

The gentleman from Pennsylvania [Mr. GRAY];

The gentleman from Florida [Mr. FASCELL];

The gentleman from Michigan [Mr. BONIOR];

The gentleman from Maryland [Mr. HOYER];

The gentleman from Illinois [Mr. MICHEL];

The gentleman from Georgia [Mr. GINGRICH];

The gentleman from Michigan [Mr. BROOMFIELD];

The gentleman from California [Mr. LEWIS];

□ 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.

The gentleman from Oklahoma [Mr. EDWARDS];
 The gentleman from Michigan [Mr. DINGELL];
 The gentleman from Illinois [Mr. ROSTENKOWSKI];
 The gentleman from Michigan [Mr. VANDER JAGT];
 The gentleman from Ohio [Mr. GRADISON];
 The gentleman from New York [Mr. NOWAK];
 The gentleman from New York [Mr. SOLARZ];
 The gentleman from California [Mr. FAZIO];
 The gentleman from Oklahoma [Mr. SYNAR];
 The gentleman from Michigan [Mr. HERTEL];
 The gentleman from California [Mr. HUNTER];
 The gentlewoman from Illinois [Mrs. MARTIN];
 The gentleman from Florida [Mr. MCCOLLUM];
 The gentleman from Minnesota [Mr. WEBER];
 The gentleman from Pennsylvania [Mr. BORSKI];
 The gentlewoman from Ohio [Ms. KAPTUR];
 The gentleman from Illinois [Mr. LIPINSKI];
 The gentleman from Minnesota [Mr. SIKORSKI];
 The gentleman from Wisconsin [Mr. KLECZKA]; and
 The gentleman from Pennsylvania [Mr. KANJORSKI].

The VICE PRESIDENT. The President of the Senate, at the direction of that body, appoints the following Senators as members of the committee on the part of the Senate to join a like committee on the part of the House to escort the Honorable Lech Walesa into the House Chamber:

The Senator from West Virginia [Mr. BYRD];
 The Senator from Maine [Mr. MITCHELL];
 The Senator from California [Mr. CRANSTON];
 The Senator from Arkansas [Mr. PRYOR];
 The Senator from Illinois [Mr. DIXON];
 The Senator from Michigan [Mr. LEVIN];
 The Senator from Massachusetts [Mr. KERRY];
 The Senator from Illinois [Mr. SIMON];
 The Senator from Maryland [Ms. MIKULSKI];
 The Senator from Florida [Mr. GRAHAM];
 The Senator from Kansas [Mr. DOLE];
 The Senator from Wyoming [Mr. SIMPSON];
 The Senator from Colorado [Mr. ARMSTRONG];

The Senator from Rhode Island [Mr. CHAFEE];
 The Senator from Mississippi [Mr. COCHRAN];
 The Senator from New Mexico [Mr. DOMENICI];
 The Senator from North Carolina [Mr. HELMS];
 The Senator from Indiana [Mr. LUGAR];
 The Senator from South Dakota [Mr. PRESSLER]; and
 The Senator from Alaska [Mr. MURKOWSKI].

The Doorkeeper announced the ambassadors, ministers, and chargés d'affaires of foreign governments.

The ambassadors, ministers, and chargés d'affaires of foreign governments entered the Hall of the House of Representatives and took the seats reserved for them.

The Doorkeeper announced the Cabinet of the President of the United States.

The members of the Cabinet of the President of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 11 o'clock and 5 minutes a.m., the Doorkeeper announced the Honorable Lech Walesa, Chairman, Solidarnosc.

The Honorable Lech Walesa, Chairman, Solidarnosc, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives, and stood at the Clerk's desk.

[Applause, the Members rising.]

The SPEAKER. Members of the Congress, it is my great privilege, and I deem it a high honor and personal pleasure to present to you the Honorable Lech Walesa, Chairman, Solidarnosc.

[Applause, the Members rising.]

ADDRESS BY THE HONORABLE LECH WALESZA, CHAIRMAN, SOLIDARNOSC

(The following is an English translation of the address delivered in Polish by Chairman Lech Walesa before the joint meeting, through an interpreter.)

Mr. WALESZA. Mr. Speaker, Mr. President, members of the Cabinet, distinguished Members of the House and Senate, ladies and gentlemen,

"We the people * * *"

With these words I wish to begin my address. I do not need to remind anyone here where these words come from. And I do not need to explain that I, an electrician from Gdansk, am also entitled to invoke them.

"We the people * * *"

I stand before you as the third foreign non-head-of-state invited to address the joint Houses of Congress of the United States. The Congress, which for many people in the world, oppressed and stripped of their rights,

is a beacon of freedom and a bulwark of human rights. And here I stand before you, to speak to America in the name of my nation. To speak to citizens of the country and the continent whose threshold is guarded by the famous Statue of Liberty. It is for me an honor so great, a moment so solemn, that I can find nothing to compare it with.

The people in Poland link the name of the United States with freedom and democracy, with generosity and high-mindedness, with human friendship and friendly humanity. I realize that not everywhere in the world is America so perceived. I speak of her image in Poland. This image was strengthened by numerous favorable historical experiences, and it is a very well-known thing that Poles repay warmheartedness in kind.

The world remembers the wonderful principle of the American democracy: "government of the people, by the people, for the people."

I too remember these words; I, a shipyard worker from Gdansk, who has devoted his entire life—along with other members of the Solidarity movement—to the service of this idea: "government of the people, by the people, for the people." Against privilege and monopoly, against violations of the law, against the trampling of human dignity, against contempt and injustice.

Such in fact are the principles and values—reminiscent of Abraham Lincoln and the Founding Fathers of the American Republic, and also of the principles and ideas of the American Declaration of Independence and the American Constitution—that are pursued by the great movement of Polish Solidarity; a movement that is effective. I know that Americans are idealistic, but at the same time practical people endowed with common sense and capable of logical action. They combine these features with a belief in the ultimate victory of right over wrong. But they prefer effective work to making speeches. And I understand them very well. I, too, am not too fond of speeches. I prefer facts and work. I treasure effectiveness.

Ladies and gentlemen, here is the fundamental, most important fact I want to tell you about. I want to tell you that the social movement bearing the beautiful name of Solidarity, born of the Polish Nation, is an effective movement. After many long years of struggle it bore fruit which is there for all to see. It pointed to a direction and a way of action which are today affecting the lives of millions of people speaking different languages. It has swayed monopolies, overturning some altogether. It has opened up entirely new horizons.

And this struggle was conducted without resorting to violence of any

kind—a point that cannot be stressed too much. We were being locked up in prison, deprived of our jobs, beaten and sometimes killed. And we did not so much as strike a single person. We did not destroy anything. We did not smash a single windowpane. But we were stubborn, very stubborn, ready to suffer, to make sacrifices. We knew what we wanted. And our power prevailed in the end.

The movement called Solidarity received massive support and scored victories because at all times and in all matters it opted for the better, more human, and more dignified solution, standing against brutality and hate. It was a consistent movement, stubborn, never giving up. And that is why after all these hard years, marked by so many tragic moments, Solidarity is today succeeding and showing the way to millions of people in Poland and other countries.

Ladies and Gentlemen, it was 10 years ago, in August 1980, that there began in the Gdansk shipyard the famous strike which led to the emergence of the first independent trade union in Communist countries, which soon became a vast social movement supported by the Polish Nation. I was 10 years younger then, unknown to anybody but my friends in the shipyard, and somewhat slimmer. And I must frankly say, it was important. An unemployed man at that time, fired from my job for earlier attempts to organize workers in the fight for their rights, I jumped over the shipyard wall and rejoined my colleagues who promptly appointed me the leader of the strike. This is how it all began. When I recall the road we have traveled I often think of that jump over the fence. Now others jump fences and tear down walls, they do it because freedom is a human right.

But there is also another reflection that comes to my mind when I think of the road behind us. In those days, at the beginning, many warnings, admonitions, and even condemnations were reaching us from many parts of the world. "What are those Poles up to?" we heard. "They are mad, they are jeopardizing world peace and European stability. They ought to stay quiet and not get on anybody's nerves."

We gathered from those voices that the other nations have the right to live in comfort and well-being, they have the right to democracy and freedom, and it is only the Poles who should give up these rights so as not to disturb the peace of others.

In the days before the Second World War there were many people who asked: Why should we die for Gdansk? Isn't it better to stay at home? But war soon paid them a visit, and they had to start dying for Paris, for London, for Hawaii. This time, too, there were many who complained:

There is that Gdansk again disturbing our peace.

But the recent developments in Gdansk carried a different message. This was not the beginning but the true end of that war. This was the beginning of a new, better, democratic and safe era in the history of our world. There is no longer a question of dying for Gdansk, but of living for it.

Looking at what is happening around us today we may state positively that the Polish road of struggle for human rights, struggle without violence, the Polish stubbornness and firmness in the quest for pluralism and democracy show many people today, and even nations, how to avoid the greatest dangers. If there is something threatening European stability today, it certainly is not Poland. Poland's drive toward profound transformations, transformations achieved through peaceful means, through evolution, negotiated with all the parties concerned, makes it possible to avoid the worst pitfalls, and may be held up as a model for many other regions. And as we know, changes elsewhere are not so peaceful.

Peacefully and prudently, with their eyes open to dangers, but not giving up what is right and necessary, the Poles gradually paved the way for historic transformations. We are joined along this way, albeit to various extents, by others: Hungarians and Russians, the Ukrainians and people of the Baltic Republics, Armenians and Georgians, and, in recent days, the East Germans. We wish them luck and rejoice at each success they achieve. We are certain that others will also take our road, since there is no other choice.

So I ask now: Is there any sensible man understanding the world around him who could now say that it would be better if the Poles kept quiet because what they are doing is jeopardizing world peace? Couldn't we rather say that Poles are doing more to preserve and consolidate peace than many of their frightened advisers? Could we not say that stability and peace face greater threats from countries which have not yet brought themselves to carry out long-ranging and comprehensive reforms, which do their utmost to preserve the old and disgraced ways of government, contrary to the wishes of their societies?

Things are different in Poland. And I must say that our task is viewed with understanding by our eastern neighbors and their leader, Mikhail Gorbachev. This understanding lays foundations for new relations between Poland and the U.S.S.R. much better than before. These improved mutual relations will also contribute to stabilization and peace in Europe, removing useless tensions. Poles have had a long and difficult history, and no one wants peaceful coexistence and friendship

with all nations and countries—and particularly with the Soviet Union—more than we do. We believe that it is only now that the right and favorable conditions for such coexistence and friendship are emerging.

Poland is making an important contribution to a better future for Europe, to a European reconciliation—also to the vastly important Polish-German reconciliation—to overcoming of old divisions and to strengthening of human rights on our continent. But it does not come easily for Poland.

In the Second World War Poland was the first country to fall victim to aggression. Her losses in terms of human life and national property were the heaviest. Her fight was the longest; she was always a dedicated member of the victorious alliance; and her soldiers fought in all the war's theaters. In 1945 Poland, theoretically speaking, was one of the victors. Theory, however, had little in common with practice. In practice, as her allies looked on in tacit consent, there was imposed on Poland an alien system of government, without precedent in Polish tradition, unaccepted by the nation, together with an alien economy, an alien law, and alien philosophy of social relations. The legal Polish Government, recognized by the nation and leading the struggle of all Poles throughout the war was condemned, and those who remained faithful to it were subjected to the most ruthless persecution. Many were murdered, thousands vanished somewhere in Russia's east and north. Similar repression befell soldiers of the underground army fighting the Nazis. It is only now that we are discovering their bones in unmarked graves scattered among forests.

These atrocities were followed by persecutions of all those who dared think independently. All the solemn pledges about free elections in Poland that were made in Yalta were broken.

This was the second great national catastrophe, following the one of 1939. When other nations were joyously celebrating victory, Poland was again sinking into mourning. The awareness of this tragedy was doubly bitter, as the Poles realized that they had been abandoned by their allies. The memory of this is still strong in the minds of many.

Nonetheless, the Poles took to rebuilding their devastated country and in the first years following the war they were highly successful. But soon a new economic system was introduced, in which individual entrepreneurship ceased to exist and the entire economy ended up in the hands of a state run by people who were not elected by the nation. Stalin forbade Poland to use aid provided by the Marshall plan, the aid that was used by everyone in Western Europe, including

countries which lost the war. It is worth recalling this great American plan which helped Western Europe to protect its freedom and peaceful order. And now it is the moment when Eastern Europe awaits an investment of this kind—an investment in freedom, democracy, and peace—an investment adequate to the greatness of the American Nation.

The Poles have traveled a long way. It would be worthwhile for all those commenting on Poland, often criticizing Poland, to bear in mind that whatever Poland has achieved she achieved through her own effort, through her own stubbornness, her own relentlessness. Everything was achieved thanks to the unflinching faith of our nation in human dignity and in what is described as the values of Western culture and civilization.

Our Nation knows well the price of all this.

Ladies and gentlemen, for the past 50 years the Polish nation has been engaged in a difficult and exhausting battle. First to preserve its very biological existence, later to save its national identity. In both instances Polish determination won the day. Today Poland is rejoining the family of democratic and pluralistic countries, returning to the tradition of religious and European values.

For the first time in half a century Poland has a non-Communist and independent government, supported by the nation.

But on our path there looms a serious obstacle, a grave danger. Our long subjection to a political system incompatible with national traditions, to a system of economy incompatible with rationality and common sense, coupled with the stifling of independent thought and disregard for national interests—all this has led the Polish economy to ruin, to the verge of utter catastrophe. The first government in 50 years elected by the people and serving the people has inherited from the previous rulers of the country a burden of an economy organized in a manner preventing it from satisfying even the basic needs of the people.

The economy we inherited after almost five decades of Communist rule is in need of thorough overhaul. This will require patience and great sacrifice. This will require time and means. The present condition of the Polish economy is not due to chance, and is not a specifically Polish predicament. All the countries of the Eastern bloc are bankrupt. The Communist economy has failed in every part of the world. One result of this is the exodus of the citizens of those countries, by land and by sea, by boat and by plane, swimming and walking across borders. This is a mass-scale phenomenon, well known in Europe, Asia, and Central America.

But Poland entered its new road and will never be turned back. The sense of our work and struggle in Poland lies in our creating situations and prospects that would hold Poles back from seeking a place for themselves abroad, that would encourage them to seek meaning in their work and a hope for a better future in their own country, their own home.

One hears sometimes that people in Poland do not care to work well. But even those who say this, know that Poles work well and effectively if only they see the sense and usefulness of their toil. The working people know their arithmetic too. They are working much harder and in worse conditions than their opposite numbers abroad, and on top of that are paid much lower wages. The economic system around them is absurd. To make matters worse, every several or dozen years the country has suffered a new crisis, a new crunch, and time and time again it turned out that past efforts went to waste. Show me people who would have worked well, stuck for decades under such a system. Wouldn't they too have succumbed to pessimism? But I wish no one experiences such as these.

This system had to be changed. And the Poles took it upon themselves to change it.

I know that America has her own problems and difficulties, some of them very serious. We are not asking for charity. We are not expecting philanthropy. But we would like to see our country treated as a partner and a friend. We would like cooperation under decent and favorable conditions. We would like Americans to come to us with proposals of cooperation bringing benefits to both sides.

We believe that assistance extended to democracy and freedom in Poland and all of Eastern Europe is the best investment in the future and in peace, better than tanks, warships, and war planes, an investment leading to greater security.

Poland has already done much to patch up the divisions existing in Europe, to create better and more optimistic prospects. Poland's efforts are viewed with sympathetic interest by the West—and for this thanks are in order. We believe that the West's contribution to this process will grow now. We have heard many beautiful words of encouragement. These are appreciated, but, being a worker and a man of concrete work, I must tell you that the supply of words on the world market is plentiful, but the demand is falling. Let deeds follow words now.

The decision by the Congress of the United States about granting economic aid to my country opens a new road. For this wonderful decision, I thank you warmly. I promise you that this aid will not be wasted, and will never be forgotten.

Ladies and gentlemen, from this podium, I'm expressing words of gratitude to the American people. It is they who supported us in the difficult days of martial law and persecution. It is they who sent us aid, they protested against violence. Today, when I am able to freely address the whole world from this elevated spot, I would like to thank them with special warmth.

It is thanks to them that the word "Solidarity" soared across borders and reached every corner of the world. Thanks to them the people of Solidarity were never alone. In this chain of people linked in solidarity there were many, very many Americans. I wish to mention here with warm gratitude our friends from the U.S. Congress, the AFL-CIO trade unions, from the institutions and foundations supporting freedom and democracy, and all those who lent us support in our most difficult moments. They live in all States, in small and large communities of your vast country. I thank all those who through the airwaves or printed word spread the truth. I also wish to say thank you and to greet all Polish Americans who maintain warm contacts with their old fatherland. Their support was always priceless for us. And the support of American Polish was always tremendously worth it to us.

Wholeheartedly thank the President of the United States and his administration for involvement in my country's affairs. I will never forget the then Vice President George Bush speaking in Warsaw over the tomb of the Reverend Jerzy Popieluszko, the martyr for Poland. And I will not forget President George Bush speaking in Gdansk in front of the monument of the Fallen Shipyard Workers. It's from there that the President of the United States was sending a message of freedom to Poland, to Europe, to the world.

Pope John Paul II once said: "Freedom is not just something to have and to use, it is something to be fought for. One must use freedom to build with it personal life as well as the life of the nation."

I thank this weighty thought can equally well be applied to Poland and to America.

I wish all of you to know and to keep in mind that the ideals which underlie this glorious American Republic and which are still alive here, are also living in faraway Poland. And although for many long years efforts were made to cut Poland off from these ideals, Poland held her ground and is now reaching for the freedom to which she is justly entitled. Together with Poland, other nations of Eastern Europe are following this path. The wall that was separating people from freedom has collapsed. And I hope

that the nations of the world will never let it be rebuilt.

[Applause, the Members rising.]

At 12 o'clock and 10 minutes p.m., the Honorable Lech Walesa, Chairman, Solidarnosc, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Doorkeeper escorted the invited guests from the Chamber in the following order:

The Members of the President's Cabinet.

The Ambassadors, Ministers, and chargés d'affaires of foreign governments.

JOINT MEETING DISSOLVED

The SPEAKER. The Chair declares the joint meeting of the two Houses dissolved.

Accordingly, at 12 o'clock and 10 minutes p.m., the joint meeting of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The House will continue in recess until 12:45 p.m.

□ 1250

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore [Mrs. SCHROEDER] at 12 o'clock and 50 minutes p.m.

PRINTING OF PROCEEDINGS HAD DURING RECESS

Mr. BRENNAN. Madam Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the RECORD.

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

There was no objection.

PERMISSION FOR SUBCOMMITTEE ON CIVIL AND CONSTITUTIONAL RIGHTS OF COMMITTEE ON THE JUDICIARY AND SUBCOMMITTEE ON CIVIL SERVICE OF THE COMMITTEE ON POST OFFICE AND CIVIL SERVICE TO SIT ON TOMORROW DURING 5-MINUTE RULE

Mr. EDWARDS of California. Madam Speaker, I ask that the Subcommittee on Civil and Constitutional Rights of the Committee on the Judiciary and the Subcommittee on Civil Service of the Committee on Post Office and Civil Service may be permitted to sit while the House is reading for amendments under the 5-minute rule on Thursday, November 16.

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

There was no objection.

LECH WALESZA: AN INSPIRATION FOR FREEDOM

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

Mr. BRENNAN. Madam Speaker, the moving words we have just heard from Lech Walesa were truly inspirational and show that the call for freedom cannot be stifled.

Lech Walesa's struggles in forming the trade union Solidarity were rewarded by the true political reforms taking place today in Poland. His courage and determination led a nation in breaking the bonds of repression they had known for 40 years, but never accepted.

A key part of Lech Walesa's strategy for political reform in Poland, was the strength and unifying force of organized labor—Something we have seen in our country, but many seem to forget. Organized labor serves as a force for change and improvement in many important aspects of our daily lives—through improved working conditions and improved compensation.

The United States has a special responsibility to Lech Walesa and his fellow Poles. We must not remain on the sideline offering little more than words of encouragement. The time is now for economic assistance to keep democracy and freedom alive in Poland. We cannot let Poland fail.

THE NAVY NEEDS TO ANSWER QUESTION ON ACCIDENTS

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

Mr. SCHULZE. Madam Speaker, for some time now, I have been trying to focus attention on the problems of the U.S. Navy, which had three more accidents yesterday—a sad day in the history of our Armed Forces.

Some questions must be answered. Chief of Naval Operations Trost. The Navy has an accident a day and sailors are dying. Why is this happening? Our other services are not having this problem.

Navy Secretary Garrett. Mothers are coming up to me on the street asking me if their sons are safe on naval ships. Why is this happening? A GAO study I requested documented the extreme number of naval fatalities. Have you read it? Have you finally noticed?

Defense Secretary Cheney. How many more of our sons and daughters will die before the Navy solves this crisis? What are you doing, Mr. Secretary, to address this matter of life and death?

CUT LARGESSE AT PENTAGON

(Mr. TRAFICANT asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Madam Speaker, the Soviets are cutting defense spending, and America should do likewise. The truth of the matter is we are going broke around here. What really hurts is the Air Force has a B-1 bomber. It was shot down by a pelican; the Navy has a rocket that acts like Shamu, it does cartwheels; the Army has a tank that couldn't hit the ocean if it was fired from dockside. To boot, none of these great lethal weapons have any spare parts.

Congress should cut the largesse at the Pentagon, straighten out our budget and economic ills, which is the first place to start, and take a look at NATO spending.

AIDS: A PUBLIC HEALTH PROBLEM, NOT A CIVIL RIGHTS PROBLEM

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

Mr. DANNEMEYER. Madam Speaker, a very significant event took place in the efforts of the Nation to deal with the AIDS epidemic yesterday in New York City when the New York City Board of Health, on the recommendation of Dr. Joseph, the health officer of New York City, recommended to the State health officer, Dr. Axelrod of New York State that we treat HIV carriers, report them in confidence to public health, and conduct contact tracing.

This is significant because New York State has the largest number of AIDS cases in America. It is significant because the voice of organized medicine in New York State, the New York State Medical Society, sued Dr. Axelrod to prepare a list of HIV carriers as a reportable disease. It is significant because the voice of organized medicine in the State with the largest number of AIDS cases is finally waking up to the fact we have to treat this epidemic as a public health problem, not a civil rights problem.

A NEW AGE BEGINS

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

Mr. NAGLE. Madam Speaker, the historian Page Smith titled his "people's history" of the American Revolution, "A New Age Now Begins."

That title seems to describe, as well, the dramatic impact of the rapid changes taking place in Eastern Europe. We do, indeed, appear to be witnessing what one television correspondent described as the "almost

hourly disintegration of the Soviet empire."

But while we may well be witnessing a new age now beginning, it is important to remember that what we are seeing is just that—only a beginning, in fact, only the beginning of a beginning.

The transformation of Eastern Europe is far from complete; the outcome far from certain.

While the President's cautious response to these developments is, generally, appropriate, there is one area where he must be bolder.

Mr. Gorbachev's policies of perestroika and glasnost—the historic changes in Soviet policy which allow these developments to unfold—place him at grave political risk at home. If he does not survive, all that we have witnessed may go crashing down with him.

We can help ourselves and the cause of freedom by acting now to increase our trade with the Soviet Union, to help the Soviet Union meet the basic domestic needs of its own people.

For in the final analysis, Mr. Gorbachev will be judged by the hardliners at home by whether or not his reforms help put bread on Soviet shelves and consumer goods in the hands of the Soviet people.

The time has come for the President to lift the Jackson-Vanick trade sanctions, extend most-favored-nation trading status and begin aggressively marketing American products to the Soviet Union.

Countries which trade together have a harder time pursuing hostilities, and Mr. Gorbachev's survival seems to rest, in part, on his obtaining that goal.

CONDEMN TERRORIST ACTIVITIES IN EL SALVADOR

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

Mr. DOUGLAS. Madam Speaker, earlier today right here in this Chamber we heard from a man who believes very strongly in democracy, Lech Walesa. Unfortunately, today in El Salvador a democratically elected government is under attack by Communist-backed guerrillas. Over 500 people have been killed in the fighting.

What is unique about this is the attack has been on civilian neighborhoods, not military targets. That is what makes the difference between a guerrilla who fights the military and a terrorist who goes after civilian homes of elected officials and tries to kill the spouses and children of men and women who are elected and chosen in a democratic process.

I would like to say to the other side of the aisle that Jim Wright, when he was Speaker, stood right where the

Speaker is, and said he concluded it was a fair election in El Salvador. I was down there in March during the election with Tony Coelho. We flew out and watched that election. That election is now under attack.

I certainly hope that our Committee on Foreign Affairs will have a resolution of condemnation of this Communist attempt to destroy a democratically elected government.

NEW ALLIANCE WITH AN OLD ADVERSARY

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

Mr. TORRICELLI. Madam Speaker, Mikhail Gorbachev reminds us that one man can challenge the world for change, but it still requires two people, two voices, to bring that change.

In a few days George Bush will have an opportunity to play an historic role. He can be that second person. He can end his observation of a new and evolving world, and he can join the architects of a new order.

George Bush seeks to control expectations for his upcoming summit. I believe that our expectations should soar. We have no less of an opportunity than to end the cold war and to begin a new alliance with an old adversary, to join in a fight against our traditional enemies of hunger, of homelessness, of disease.

Those are the opportunities for this summit, and those should be the expectations of all Americans.

HOPE: FIGHTING THE TRAGEDY OF HOMELESSNESS

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

Mr. GOSS. Madam Speaker, we here in Washington have long grown accustomed to the hundreds of thousands of men, women, and children who travel—literally, from all over the world—to witness the majestic sights and symbols of this Nation's Capital.

Sadly, some sights in this city aren't so pretty. What tourists and residents regularly see each day, in our parks and in our streets, from the White House to Capitol Hill, is the tragic face of homelessness.

The President has seen this tragedy. So has the Secretary of Housing and Urban Development. In response, as part of a bold new legislative initiative called Hope, this administration is taking a fresh look at meeting the needs of our Nation's homeless.

Two-thirds of the homeless living on the streets of our country suffer from drug dependency or mental illness. Theirs is a larger life tragedy in which

homelessness is merely one symptom of a much greater problem.

Project Hope—by recognizing both the root causes of homelessness and the comprehensive strategy required to get at those roots—can help extend the social safety net for the hard core homeless.

Under Hope, Federal housing funds will be coupled with State and local service resources, including the community health block grant, to provide not only shelter, but the professional treatment that nearly 70 percent of all homeless Americans require to lead normal, dignified lives.

A NO VOTE URGED ON BILL TO EXTEND CIVIL RIGHTS COMMISSION

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

Mr. SENSENBRENNER. Madam Speaker, within a matter of minutes the House of Representatives will be voting on legislation to extend the Civil Rights Commission. I strongly urge the House to defeat the motion to suspend the rules and pass this bill.

One of the features of the motion to suspend the rules takes the power to appoint the staff director away from the President of the United States and instead vests it in the Commission itself. The Office of Management and Budget has a letter in the works that says that if the bill lands on the President's desk in this form, it will be vetoed.

The Civil Rights Commission under new management can perform a very useful function in bringing civil rights issues to the attention of the American public, but to change the structure of the Commission at this late date is not good public policy, and I urge the membership to defeat the motion to suspend the rules.

EXPRESSING SUPPORT OF LEGISLATION TO EXTEND U.S. COMMISSION ON CIVIL RIGHTS

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

Mr. EDWARDS of California. Madam Speaker, in a few minutes we will be voting on the life of the Civil Rights Commission, that wonderful organization that has existed for the benefit of minorities and other people for many years.

A "no" vote on this bill will mean the end of the life of the U.S. Commission on Civil Rights. I urge my colleagues to vote "aye" on the bill to extend the life of the U.S. Commission on Civil Rights for 6 months.

BIPARTISAN SUPPORT NOTED FOR AMERICANS WITH DISABILITIES ACT

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

Mr. HOYER. Madam Speaker, yesterday the Education and Labor Committee, by a vote of 35 to 0 passed out the Americans With Disabilities Act. I want to observe that that event occurred because of the bipartisan work of a number of us, the support of the President of the United States, and the overwhelming vote given to the document by the U.S. Senate.

The Americans With Disabilities Act will fairly and reasonably extend civil rights protection to 43 million disabled Americans and ensure that the words, "and justice for all," will ring true for all Americans.

Madam Speaker, yesterday's markup and the support of the gentleman from Texas and the minority whip of the House reemphasize the bipartisan support for this landmark legislation. I expect and hope that the three remaining committees of jurisdiction will soon complete their work. I look forward to House passage and enactment of the bill sponsored by our former majority whip, Tony Coelho, the Americans With Disabilities Act, early next year.

BERLIN WALL CRUMBLES, IS SYMBOLIC OF RISE OF CAPITALISM

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

Mr. McMILLEN of Maryland. Madam Speaker, like so many of you I was moved by the dramatic events of last week. The almost unbelievable sight of Germans from both East and West Germany celebrating together on top of the Berlin Wall.

The opening of East Germany's borders signals once again the ongoing worldwide movement toward capitalism. The victory of Adam Smith over Karl Marx. Everywhere one looks, in Eastern Europe, Latin America, and yes even in China, capitalism grows in influence. More and more the economics of socialism are thrown by the wayside, in recognition of the economic promise of capitalism. The debate no longer is communism versus capitalism, but the degree and speed to which socialist economies are converted to free market economies.

These are historical times. The actions taken by the East German Government are irreversible. The crack in the wall cannot be patched. The transformation of their political system cannot be stopped.

We in the United States must recognize the magnitude of these changes in Eastern Europe. The President needs to act swiftly in offering economic assistance to the increasing number of nations in the East bloc moving toward democracy. It is time for us to offer our

hand to those behind the Iron Curtain, to help pull them over the wall.

THE CIVIL RIGHTS COMMISSION REAUTHORIZATION ACT OF 1989

The SPEAKER pro tempore. (Mrs. SCHROEDER). The unfinished business is the question of suspending the rules and passing the bill, H.R. 3532.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. EDWARDS], that the House suspend the rules and pass the bill, H.R. 3532, on which the yeas and nays are ordered.

PARLIAMENTARY INQUIRIES

Mr. GEKAS. Madam Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. GEKAS. Madam Speaker, when the present bill was passed out of the Judiciary Committee, it was in one form, and that was the form in which the original motion to have the vote on suspension was created. My point of parliamentary inquiry is this: How does the House now know that the bill that is about to be voted on is substantially different from that which was passed by the Judiciary Committee? How do we explain to the House that that is so?

The SPEAKER pro tempore. The gentleman can look at yesterday's RECORD. It carries a copy of the bill in the form in which the motion was made, and all Members have had 1 day to reflect upon that.

Mr. GEKAS. Madam Speaker, I have a further parliamentary inquiry.

What I really want to know is, why is it that the Clerk cannot read the bill as it now is constituted prior to this vote?

The SPEAKER pro tempore. Without objection, the Clerk will read the bill.

Mr. GEKAS. I would like to hear that, Madam Speaker.

The SPEAKER pro tempore. Is the gentleman making a request that the Clerk read the bill?

Mr. GEKAS. Yes, Madam Speaker, I am.

The SPEAKER pro tempore. Without objection, the Clerk will read the bill.

There was no objection.

The Clerk read the bill, as follows:

H.R. 3532

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "The Civil Rights Commission Reauthorization Act of 1989".

SEC. 2. REAUTHORIZATION.

The United States Commission on Civil Rights Act of 1983 is amended—

(1) in section 7, by striking "1989" and inserting "1990"; and

(2) in section 8, by striking "six years after its date of enactment" and inserting "on May 31, 1990".

SEC. 3. STAFF DIRECTOR.

Section 6(a)(1) of the United States commission on Civil Rights Act of 1983 is amended by striking "the President with the concurrence of a majority of"

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. EDWARDS] that the House suspend the rules and pass the bill, H.R. 3532, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 278, nays 135, not voting 20, as follows:

[Roll No. 354]

YEAS—278

Ackerman	Engel	Leach (IA)
Akaka	English	Leath (TX)
Alexander	Erdreich	Lehman (CA)
Anderson	Espy	Lehman (FL)
Andrews	Evans	Levin (MI)
Annunzio	Fascell	Levine (CA)
Anthony	Fazio	Lewis (GA)
Applegate	Feighan	Lipinski
Aspin	Fish	Lloyd
Atkins	Flake	Long
AuCoin	Flippo	Lowey (NY)
Barnard	Florio	Lucken, Thomas
Bates	Foglietta	Machtley
Bellenson	Ford (MI)	Manton
Bennett	Ford (TN)	Markey
Berman	Frank	Martinez
Bevill	Frost	Matsui
Bilbray	Gaydos	Mavroules
Boggs	Gejdenson	Mazzoli
Bonior	Gephardt	McCloskey
Borski	Geren	McCurdy
Bosco	Gibbons	McDade
Boucher	Gilman	McDermott
Boxer	Glickman	McGrath
Brennan	Gonzalez	McHugh
Browder	Gordon	McMillen (MD)
Brown (CA)	Gradison	McNulty
Brown (CO)	Gray	Mfume
Bruce	Green	Mineta
Bustamante	Guarini	Moakley
Byron	Hall (OH)	Mollohan
Campbell (CO)	Hall (TX)	Montgomery
Cardin	Hamilton	Morrison (CT)
Carper	Harris	Morrison (WA)
Carr	Hatcher	Mrazek
Chapman	Hawkins	Murphy
Clarke	Hayes (IL)	Murtha
Clay	Hayes (LA)	Nagle
Clement	Hefner	Natcher
Coleman (TX)	Henry	Neal (MA)
Collins	Hertel	Nelson
Condit	Hoagland	Nowak
Conte	Hochbrueckner	Oakar
Conyers	Hopkins	Oberstar
Cooper	Horton	Obey
Costello	Hoyer	Olin
Coughlin	Hubbard	Ortiz
Courter	Huckaby	Owens (NY)
Coyne	Hughes	Owens (UT)
Crockett	Hutto	Pallone
Darden	Jacobs	Panetta
de la Garza	James	Parker
DeFazio	Jenkins	Parris
Dellums	Johnson (SD)	Patterson
Derrick	Johnston	Payne (VA)
Dicks	Jones (GA)	Pease
Dingell	Jones (NC)	Pelosi
Dixon	Jontz	Penny
Donnelly	Kaptur	Perkins
Dorgan (ND)	Kasich	Pickett
Downey	Kastenmeier	Pickle
Duncan	Kennelly	Porter
Durbin	Kildee	Poshard
Dwyer	Kolter	Price
Dymally	Kostmayer	Pursell
Dyson	LaFalce	Rahall
Early	Lancaster	Rangel
Eckart	Lantos	Richardson
Edwards (CA)	Laughlin	Rinaldo

Roe	Slattery	Towns
Ros-Lehtinen	Slaughter (NY)	Trafficant
Rose	Smith (FL)	Traxler
Rostenkowski	Smith (IA)	Udall
Rowland (CT)	Smith (NJ)	Unsoeld
Rowland (GA)	Smith (VT)	Valentine
Roybal	Snowe	Vento
Russo	Solarz	Visclosky
Sabo	Spratt	Volkmer
Sangmeister	Staggers	Walgren
Sarpalius	Stallings	Walsh
Savage	Stark	Watkins
Sawyer	Stenholm	Waxman
Saxton	Stokes	Weiss
Scheuer	Studds	Weldon
Schneider	Synar	Wheat
Schroeder	Tallon	Whitten
Schuetz	Tanner	Williams
Schumer	Tauke	Wise
Sharp	Tauzin	Wolpe
Shays	Taylor	Wyden
Sikorski	Thomas (GA)	Yates
Skaggs	Torres	Yatron
Skelton	Torricelli	

NAYS—135

Archer	Gunderson	Regula
Armey	Hammerschmidt	Rhodes
Baker	Hancock	Ridge
Ballenger	Hansen	Ritter
Bartlett	Hastert	Roberts
Barton	Hefley	Robinson
Bateman	Herger	Rogers
Bentley	Hiler	Rohrabacher
Bereuter	Houghton	Roth
Billakis	Hunter	Roukema
Bliley	Hyde	Saiki
Boehlert	Inhofe	Schaefer
Broomfield	Johnson (CT)	Schiff
Buechner	Kolbe	Schulze
Bunning	Kyl	Sensenbrenner
Callahan	Lagomarsino	Shaw
Campbell (CA)	Lent	Shumway
Chandler	Lewis (CA)	Shuster
Clinger	Lewis (FL)	Skeen
Coble	Lightfoot	Slaughter (VA)
Coleman (MO)	Livingston	Smith (NE)
Combust	Lowery (CA)	Smith (TX)
Cox	Lukens, Donald	Smith, Denny
Craig	Madigan	(OR)
Crane	Marlenee	Smith, Robert
Dannemeyer	Martin (IL)	(NH)
Davis	Martin (NY)	Smith, Robert
DeLay	McCandless	(OR)
DeWine	McCollum	Solomon
Dickinson	McCrery	Spence
Dornan (CA)	McMillan (NC)	Stangeland
Douglas	Meyers	Stearns
Dreier	Michel	Stump
Emerson	Miller (OH)	Sundquist
Fawell	Moody	Thomas (CA)
Fields	Moorhead	Thomas (WY)
Frenzel	Myers	Upton
Galleghy	Nielson	Vander Jagt
Gallo	Oxley	Vucanovich
Gekas	Packard	Walker
Gillmor	Pashayan	Weber
Gingrich	Paxon	Whittaker
Goodling	Petri	Wolf
Goss	Quillen	Wylie
Grandy	Ravenel	Young (AK)
Grant	Ray	Young (FL)

NOT VOTING—20

Brooks	Kanjorski	Morella
Bryant	Kennedy	Neal (NC)
Burton	Kleccka	Payne (NJ)
Edwards (OK)	McEwen	Sisisky
Garcia	Miller (CA)	Swift
Holloway	Miller (WA)	Wilson
Ireland	Molinari	

□ 1327

The Clerk announced the following pairs:

On this vote:

Mr. Kleczka for, and Mrs. Morella with Mr. McEwen against.

Mr. BUECHNER, Mr. PASHAYAN, and Mrs. MEYERS of Kansas changed their vote from "yea" to "nay."

Mr. KASICH and Mr. HENRY changed their vote from "nay" to "yea."

So (two-thirds having voted in favor thereof) the rules were suspended and 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. NATCHER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 3566 and to include extraneous matter along with tables and charts.

The SPEAKER pro tempore (Mrs. SCHROEDER). Is there objection to the request of the gentleman from Kentucky?

There was no objection.

PERSONAL EXPLANATION

Mr. MOODY. Mr. Speaker, on roll-call vote No. 354, H.R. 3552, the Civil Rights Commission Reauthorization Act of 1989, it was my intention to vote "yes," and I believe I voted "yes." Unfortunately, my vote was recorded as "no." I would like the RECORD to reflect that it was my intention to vote "yes" on reauthorizing the Civil Rights Commission.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1990

Mr. NATCHER. Madam 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. 3566) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1990 and for other purposes, and pending that motion, Madam Speaker, I ask unanimous consent that the general debate be limited to not to exceed 1 hour, the time to be equally divided and controlled by the gentleman from Massachusetts [Mr. CONTE] and myself.

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

There was no objection.

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

The motion was agreed to.

□ 1330

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. 3566, with Mr. SHARP in the chair.

The Clerk read the title of the bill.

By unanimous consent, the bill was considered as having been read the first time.

The CHAIRMAN. Under the unanimous-consent agreement, the gentleman from Kentucky [Mr. NATCHER] will be recognized for 30 minutes and the gentleman from Massachusetts [Mr. CONTE] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Kentucky [Mr. NATCHER].

Mr. NATCHER. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, as you know, this is the second bill which I have presented to the House this year making appropriations for fiscal year 1990 for the Departments of Labor, Health and Human Services, and Education and related agencies. This is necessary because of the veto of H.R. 2990 which the House did not override.

In this bill we have \$156,700,000,000, the exact amount, Mr. Chairman, that was in the vetoed bill.

For the Department of Labor we have \$6,728,000,000; for the Department of Health and Human Services we have the sum of \$124,803,000,000; for the Department of Education we have the sum of \$24,151,000,000.

This bill is the best bill that has ever been presented to the Congress for the Department of Labor, for the Department of Health and Human Services, and for the Department of Education.

Mr. Chairman, we believe on this subcommittee and full committee that if you educate your children and take care of the health of your people, you continue living in the strongest country in the world.

As Members will recall, when we presented the bill H.R. 2990 to the House, we said to the Members at that time that this is the best Labor-HHS appropriations bill that has ever been presented to the Congress. That bill was passed in the House, sent to the Senate, the Senate passed the bill, and then we went to conference. Unfortunately the bill which went to the President was vetoed on October 21.

Mr. Chairman, we now present a new bill to the House. Following the veto of H.R. 2990 I introduced a new bill, H.R. 3566. We reported it out yesterday to the House. There are no changes in any of the numbers in the bill for the amounts agreed to in H.R. 2990. The only matter in the bill that is different is the matter pertaining to abortion funding.

Mr. Chairman, we carry in this bill current law. No funds shall be appropriated for abortion, unless the life of the mother is endangered if the fetus is carried to term.

As we have seen again this year, the issue of Federal funding for abortion provokes deeply held beliefs on both sides. I must remind the Members, however, that the House did not have the votes to override the President's veto, and I therefore urge my colleagues to support this new bill. It represents the best we can do for the many important programs that are funded within it. These programs have been held hostage by the abortion issue too long. And the longer this impasse continues, the more these critical activities will be hurt.

Since we do not have an enacted bill, the programs of the Departments of Labor, Health and Human Services, and Education are currently funded at the rate specified in the continuing resolution. This rate is the lower of the House or Senate as provided for in H.R. 2990. Compared to the levels in the vetoed bill, the continuing resolution provides at least \$1.87 billion less in 1990 budget authority. Just to cite a few examples of programs that are being penalized by the continuing resolution:

(In millions of dollars)

Chapter 1 Grants	-327
Low Income Home Energy Assistance	-114
Pell Grant Shortfall	-131
Homeless Assistance	-52
Vocational Rehabilitation State Grants	-48
Math and Science Grants	-37
Mental Health Research	-30
Community Services Block Grant	-27
Dislocated Workers	-20

In addition, at least 15 new program starts are being delayed, including \$20 million for home-based AIDS care and \$15 million for comprehensive head injury grants.

It is not right for these programs and many others like them that do so much to improve the health of our country and the education of our children to be further jeopardized while we debate the abortion matter. I urge my colleagues to support H.R. 3566.

Mr. Chairman, we recommend this bill to the House at this time.

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

Mr. CONTE. Mr. Chairman, I rise in support of this bill, H.R. 3566, the second Labor, Health and Human Services, and Education appropriations bill for fiscal year 1990, for a very good reason. Every appropriation that was in here when the first conference report passed the House 364-56 on October 11 is in here now. You name it, this bill does it. And in some

programs, by carefully setting priorities, and holding many programs at the current level, it does it better than ever before: Retraining for displaced workers, up \$186 million; AIDS research and services, up \$318 million; National Institutes of Health, up \$586 million; Head Start, up \$170 million; education for the disadvantaged, up \$855 million; and student aid, up \$360 million.

These are the reasons why we need to pass this bill and get it signed.

The veto, and the fact that the veto was sustained, make it clear that the Congress and the President can get into a lengthy battle over this bill. We can go back and forth for weeks and months, as we have in the past, when we have searched for consensus on the abortion funding issue.

But there are very good reasons why we ought to pass this bill as a first step in trying to get a bill signed into law, and those reasons are the ones I just gave—the millions of people who receive help from this bill—the young, the old, the handicapped, the poor, the disadvantaged, the sick, the unemployed. These people get hurt if we don't enact a bill into law.

What could be worse than to see months of work, of hard choices, of deliberation, cooperation, and accommodation, go out the window. What could be worse than forcing this bill into a continuing resolution at last year's rate. Then, nobody, nobody, would get any benefits out of what we have tried to accomplish this year.

I must temper my words, however, because much of our effort is at risk from another front, the grim reaper of Gramm-Rudman-Hollings sequestration. We have worked for months to comply with the balanced budget agreement reached last April. We have met our targets. We have made difficult choices. Many, many programs are kept at last year's level. Most other programs probably do not keep up with current services. I nearly busted my gut trying to get a lousy \$10 million increase for low-income energy assistance.

Yet, because other committees in this Congress, Ways and Means, Merchant Marine, and others, have not met their targets under the budget agreement, the programs in this bill get hit with a 5.3-percent across-the-board, meat-ax cut. The Social Security Administration has described the impact as devastating and staggering. So if people want to make a responsible contribution to the process, one thing to do is to urge passage of a reconciliation bill that makes \$14 billion in savings and repeals sequester.

With respect to the abortion funding provision, this bill retains the Hyde

language prohibiting funding for abortion with the Conte exception where the life of the mother would be endangered if the fetus were carried to term. There is always the possibility that something further can be worked out. I hope it can.

□ 1340

The only way that this will happen, however, is if we go to conference with a little elbow room to work it out. And I pledge that I will do all I can to do something here to get a bill so that we can have it signed and get on with our work.

I sincerely believe the passage of this bill is the best way to move forward.

I ask for the support of everyone in this Chamber interested in assuring that this bill is passed, which assists so many people in this country. Let us get it signed into law.

Mr. Chairman, I yield 1 minute to the gentlewoman from Nevada [Mrs. VUCANOVICH].

Mrs. VUCANOVICH. Mr. Chairman, when we debated this issue last, I spoke about the fragility of life and the senselessness of compounding that fragility by robbing a soul of a chance in life. I spoke of my twin granddaughters and their struggle for survival, after having been born prematurely.

Many in this body would like to continue the debate over the rape and incest exceptions, riding the wave of the recent election cycle. Many may be justifiably heartened by the action of the Pennsylvania Legislature. However, shouldn't this body concern itself less with the cycle of elections and political opinion and concern itself more with the cycle of life?

There are some of my very special women colleagues in this body who have addressed their concerns over this issue with President Bush. I have deep respect for their willingness to stand up for their beliefs and to discuss openly and candidly their concerns with the President. However, there are other women in this body on both sides of the aisle who support the President on this issue, and I am one of them. We are also willing to stand up for our beliefs in the sanctity of human life.

I urge my colleagues to support the Labor-HHS-Education appropriations bill in its current form. I urge you to support the President.

The CHAIRMAN. The Chair reminds our guests that they are here as guests of the House and that any manifestation of approval or disapproval

of the proceedings is in violation of the rules of the House.

Mr. NATCHER. Mr. Chairman, I yield 2 minutes to the gentleman from Kentucky [Mr. PERKINS].

Mr. PERKINS. I thank the gentleman for yielding.

Mr. Chairman, in regard to funds for demonstration programs under subpart 1 of part B of title IV of the Perkins Act, would not joint labor-management training funds organized under section 302(c) of the National Labor Relations Act be eligible for such funds?

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

Mr. PERKINS. I yield to the chairman of the subcommittee, the gentleman from Kentucky [Mr. NATCHER].

Mr. NATCHER. I thank the gentleman for yielding.

Mr. Chairman, in answer to the gentleman's question, I am not aware of any reason why these programs would not be eligible.

Mr. PERKINS. I thank the chairman.

Mr. HOYER. Mr. Chairman, the President vetoed the Labor, Health and Human Services, and Education appropriations bill because it contained a provision that permitted the use of Federal funds for abortions in cases of rape or incest.

My colleagues are probably well aware of my views of this subject. I believe that the President's veto was unreasonable. The President's veto was unfair. The President's veto was wrong.

Worst of all, the President's veto, reflected a surprising indifference—a willingness to turn away from poor women who are victims of brutal and heinous crimes.

I hope that as this legislation emerges from conference, we will have crafted language that encourages the President to join a majority of the American people and majority of their elected representatives in considering the emotional and physical condition of poor women who have been the victims of rape or incest.

However, we should not permit the consideration of the people's bill by this body for the third time this year to pass without reminding the President of the important national priorities funded in this legislation.

President Bush strives to be the education President. Consider the impact of his veto and his preference for permitting the sequestration order to stand.

A \$250 million cut in chapter 1 will deprive 400,000 disadvantaged children of extra help in reading and math.

Under the Gramm-Rudman ax, Head Start loses \$70 million and 26,000 kids lose access to one of the most successful early childhood programs funded by the Federal Government.

More than 100 historically black colleges and universities would suffer if the estimated \$10 million is cut from the Title III Developing Institutions Programs.

The sequester would eliminate 40,000 students from the trio programs designed to pre-

pare low-income students for post-secondary education, students who are the first generation in their families to attend college.

The sequester would also deny 35,000 students part-time employment under the College Work Study Program, and 1 million needy students would not receive Pell grants.

Mr. Chairman, the President's veto focuses on a very narrow issue in an attempt to deny Medicaid funded abortions for poor women who are the victims of horrible crimes.

But I believe that we fail the children of this Nation, that we endanger their future and perhaps their very lives, when the President places the programs in this bill in jeopardy through his intransigence on this important issue.

Mr. Chairman, I hope the President will think on these things as we seek to conclude work on the Labor, Health and Human Services appropriations bill for fiscal year 1990.

Mr. MILLER of Washington. Mr. Chairman, today I rise in support of this bill's increased funding for the Head Start Program. The bill includes \$165 million more than last year. This money will allow 45,000 more children to be served by the program. Head Start provides child care and education to low-income preschoolers, currently only serves 16 percent of those who are eligible. Head Start is designed to help the disadvantaged child get a better start in life, and it can make a profound difference in the life of that child. I am proud this Congress and administration have so clearly demonstrated their support of this worthwhile program. We must continue to invest in our children and in our future.

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

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

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

H.R. 3566

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 Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1990, and for other purposes, namely:

TITLE I—DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION PROGRAM ADMINISTRATION

For expenses of administering employment and training programs, \$64,693,000 together with not to exceed \$53,817,000 which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

TRAINING AND EMPLOYMENT SERVICES

For expenses necessary to carry into effect the Job Training Partnership Act, including the purchase and hire of passenger motor vehicles, the construction, alteration, and repair of buildings and other facilities, and the purchase of real property for training centers as authorized by the Job Training Partnership Act, \$3,907,746,000, plus reimbursements, to be available for obligation for the period July 1, 1990, through June 30, 1991, of which \$58,996,000 shall be for carry-

ing out section 401, \$70,000,000 shall be for carrying out section 402, \$9,474,000 shall be for carrying out section 441, \$2,000,000 shall be for the National Commission for Employment Policy, \$4,100,000 shall be for all activities conducted by and through the National Occupational Information Coordinating Committee under the Job Training Partnership Act, and \$5,150,000 shall be for service delivery areas under section 101(a)(4)(A)(iii) of the Job Training Partnership Act in addition to amounts otherwise provided under sections 202 and 251(b) of the Act; and, in addition, \$50,432,000 is appropriated for the Job Corps, in addition to amounts otherwise provided herein for the Job Corps, to be available for obligation for the period July 1, 1990 through June 30, 1993; and, in addition, \$13,000,000, of which \$1,500,000 shall be available for obligation for the period October 1, 1990 through September 30, 1991, is appropriated for activities authorized by title VII, subtitle C of the Stewart B. McKinney Homeless Assistance Act: *Provided*, That no funds from any other appropriation shall be used to provide meal services at or for Job Corps centers.

For Job Corps program operations authorized by the Job Training Partnership Act, \$13,492,000, in addition to amounts otherwise provided herein for these purposes, to be available for obligation for the period July 1, 1989, through June 30, 1990.

COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

To carry out the activities for national grants or contracts with public agencies and public or private nonprofit organizations under paragraph (1)(A) of section 506(a) of title V of the Older Americans Act of 1965, as amended, \$282,360,000.

To carry out the activities for grants to States under paragraph (3) of section 506(a) of title V of the Older Americans Act of 1965, as amended, \$79,640,000.

FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

For payments during the current fiscal year of benefits and payments as authorized by title II of Public Law 95-250, as amended, and of trade adjustment benefit payments and allowances under part I, and for training, for allowances for job search and relocation, and for related administrative expenses under part II, subchapter B, chapter 2, title II of the Trade Act of 1974, as amended, \$284,000,000, together with such amounts as may be necessary to be charged to the subsequent appropriation for payments for any period subsequent to September 15 of the current year: *Provided*, That amounts received or recovered pursuant to section 208(e) of Public Law 95-250 shall be available for payments.

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

For activities authorized by the Act of June 6, 1933, as amended (29 U.S.C. 49-491-1; 39 U.S.C. 3202(a)(1)(E)); title III of the Social Security Act, as amended (42 U.S.C. 502-504); necessary administrative expenses for carrying out 5 U.S.C. 8501-8523, and sections 225, 231-235 and 243-244, title II of the Trade Act of 1974, as amended; as authorized by section 7c of the Act of June 6, 1933, as amended, necessary administrative expenses under sections 101(a)(15)(H)(ii), 212(a)(14), and 216(g) (1), (2), and (3) of the Immigration and Nationality Act, as amended (8 U.S.C. 1101 et seq.); and necessary administrative expenses to carry out the Targeted Jobs Tax Credit Program under sec-

tion 51 of the Internal Revenue Code of 1986, \$22,000,000 together with not to exceed \$2,575,200,000 (including not to exceed \$3,000,000 which may be used for amortization payments to States which had independent retirement plans in their State employment service agencies prior to 1980), which may be expended from the Employment Security Administration account in the Unemployment Trust Fund, and of which the sums available in the basic allocation for activities authorized by title III of the Social Security Act, as amended (42 U.S.C. 502-504), and the sums available in the basic allocation for necessary administrative expenses for carrying out 5 U.S.C. 8501-8523, shall be available for obligation by the States through December 31, 1990, and of which \$19,148,000 of the amount which may be expended from said trust fund shall be available for obligation for the period April 1, 1990, through December 31, 1990, for automation of the State activities under title III of the Social Security Act, as amended (42 U.S.C. 502-504 and 5 U.S.C. 8501-8523), and of which \$20,800,000 together with not to exceed \$768,900,000 of the amount which may be expended from said trust fund shall be available for obligation for the period July 1, 1990, through June 30, 1991, to fund activities under section 6 of the Act of June 6, 1933, as amended, including the cost of penalty mail made available to States in lieu of allotments for such purpose, and of which \$12,500,000 of the amount which may be expended from said trust fund shall be available for obligation for the period October 1, 1990, through June 30, 1991, for automation of the State activities under section 6 of the Act of June 6, 1933, as amended, and of which \$193,468,000 shall be available only to the extent necessary to administer unemployment compensation laws to meet increased costs of administration resulting from changes in a State law or increases in the number of unemployment insurance claims filed and claims paid or increased salary costs resulting from changes in State salary compensation plans embracing employees of the State generally over those upon which the State's basic allocation was based, which cannot be provided for by normal budgetary adjustments based on State obligations as of December 31, 1990.

ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, as amended, and to the Black Lung Disability Trust Fund as authorized by section 9501(c)(1) of the Internal Revenue Code of 1954, as amended; and for nonrepayable advances to the Unemployment Trust Fund as authorized by section 8509 of title 5, United States Code, and to the "Federal unemployment benefits and allowances" account, to remain available until September 30, 1991, \$33,000,000.

LABOR-MANAGEMENT SERVICES

SALARIES AND EXPENSES

For necessary expenses for Labor-Management Services, \$75,207,000, of which \$6,400,000 for a pension plan data base shall remain available until September 30, 1991: *Provided*, That of the amount appropriated by Public Law 100-202 for a pension plan data base, up to \$1,500,000 of unobligated balances as of September 30, 1989 shall remain available for such pension plan data base until September 30, 1990.

PENSION BENEFIT GUARANTY CORPORATION PENSION BENEFIT GUARANTY CORPORATION FUND

The Pension Benefit Guaranty Corporation is authorized to make such expenditures, including financial assistance authorized by section 104 of Public Law 96-364, within limits of funds and borrowing authority available to such Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 9104), as may be necessary in carrying out the program through September 30, 1990, for such Corporation: *Provided*, That not to exceed \$42,301,000 shall be available for administrative expenses of the Corporation: *Provided further*, That contractual expenses of such Corporation for legal and financial services in connection with the termination of pension plans, for the acquisition, protection or management, and investment of trust assets, and for benefits administration services shall be considered as non-administrative expenses for the purposes hereof, and excluded from the above limitation.

EMPLOYMENT STANDARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Employment Standards Administration, including reimbursement to State, Federal, and local agencies and their employees for inspection services rendered, \$218,322,000, together with \$1,019,000 which may be expended from the Special Fund in accordance with sections 39(c) and 44(j) of the Longshore and Harbor Workers' Compensation Act.

SPECIAL BENEFITS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation, benefits, and expenses (except administrative expenses) accruing during the current or any prior fiscal year authorized by title V, chapter 81 of the United States Code; continuation of benefits as provided for under the head "Civilian War Benefits" in the Federal Security Agency Appropriation Act, 1947; the Employees' Compensation Commission Appropriation Act, 1944; and sections 4(c) and 5(f) of the War Claims Act of 1948 (50 U.S.C. App. 1012); and 50 per centum of the additional compensation and benefits required by section 10(h) of the Longshore and Harbor Workers' Compensation Act, as amended, \$255,000,000, together with such amounts as may be necessary to be charged to the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to September 15 of the current year: *Provided*, That in addition there shall be transferred from the Postal Service fund to this appropriation such sums as the Secretary of Labor determines to be the cost of administration for Postal Service employees through September 30, 1990.

BLACK LUNG DISABILITY TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

For payments from the Black Lung Disability Trust Fund, \$640,985,000, of which \$590,486,000 shall be available until September 30, 1991, for payment of all benefits as authorized by section 9501(d) (1), (2), and (7), of the Internal Revenue Code of 1954, as amended, and of which \$28,640,000 shall be available for transfer to Employment Standards Administration, Salaries and Expenses, and \$21,350,000 for transfer to Departmental Management, Salaries and Expenses, and \$509,000 for transfer to Depart-

mental Management, Office of Inspector General, for expenses of operation and administration of the Black Lung Benefits program as authorized by section 9501(d)(5)(A) of that Act: *Provided*, That in addition, such amounts as may be necessary may be charged to the subsequent year appropriation for the payment of compensation or other benefits for any period subsequent to June 15 of the current year: *Provided further*, That in addition, such amounts shall be paid from this fund into miscellaneous receipts as the Secretary of the Treasury determines to be the administrative expenses of the Department of the Treasury for administering the fund during the current fiscal year, as authorized by section 9501(d)(5)(B) of that Act.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Occupational Safety and Health Administration, \$270,748,000 including not to exceed \$60,633,000, which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act, which grants shall be no less than fifty percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary under section 18 of the Occupational Safety and Health Act of 1970: *Provided*, That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under the Occupational Safety and Health Act of 1970 which is applicable to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs ten or fewer employees: *Provided further*, That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order or administrative action under the Occupational Safety and Health Act of 1970 affecting any work activity by reason of recreational hunting, shooting, or fishing: *Provided further*, That no funds appropriated under this paragraph shall be obligated or expended to administer or enforce any standard, rule, regulation, or order under the Occupational Safety and Health Act of 1970 with respect to any employer of ten or fewer employees who is included within a category having an occupational injury lost work day case rate, at the most precise Standard Industrial Classification Code for which such data are published, less than the national average rate as such rates are most recently published by the Secretary, acting through the Bureau of Labor Statistics, in accordance with section 24 of that Act (29 U.S.C. 673), except—

(1) to provide, as authorized by such Act, consultation, technical assistance, educational and training services, and to conduct surveys and studies;

(2) to conduct an inspection or investigation in response to an employee complaint, to issue a citation for violations found during such inspection, and to assess a penalty for violations which are not corrected within a reasonable abatement period and for any willful violations found;

(3) to take any action authorized by such Act with respect to imminent dangers;

(4) to take any action authorized by such Act with respect to health hazards;

(5) to take any action authorized by such Act with respect to a report of an employment accident which is fatal to one or more employees or which results in hospitalization of five or more employees, and to take any action pursuant to such investigation authorized by such Act; and

(6) to take any action authorized by such Act with respect to complaints of discrimination against employees for exercising rights under such Act.

Provided further, That the foregoing provisions shall not apply to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs ten or fewer employees.

MINE SAFETY AND HEALTH ADMINISTRATION SALARIES AND EXPENSES

For necessary expenses for the Mine Safety and Health Administration, \$170,593,000, including purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work, and the purchase of not to exceed twenty passenger motor vehicles for replacement only; the Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private; the Mine Safety and Health Administration is authorized to promote health and safety education and training in the mining community through cooperative programs with States, industry, and safety associations; and any funds available to the Department may be used, with the approval of the Secretary, to provide for the costs of mine rescue and survival operations in the event of major disaster: *Provided*, That none of the funds appropriated under this paragraph shall be obligated or expended to carry out section 115 of the Federal Mine Safety and Health Act of 1977 or to carry out that portion of section 104(g)(1) of such Act relating to the enforcement of any training requirements, with respect to shell dredging, or with respect to any sand, gravel, surface stone, surface clay, colloidal phosphate, or surface limestone mine.

BUREAU OF LABOR STATISTICS SALARIES AND EXPENSES

For necessary expenses for the Bureau of Labor Statistics, including advances or reimbursements to State, Federal, and local agencies and their employees for services rendered, \$193,771,000, together with not to exceed \$49,518,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

DEPARTMENTAL MANAGEMENT SALARIES AND EXPENSES

For necessary expenses for Departmental Management, including the hire of 5 sedans, and including \$2,880,000 for the President's Committee on Employment of People With Disabilities, \$115,072,000 together with not to exceed \$285,000 which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

ASSISTANT SECRETARY FOR VETERANS EMPLOYMENT AND TRAINING

Not to exceed \$162,623,000 may be derived from the Employment Security Administration account in the Unemployment Trust Fund to carry out the provisions of 38 U.S.C. 2001-10 and 2021-26.

OFFICE OF THE INSPECTOR GENERAL

For salaries and expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$41,997,000, together with not to exceed \$5,194,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

GENERAL PROVISIONS

SEC. 101. Appropriations in this Act available for salaries and expenses shall be available for supplies, services, and rental of conference space within the District of Columbia, as the Secretary of Labor shall deem necessary for settlement of labor-management disputes.

SEC. 102. None of the funds appropriated under this Act shall be used to grant variances, interim orders or letters of clarification to employers which will allow exposure of workers to chemicals or other workplace hazards in excess of existing Occupational Safety and Health Administration standards for the purpose of conducting experiments on workers health or safety.

SEC. 103. Notwithstanding any other provision of this Act, no funds appropriated by this Act may be used to execute or carry out any contract with a non-governmental entity to administer or manage a Civilian Conservation Center of the Job Corps which was not under such a contract as of September 1, 1984.

SEC. 104. None of the funds appropriated in this Act shall be used by the Job Corps program to pay the expenses of legal counsel or representation in any criminal case or proceeding for a Job Corps participant, unless certified to and approved by the Secretary of Labor that a public defender is not available.

SEC. 105. (a) Within sixty days after the enactment of this Act, the United States, acting through the Secretary of Labor (or an official of the Department of Labor duly authorized by the Secretary of Labor) shall convey to the State of Oregon without consideration, all rights, title, and interest of the United States, in real property described in subsection (b) (and any improvements thereon).

(b) The real property referred to in subsection (a) is that property commonly known as the "Emerald Heights Housing Complex" located in the city of Astoria, Clatsop County, Oregon.

This title may be cited as the "Department of Labor Appropriations Act, 1990".

TITLE II—DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES PROGRAM OPERATIONS

For carrying out titles III, VII, VIII, X, XXIV, XVI, and XXVI of the Public Health Service Act, section 427(a) of the Federal Coal Mine Health and Safety Act, title V of the Social Security Act, and the Health Care Quality Improvement Act of 1986, as amended, \$1,782,271,000, of which \$11,885,000 for health care for the homeless shall be available for obligation for the period October 1, 1990 through September 30, 1991, of which \$889,000, to remain available until expended, shall be available for renovating the Gillis W. Long Hansen's Disease Center, 42 U.S.C. 247e, of which \$494,000 shall remain available until expended for interest subsidies on loan guarantees made prior to fiscal year 1981 under

part B of title VII of the Public Health Service Act and of which \$4,400,000 shall be made available until expended to make grants under section 1610(b) of the Public Health Service Act for renovation or construction of non-acute care intermediate and long-term care facilities for AIDS patients: *Provided*, That notwithstanding section 838 of the Public Health Service Act, not to exceed \$10,000,000 of funds returned to the Secretary pursuant to section 839(c) of the Public Health Service Act or pursuant to a loan agreement under section 740 or 835 of the Act may be used for activities under titles III, VII, and VIII of the Act: *Provided further*, That when the Department of Health and Human Services administers or operates an employee health program for any Federal department or agency, payment for the full estimated cost shall be made by way of reimbursement or in advances to this appropriation: *Provided further*, That of this amount, \$30,000,000 is available until expended for grants to States for Human Immunodeficiency Virus drug reimbursement, pursuant to section 319 of the Public Health Service Act: *Provided further*, That user fees authorized by 31 U.S.C. 9701 may be credited to appropriations under this heading, notwithstanding 31 U.S.C. 3302.

MEDICAL FACILITIES GUARANTEE AND LOAN FUND

FEDERAL INTEREST SUBSIDIES FOR MEDICAL FACILITIES

For carrying out subsections (d) and (e) of section 1602 of the Public Health Service Act, \$21,000,000, together with any amounts received by the Secretary in connection with loans and loan guarantees under title VI of the Public Health Service Act, to be available without fiscal year limitation for the payment of interest subsidies. During the fiscal year, no commitments for direct loans or loan guarantees shall be made.

HEALTH PROFESSIONS GRADUATE LOAN FUND

For carrying out title VII of the Public Health Service Act, \$25,000,000, to remain available until expended, for payments on defaulted loans for the Health Education Assistance Loan program.

VACCINE INJURY COMPENSATION

For payments from the Vaccine Injury Compensation Trust Fund, such sums as may be necessary for claims associated with vaccine-related injury or death resolved during the current fiscal year with respect to vaccines administered after September 30, 1988, pursuant to subtitle 2 of title XXI of the Public Health Service Act as amended by Public Law 100-203.

For compensation of claims resolved by the United States Claims Court related to the administration of vaccines before October 1, 1988, \$74,500,000, of which such sums as may be necessary shall be used to reimburse the Vaccine Injury Compensation Trust Fund for any payment of such claims made from the Trust Fund prior to the current fiscal year: *Provided*, That necessary expenses of the Department of Health and Human Services under the National Childhood Vaccine Injury Act of 1986, not to exceed \$1,500,000, shall be reimbursed from the Trust Fund.

CENTERS FOR DISEASE CONTROL

DISEASE CONTROL, RESEARCH, AND TRAINING

To carry out titles III, XVII, XIX, and section 1102 of the Public Health Service Act, sections 101, 102, 103, 201, 202, and 203 of the Federal Mine Safety and Health Act

of 1977, and sections 20, 21, and 22 of the Occupational Safety and Health Act of 1970; including insurance of official motor vehicles in foreign countries; and hire, maintenance, and operation of aircraft, \$1,101,559,000, of which \$2,000,000 shall remain available until expended for equipment and construction and renovation of facilities: *Provided*, That training of private persons shall be made subject to reimbursement or advances to this appropriation for not in excess of the full cost of such training: *Provided further*, That funds appropriated under this heading shall be available for payment of the costs of medical care, related expenses, and burial expenses hereafter incurred by or on behalf of any person who had participated in the study of untreated syphilis initiated in Tuskegee, Alabama, in 1932, in such amounts and subject to such terms and conditions as prescribed by the Secretary of Health and Human Services and for payment, in such amounts and subject to such terms and conditions, of such costs and expenses hereafter incurred by or on behalf of such person's wife or offspring determined by the Secretary to have suffered injury or disease from syphilis contracted from such person: *Provided further*, That collections from user fees may be credited to this appropriation: *Provided further*, That amounts received by the National Center for Health Statistics from reimbursable and interagency agreements and the sale of data tapes may be credited to this appropriation and shall remain available until expended: *Provided further*, That in addition to amounts provided herein, up to \$19,000,000 shall be available from amounts available under section 2613 of the Public Health Service Act, to carry out the National Center for Health Statistics surveys: *Provided further*, That employees of the Public Health Service, both civilian and Commissioned Officer, detailed to States or municipalities as assignees under authority of section 214 of the Public Health Service Act in the instance where in excess of 50 per centum of salaries and benefits of the assignee is paid directly or indirectly by the State or municipality, and employees of the National Center for Health Statistics, who are assisting other Federal organizations on data collection and analysis and whose salaries are fully reimbursed by the organizations requesting the services, shall be treated as non-Federal employees for reporting purposes only; and, in addition, for high priority construction projects of the Centers for Disease Control, \$5,000,000.

NATIONAL INSTITUTES OF HEALTH

NATIONAL CANCER INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to cancer, \$1,664,000,000.

NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

For carrying out sections 301 and 1105 and title IV of the Public Health Service Act with respect to cardiovascular, lung, and blood diseases, and blood and blood products, \$1,091,264,000.

NATIONAL INSTITUTE OF DENTAL RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to dental diseases, \$138,053,000.

NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to diabetes and digestive and kidney diseases, \$591,887,000.

NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

For carrying out section 301 and title IV of the Public Health Service Act with respect to neurological disorders and stroke, \$497,096,000.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to allergy and infectious diseases, \$846,318,000.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to general medical sciences, \$691,866,000.

NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

For carrying out section 301 and title IV of the Public Health Service Act with respect to child health and human development, \$450,593,000.

NATIONAL EYE INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to eye diseases and visual disorders, \$241,205,000.

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For carrying out sections 301 and 311, and title IV of the Public Health Service Act with respect to environmental health sciences, \$233,264,000.

NATIONAL INSTITUTE ON AGING

For carrying out section 301 and title IV of the Public Health Service Act with respect to aging, \$243,509,000.

NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to arthritis, and musculoskeletal and skin diseases, \$171,681,000.

NATIONAL INSTITUTE ON DEAFNESS AND OTHER COMMUNICATION DISORDERS

For carrying out section 301 and title IV of the Public Health Service Act with respect to deafness and other communication disorders, \$119,000,000.

RESEARCH RESOURCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to research resources and general research support grants, \$354,191,000: *Provided*, That none of these funds, with the exception of funds for the Minority Biomedical Research Support program, shall be used to pay recipients of the general research support grants program any amount for indirect expenses in connection with such grants.

NATIONAL CENTER FOR NURSING RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to nursing research, \$33,969,000.

NATIONAL CENTER FOR HUMAN GENOME RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to human genome research, \$60,000,000.

JOHN E. FOGARTY INTERNATIONAL CENTER

For carrying out the activities at the John E. Fogarty International Center, \$15,556,000.

NATIONAL LIBRARY OF MEDICINE

For carrying out section 301 and title IV of the Public Health Service Act with respect to health information communications, \$83,311,000.

OFFICE OF THE DIRECTOR

For carrying out the responsibilities of the Office of the Director, National Institutes of Health, \$108,987,000, including purchase of not to exceed five passenger motor vehicles for replacement only: *Provided*, That \$34,000,000 of this amount shall be available only for the purchase of an advanced design supercomputer: *Provided further*, That in addition, the Secretary shall transfer \$15,000,000 from appropriations available to each of the Institutes which shall be available for extramural facilities construction grants if authorized in law and if awarded competitively including such amount as he may deem appropriate for research animal production facilities.

BUILDINGS AND FACILITIES

For construction of, and acquisition of equipment for, facilities of or used by the National Institutes of Health, \$61,600,000, to remain available until expended.

ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH ADMINISTRATION

ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH

For carrying out the Public Health Service Act with respect to mental health, drug abuse, alcohol abuse, and alcoholism, section 3521 of Public Law 100-690, and the Protection and Advocacy for Mentally Ill Individuals Act of 1986, \$1,934,177,000, of which \$7,359,000 for homeless activities shall be available for obligation for the period October 1, 1990 through September 30, 1991, and of which \$198,000 for renovation of government owned or leased intramural research facilities shall remain available until expended.

FEDERAL SUBSIDY FOR SAINT ELIZABETHS HOSPITAL

To carry out the Saint Elizabeths Hospital and District of Columbia Mental Health Services Act, \$18,000,000, which shall be available in fiscal year 1990 for payments to the District of Columbia as authorized by section 9(a) of the Act: *Provided*, That any amounts determined by the Secretary of Health and Human Services to be in excess of the amounts requested and estimated to be necessary to carry out sections 6 and 9(f)(2) of the Act shall be returned to the Treasury: *Provided further*, That funds appropriated for Federal activities authorized by sections 6 and 9 of the Act, shall remain available through September 30, 1991, and may be used for administrative and maintenance functions in implementing the Act.

ASSISTANT SECRETARY FOR HEALTH

OFFICE OF THE ASSISTANT SECRETARY FOR HEALTH

For the expenses necessary for the Office of Assistant Secretary for Health and for carrying out titles III, XVII, XX, and XXI of the Public Health Service Act, Public Law 100-505, and subtitle D of title II of Public Law 100-607, \$77,352,000, together with not to exceed \$1,037,000 to be transferred and expended as authorized by section 201(g) of the Social Security Act from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds referred to therein, and, in addition, amounts received by the Public Health Service from Freedom of Information Act fees, reimbursable and interagency

agreements and the sale of data tapes shall be credited to this appropriation and shall remain available until expended: *Provided*, That in addition to amounts provided herein, up to \$14,681,000 shall be available from amounts available under section 2611 of the Public Health Service Act, to carry out the National Medical Expenditure Survey and the Hospital Studies Program.

RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS

For retirement pay and medical benefits of Public Health Service Commissioned Officers as authorized by law, and for payments under the Retired Serviceman's Family Protection Plan and Survivor Benefit Plan and for medical care of dependents and retired personnel under the Dependents' Medical Care Act (10 U.S.C. ch. 55), and for payments pursuant to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), such amounts as may be required during the current fiscal year.

MEDICAL TREATMENT EFFECTIVENESS

For expenses necessary for the Public Health Service to support medical effectiveness research, \$27,000,000, together with not to exceed \$5,000,000 to be transferred and expended as authorized by title VIII, subsection E, section 8413 of the Technical and Miscellaneous Revenue Act of 1988 from the Federal Hospital Insurance and Supplementary Medical Insurance Trust Funds referred to therein.

HEALTH CARE FINANCING ADMINISTRATION GRANTS TO STATES FOR MEDICAID

For carrying out, except as otherwise provided, titles XI and XIX of the Social Security Act, \$30,136,654,000, to remain available until expended.

For making, after May 31, 1990, payments to States under title XIX of the Social Security Act for the last quarter of fiscal year 1990 for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

For making payments to States under title XIX of the Social Security Act for the first quarter of fiscal year 1991, \$10,400,000,000, to remain available until expended.

Payment under title XIX may be made for any quarter with respect to a State plan or plan amendment in effect during such quarter, if submitted in or prior to such quarter and approved in that or any subsequent quarter.

PAYMENTS TO HEALTH CARE TRUST FUNDS

For payment to the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as provided under sections 217(g) and 844 of the Social Security Act, sections 103(c) and 111(d) of the Social Security Amendments of 1965, and section 278(d) of Public Law 97-248, \$36,338,500,000.

PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVIII, and XIX of the Social Security Act, title XIII of the Public Health Service Act, the Clinical Laboratories Improvement Act of 1988, and section 4005(e) of Public Law 100-203, \$101,908,000 together with not to exceed \$1,917,172,000 to be transferred to this appropriation as authorized by section 201(g) of the Social Security Act, from the Federal Hospital Insurance, the Federal Supplementary Medical Insurance, the Federal Catastrophic Drug Insurance, and the Federal Hospital Insurance Catastrophic Coverage Reserve Trust Funds: *Provided*, That \$100,000,000 of said trust funds shall be expended only to

the extent necessary to meet unanticipated costs of agencies or organizations with which agreements have been made to participate in the administration of title XVIII and after maximum absorption of such costs within the remainder of the existing limitation has been achieved: *Provided further*, That all funds derived in accordance with 31 U.S.C. 9701 are to be credited to this appropriation.

HEALTH MAINTENANCE ORGANIZATION LOAN AND LOAN GUARANTEE FUND

For carrying out subsections (d) and (e) of section 1308 of the Public Health Service Act, \$5,000,000, together with any amounts received by the Secretary in connection with loans and loan guarantees under title XIII of the Public Health Service Act, to be available without fiscal year limitation for the payment of prepayment premiums and interest subsidies. During the fiscal year, no commitments for direct loans or loan guarantees shall be made.

SOCIAL SECURITY ADMINISTRATION

PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

For payment to the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance Trust Funds, as provided under sections 201(m), 228(g), and 1131(b)(2) of the Social Security Act, \$191,968,000.

SPECIAL BENEFITS FOR DISABLED COAL MINERS

For carrying out title IV of the Federal Mine Safety and Health Act of 1977, including the payment of travel expenses on an actual cost or commuted basis, to an individual, for travel incident to medical examinations, and when travel of more than 75 miles is required, to parties, their representatives, and all reasonably necessary witnesses for travel within the United States, Puerto Rico, and the Virgin Islands, to reconsideration interviews and to proceedings before administrative law judges, \$648,862,000, to remain available until expended: *Provided*, That monthly benefit payments shall be paid consistent with section 215(g) of the Social Security Act.

For making, after July 31 of the current fiscal year, benefit payments to individuals under title IV of the Federal Mine Safety and Health Act of 1977, for costs incurred in the current fiscal year, such amounts as may be necessary.

For making benefit payments under title IV of the Federal Mine Safety and Health Act of 1977 for the first quarter of fiscal year 1991, \$215,000,000, to remain available until expended.

SUPPLEMENTAL SECURITY INCOME PROGRAM

For carrying out the Supplemental Security Income Program, title XI of the Social Security Act, section 401 of Public Law 92-603, section 212 of Public Law 93-66, as amended, and section 405 of Public Law 95-216, including payment to the Social Security trust funds for administrative expenses incurred pursuant to section 201(g)(1) of the Social Security Act, \$9,098,758,000, to remain available until expended: *Provided*, That any portion of the funds provided to a State in the current fiscal year and not obligated by the State during that year shall be returned to the Treasury.

For making, after July 31 of the current fiscal year, benefit payments to individuals under title XVI of the Social Security Act, for unanticipated costs incurred for the current fiscal year, such sums as may be necessary.

For carrying out the Supplemental Security Income Program for the first quarter of

fiscal year 1991, \$3,157,000,000, to remain available until expended.

LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses, not more than \$3,837,389,000 may be expended, as authorized by section 201(g)(1) of the Social Security Act, from any one or all of the trust funds referred to therein: *Provided*, That travel expense payments under section 1631(h) of such Act for travel to hearings may be made only when travel of more than seventy-five miles is required: *Provided further*, That \$97,870,000 of the foregoing amount shall be apportioned for use only to the extent necessary to process workloads or meet other costs not anticipated in the budget estimates and to meet mandatory increases in costs of agencies or organizations with which agreements have been made to participate in the administration of titles XVI and XVIII and section 221 of the Social Security Act, and after maximum absorption of such costs within the remainder of the existing limitation has been achieved: *Provided further*, That none of the funds appropriated by this Act may be used for the manufacture, printing, or procuring of social security cards, as provided in section 205(c)(2)(D) of the Social Security Act, where paper and other materials used in the manufacture of such cards are produced, manufactured, or assembled outside of the United States.

FAMILY SUPPORT ADMINISTRATION

FAMILY SUPPORT PAYMENTS TO STATES

For making payments to States or other non-Federal entities, except as otherwise provided, under titles I, IV-A and -D, X, XI, XIV, and XVI of the Social Security Act, section 903 of Public Law 100-628, and the Act of July 5, 1960 (24 U.S.C. ch. 9), \$9,007,946,000, to remain available until expended.

For making, after May 31 of the current fiscal year, payments to States or other non-Federal entities under titles I, IV-A and -D, X, XI, XIV, and XVI of the Social Security Act, for the last three months of the current year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

For making payments to States or other non-Federal entities under titles I, IV-A and -D, X, XI, XIV, and XVI of the Social Security Act, and the Act of July 5, 1960 (24 U.S.C. ch. 9) for the first quarter of fiscal year 1991, \$3,000,000,000, to remain available until expended.

PAYMENTS TO STATES FOR AFDC WORK PROGRAMS

For carrying out aid to families with dependent children work programs, as authorized by part F and part C (including registration of individuals for such programs, and for related child care and other supportive services as authorized by section 402(a)(19)(G)) of title IV of the Social Security Act, \$349,975,000, together with such additional amounts as may be necessary for unanticipated costs incurred for the current fiscal year for carrying out those programs: *Provided*, That the total amount appropriated under this paragraph shall not exceed the limit established in section 403(k)(3) of the Act (as added by section 201(c) of the Family Support Act of 1988): *Provided further*, That a State may not receive more than one-fourth of the amount of its fiscal year 1989 allotment under part C for each quarter in fiscal year 1990 during which part C applies to that State, and a State may not receive more than one-fourth of its

annual limitation determined under section 403(k)(2) for each quarter in fiscal year 1990 during which part F applies to that State: *Provided further*, That the quarterly amounts specified in this paragraph shall be the maximum amounts to which the States may become entitled for these purposes.

LOW INCOME HOME ENERGY ASSISTANCE

For making payments under title XXVI of the Omnibus Budget Reconciliation Act of 1981, \$1,393,000,000, of which \$60,000,000 shall become available for making payments on September 30, 1990.

REFUGEE AND ENTRANT ASSISTANCE

For making payments for refugee and entrant assistance activities authorized by title IV of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980 (Public Law 96-422), \$368,822,000, of which \$210,000,000 shall be available for State cash and medical assistance.

INTERIM ASSISTANCE TO STATES FOR LEGALIZATION

Funds appropriated for fiscal year 1990 under section 204(a)(1) of the Immigration Reform and Control Act of 1986 shall be reduced by \$555,244,000: *Provided*, That for fiscal year 1992 \$555,244,000 shall be available to States for obligation for the period October 1, 1991 through September 30, 1994 for purposes of section 204 of the Immigration Reform and Control Act of 1986 for unreimbursed costs incurred after September 30, 1989 if these costs would have been eligible for reimbursement under the original appropriation prior to the enactment of this Act.

COMMUNITY SERVICES BLOCK GRANT

For making payments under the Community Services Block Grant Act and the Stewart B. McKinney Homeless Assistance Act, \$396,680,000, of which \$8,041,000 for homeless activities shall be available for obligation for the period October 1, 1990 through September 30, 1991, of which \$20,254,000 shall be for carrying out section 681(a)(2)(A), \$4,013,000 shall be for carrying out section 681(a)(2)(D), \$2,948,000 shall be for carrying out section 681(a)(2)(E), \$9,669,000 shall be for carrying out section 681(a)(2)(F), \$236,000 shall be for carrying out section 681(a)(3), \$3,512,000 shall be for carrying out section 408 of Public Law 99-425, and \$2,418,000 shall be for carrying out section 681A with respect to the community food and nutrition program.

PROGRAM ADMINISTRATION

For necessary administrative expenses to carry out titles I, IV, X, XI, XIV, and XVI of the Social Security Act, the Act of July 5, 1960 (24 U.S.C. ch. 9), title XXVI of the Omnibus Budget Reconciliation Act of 1981, the Community Services Block Grant Act, title IV of the Immigration and Nationality Act, section 501 of the Refugee Education Assistance Act of 1980, Public Law 100-77, Public Law 100-628, and section 126 and titles IV and V of Public Law 100-485, \$86,806,000.

ASSISTANT SECRETARY FOR HUMAN DEVELOPMENT SERVICES

SOCIAL SERVICES BLOCK GRANT

For carrying out the Social Services Block Grant Act, \$2,700,000,000.

HUMAN DEVELOPMENT SERVICES

For carrying out, except as otherwise provided, the Runaway and Homeless Youth Act, the Older Americans Act of 1965, the Developmental Disabilities Assistance and Bill of Rights Act, the Child Abuse Preven-

tion and Treatment Act, section 404 of Public Law 98-473, chapters 1 and 2 of subtitle B of title III of the Anti-Drug Abuse Act of 1988, the Family Violence Prevention and Services Act (title III of Public Law 98-457), the Native American Programs Act, title II of Public Law 95-266 (adoption opportunities), title II of the Children's Justice and Assistance Act of 1986, chapter 8-D of title VI of the Omnibus Budget Reconciliation Act of 1981 (pertaining to grants to States for planning and development of dependent care programs), the Head Start Act, the Comprehensive Child Development Centers Act of 1988, the Child Development Associate Scholarship Assistance Act of 1985, the Abandoned Infants Assistance Act of 1988 and part B of title IV and section 1110 of the Social Security Act, \$2,784,090,000.

PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION ASSISTANCE

For carrying out part E of title IV of the Social Security Act, \$1,380,048,000.

DEPARTMENTAL MANAGEMENT

GENERAL DEPARTMENTAL MANAGEMENT

For necessary expenses, not otherwise provided, for general departmental management, including hire of six medium sedans, \$80,577,000, of which \$19,281,000 shall be available for expenses necessary for the Office of the General Counsel, together with \$31,201,000, of which \$26,116,000 shall be available for expenses necessary for the Office of the General Counsel, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from any one or all of the trust funds referred to therein.

OFFICE OF THE INSPECTOR GENERAL

For expenses necessary for the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$50,600,000, together with not to exceed \$44,300,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from any one or all of the trust funds referred to therein.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, \$17,567,000, together with not to exceed \$4,000,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from any one or all of the trust funds referred to therein.

POLICY RESEARCH

For carrying out, to the extent not otherwise provided, research studies under section 1110 of the Social Security Act, \$5,012,000.

GENERAL PROVISIONS

SEC. 201. None of the funds appropriated by this title for grants-in-aid of State agencies to cover, in whole or in part, the cost of operation of said agencies, including the salaries and expenses of officers and employees of said agencies, shall be withheld from the said agencies of any State which have established by legislative enactment and have in operation a merit system and classification and compensation plan covering the selection, tenure in office, and compensation of their employees, because of any disapproval of their personnel or the manner of their selection by the agencies of the said States, or the rates of pay of said officers or employees.

SEC. 202. None of the funds made available by this Act for the National Institutes of Health, except for those appropriated to the

"Office of the Director", may be used to provide forward funding or multiyear funding of research project grants except in those cases where the Director of the National Institutes of Health has determined that such funding is specifically required because of the scientific requirements of a particular research project grant.

SEC. 203. Appropriations in this or any other Act shall be available for expenses for active commissioned officers in the Public Health Service Reserve Corps and for not to exceed 2,400 commissioned officers in the Regular Corps; expenses incident to the dissemination of health information in foreign countries through exhibits and other appropriate means; advances of funds for compensation, travel, and subsistence expenses (or per diem in lieu thereof) for persons coming from abroad to participate in health or scientific activities of the Department pursuant to law; expenses of primary and secondary schooling of dependents in foreign countries, of Public Health Service commissioned officers stationed in foreign countries, at costs for any given area not in excess of those of the Department of Defense for the same area, when it is determined by the Secretary that the schools available in the locality are unable to provide adequately for the education of such dependents, and for the transportation of such dependents, between such schools and their places of residence when the schools are not accessible to such dependents by regular means of transportation; expenses for medical care for civilian and commissioned employees of the Public Health Service and their dependents, assigned abroad on a permanent basis in accordance with such regulations as the Secretary may provide; rental or lease of living quarters (for periods not exceeding five years), and provision of heat, fuel, and light and maintenance, improvement, and repair of such quarters, and advance payments therefor, for civilian officers, and employees of the Public Health Service who are United States citizens and who have a permanent station in a foreign country; purchase, erection, and maintenance of temporary or portable structures; and for the payment of compensation to consultants or individual scientists appointed for limited periods of time pursuant to section 207(f) or section 207(g) of the Public Health Service Act, at rates established by the Assistant Secretary for Health, or the Secretary where such action is required by statute, not to exceed the per diem rate equivalent to the rate for GS-18.

SEC. 204. None of the funds contained in this Act shall be used to perform abortions except where the life of the mother would be endangered if the fetus were carried to term.

SEC. 205. Funds advanced to the National Institutes of Health Management Fund from appropriations in this Act shall be available for the expenses of sharing medical care facilities and resources pursuant to section 327A of the Public Health Service Act.

SEC. 206. Funds appropriated in this title shall be available for not to exceed \$37,000 for official reception and representation expenses when specifically approved by the Secretary.

SEC. 207. Amounts received from employees of the Department in payment for room and board may be credited to the appropriation accounts which finance the activities of the Public Health Service.

SEC. 208. None of the funds made available by this Act shall be used to provide special

retention pay (bonuses) under paragraph (4) of 37 U.S.C. 302(a) to any regular or reserve medical officer of the Public Health Service for any period during which the officer is assigned to the clinical, research, or staff associate program administered by the National Institutes of Health.

Sec. 209. None of the funds appropriated in this title shall be used to transfer the general administration of programs authorized under the Native American Programs Act from the Department of Health and Human Services to the Department of the Interior.

Sec. 210. Funds provided in this Act may be used for one-year contracts which are to be performed in two fiscal years, so long as the total amount for such contracts is obligated in the year for which the funds are appropriated.

Sec. 211. The Secretary shall make available through assignment not more than 60 employees of the Public Health Service to assist in the child survival activities and to work in AIDS programs through and with funds provided by the Agency for International Development, the United Nations International Children's Emergency Fund or the World Health Organization.

Sec. 212. For the purpose of insuring proper management of federally supported computer systems and data bases, funds appropriated by this Act are available for the purchase of dedicated telephone service between the private residences of employees assigned to computer centers funded under this Act, and the computer centers to which such employees are assigned.

Sec. 213. Funds available in this title for activities related to Human Immunodeficiency Virus may be transferred by the Secretary of Health and Human Services between appropriation accounts, except that this section shall not apply to funds made available for fiscal year 1990.

Sec. 214. No funds appropriated under this Act shall be used by the National Institutes of Health, or any other Federal agency, or recipient of Federal funds on any project that entails the capture or procurement of chimpanzees obtained from the wild. For purposes of this section, the term "recipient of Federal funds" includes private citizens, corporations, or other research institutions located outside of the United States that are recipients of Federal funds.

Sec. 215. None of the funds appropriated by this title shall be used to pay for any research program or project or any program, project, or course which is of an experimental nature, or any other activity involving human participants, which is determined by the Secretary or a court of competent jurisdiction to present a danger to the physical, mental, or emotional well-being of a participant or subject of such program, project, or course, without the written, informed consent of each participant or subject, or a participant's parents or legal guardian, if such participant or subject is under eighteen years of age. The Secretary shall adopt appropriate regulations respecting this section.

Sec. 216. In administering funds made available under this title for research relating to the treatment of AIDS, the National Institutes of Health shall take all possible steps to ensure that all experimental drugs for the treatment of AIDS, particularly antivirals and immunomodulators, that have shown some effectiveness in treating individuals infected with the human immunodeficiency virus are tested in clinical trials as expeditiously as possible and with as many subjects as is scientifically acceptable.

Sec. 217. None of the funds appropriated in this title for the National Institutes of Health and the Alcohol Drug Abuse and Mental Health Administration shall be used to pay the salary of an individual, through a grant or other extramural mechanism, at a rate in excess of \$120,000 per year.

Sec. 218. The Consolidated Office Building is hereby named the William H. Natcher Building; the Child Health/Neurosciences Building (building 49) is hereby named the Silvio O. Conte Building; the Stone House (building 16) is hereby named the Lawton Chiles International House; the Building numbered 36 is hereby named the Lowell P. Weicker Building.

Sec. 219. Of the funds appropriated in this Act for the National Institutes of Health, a reduction of \$4,000,000 is to be applied to all appropriations as a result of improved procurement practices and a reduction of \$10,000,000 is to be applied to all appropriations as a result of savings achieved under section 217 of this title.

Sec. 220. Notwithstanding any other provision of this Act, AIDS education programs that receive assistance from the Centers for Disease Control and other education curricula dealing with sexual activity that receive assistance under this Act—

(1) shall not be designed to promote or encourage, directly, intravenous drug abuse or sexual activity, homosexual or heterosexual; and

(2) with regard to AIDS education programs and curricula—

(A) shall be designed to reduce exposure to and transmission of the etiologic agent for acquired immune deficiency syndrome by providing accurate information; and

(B) shall provide information on the health risks of promiscuous sexual activity and intravenous drug abuse.

Sec. 221. During the twelve-month period beginning October 1, 1989, none of the funds made available under this Act may be used to impose any reductions in payment, or to seek repayment from or to withhold any payment to any State pursuant to section 427 or 471 of the Social Security Act, as a result of a disallowance determination made in connection with a compliance review for any Federal fiscal year preceding Federal fiscal year 1990, until all judicial proceedings, including appeals, relating to such disallowance determination have been finally concluded, nor may such funds be used to conduct further compliance reviews with respect to any State which is a party to such judicial proceeding until such proceeding has been finally concluded.

This title may be cited as the "Department of Health and Human Services Appropriations Act, 1990".

TITLE III—DEPARTMENT OF EDUCATION

COMPENSATORY EDUCATION FOR THE DISADVANTAGED

For carrying out the activities authorized by chapter 1 of title I of the Elementary and Secondary Education Act of 1965, as amended, and by section 418A of the Higher Education Act, \$5,434,777,000, of which \$5,408,581,000 shall become available on July 1, 1990 and shall remain available until September 30, 1991: *Provided*, That \$4,427,250,000 shall be available for basic grants under section 1005, \$400,000,000 shall be available for concentration grants under section 1006, \$285,938,000 shall be available for migrant education activities under subpart 1 of part D, \$148,200,000 shall be available for handicapped education activities under subpart 2 of part D, and \$33,197,000

shall be available for delinquent and neglected education activities under subpart 3 of part D: *Provided further*, That no State shall receive less than \$340,000 from the amounts made available under this appropriation for concentration grants under section 1006: *Provided further*, That no State shall receive less than \$375,000 from the amounts made available under this appropriation for State administration grants under section 1404: *Provided further*, That funds made available under sections 1437 and 1463 may be expended by the Secretary at any time, provided that notices of proposed rules for all currently operating programs authorized under chapter 1 have been published.

From the amounts appropriated for part A of chapter 1, an amount not to exceed \$125,000,000 may be obligated to carry out a new Merit Schools program and an amount not to exceed \$50,000,000 may be obligated to carry out a new Magnet Schools of Excellence program only if such programs are specifically authorized in law prior to March 1, 1990.

IMPACT AID

For carrying out title I of the Act of September 30, 1950, as amended (20 U.S.C. ch. 13), \$717,354,000, of which \$578,500,000 shall be for payments under section 3(a), \$123,500,000 shall be for payments under section 3(b), and \$15,354,000 shall be for payments under section 2 of said Act.

For carrying out the Act of September 23, 1950, as amended (20 U.S.C. ch. 19), \$14,998,000, which shall remain available until expended, shall be for construction and renovation of school facilities as authorized by said Act.

SCHOOL IMPROVEMENT PROGRAMS

For carrying out the activities authorized by chapter 2 of title I, titles II, III, IV, V, and part B of title VI of the Elementary and Secondary Education Act of 1965, as amended; the Stewart B. McKinney Homeless Assistance Act; the Civil Rights Act of 1964; title V of the Higher Education Act, as amended; part B of title III and title IV of Public Law 100-297; section 5051 of Public Law 100-690; section 6115 and chapter 5 of subtitle A of title VI of Public Law 100-418; and the Follow Through Act, \$1,232,895,000, of which \$899,494,000 shall become available on July 1, 1990, and remain available until September 30, 1991, and \$2,500,000 shall be for evaluation studies of the magnet schools and chapter 2 block grant programs; \$8,892,000 shall be for national program activities under section 1012 and \$128,440,000 shall be for State grants under part A of title II of the Elementary and Secondary Education Act; \$3,964,000 shall be for grants for schools and teachers under subpart 1 and \$4,500,000 shall be for family school partnerships under subpart 2 of part B of title III of Public Law 100-297; and \$31,084,000 shall be for national programs under part B and \$461,477,000 shall be for State and local programs under part A of chapter 2 of title I of the Elementary and Secondary Education Act.

BILINGUAL, IMMIGRANT, AND REFUGEE EDUCATION

For carrying out, to the extent not otherwise provided, title VII and part D of title IV of the Elementary and Secondary Education Act, \$188,674,000, of which \$31,913,000 shall be for part C of title VII including not more than \$2,000,000 for the support of not to exceed 200 fellowships under section 7043.

EDUCATION FOR THE HANDICAPPED

For carrying out the Education of the Handicapped Act, \$2,083,776,000, of which \$1,564,017,000 for section 611, \$255,000,000 for section 619, and \$80,624,000 for section 685 shall become available for obligation on July 1, 1990, and shall remain available until September 30, 1991.

REHABILITATION SERVICES AND HANDICAPPED RESEARCH

For carrying out, to the extent not otherwise provided, the Rehabilitation Act of 1973, title I of Public Law 100-407, and the Helen Keller National Center Act, as amended, \$1,804,870,000, of which \$32,674,000 shall be for special demonstration programs under sections 311 (a), (b), and (c) including \$15,000,000 for one-time start-up grants to establish a system of regional comprehensive head injury prevention and rehabilitation centers.

SPECIAL INSTITUTIONS FOR THE HANDICAPPED
AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act of March 3, 1879, as amended (20 U.S.C. 101 et seq.), including provision of materials to adults undergoing rehabilitation on the same basis as provided in 1985, \$5,740,000.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For the National Technical Institute for the Deaf under titles II and IV of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.) and for activities under sec. 311 of the Rehabilitation Act of 1973, \$36,553,000, of which \$325,000 shall be for the endowment program as authorized under section 408 and shall be available until expended, \$482,000 shall be for construction and renovation, to remain available until expended, and \$900,000 shall be retained by the Secretary for the purpose of supporting a consortium of institutions to provide education and vocational rehabilitation services for low functioning adults who are deaf.

GALLAUDET UNIVERSITY

For the Kendall Demonstration Elementary School, the Model Secondary School for the Deaf and the partial support of Gallaudet University under titles I and IV of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), including continuing education activities, existing extension centers and the National Center for Law and the Deaf, \$68,600,000, of which \$1,000,000 shall be for the endowment program as authorized under section 407 and shall be available until expended.

VOCATIONAL AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, the Carl D. Perkins Vocational Education Act, the Adult Education Act and the Stewart B. McKinney Homeless Assistance Act, \$1,138,040,000 which shall become available for obligation on July 1, 1990, and shall remain available until September 30, 1991, of which \$23,333,000 shall be for national programs under title IV of the Carl D. Perkins Vocational Education Act including \$7,083,000 for research, \$11,250,000 for demonstrations, and \$5,000,000 for data collection and of which \$2,000,000 shall be for national programs under section 383 of the Adult Education Act.

STUDENT FINANCIAL ASSISTANCE

For carrying out subparts 1, 2, and 3 of part A and parts C, D, and E of title IV of the Higher Education Act, as amended, \$6,044,097,000 together with an additional \$131,000,000 which shall be available only

for unfunded costs in the 1989-90 award year Pell Grant program: *Provided*, That \$286,000,000 shall only be available if such funds are necessary to pay a maximum grant of \$2,300 during the 1990-1991 program year: *Provided further*, That notwithstanding section 479A of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), student financial aid administrators shall be authorized, on the basis of adequate documentation, to make necessary adjustments to the cost of attendance and expected student or parent contribution (or both) and to use supplementary information about the financial status or personal circumstances of eligible applicants only for purposes of selecting recipients and determining the amount of awards under subpart 2 of part A, and parts B, C, and E of title IV of the Act: *Provided further*, That notwithstanding section 411(b)(6)(B) of the Higher Education Act of 1965 as amended, no basic grant under subpart 1 of part A of title IV of that Act shall be awarded to any student who is attending on a less than half-time basis for a period of enrollment beginning on or after January 1, 1990, except that any such student who received a basic grant for a period of enrollment beginning before January 1, 1990, shall be eligible to receive a basic grant for a period of enrollment beginning on or after such date from funds appropriated for fiscal year 1989: *Provided further*, That notwithstanding section 411(b)(6)(B) of the Higher Education Act of 1965 as amended, no basic grant under subpart 1 of part A of title IV of that Act shall be awarded from funds appropriated for fiscal year 1990 to any student who is attending on a less than half-time basis: *Provided further*, That any institution participating in any loan program authorized under part B of title IV of the Higher Education Act of 1965 as amended, with a default rate, as determined by the Secretary, that exceeds 30 per centum shall implement a pro rata refund policy that complies with minimum standards established by the Secretary in regulations, for any title IV aid recipient who withdraws before the earlier of six months from the beginning of the course of study for which the loan was received, or the date on which the student completes one-half of that course and these provisos, except as specifically indicated, shall apply to all fiscal year 1990 funds, which shall remain available until September 30, 1991: *Provided further*, That the maximum Pell grant that a student may receive in the 1990-91 award year shall be \$2,300.

GUARANTEED STUDENT LOANS

(LIQUIDATION OF CONTRACT AUTHORITY)

For payment of obligations incurred under contract authority entered into pursuant to title IV, part B, of the Higher Education Act, as amended, \$3,826,314,000.

HIGHER EDUCATION

For carrying out, to the extent not otherwise provided for, titles I, III, IV, sections 501, 523, and subpart 1 of part D of title V, and titles XII, VI, VII, VIII, IX, and X of the Higher Education Act of 1965, as amended, and the Mutual Educational and Cultural Exchange Act of 1961 and section 140(b) of Public Law 100-202, \$632,736,000, of which up to \$18,128,000 for endowment activities under section 332 of part C of title III and \$22,744,000 for interest subsidies under part D of title VII shall remain available until expended: *Provided*, That \$8,740,000 provided herein for carrying out subpart 6 of part A of title IV shall be available notwithstanding sections 419G(b) and

419I(a) of the Higher Education Act of 1965 (20 U.S.C. 1070d-37(b) and 1070d-39(a)): *Provided further*, That \$1,456,000 of the amount provided herein for subpart 4 of part A of title IV of the Higher Education Act shall be for an evaluation of Special Programs for the Disadvantaged to examine the effectiveness of current programs and to identify program improvements.

HOWARD UNIVERSITY

For partial support of Howard University (20 U.S.C. 121 et seq.), \$182,446,000, of which \$1,500,000 shall be for a matching endowment grant to be administered in accordance with the Howard University Endowment Act (Public Law 98-480) and shall remain available until expended.

COLLEGE HOUSING AND ACADEMIC FACILITIES
LOANS

Pursuant to title VII, part F of the Higher Education Act, as amended, for necessary expenses of the college housing and academic facilities loans program, the Secretary shall make expenditures, contracts, and commitments without regard to fiscal year limitation: *Provided*, That during fiscal year 1990, gross commitments for the principal amount of direct loans shall be \$30,000,000.

For payment of interest on funds borrowed from the Treasury pursuant to section 761(d) of the Higher Education Act, as amended, \$5,129,000, to remain available until expended.

HIGHER EDUCATION FACILITIES LOANS

The Secretary is hereby authorized to make such expenditures, within the limits of funds available under this heading and in accord with law, and to make such contracts and commitments without regard to fiscal year limitation, as provided by section 104 of the Government Corporation Control Act (31 U.S.C. 9104), as may be necessary in carrying out the program for the current fiscal year. For the fiscal year 1990, no new commitments for loans may be made from the fund established pursuant to title VII, section 733 of the Higher Education Act, as amended (20 U.S.C. 1132d-2).

COLLEGE HOUSING LOANS

Pursuant to title VII, part F of the Higher Education Act, as amended, for necessary expenses of the college housing loan program, previously carried out under title IV of the Housing Act of 1950, the Secretary shall make expenditures and enter into contracts without regard to fiscal year limitation using loan repayments and other resources available to this account. Any unobligated balances becoming available from fixed fees paid into this account pursuant to 12 U.S.C. 1749d, relating to payment of costs for inspections and site visits, shall be available for the operating expenses of this account.

EDUCATION RESEARCH AND STATISTICS

For necessary expenses to carry out section 405 and section 406 of the General Education Provisions Act, as amended, \$96,375,000, of which \$6,000,000, to remain available until December 31, 1990, shall be for the rural education program conducted by the regional laboratories.

LIBRARIES

For carrying out, to the extent not otherwise provided, titles I, II, III, IV, and VI of the Library Services and Construction Act (20 U.S.C. ch. 16), and title II of the Higher Education Act, \$136,646,000 of which \$18,900,000 shall be used to carry out the provisions of title II of the Library Services

and Construction Act which shall remain available until expended.

**DEPARTMENTAL MANAGEMENT
PROGRAM ADMINISTRATION**

For carrying out, to the extent not otherwise provided, the Department of Education Organization Act, including rental of conference rooms in the District of Columbia and hire of three passenger motor vehicles, \$274,946,000.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, as authorized by section 203 of the Department of Education Organization Act, \$45,178,000.

OFFICE OF THE INSPECTOR GENERAL

For expenses necessary for the Office of the Inspector General, as authorized by section 212 of the Department of Education Organization Act, \$23,381,000.

GENERAL PROVISIONS

SEC. 301. None of the funds appropriated by this title for grants-in-aid of State agencies to cover, in whole or in part, the costs of operation of said agencies, including the salaries and expenses of officers and employees of said agencies, shall be withheld from the said agencies of any State which have established by legislative enactment and have in operation a merit system and classification and compensation plan covering the selection, tenure in office, and compensation of their employees, because of any disapproval of their personnel or the manner of their selection by the agencies of the said States, or the rates of pay of said officers or employees.

SEC. 302. Funds appropriated in this Act to the American Printing House for the Blind, Howard University, the National Technical Institute for the Deaf, and Gallaudet University shall be subject to financial and program audit by the Secretary of Education and the Secretary may withhold all or any portion of these appropriations if he determines that an institution has not cooperated fully in the conduct of such audits.

SEC. 303. No part of the funds contained in this title may be used to force any school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88-352, to take any action to force the busing of students; to force on account of race, creed or color the abolishment of any school so desegregated; or to force the transfer or assignment of any student attending any elementary or secondary school so desegregated to or from a particular school over the protest of his or her parents or parent.

SEC. 304. (a) No part of the funds contained in this title shall be used to force any school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88-352, to take any action to force the busing of students; to require the abolishment of any school so desegregated; or to force on account of race, creed or color the transfer of students to or from a particular school so desegregated as a condition precedent to obtaining Federal funds otherwise available to any State, school district or school.

(b) No funds appropriated in this Act may be used for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school or school system, or for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order

to carry out a plan of racial desegregation of any school or school system.

SEC. 305. None of the funds contained in this Act shall be used to require, directly or indirectly, the transportation of any student to a school other than the school which is nearest the student's home, except for a student requiring special education, to the school offering such special education, in order to comply with title VI of the Civil Rights Act of 1964. For the purpose of this section an indirect requirement of transportation of students includes the transportation of students to carry out a plan involving the reorganization of the grade structure of schools, the pairing of schools, or the clustering of schools, or any combination of grade restructuring, pairing or clustering. The prohibition described in this section does not include the establishment of magnet schools.

SEC. 306. No funds appropriated under this Act may be used to prevent the implementation of programs of voluntary prayer and meditation in the public schools.

This title may be cited as the "Department of Education Appropriations Act, 1990".

TITLE IV—RELATED AGENCIES

ACTION

OPERATING EXPENSES

For expenses necessary for Action to carry out the provisions of the Domestic Volunteer Service Act of 1973, as amended, \$176,642,000: *Provided*, That \$30,750,000 shall be available for title I of the Act, of which \$25,415,000 shall be available for purposes authorized under section 501(d)(1) of the Act.

CORPORATION FOR PUBLIC BROADCASTING

For payment to the Corporation for Public Broadcasting, as authorized by the Communications Act of 1934, an amount which shall be available within limitations specified by that Act, for the fiscal year 1992, \$327,280,000 of which \$76,250,000 shall be available for section 396(k)(10) of said Act: *Provided*, That no funds made available to the Corporation for Public Broadcasting by this Act shall be used to pay for receptions, parties, or similar forms of entertainment for Government officials or employees: *Provided further*, That none of the funds contained in this paragraph shall be available or used to aid or support any program or activity from which any person is excluded, or is denied benefits, or is discriminated against, on the basis of race, color, national origin, religion, or sex.

**FEDERAL MEDIATION AND CONCILIATION
SERVICE**

SALARIES AND EXPENSES

For expenses necessary for the Federal Mediation and Conciliation Service to carry out the functions vested in it by the Labor-Management Relations Act, 1947 (29 U.S.C. 171-180, 182), including expenses of the Labor-Management Panel and boards of inquiry appointed by the President, hire of passenger motor vehicles, and rental of conference rooms in the District of Columbia; and for expenses necessary pursuant to Public Law 93-360 for mandatory mediation in health care industry negotiation disputes and for convening factfinding boards of inquiry appointed by the Director in the health care industry; and for expenses necessary for the Labor-Management Cooperation Act of 1978 (29 U.S.C. 125a); and for expenses necessary for the Service to carry out the functions vested in it by the Civil

Service Reform Act, Public Law 95-454 (5 U.S.C. chapter 71), \$26,785,000.

**FEDERAL MINE SAFETY AND HEALTH REVIEW
COMMISSION**

SALARIES AND EXPENSES

For expenses necessary for the Federal Mine Safety and Health Review Commission (30 U.S.C. 801 et seq.), \$4,030,000.

**NATIONAL COMMISSION ON ACQUIRED IMMUNE
DEFICIENCY SYNDROME**

For expenses necessary for the National Commission on Acquired Immune Deficiency Syndrome as authorized by subtitle D of title II of Public Law 100-607, \$1,000,000.

NATIONAL COMMISSION ON CHILDREN

For necessary expenses of the National Commission on Children established by section 9136 of the Omnibus Reconciliation Act of 1987, Public Law 100-203, \$940,000, which shall remain available until expended.

**NATIONAL COMMISSION ON LIBRARIES AND
INFORMATION SCIENCE**

SALARIES AND EXPENSES

For necessary expenses for the National Commission on Libraries and Information Science, established by the Act of July 20, 1970 (Public Law 91-345), \$750,000.

**NATIONAL COMMISSION TO PREVENT INFANT
MORTALITY**

For necessary expenses of the National Commission to Prevent Infant Mortality, established by section 203 of the National Commission to Prevent Infant Mortality Act of 1986, Public Law 99-660, \$400,000, which shall remain available until expended.

NATIONAL COUNCIL ON DISABILITY

SALARIES AND EXPENSES

For expenses necessary for the National Council on Disability as authorized by section 405 of the Rehabilitation Act of 1973, as amended, \$1,557,000.

NATIONAL LABOR RELATIONS BOARD

SALARIES AND EXPENSES

For expenses necessary for the National Labor Relations Board to carry out the functions vested in it by the Labor-Management Relations Act, 1947, as amended (29 U.S.C. 141-167), and other laws, \$140,111,000: *Provided*, That no part of this appropriation shall be available to organize or assist in organizing agricultural laborers or used in connection with investigations, hearings, directives, or orders concerning bargaining units composed of agricultural laborers as referred to in section 2(3) of the Act of July 5, 1935 (29 U.S.C. 152), and as amended by the Labor-Management Relations Act, 1947, as amended, and as defined in section 3(f) of the Act of June 25, 1938 (29 U.S.C. 203), and including in said definition employees engaged in the maintenance and operation of ditches, canals, reservoirs, and waterways when maintained or operated on a mutual, nonprofit basis and at least 95 per centum of the water stored or supplied thereby is used for farming purposes.

NATIONAL MEDIATION BOARD

SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of the Railway Labor Act, as amended (45 U.S.C. 151-188), including emergency boards appointed by the President, \$6,384,000.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For the expenses necessary for the Occupational Safety and Health Review Commission (29 U.S.C. 661), \$5,970,000.

PHYSICIAN PAYMENT REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 1845(a) of the Social Security Act, \$3,847,000, to be transferred to this appropriation from the Federal Supplementary Medical Insurance Trust Fund.

PRESCRIPTION DRUG PAYMENT REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 1847 of the Social Security Act, \$1,500,000, to be transferred to this appropriation from the Federal Catastrophic Drug Insurance Trust Fund.

PROSPECTIVE PAYMENT ASSESSMENT COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 1886(e) of the Social Security Act, \$3,919,000, to be transferred to this appropriation from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds.

RAILROAD RETIREMENT BOARD

DUAL BENEFITS PAYMENTS ACCOUNT

For payment to the Dual Benefits Payments Account, authorized under section 15(d) of the Railroad Retirement Act of 1974, \$340,000,000, which shall include amounts becoming available in fiscal year 1990 pursuant to section 224(c)(1)(B) of Public Law 98-76: *Provided*, That the total amount provided herein shall be credited to the account in 12 approximately equal amounts on the first day of each month in the fiscal year.

LIMITATION ON ADMINISTRATION

For necessary expenses for the Railroad Retirement Board, \$63,900,000, to be derived from the railroad retirement accounts: *Provided*, That \$200,000 of the foregoing amount shall be available only to the extent necessary to process workloads not anticipated in the budget estimates and after maximum absorption of the costs of such workloads within the remainder of the existing limitation has been achieved: *Provided further*, That notwithstanding any other provision of law, no portion of this limitation shall be available for payments of standard level user charges pursuant to section 210(j) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(j); 45 U.S.C. 228a-r).

LIMITATION ON RAILROAD UNEMPLOYMENT INSURANCE ADMINISTRATION FUND

For further expenses necessary for the Railroad Retirement Board, for administration of the Railroad Unemployment Insurance Act, not less than \$14,100,000 shall be apportioned for fiscal year 1990 from moneys credited to the railroad unemployment insurance administration fund.

LIMITATION ON REVIEW ACTIVITY

For expenses necessary for the Office of Inspector General for audit, investigatory and review activities, as authorized by the Inspector General Act of 1978, as amended, not more than \$3,950,000, to be derived from the railroad retirement accounts and railroad unemployment insurance account.

SOLDIERS' AND AIRMEN'S HOME OPERATION AND MAINTENANCE

For maintenance and operation of the United States Soldiers' and Airmen's Home, to be paid from the Soldiers' and Airmen's Home permanent fund, \$39,287,000: *Provided*, That this appropriation shall not be available for the payment of hospitalization of members of the Home in United States Army hospitals at rates in excess of those prescribed by the Secretary of the Army upon recommendation of the Board of Commissioners and the Surgeon General of the Army.

CAPITAL OUTLAY

For construction and renovation of the physical plant, to be paid from the Soldiers' and Airmen's Home permanent fund, \$9,375,000, to remain available until expended.

UNITED STATES BIPARTISAN COMMISSION ON COMPREHENSIVE HEALTH CARE

For necessary expenses of the United States Bipartisan Commission on Comprehensive Health Care established by section 401 of the Medicare Catastrophic Coverage Act of 1988, \$467,000, which shall remain available until expended.

UNITED STATES INSTITUTE OF PEACE

OPERATING EXPENSES

For necessary expenses of the United States Institute of Peace as authorized in the United States Institute of Peace Act, \$7,650,000.

WHITE HOUSE CONFERENCE ON LIBRARY AND INFORMATION SERVICES

For carrying out activities under Public Law 100-382, \$3,250,000, to remain available until expended.

TITLE V—GENERAL PROVISIONS

Sec. 501. 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. 502. No part of any appropriation contained in this Act shall be expended by an executive agency, as referred to in the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.), pursuant to any obligation for services by contract, unless such executive agency has awarded and entered into such contract in full compliance with such Act and regulations promulgated thereunder.

Sec. 503. Appropriations contained in this Act, available for salaries and expenses, shall be available for services as authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS-18.

Sec. 504. Appropriations contained in this Act, available for salaries and expenses, shall be available for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901-5902).

Sec. 505. Appropriations contained in this Act, available for salaries and expenses, shall be available for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities.

Sec. 506. No part of the funds appropriated under this Act shall be used to provide

a loan, guarantee of a loan, a grant, the salary of or any remuneration whatever to any individual applying for admission, attending, employed by, teaching at, or doing research at an institution of higher education who has engaged in conduct on or after August 1, 1969, which involves the use of (or the assistance to others in the use of) force or the threat of force or the seizure of property under the control of an institution of higher education, to require or prevent the availability of certain curricula, or to prevent the faculty, administrative officials, or students in such institution from engaging in their duties or pursuing their studies at such institution.

Sec. 507. The Secretaries of Labor, Health and Human Services, and Education are authorized to transfer unexpended balances of prior appropriations to accounts corresponding to current appropriations provided in this Act: *Provided*, That such transferred balances are used for the same purpose, and for the same periods of time, for which they were originally appropriated.

Sec. 508. 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. 509. No part of any appropriation contained in this Act shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

No part of any appropriation contained in this Act shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence legislation or appropriations pending before the Congress.

Sec. 510. The Secretaries of Labor and Education are each authorized to make available not to exceed \$7,500 from funds available for salaries and expenses under titles I and III, respectively, for official reception and representation expenses; the Director of the Federal Mediation and Conciliation Service is authorized to make available for official reception and representation expenses not to exceed \$2,500 from the funds available for "Salaries and expenses, Federal Mediation and Conciliation Service"; and the Chairman of the National Mediation Board is authorized to make available for official reception and representation expenses not to exceed \$2,500 from funds available for "Salaries and expenses, National Mediation Board".

Sec. 511. When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds, including but not limited to State and local governments, shall clearly state (1) the percentage of the total costs of the program or project which will be financed with Federal money, (2) the dollar amount of Federal funds for the project or program, and (3) percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

Sec. 512. Such sums as may be necessary for fiscal year 1990 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 513. (a) FINDINGS.—The Congress finds that—

(1) illegal drug use is a serious problem of our society and educational institutions;

(2) drug use is incompatible with the educational process and destroys an atmosphere conducive to learning;

(3) our educational institutions and their administrators have traditionally been entrusted with the task of transmitting community values to their students who will lead our Nation in the future; and

(4) our educational institutions have the opportunity to enrich the lives of a significant portion of young Americans during their years in college by encouraging the study of values that enable them to distinguish right from wrong and moral from immoral.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that colleges and universities should demand drug-free campuses and should, with the support of parents, students, and the community, enforce strict but fair policies to eliminate drug use by students.

SEC. 514. (a) Not more than \$26,643,000 of the funds appropriated by this Act may be obligated or expended for the procurement of advisory or assistance services by the Department of Labor; not more than \$85,637,000 of the funds appropriated by this Act may be obligated or expended for the procurement of advisory or assistance services by the Department of Health and Human Services; and not more than \$41,565,000 of the funds appropriated by this Act may be obligated or expended for the procurement of advisory and assistance services by the Department of Education.

(b)(1) Not later than forty-five days after the end of each fiscal quarter, the head of each department named in subsection (a) shall (A) submit to Congress a report on the amounts obligated and expended by the department during that quarter for the procurement of advisory and assistance services, and (B) transmit a copy of such report to the Comptroller General of the United States.

(2) Each report submitted under paragraph (1) shall include a list with the following information:

(A) All contracts awarded for the procurement of advisory and assistance services during the quarter and the amount of each contract.

(B) The purpose of each contract.

(C) The justification for the award of each contract and the reason the work cannot be performed by civil servants.

(c) The Comptroller General of the United States shall review the reports submitted under subsection (b) and transmit to Congress any comments and recommendations the Comptroller General considers appropriate regarding the matter contained in such reports.

SEC. 515. For purposes of section 202 of the Balanced Budget and Emergency Deficit Control Reaffirmation Act of 1987, transfers, if any, in the following accounts are a necessary (but secondary) result of significant policy changes: Training and Employment Services; State Unemployment Insurance and Employment Service Operations; Health Resources and Services Program Operations; Alcohol, Drug Abuse, and Mental Health; Low Income Home Energy Assistance; Interim Assistance to States for Legalization; and Community Services Block Grant.

SEC. 516. Notwithstanding any other provision of this Act, no funds appropriated by

this Act may be used to execute or carry out any contract with a nongovernmental entity to administer or manage a Civilian Conservation Center of the Job Corps.

SEC. 517. Notwithstanding any other provision of this Act, funds appropriated for Labor-Management Services, Salaries and Expenses are hereby reduced by \$1,000,000 and funds appropriated for Employment Standards Administration, Salaries and Expenses are hereby reduced by \$2,000,000.

SEC. 518. Notwithstanding any other provision of this Act, funds appropriated for salaries and expenses of the Department of Health and Human Services are hereby reduced by \$15,000,000: *Provided*, That no trust fund limitation shall be reduced.

This Act may be cited as the "Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1990".

Mr. NATCHER (during the reading). Mr. Chairman, I ask unanimous consent that 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 Kentucky?

There was no objection.

The CHAIRMAN. Are there any points of order against the bill?

If not, are there any amendments?

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

Mr. Chairman, I want to start today by making three points.

First, I am very, very proud to have played a role with a number of my colleagues in ending 10 years of tyranny over the American women, particularly poor women who have been victims of rape and incest.

For the first time in 10 years the House, when it passed this bill originally, funded abortion services for such victims so they would not have to produce the offspring of the criminal who perpetrated that violence on them.

I am proud of that effort. That is point No. 1.

Point No. 2, I am dismayed and frankly disgusted with a Presidential veto on this bill which does so much good for the American people, a Presidential veto sustained by a minority of this House which thwarts the clear majority will not only of the Members of this House but the majority of the American women. That is point No. 2.

Point No. 3, I want to say it is my judgment the gentleman from Kentucky [Mr. NATCHER], chairman of the subcommittee, has been mistreated by the White House and by its antiabortion allies in the Congress that has been holding Mr. Bush and the White House hostage on this issue.

This bill could have been signed weeks ago, my friends, because under the terms of the rape and incest provisions passed by the House last week, the President had the authority to write rules and regulations defining the time period within which a rape should be reported.

But instead we got a veto for a political reason which I think does an injustice to a chairman who has been nothing but loyal to this administration and the same for the ranking Republican member on this committee.

I think that is a disservice, and I want to go on record as saying that.

Now to all who are listening, people should know this in terms of the floor procedure today: We are operating under a unique parliamentary procedure where there is no rule that waives points of order. Therefore, no substantive statutory amendments can be offered.

That means that if we were to try to restore rape and incest funding for those victims, someone would raise a point of order and it would be struck down.

So no amendments will be offered today. But let me make clear for those who have fought so hard so long on this issue: This is not the last inning, not by any means.

We still have the conference, and if it does not work out, we still have next year, my friends, and if that does work out, we have next November's elections.

And I would say to the antichoice minority that has thwarted the majority, that seems to have this hypnosis over the White House, it has walked the Republican Party down the gangplank, out of step with the mainstream of the American people, and I think you are going to find a number of Members who have stayed with the White House on this feeling very uncomfortable in the months to come.

Now, some Members have suggested a, quote unquote, compromise. They say that a compromise would be forcing the victim of rape who may have been sodomized and brutalized and beat up in every despicable, imaginable way, to march down to a precinct house within 48 hours or 72 hours and report to a cop what has happened to her, notwithstanding what her emotional state may be. Forty-eight hours, regardless of her emotional state.

Ladies and gentlemen, if you think that is workable, if you think that is fair, take the time to pick up the phone and call a rape crisis center in your district. They will tell you the condition some of these women are in.

They are not able under the convenience of the strict timeframe that you want to impose through your so-called compromise, which we are not going to let you offer today because it is unworkable and unfair, they are not able to report under those conditions. And let the American people know that we will not let you try to do that because it is unworkable.

What gets me also about this so-called compromise is that, as I read in the paper today, the New York Times, the White House is reported as want-

ing that tight timeframe because it does not want poor women to engage in an act of fraud in reporting rape.

□ 1350

Fraud. That is an interesting situation. When the antichoice crowd thinks of fraud, it seems to think of the American women. When I think of fraud, I think HUD and Sam Pierce.

(By unanimous consent, Mr. AuCOIN was allowed to proceed for 2 additional minutes.)

Mr. AuCOIN. I call fraud what happened in the Pentagon, in the ripoffs in the procurement procedure. I call fraud what Sam Pierce apparently has done down at HUD. I do not think the American women, when in the last time this was legal under the law, to be able to get funding for rape victims, only 72 in this country actually availed themselves of that privilege. I do not see that that can by any way be called wholesale fraud or massive abortion on demand question.

It is a narrow exemption. What a statement to say a person thinks American women cannot be trusted, to report something that most women do not feel comfortable reporting because of the evil that has been inflicted on them.

What happened, by the way, to murder? This used to be called by the antiabortion crowd, murder. Now it is not being called murder, and it stopped being called murder when the Republican antichoice crowd started losing elections. Let the record show that was the time of the change.

I want to say to Members that if we had our way we would offer an amendment that would say to the President the obvious, Mr. President. The President has the authority, we write this into this bill, an amendment, the President has the authority to write regulations. What we want the President to do in writing those regulations is to take into account the emotional state of the mother. If George Bush would veto that, then what he would really be saying is save me from myself. I do not trust myself. I do not trust my own rule and regulation writer. I cannot imagine that the President would do that, but let the record show we are not able to offer such a thing. No side is able to offer such a thing. Our only hope is in conference, but I want to say to my friends in conference, if any Member thinks a 48-hour "compromise" is going to be acceptable out of conference, they were badly mistaken.

We will fight it in the trenches. We will fight it on the floor. We will fight the entire conference. That is not a compromise. That is worse than any exemption whatsoever.

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

Mr. Chairman, I regret the turn of events here. I think we are going to

start getting pejorative, and I do not intend to do so. However, if those Members who support the unborn, the innocent unborn, are going to be called "the antichoice crowd," that opens the gate, and one who opens the gate, I guess, should not complain if strange cattle wander through.

The prokiller crowd, the "death squads of the left," we can play that game, too, and if the gentleman wants his group to be called the prochoice crowd—which is an interesting euphemism, because there is no choice given to the unborn, he should be less pejorative about us. The choice, we are told is whether or not to have a baby. However, the woman, if she becomes pregnant, already has a baby, and the question is will she let him or her live or die?

If the gentleman wants to talk about fraud, interestingly enough, he omits Wedtech. There is a litany of fraud. I do not want to polarize this Chamber, but the gentleman is very selective in his speaking of fraud. He is dismayed by a veto. The gentleman is unacquainted with principle, evidently, because the President would have found it the easiest thing to sign that bill. The President is committed to saving the babies of poor women. The gentleman says "poor women" trippingly from the tongue, but he forgets there are children involved too. It is the children of the poor that deserve to be saved. The children of the rich are lost. If a wealthy woman wants to kill, to exterminate her unborn child, that is too bad. We cannot save that child yet. But the poor, their children are salvagable, and we, the party you liberals call the economic royalists, the malefactors of great wealth, care about the children of the poor. We care about them. The liberals who are supposed to defend the powerless, why the most powerless in the world is an unborn child whose mother finds that child inconvenient, unwanted, to be exterminated. Why is their defense left to us and abandoned by you liberals?

Report to a cop? Well, I should not be surprised by that choice of words. Police officers who risk their lives so citizens can get to their car at night and get home. "Report to a cop," well, I think Members would want to catch the rapist. I should think the brutal crime about which the gentleman waxed lyrically, would lead him to want to catch the rapist. The sooner we report it to the police, the sooner we get the rapist. Or does that not fit into the gentleman's scenario?

We should not impose on people, because there is no amendment going to be offered. We have heard this issue again and again. I am simply responding to my friend, the gentleman from Oregon. However, I suggest to the gentleman, unborn children have got to be considered. We can describe rape in

all of its horrible details, and I agree with Members, and I want the victim protected as much as possible. However, a second destruction does not solve anything, but kill an innocent human life.

Your moral imagination, your compassion, your defense of the powerless ought to be big enough and strong enough to reach the little, tiny innocent child in the womb. But of course, some Members deny that is human life. Members say that is a randomly multiplying bunch of cells. It is a tumor to be extricated, like abscessed tonsils, a bad tooth. But it is a child. It is an unborn child. It is a little member of the human family. That is what we are defending. That is what the President is defending. Do not call the President unprincipled. He is doing a very difficult thing for principle.

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

Mr. Chairman, since I have been a Member of the Congress, I have had the pleasure and the opportunity to serve with eight Presidents. I have enjoyed serving with all eight of them. I say to the chairman and to the Members of the House that I personally like President Bush.

I am hoping, Mr. Chairman, that when this bill is passed in the House and it goes over on the other side, that we will bring back a bill that can be accepted. We will send it down to the White House and it will be signed.

I have had the opportunity and the pleasure of serving on the subcommittee and on the full Committee on Appropriations for a number of years with my friend, the distinguished gentleman from Massachusetts [Mr. CONTE]. We do not have an abler Member in the House than Mr. CONTE. He is not only the ranking member on the subcommittee, Mr. Chairman, he is the ranking minority member on the full Committee on Appropriations.

This is the best bill that has ever been presented to the House for the Department of Labor, the Department of Health and Human Services, and for the Department of Education. Mr. Chairman, as Members well know, in this bill we have the money for the Summer Youth Program. We have the Job Corps. The feeding program for the elderly. We have all the programs concerning elementary and secondary education and higher education. We have the National Institutes of Health, over \$7 billion. This is probably the most important appropriations bill that comes through the House each year. Anyone that called this bill the people's bill would be correct.

Mr. Chairman, I served in this House only a few weeks until I found out without any question that there

are just as many smart people sitting on that side of the aisle as sit on this side of the aisle. It did not take me very long to decide that. I will walk back and forth across that center aisle any day. I have friends on both sides. I just wanted to make this statement, Mr. Chairman, to say to the Members that this bill is a vitally important bill that pertains to the Department of Labor, the Department of Health and Human Services, and the Department of Education. It must be passed. We still believe, Mr. Chairman, that when we take care of the health of our people and educate our children, we continue living in the strongest country in the world.

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

I thank the chairman of the subcommittee for expressing his understanding of the views on both sides of the aisle.

□ 1400

I would like to say to the gentleman from Illinois—and I hope he is still in the Chamber, and perhaps he will stay to hear this—that I know he took offense at the term, "antichoice," but I have to say that to match that with the language he used, "prokiller," is absolutely not in the same realm, because I would like to ask the gentleman this: What about the 10,000 women a year who died due to botched abortions during the time that abortion was outlawed? Are those not lives worth talking about? Were those not lives of living, breathing women, some of them students, some of them mothers, some of them sisters, and some of them aunts?

I knew one of those who almost died in 1962, and she paid the price of infertility. So please, let us not throw the term, "killer," into this discussion.

Mr. Chairman, this Congress took an historic step toward compassion and toward fairness when it overturned a decade-long prohibition on Medicaid funding to end the pregnancy forced by the violence of rape or incest. As the author of that amendment and with thanks to my colleague, the gentleman from Oregon [Mr. AuCoin], who asked me to offer it, I experienced a sense after that vote and after that victory that this Congress understands that our Government—and as Mr. Lech Walesa said, of, by, and for the people—should stand by innocent women and girls who need our help in these most atrocious circumstances, and that we as a Congress cannot say what our President says. He says: "I am for abortion if the victim of rape or incest wants it, but I will not fund it if she is poor. If she is wealthy, she can take care of it." The President said, and Marlin Fitzwater said today, that it is a moral issue. "It is a moral issue with me," the President said.

But I ask, what is moral about a dual system, one for poor women and one for wealthy women? What is moral about abandoning a victim of incest, a young girl, a bleeding woman, a traumatized woman?

Our amendment, I say to my friends, is not called beat the clock. That is not what we try to do in our amendment, and we would oppose a beat-the-clock amendment. A woman in that state, in that mental and physical state, cannot begin watching that clock from the time she has been raped, because I say to my friends that if they have ever talked with anyone who has been a victim of rape, they know that these people cannot think, they cannot even talk, and they do not even know what time it is. So let us not play beat the clock and force a woman to report a rape to the police in 24 hours. Let us stay with the Boxer amendment.

Mr. Chairman, let me say to the Members of Congress that we can count. We know that we are short of the super majority we need to override the President. We need about 50 more votes in this body of 435 Members, and that is not bad considering from whence we came. But rather than keep this argument in this Chamber, we will take it to the American people and we will tell them that this issue of compassion is in their hands. The American people have to help us win this issue for the victims of rape and incest. Seventy percent of them say they agree with us now.

They can help us in two ways. First, they can try to persuade their President that he is wrong. Maybe they could call him and write him during the holiday season. When he is happy and he is with his beautiful family and enjoying the peace and quiet of his beautiful home, maybe then they can ask him about the unfortunate victims of rape and incest and maybe he would say that in the spirit of the Christmas season and in the spirit of the new year, "Yes, I agree with you Congress, you are right."

Second, the American people, if they cannot persuade the President, should go out and elect 50 prochoice Members of this body, so then we would have the super majority and we can stand up for compassion and fairness, and we can win on this issue.

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

Mr. Chairman, I had not intended to speak, as my colleague, the gentleman from Illinois, had not intended to speak, because the House has heard these arguments many times. But I guess we cannot allow some of these arguments to go by without being responded to.

There are indeed strongly felt points of view on both sides of the issue, but it seems to me that we are intent on redebating the entire issue today. So I must respond to some of the com-

ments of my colleague, the gentleman from California. First of all, most of us who have been involved in this issue for a long time understand that it is very difficult, if not impossible to identify accurately the number of women who died from illegal abortions back in those days when the figures were not accurate. I do not know the source of the gentlewoman's number of 10,000 a year. I do know, after having tried to figure that issue out, that any figure we reach is probably fairly grabbed out of the air.

Be that as it may, that is not my point, whether it is 10,000 lives a year or more. Our point is that if we are talking about trading lives, there are a million and a half lives lost every year because of abortion, and if the gentlewoman is dissatisfied with our raising the issue of "killer," it is because our friend, the gentleman from Oregon, got up and taunted us with the notion that murder has somehow moved out of the debate.

I have been involved in the "Right to Life" movement since I was in college. I have never used the word, "murder." I have tried to avoid the use of inflammatory language, but if the Members on the other side of the issue think that somehow we have changed our attitude, that what is involved in abortion is not the taking of an innocent life and that does not indeed involve killing, they are wrong. Abortion in this country kills a million and a half people every year. Let us be clear about that.

Second, I would like to respond specifically to the question of what is moral about abandoning poor women. It seems to me that in the entire debate on this issue we have really lost sight of a very simple fact. I have not yet heard from the other side of the aisle or from the other side of the issue, rather, I should say, how many poor women have not had abortions because they were not paid for by the Federal Government. I would be interested in hearing that statistic. In my State, I know there are virtually none, because there are private funds that have been available since the day of the passage of the Hyde amendment that have paid for the abortions of poor women regardless of whether their pregnancies resulted from rape or incest or other causes. I have yet to see statistics from across the country where those abortions are not available through private funding. The question we are talking about here is not whether those abortions for those poor women and those victims are going to be paid for. It is whether or not they are going to be paid for by voluntary private contributions or whether we are going to force millions of Americans who believe abortions to be killing to pay for those abortions with their moneys rather than have

them paid for by private funds which are currently being used. We submit that, first of all, we do not believe in abortion, but if we are going to have to pay for those killings, we should allow people that do not find their consciences violated to pay for them through voluntary contributions. That has been the system.

But I say to the Members, do not force me and do not force my constituents and do not force those of your constituents who disagree with your choice and who do believe it is killing to pay for that killing with their tax dollars. Again, we do not know how many people are being denied access to abortions for economic reasons. I suspect your side of the issue would be more than happy to raise that statistic if there was any significant number. There is none. That is not the issue here. What is at issue is the consciences of tens of millions of Americans who do not wish to see their tax funds going to pay for a procedure that they believe in their hearts and souls to be killing.

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

Mr. Chairman, first let me pay some tribute to the chairman of the subcommittee, the gentleman from Kentucky [Mr. NATCHER]. He is right. For years he has guided this Chamber through thick and thin, and in doing so, with the Labor-HHS bill, we have achieved the kind of compassion and humanity that we all appreciate. This is an excellent bill, I agree with the chairman of the subcommittee it gets more excellent every year under his tutelage.

The chairman of the subcommittee is in a difficult position. He is in a difficult position because we know that on the issue of rape and incest a majority of this Chamber favors allowing the woman to have an abortion, but two-thirds does not.

□ 1410

Mr. Chairman, that is the tight rope. That is the dilemma which the gentleman from Kentucky [Mr. NATCHER] finds himself in. It is not an enviable position, and I have a great deal of sympathy for where he is coming from.

However, Mr. Chairman, let me tell the gentleman from Kentucky [Mr. NATCHER] that, at least in this gentleman's opinion, the pendulum is swinging, and swinging and swinging, and we may not have two-thirds today, but we will have two-thirds. Maybe it will be next month. Maybe it will be next year. But we will have it because the long and short of it is, my colleagues, that the American people do support a right to choose.

Mr. Chairman, very simply abortion is an issue of deep morality for many: the gentleman from Illinois [Mr. HYDE], the gentleman from Minnesota

[Mr. WEBER]. I respect it, I really do. I have thought about this issue long and hard. But just as these gentlemen fervently believe that life begins at conception, I do not. Millions of Americans, men and women, north, east, south, and west, do not. And just as the gentleman from Minnesota [Mr. WEBER] asked us not to foist our views on him, I would say to the gentleman from Minnesota, "Don't foist your views on me, on my wife, on my family, the people who may not believe that life begins at conception."

Then I would say there is another school here. None of the people have spoken here because this is a moral issue, and Americans want moral issues decided within our individual brains, and within our families and within our churches, not within our House of Representatives or our Senate, especially when we are deeply divided. But there is a group of people who seem to be mixing morality and politics these days now that the pendulum has swung.

We have heard people say, the chairman of the other party, that that party can be prochoice. There is room for prolife Republicans and prochoice Republicans within the Republican Party. Mr. Chairman, if he believes that, if my colleagues believe that, then the logical extension is not just should the Republican Party have room for choice, but each individual should have room for choice because, if it is not a moral issue, if it is not a moral issue, but rather an issue for each person, or candidate or whatever to decide, then let us not claim morality.

In other words, Mr. Chairman, I say to my colleagues: "If you believe this is a moral issue, don't go for politics, and, if you believe it is a political issue, then don't claim morality. But to mix the two up is very unfair, very unfair."

Now one more point, about this 72 or 48 hours amendment. How can we ask a woman who has been raped or a victim of incest immediately to run to the nearest police station, and go to the nearest policeman and report it when she is in such turmoil? That is a copout. If people think that we are going to let them off the hook, the political hook, because some people are on a political hook, we are not. If they believe that a woman should not have to carry a fetus that came about through rape and incest, they believe it whether she had the wherewithal to run to the police station 48 or 72 hours later or whether she did not. That is not consistent with the deeply held views of the gentleman from Illinois [Mr. HYDE], the gentleman from Minnesota [Mr. WEBER], and so many others who have spoken.

So, let us not play politics. Let us discuss this issue on the deeply held

moral views that we all hold, and then let us make a decision.

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

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

Mr. WALKER. I yield to the gentleman from Illinois.

Mr. HYDE. Mr. Chairman, I want to ask the gentleman from New York [Mr. SCHUMER] just a question on morality and politics, and I want to be sure I understood the gentleman.

Mr. Chairman, perhaps I misunderstood.

Mr. SCHUMER. I doubt it.

Mr. HYDE. Mr. Chairman, did the gentleman from New York [Mr. SCHUMER] say that morality and politics are not to be confused?

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

Mr. WALKER. I yield to the gentleman from New York.

Mr. SCHUMER. Mr. Chairman, what this gentleman said is indeed that morality, and one should not play politics with issues of deep morality, and one should not, if they are playing politics, claim morality. It is that simple.

Mr. HYDE. Mr. Chairman, the gentleman from New York [Mr. SCHUMER] surely does not mean that politics and morality are not on many issues—

Mr. SCHUMER. No, no, no. What this gentleman was saying is that there are deeply held moral views on each side; OK? And I respect those, but what I am saying is that on those types of issues where a large number of people in the Nation feel one way about a deeply held moral view, and a large number of people feel the other way, then this House of Representatives, this Senate, ought not to foist its views, but we should let each person search in his or her own heart to the decision that they agree with.

Mr. WALKER. Mr. Chairman, if the gentleman would let me reclaim my time—

Mr. HYDE. Mr. Chairman, just let me agree with the gentleman from New York [Mr. SCHUMER].

Mr. Chairman, we have no disagreement, and I concede that everybody who disagrees with me does so from the noblest of motives, from the sincerest convictions. All I ask is that they accord the same consideration to us, and I did not detect that in the first speech.

Mr. WALKER. Mr. Chairman, reclaiming my time, let me simply say to the gentleman from New York [Mr. SCHUMER] that the one problem I have with the way he phrased his statement there a moment ago is we would still have slavery in this country because the fact is it was a moral issue that was debated very intensely politically, and there was a wide division in the

country about what we were going to do, and so I would say to the gentleman that we have got to be very careful on some of these issues.

Also the gentleman from New York [Mr. SCHUMER] raised the whole issue of whether life begins at conception, and obviously there is a division of opinion on that. But I think we have to understand, and I do not want to misstate anybody's position here, but I think we would have to understand that I think virtually everyone who has spoken on the other side does not believe in just abortion when rape and incest is involved. They believe in abortion on demand, that in fact they believe that the taxpayers ought to fund abortion for everyone based upon the Roe versus Wade decision which permits abortion, not in just the first trimester, not in just the second trimester, but in the third trimester, so literally their position is, their political position, the true nature of their position, is that they believe the taxpayers should fund abortion on demand, and really the debate has to be on that premise, and I do not think I have misstated.

Mr. Chairman, I would be happy to yield to anyone on that side who would indicate to me that they do not fundamentally believe that abortion on demand is the position that they take. The gentleman from Oregon [Mr. AuCOIN] is indicating to me that, yes, that is his position, and so—

Mr. EDWARDS of California. Mr. Chairman, will the gentleman yield?

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

Mr. EDWARDS of California. Mr. Chairman, I just want to point out that the gentleman from Pennsylvania [Mr. WALKER] is misquoting Roe versus Wade. Roe versus Wade provides that in the third trimester, or upon viability, the State can step in, in any of the 50 States, can step in and forbid an abortion.

Mr. WALKER. Mr. Chairman, I appreciate the point of the gentleman from California [Mr. EDWARDS] except that the fact is that an abortion can be had in the third trimester under the Roe versus Wade decision. That is all the point this gentleman made, and the fact is that the proponents of these amendments would in fact have the State and have the Federal Government fund those kinds of abortions. I suggest to the gentleman that that is not something we want done.

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

Mr. WALKER. I yield to the gentleman from Illinois.

Mr. HYDE. Mr. Chairman, Roe versus Wade and Doe versus Bolton, its companion case, holds that during the third trimester the State may have an interest in the judgment of the pregnant woman to have or not to have an abortion except where the life

of the mother is involved or the health of the mother. Then they define "health" according to the World Health Organization standard as the absence of distress. So, under that definition of health, a woman who is distressed during the last week of her pregnancy can have an abortion under Roe versus Wade.

□ 1420

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

Mr. WALKER. I am glad to yield to the gentleman from Oregon. The gentleman would not yield to anyone during his time, but I am happy to yield to the gentleman myself.

Mr. AuCOIN. No one asked me to yield, I will tell the gentleman. I appreciate him yielding to me, since he mentioned my name in the course of his statement.

Mr. WALKER. I did not mention the gentleman's name.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

At the request of Mr. AuCOIN, and by unanimous consent, Mr. WALKER was allowed to proceed for 2 additional minutes.)

Mr. AuCOIN. Mr. Chairman, will the gentleman yield further?

Mr. WALKER. I am happy to yield to the gentleman from Oregon.

Mr. AuCOIN. Mr. Chairman, I appreciate the gentleman yield to me.

I cannot help but point out that the gentleman has totally changed the subject. The subject is not Roe versus Wade. The subject is rape and incest funding for victims of rape and incest.

I understand why the gentleman would change the subject, because if I were trying to take the position that those victims should not be helped, I would want to get off that topic as quickly as I could, too. I understand why the gentleman takes that position.

Mr. WALKER. Mr. Chairman, let me reclaim my time.

This gentleman is replying to the gentleman from New York, who changed the topic, who talked about beginning of life at conception, who talked about the broad base of the debate on this.

This gentleman is simply replying. The gentleman from New York brought up the question of whether or not we are debating the politics of morality on this issue.

I am simply suggesting that the real position of the proponents of these measures before us today is to go much further than rape and incest, but to have abortion on demand.

The gentleman did not, in fact, refute that point. The gentleman does not, in fact, support abortion on demand and the gentleman does believe that the taxpayers ought to fund abortion on demand.

My suggestion is that that agenda ought to be raised on the floor. I do not think the gentleman should take offense that the real truth of the debate is being brought to the floor. The gentleman should not be upset about that.

Mr. AuCOIN. Mr. Chairman, will the gentleman yield again?

Mr. WALKER. I yield to the gentleman from Oregon.

Mr. AuCOIN. Mr. Chairman, I appreciate the gentleman yielding to me, but I do not think the gentleman has polled every one of the 216 Members who voted for rape and incest funding.

Mr. WALKER. No, I have not. I referred to people who spoke on the floor and I gave the gentleman the chance to say to me that he did not support abortion on demand.

Let me ask the gentleman directly. Does the gentleman support abortion on demand?

Mr. AuCOIN. I do not support abortion on demand, and no one is pro-abortion. The gentleman wants to put his views on the American people. I want the American people to choose. I think there is a difference between the two.

Mr. WALKER. Mr. Chairman, will the gentleman tell me, does the gentleman support abortion in the first trimester?

Mr. AuCOIN. I support Roe versus Wade.

Mr. WALKER. So the gentleman supports Roe versus Wade.

Mr. AuCOIN. The gentleman supports having the victims of rape and incest not having to produce the rapist's child.

Mr. WALKER. It seems to me, Mr. Chairman, that I have the time. Is that not correct?

The CHAIRMAN. The gentleman has the time, but the time has expired. (By unanimous consent, Mr. WALKER was allowed to proceed for 1 additional minute.)

Mr. WALKER. Mr. Chairman, the gentleman was talking over me, and that is often his technique on the floor, but I would simply point out to the gentleman that the only point I am making is that he does support abortion on demand in Roe versus Wade and would in fact have the taxpayers pay for those abortions. That is his real agenda. We just do not want to make a mistake as to what the real agenda of the people who are proponents out here have.

So when the gentleman raises his issues against the cops, and so on, understand that his attempt to be against the cops learning about rapists is in fact a part of a more broad agenda on abortion, abortion on demand.

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

Mr. Chairman, I think that this debate saddens me tremendously. We started this morning with a very eloquent speech by the gentleman from Poland, who moved us all very much speaking about how America had been his beacon for freedom, for liberty, and here we are watching people argue over taking away freedom and liberty from people.

How could this thing degenerate so rapidly?

Let us also think about the holiday we are about to embark upon, Thanksgiving. That was people coming here for religious liberty, people saying that America is a big enough country for more than one opinion, saying that we are going to reflect different religions, different individual views.

I listened to some of the sharp words, and I cringed. What has driven us to calling each other killers? That is a very loaded word.

I see statements in the paper, as I saw this morning from the White House, saying that they are concerned about rape and incest where women might use that excuse to get abortions. What is that saying about women?

I do not think women are ever going to label themselves as the victim of rape to get an abortion or subject to incest to get an abortion.

And for crying out loud, where was that moral judgment when they were looking at the S&L bailout? Where was that moral judgment when they were looking at the HUD scandal? Is it not interesting that we only want to focus on women.

We also were not elected to impose our personal views on the public. This is a very difficult issue, talking about rape and incest. Many Americans, unfortunately, have had experiences of having their homes broken into or their cars broken into. I hope no one ever has that experience, but they know how disorienting that can be.

Imagine, those of you who are advocating a woman must act sanely within hours, imagine having your body broken into, and imagine having it broken into by a parent who you trusted. You are probably a child at that point. You probably do not even know what is transpiring, and to have the Federal Government say, "You must respond within hours because we don't want you cheating," for crying out loud, that is a terrible, terrible thing to say. I think that is a gross injustice.

We are also talking about a whole range of views. We are talking about the life of a woman that we know is here. No one is debating whether or not there is a real woman involved in this. We know that as a given.

Then there is the potential for life that some want to insist is a right of life upon the moment of conception. There are religious beliefs that believe that. There are other people, such as my religious beliefs, who do not be-

lieve that. They believe that is a strong potential for human life, but you must balance those two things, and as the pregnancy goes along, it tilts more and more in favor of the fetus. That is what Roe versus Wade does. It permits the State to tilt more and more as they look at these two lives as they developed.

But why do you want to come down so hard on one side or the other? What we are saying here is not that anyone must have an abortion, and we should also say no one must not have an abortion if they have been subject to rape and incest and are poor.

To stand up and also say there will be private funds for this, I am offended by what some of the Contras did. If we said, "Oh, well, do it with private funding," if we said, "We don't want people paying taxes because they may be offended by this," I represent many people who are offended by some of the weapons we purchase, and yet we do not let them get away from paying taxes. So that is not the kind of country this is, where everybody picks the little particular thing they want and they are only going to fund that and nothing else.

This is America. "Give me your tired, your poor, your humble yearning to be free."

For crying out loud, why are we imposing different standards on them? Why are we undoing all the religious freedom and the personal liberties that people all over the world are trying to join us on?

We are seeing the Berlin Wall become a speed bump because people are getting over so fast, and yet we want to turn around and start dictating what people's personal lives are going to be, when they have been the victim of a terrible crime.

Now, I respect those who think differently than I do about this and say that all women's rights should be waived in that case, period. It is all over. Because she got herself raped, then she has no more rights. All right, fine. They are now going to move to the fetus. Fine. That is their position, but they should not impose that on other people, and I find this whole debate is very saddening.

Mr. SMITH of New Jersey. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the previous speaker just spoke about how there were two lives involved in the abortion issue, and we thank her, I thank her for that admission. We are indeed talking about another life. And when she says potential life, we are talking about life with potential, not a potential life.

When we talk about imposing morality, one and a half million unborn children are having morality—in the sense of their own destruction—imposed upon them by the abortionists.

Earlier in this debate, the gentlewoman from California repeated an oft-repeated mistake with regard to the number of maternal deaths, citing the totally fallacious, inaccurate statement that 10,000 women per year were dying from illegal abortions.

I would just point out, and I would hope the Membership would pay attention to this, that Dr. C. Everett Kopp said on January 19 of this year on the CBS Morning Show that "in order to get Roe versus Wade, the number of back alley abortions had to be exaggerated 100-fold".

Dr. Bernard Nathanson, one of the founders, along with Betty Friedan and Lawrence Lader of the National Abortion Rights Action League, has said, "I have come to the agonizing conclusion that I presided over 60,000 deaths," gave up doing abortions. He did them himself. He ran a clinic. He was one of the founders of NARAL.

□ 1430

He has said, and I quote, "In NARAL, we spoke of maternal deaths, 5,000 to 10,000. I confess," he goes on to say, "that figure was totally false, made up."

Mrs. SCHROEDER. Will the gentleman yield?

Mr. SMITH of New Jersey. No, I will not yield.

The Centers for Disease Control in 1972 reported 39 maternal deaths due to illegal abortions, and significantly since Roe versus Wade, there have been over 200 women who have died from legal abortions. That information is from the Centers for Disease Control. Look it up.

Mr. Chairman, the gentlewoman from California earlier said that she took exception to the use of the word "killing." Finally, we are getting down to what this debate is all about. It is about killing children. It is about killing unborn children.

If we look at the methods of abortion, Mr. Chairman, we see saline abortions, and that is what the other side defends, the injection of high concentrated salt solutions that literally burn and scald the baby. The baby swallows that fluid, a poison, and dies a painful death.

Mrs. SCHROEDER. Will the gentleman yield?

Mrs. BOXER. Mr. Chairman, will the gentleman yield, since he referred to me twice?

Mr. SMITH of New Jersey. Mr. Speaker, I have the time, and I would ask that those seeking to interrupt would cease.

Mrs. BOXER. The gentleman referred to me twice, and I would think that he should at least yield to me.

The CHAIRMAN. The gentleman declines to yield, and at this point the gentleman is recognized.

Mr. SMITH of New Jersey. Mr. Chairman, the second type of abortion is a D and C abortion or suction abortion, two types; suction, that which is most often procured, literally is a procedure where a loop-shaped knife called a curette attached to a hideous suction machine, 20 to 30 times more powerful than a vacuum cleaner, literally goes in and dismembers the unborn child.

Mr. Chairman, we need to focus on what happens in an abortion. "The Silent Scream," which Dr. Nathanson produced showing an actual abortion in process, which was quickly put under the table by those who would not like to face this reality, especially by some of our friends in the media, showed very graphically this child being literally ripped apart, limb by limb, legs, arms, torso, head, ripped apart by the abortionist. That is what we are talking about.

Another method of abortion is the D and E, literally crushing of the head done later in the term, and then the baby is removed piecemeal, and that is supposed to be liberty and freedom as one of the speakers said earlier.

Then there is also a late-term abortion called a hysterotomy. That type of abortion is really a C-section, where the baby is lifted out of the mother's womb kicking, usually breathing, and the cord is cut, and the baby is thrown away. Many of those children, interestingly enough, have actually survived the abortion and gone on to be adopted.

There are cases that have been reported by the Associated Press and by the Philadelphia Inquirer where they did a whole cover story on a thing called the dreaded complication. This is a reference to the children who survive these late-term abortions, usually as a result of this hysterotomy type of abortion, which is again literally a C-section where the child is, in this case, thrown into the trash bin.

That is what abortion is all about. It is violent. Nobody wants to face that, it seems, but it takes the life of a child.

Planned Parenthood, now the leading purveyor of abortions, and they do about 100,000 in their own clinics per year, and refer for approximately another 100,000, back in the mid-1960's said in their literature that abortion kills the life of a baby after it has begun. They were right then, and unfortunately, for political or other reasons, they have shifted their position.

Mr. Chairman, this issue is finally being looked at the way it ought to be.

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

Mr. Chairman, there is no question but that abortion is an important issue, but I urge my colleagues not to vote against this bill regardless of where they are on the abortion issue, because this bill is not about abortion.

This bill is about funding Head Start. It is about funding vocational rehabilitation. This bill is about being sure that education of handicapped Americans continues. It is not about abortion. It is about funding America's libraries, America's historically black colleges. Do not vote against this bill regardless of what your position is on abortion; vote for this bill so that we can get on with carrying out the important agenda which the Government, the Federal Government, has had for 200 years with regard to those parts of domestic America that we want to encourage.

Speaking of that, let me say a word about the fact that we are now in a time in American history when we are under this law called Gramm-Rudman, and sequestration is now in effect, meaning, in effect, that the Nation's pursestrings have been tied, and money for these important efforts which I mentioned at the beginning of my remarks is hemorrhaging away.

If sequestration in America continues and this money continues to be lost for these purposes, let me share with my colleagues just a few of the things that will happen, and I want, first, to get the attention of the Members, to postsecondary education, higher education, because I happen to chair that subcommittee. With regard to Pell grants, and we have all heard from our constituents about the importance of Pell grants, the Office of Management and Budget tells me that if sequestration stays in effect, 1 million college students are going to lose their Pell grants, 1 million. With regard to guaranteed student loans, now called Stafford student loans, named after the former Senator from Vermont, Senator Stafford, the Office of Management and Budget informs us that lenders are at this moment refusing to issue guaranteed student loans, Stafford student loans, because there is this great period of uncertainty because of Gramm-Rudman and sequestration. Students are being denied access to loans despite our intention and the intention of this legislation.

Graduate education programs and international programs stand to be cut by \$4.5 million, and that negates important additions to foreign language and area studies, and it reduces an estimated 250 3- and 4-year fellowship awards.

Let me just say a word about two programs that are very close to Americans: Head Start. Head Start stands to be cut by \$70 million under the Gramm-Rudman ax, and 26,000 low-income students, Head Start students, are going to suffer those consequences if sequestration stays in effect.

Finally, with regard to vocational rehabilitation, more than 20,000 disabled American citizens who depend upon vocational rehabilitation to become self-sufficient and gainfully employed

will not receive assistance if sequestration remains in effect.

Mr. Chairman, my point is this: There are important things that are going on in America as we are discussing this legislation. Abortion and the right of women to have abortions is one of those issues, but this bill is not about that. This bill is about funding critical services that propel this Nation and allow us to continue to be No. 1 in education, No. 1 in research and important health matters, allow the citizens of this Nation to be the most educated, generous, concerned citizens in all the world.

I ask the Members not to prevent that continued march forward. Do not vote "no" on this bill; vote "yes."

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

Mr. Chairman, we by our Constitution and other enabling documents by which we established this Government, guarantee to the citizens of this Nation the right to life, liberty, and the pursuit of happiness.

My good friend and colleague, the gentleman from Montana, just outlined many things in this bill that clearly exist in this bill, by the judgment of some people, that it is our responsibility as a government to provide these things to young people in particular in the pursuit of happiness and the pursuit of their liberty. He also makes a point that he does not care to see all of these good things, by his judgment that we have provided in this bill, endangered by a quarrel over this provision.

The provision that we are talking about is a provision that, I think, perhaps many of us would agree should not be included in this bill. The provision is one that allows the use of the taxpayers' dollar to deny life to the unborn child, and in so doing makes the other two guarantees meaningless. The point is this is a spending bill, Mr. Chairman, and what we ought to be talking about is what are the responsibilities of Congress? What must we exercise by way of responsibilities in the expenditure of the taxpayers' money?

□ 1440

The fact is that for many of us, life does begin at conception. Let me say, many years ago when I was a professor and could enjoy the luxury of dealing with things only as academic exercises and had no responsibility for the consequences of my ideas, I believed, because it was simple and convenient and seemed so sophisticated, that life began at the end of the first trimester.

Then unhappily in a discussion with my wife and daughter I stumbled onto the question, if life begins at the end of the first trimester, then why does it not begin the day before? I had no answer. I backed myself up 90 days without an answer.

For me, and for many Members on this side of the issue, we cannot escape this conclusion.

Now, one may agree with us, one may disagree with us. One may tell us it is sophisticated or it is unsophisticated. But I will tell Members, their knowledge on that matter is not superior to ours, and their morality is no more superior than their knowledge.

For us it is a heartfelt belief that life begins at conception. Because we believe that, we believe it is our duty as we exercise our responsibilities over the expenditure of the taxpayers' money, to see to it that money is not used to deny life to an innocent person. It is our duty to protect that innocent child from the unilateral decision of the potential mother to commit that child to death.

That is why we are here, and why we feel so strongly about it. I think I can safely confess on behalf of a lot of us, that we share along with the gentleman from Montana [Mr. WILLIAMS] the belief that we ought not to and would rather not be discussing this issue in this bill. I for one would rather not be discussing it any time. But duty compels us, if we believe that is a child, and an innocent child at that, to do what we can to protect its innocent life.

Mr. Chairman, we have heard a lot about deception, about fraud. The gentleman from Montana [Mr. WILLIAMS] talked about all we want to do to help young people learn to think critically, learn to separate fact from fiction, learn to intelligently cope with the world in which we live.

We know from Dr. Koop that statistical data has been manufactured around this issue. The facts are very elusive and most often exist only by assertion.

So it was with this person we know as Jane Roe. Jane Roe's case began with the assertion, known to be false by Jane Roe and by her attorney, an officer of the court, to be false, that she had been raped.

That false assertion carried through the courts and for 2 years thereafter. The most famous rape case in my lifetime was a false assertion of rape. About 2 years after the case Jane Roe confessed it was not true. That is a dastardly disservice to the true victims of rape, to misrepresent the case through the Supreme Court.

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

Mr. Chairman, we have serving as chairman of the full Committee on Appropriations our friend and colleague from the State of Mississippi, JAMIE WHITTEN. As the chairman and I and all the members of this committee know, he is the dean of the Congress, House and Senate, elected in the year 1941.

When reelected again next year and after serving 6 or 7 months, the gen-

tleman will then have the alltime record as far as the House of Representatives is concerned.

I served with Carl Vinson of Georgia, who established the record of 50 years and 4 months. On the other side we had Carl Hayden serving a longer period of time, but both in the House and in the Senate.

Mr. Chairman, since March 4, 1789, we have had 11,218 Members serve in both the House and the Senate. Six hundred ninety of those Members also served in the Senate.

I point this out, Mr. Chairman, because at this time my friend, the gentleman from Massachusetts, SILVIO CONTE, and I and all of the other members of the subcommittee want to thank our chairman, JAMIE WHITTEN. He knows the importance of this bill. We call on him from time to time every year to assist us. He is always for us.

The gentleman is not only chairman of the full committee, he serves on all 13 subcommittees. No Member has ever served in this Congress that is more interested in education and in health than my friend and my chairman, the gentleman from Mississippi, JAMIE WHITTEN.

Mr. LEVINE of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, it is very difficult to follow the appropriate and eloquent speech of the gentleman from Kentucky, [Mr. NATCHER], the chairman of the subcommittee, about the dean of the Congress, for whom we all have such affection and respect. I want to associate myself with the remarks of the chairman. I know they are shared by every Member of this body on both sides of the aisle.

Mr. Chairman, I do want to return for the amount of time I have remaining in my remarks to the extraordinarily important issue of abortion, that unfortunately will not be included in this legislation because those Members who believe so deeply on the prochoice side of the equation can count votes, and we understand that we do not have the votes to override a Presidential veto on this bill.

I would like to make a couple of brief points with regard to this issue. Although it is not going to be specifically in the language before the President the second time around, I think that it is an issue that will not abate in importance, and in fact will be more and more important as the months and years unfold.

I thought that the gentlewoman from Colorado [Mrs. SCHROEDER] in her remarks several speakers ago made the appropriate contrast that is so critical to those of us who are on the floor today, when earlier this morning we were given one of the rare treats that a Member of this body has, when for the third time in the history

of this Nation in a joint session of Congress we heard the inspiring remarks of a civilian, somebody who was not a formal head of state.

His remarks were the most eloquent testimony that we could have wished to hear with regard to the march toward freedom, a march that is irreversible, and a march that the speaker earlier today symbolized as eloquently as any other person does.

Those remarks to a considerable extent reflect what is occurring around us every single day when we see the crumbling of the Berlin Wall, when we see a radical transformation in the Soviet Union and in Eastern Europe, and when we see the irreversible tide of human rights and human liberty.

When we contrast that movement with the sad reality that we put before the President of the United States, a very modest statement, a very limited amendment to a very important bill, that talked about public funding of abortion in the case of rape and incest, that went to the most basic human freedoms that Americans should be expected to enjoy, and that wealthy Americans will be able to enjoy, but that poor American women will be deprived of because of the callous veto that sends this bill back before us today.

I think the contrast before us in terms of human rights and in terms of individual freedom is striking and is tragic. Unfortunately, we do not have the votes, and therefore we will not be seeking futilely to obtain 289 votes when we do not have them. At the bottom line, Mr. Chairman, is the following:

Last Sunday we saw from sea to shining sea, from coast to coast in this country, from the East to the West, from the North to the South, testimony to the support that exists throughout this country. Not just for the limited language that was vetoed by the President of the United States, but for Roe versus Wade and for the appropriate standards that this country has been guided by, at least for the course of the past 16 years.

□ 1450

And if we do not have the votes on the floor of this body, we therefore have no choice but to go to my home city of Los Angeles, to the streets of Washington, DC, as occurred last weekend when hundreds of thousands of people from communities throughout this country where so many people have expressed so strongly the depth of their concern on this issue.

I have no doubt that the attitudes on both sides are equally sincerely held. That is not an issue. Nobody is challenging the sincerity, nobody is challenging the integrity of the people on the other side of this. But I do be-

lieve that when I learned in Los Angeles last weekend, as I did, that 5,000 Republican women have come together to start an organization called Republicans for Choice, which is an organization that has only been around now for a matter of days but signed up 5,000 Republican women in Los Angeles alone in the course of the last several days, there is a groundswell of opinion in this country, Mr. Chairman, that says if President Bush will not sign a bill that calls for the most modest opening for public funding for rape and incest, then we have no choice but to continue to bring this issue to the people. That is the route that we will have to take.

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

(On request of Mr. SMITH of New Jersey and by unanimous consent, Mr. LEVINE of California was allowed to proceed for 1 additional minute.)

Mr. SMITH of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. LEVINE of California. I would be happy to yield, and I would like to ask the gentleman a question during the minute as well.

Mr. SMITH of New Jersey. I thank the gentleman for yielding.

Mr. Chairman, the gentleman mentioned, I would say to my friend, appropriate standards. Just recently in the Pennsylvania Legislature a law, or a pending law, was passed, a proposal providing a restriction on third-trimester abortions, in other words, after the first 6 months. NARAL and the abortion lobby vigorously opposed it. It also provided for informed consent and there were also some other notification provisions in there for parents.

Would the gentleman and would the so-called prochoice side accept that kind of modest restriction?

Mr. LEVINE of California. I would say to the gentleman that that is as I understand the language in Pennsylvania very similar to what part of Roe versus Wade contains. And if that is the case, the Roe versus Wade standard has been the standard that has prevailed in this country for the past 16 years.

I would like to ask the gentleman a question.

Mr. SMITH of New Jersey. Does the gentleman agree with the Pennsylvania standard?

Mr. LEVINE of California. If I could take the second half of this minute simply to ask the gentleman: I did not understand his remarks in the context of a position I understand that a number of his colleagues are taking. I have a Los Angeles Times story quoting my distinguished colleague from California, Mr. DORNAN, as supporting or at least agreeing, "to live with," "I can live with this," the 48-hour standard that was suggested. In light of the remarks of the gentleman from New

Jersey, does the gentleman also support or can he live with the 48-hour standard?

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

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

Mr. LEVINE of California. I get this additional time in order to ask the gentleman to answer the question.

Mr. SMITH of New Jersey. I would be happy to answer the question.

I just note that first of all the gentleman did not answer my question. Would he support that Pennsylvania statute? Roe versus Wade provided an open-door policy for abortion on demand for all 9 months of pregnancy. That is the situation. There are about 5,000 abortions in the third trimester per year.

Mr. LEVINE of California. I would suggest to the gentleman that he is misreading Roe versus Wade. I would suggest the gentleman reread Roe versus Wade. This is not an actual reading of Roe versus Wade.

Could the gentleman answer my question?

Mr. SMITH of New Jersey. It clearly is an accurate reading, and that is why we need statutes like the Pennsylvania statute, which is the only one of its kind in this country.

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

(By unanimous consent, Mr. LEVINE of California was allowed to proceed for 15 additional seconds.)

Mr. LEVINE of California. Mr. Chairman, I take this time to get an answer to my question.

Mr. SMITH of New Jersey. We have looked at language that would—and I know Mr. CONTE and others were thinking about the possibility of offering something along these lines—while it is not our preferred position, it may unfortunately result in some loss of life, a 48-hour standard certainly is preferable to the very open-ended language that was offered by Congresswoman BOXER.

Mr. LEVINE of California. This is absolutely a fascinating, if not shocking, contradiction from the rhetoric that we have been hearing throughout this debate.

Mr. SMITH of New Jersey. No, it is not. It is my intention, within the parameters of what is double and achievable, to protect human life to the maximum extent possible. There is no contradiction.

Mr. CONTE. Mr. Chairman, I move to strike the requisite number of words, and I rise in favor of the bill.

Mr. Chairman, the gentleman from Kentucky and I have a very difficult job. We are here to pass an appropriation bill amounting to \$157 billion for some of the most important programs

affecting this country of ours. Yet we have to sit here and listen to the debate. You would not know that there is \$157 billion on the table here today.

We are trying to pass a bill, a bill that helps people. But because of issues like this, BILL NATCHER and I, who ought to be looked upon as Santa Claus, are coming out looking like boogymen. I will say this, I said it before and I will say it again, we have got to figure out a way to keep extraneous issues off the appropriation bills. We should make a list of these issues as they come up, set them aside, and take them up separately during 1 week.

The same people who have spoken in this debate have been in it now time and time again. You look at the CONGRESSIONAL RECORD, the same people on both sides of the issue.

Mr. Chairman, give them a week of their own and let them go after each other on these issues.

The Democrats over there keep talking about the will of the majority, like my good friend from Oregon, Mr. AUCOIN. If he wants to do justice to this issue, to this House and to the Appropriations Committee—he is a young guy, someday he will be a leader there—what he ought to do is get the Democrats to change the rules of the House at the beginning of the session.

You have 259 people over there. At the beginning of the session change the rules to say, "No more extraneous matters in an appropriation bill." And then everyone on both sides could have a separate bill and go after each other. But, let us pass this bill.

I hope everybody will be brief so that the gentleman from Kentucky and I and the committee can go to conference and try to get this bill done.

Ms. SLAUGHTER of New York. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have been here for the last 2 hours. I do not want to prolong this debate, but I do want to take just a moment.

First, to say that we have passed this bill. This bill passed both Houses. It was sent to the President.

The reason we are discussing this is this is the reason why he vetoed it.

We have to say that we know we are not going to override that veto and we are giving up on it. We recognize that this is one of the most important bills before the House, that it is 46 percent of the budget and we want it to pass.

We know that we cannot sustain a veto. We could not even yesterday keep a bill on the floor for \$15 million to help poor people, poor women in the world who are dying because they are denied family planning information.

But there is just one thing I need to say. First, I want to say to the gentle-

man from Massachusetts that that is a wonderful idea. I would be happy to support it.

The second thing is that I am very sad about this whole debate today because it all revolves around women, again.

The question is: Are they smart enough to know what they are doing? Can we trust them to do the right thing?

I have been hearing this debate all, one way or another, during my entire life. It started as a young woman in Kentucky, first, a disappointment not to be a son; hearing my gentle Southern mother always say to me, "I am partial to my boys," being told what school I could go to, whether I could or could not go to law school. Was I eligible to be a doctor? No, I was not.

But now we have come down to the point here in this century where women have made some gains, where the debate is, once again, whether or not women are going to lie.

Are they going to want to take on the stigma of being rape and incest victims so that they can get some kind of free medical attention from the Government? After they have been violated, after a crime has been perpetrated against them, after this Government cannot protect them from the crime, we are going to say to them, "We really don't trust you with it, we are going to have to have somebody else come in and certify to that fact. And by the way, lady, we want to do it pretty quick."

Well, women of my age have pretty strong memories about what it was like. I do not know how many women died. I knew some of them.

I remember what the talk was about in those days. The phrase was, "She got herself in trouble." Remember that? Some of you over there might.

Remember when she used to get herself in trouble and how she could get herself out of it any way she could? She could not have a job, she could not keep a job, could not stay in school. She was a disgrace to everybody. Where else could she go but to the back alley? Yes, a number of them died.

When we had a march here last spring, one woman that will always be in my memory came down from Vermont, she was 83 years old, and she said, "I came down here because of Bernice." Bernice, who died in 1929, that woman never forgot it.

Last spring was the first opportunity she had to come down here and to stand up for Bernice.

I remember, as I am sure you do, that there was one woman Member of Congress who took some 47 years to be able to discuss what had happened to her.

Can we not have some compassion and understanding here? Can we not understand that for the women of this

country who are poor and who are victimized by crime, that we should give them all the comfort and all the help that we can, and not a litmus test as to whether or not they have lied?

□ 1500

Please, please, I say to the Members, let us show some compassion. Rape and incest victims have suffered enough. We will now go ahead and pass our education bill because it is important. But, believe me, the people of America do not want us making that choice for them here on the floor of this House.

The CHAIRMAN. The time of the gentlewoman from New York [Ms. SLAUGHTER] has expired.

(By unanimous consent, Ms. SLAUGHTER of New York was allowed to proceed for 1 additional minute.)

Mrs. LOWEY of New York. Mr. Chairman, will the gentlewoman yield?

Ms. SLAUGHTER of New York. I yield to the gentlewoman from New York.

Ms. LOWEY of New York. Mr. Chairman, I would just like to say to my distinguished colleague, the gentleman from Massachusetts, that there are others of our colleagues who do not believe that the poor women who are victims of rape and incest should have the right to have an abortion. I would just like to say that if we are allocating \$157 billion to help people, we also are going to have to be ready to allocate the additional billions of dollars to take care of those families and children who are going to be brought into this world. To me, that is a very important responsibility.

If we are going to deny a poor woman the right to move forward with her job, to get a job, to get out there and work and be a part of our productive society, then we have to be able to sustain that family and in particular that child, to give them a right to move forward with their lives.

The tides are turning, and I am hoping that with prochoice a winning issue, we can bring additional colleagues into this House who will give that woman an opportunity to control her life.

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

Mr. Chairman, I am sorry that the gentlewoman from New York did not even listen to one word I said. All I said was that the Democrats are in control at the beginning of the year, and they should change the rules so they do not put these issues on the Labor, HHS, and Education bill managed by BILL NATCHER and SIL CONTE. That is all I said.

Mr. Chairman, I would ask the gentlewoman to listen to me the next time.

Mr. DORNAN of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I was going to let the debate go by today in hopes that we could move this bill back to conference and try to reach some sort of civilized conclusion to this issue so we could go home and thank God for the bounty of this country at Thanksgiving and then celebrate Hanukkah and the birth of Jesus Christ. But I have heard the name of Lech Walesa mentioned three times by the proabortion side.

Let me advise the Members of something I happen to know personally. This man is very devout, and he happens to be prolific. He is a friend of the Pope in Rome, John Paul II. He owes his safety not only to President Reagan, who sent President Bush to Poland twice, but to the Holy Father in Rome. When Lech Walesa quoted the Pope this morning from that lofty position, as he put it, and said freedom is not just something to have and to use, it is something to be fought for, he was talking about the freedom of life also for the innocent unborn.

When he continued the Pope's words and said, "One must use freedom to bring with it personal life as well as the life of the nation," he was paying homage to a world religious leader who feels that you destroy a nation when you kill 1,600,000 of its innocent unborn in their mothers' wombs.

Mr. Chairman, I am just setting the record straight on Lech Walesa. Please, let us have no provocations today. Let us get this legislation to committee.

Mr. NATCHER. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. McHUGH) having assumed the chair, Mr. SHARP, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3566) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1990, and for other purposes, had directed him to report the bill back to the House with the recommendation that the bill do pass.

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

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.

DISTRICT OF COLUMBIA
APPROPRIATIONS ACT, 1990

Mr. DIXON. 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. 3610) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1990, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to not to exceed 30 minutes, the time to be equally divided and controlled by the gentleman from New Jersey [Mr. GALLO] 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. Dixon].

The motion was agreed to.

The SPEAKER pro tempore. The Chair designates the gentleman from Tennessee [Mr. COOPER] as Chairman of the Committee of the Whole and requests the gentleman from Iowa [Mr. NAGLE] to assume the chair temporarily.

□ 1507

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. 3610, with Mr. NAGLE (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

By unanimous consent, the bill is considered as having been read the first time.

The CHAIRMAN pro tempore. Under the unanimous-consent agreement, the gentleman from California [Mr. Dixon] will be recognized for 15 minutes, and the gentleman from Massachusetts [Mr. CONTE] will be recognized for 15 minutes.

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

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

Mr. Chairman, H.R. 3610, the District of Columbia appropriations bill, has only two changes from the bill (H.R. 3026) that was vetoed by the President. One change concerns abortions, and it is addressed on page 28 of the bill under section 117.

The other change is in the report and concerns reprogramming of Federal funds on a dollar-for-dollar match with local funds for the newly established Commission on Budget and Financial Priorities.

Mr. Chairman, regarding abortions, the D.C. bill mirrors that language in the Labor-HHS bill and restricts the

use of Federal funds for abortions except to save the life of the mother. As I mentioned a moment ago, this is in section 117 on page 28 of the bill that is before us. The language does not place any restrictions on so-called local funds—those revenues raised by the city through local taxes and fees which total \$2.9 billion or 84 percent of the District's \$3.5 billion budget.

□ 1510

Mr. Chairman, this language is consistent with court decisions, including the recent Webster decision, which allow local jurisdictions to determine their own abortion regulations and the methods for paying for those abortions.

Regarding the Commission on Budget and Financial Priorities, the report language directs the District government to reprogram to the Commission up to a million dollars in previously appropriated Federal funds under the condition that those Federal funds are matched dollar for dollar with local funds. The Commission was established to prepare a 5-year comprehensive plan of the District's financial situation and to examine the size and structure of the District's work force and to compare the cost and benefits of major city agencies. The schedule calls for the Commission to complete its work no later than July 1990.

Mr. Chairman, it is our intent in next year's bill to replace these Federal funds.

Mr. Chairman, I urge my colleagues to vote "aye" on this bill.

Mr. Chairman, I have no requests for time, and I reserve the balance of my time.

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

Mr. Chairman, this is the same bill that was vetoed. It is changed now, and I hope that we pass it here today and send it to conference.

Mr. GALLO. Mr. Chairman, the District of Columbia appropriations bill provides Federal budget authority that is under our 302(b) allocation. We need to keep in mind the fact that over 80 percent of the appropriations in this bill are funded by local District taxes and fees.

H.R. 3610 allocates almost \$32 million that will be used to combat the terrible effect that substances like crack and cocaine have on the citizens of this city—users and nonusers alike.

The funds appropriated will enable the District to hire more than 1,000 new police officers and bring the Metropolitan Police Department back to the level of strength it had in the 1970's.

These funds will expand the court system and provide for security of judges and staff.

This bill also considers the drug user, as well as the potential user and the innocent victims of drug abuses.

Funds are provided to establish after-school programs that will give children safe places to spend their out-of-school hours and will give them constructive alternatives to street life.

In addition the bill provides an intervention program for a number of high-risk students and funds to locate and treat the appalling number of pregnant women who abuse drugs.

We must combat the striking increase in the number of babies who are born addicted to crack and cocaine who are abandoned by their mothers and fathers.

This bill, dealing mainly with locally raised funds, is not the proper vehicle to debate the issue of abortion and I urge my colleagues—Democrats and Republicans alike—and I urge my President, not to hold hostage the people of the District of Columbia.

Last night, the 391st person died a violent death in our Nation's Capital. Most of these deaths are due to the drug epidemic.

Mr. Chairman, I urge my colleagues to vote to pass this bill so that the people of the District can get on with their lives.

I urge that we end our delay, so that the District government can hire the needed police and set up the after-school programs, as well as provide help for those babies born abandoned and addicted to crack and cocaine.

Mr. Chairman, I believe this is a responsible bill and I urge its passage and reserve the remainder of my time.

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

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

The CHAIRMAN pro tempore. The Clerk will read.

The Clerk read as follows:

H.R. 3610

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 District of Columbia for the fiscal year ending September 30, 1990, and for other purposes, namely:

FEDERAL PAYMENT TO THE DISTRICT OF
COLUMBIA

For payment to the District of Columbia for the fiscal year ending September 30, 1990, \$430,500,000: *Provided*, That none of these funds shall be made available to the District of Columbia until the number of full-time uniformed officers in permanent positions in the Metropolitan Police Department is at least 3,880, excluding any such officer appointed after August 19, 1982, under qualification standards other than those in effect on such date.

FEDERAL PAYMENT FOR WATER AND SEWER
SERVICES

For payment to the District of Columbia for the fiscal year ending September 30, 1990, in lieu of reimbursement for charges for water and water services and sanitary sewer services furnished to facilities of the United States Government, \$8,685,000, as authorized by the Act of May 18, 1954, as amended (D.C. Code, secs. 43-1552 and 43-1612).

FEDERAL CONTRIBUTION TO RETIREMENT
FUNDS

For the Federal contribution to the Police Officers and Fire Fighters', Teachers', and Judges' Retirement Funds, as authorized by the District of Columbia Retirement Reform Act, approved November 17, 1979

(93 Stat. 866; Public Law 96-122), \$52,070,000.

TRANSITIONAL PAYMENT FOR SAINT ELIZABETHS HOSPITAL

For a Federal contribution to the District of Columbia, as authorized by the Saint Elizabeths Hospital and District of Columbia Mental Health Services Act, approved November 8, 1984 (98 Stat. 3369; Public Law 98-621), \$15,000,000.

CRIMINAL JUSTICE INITIATIVE

For an additional amount for the design and construction of a prison within the District of Columbia, \$20,300,000 to become available October 1, 1990: *Provided*, That these funds shall remain in the United States Treasury and shall be transferred to the District of Columbia government only to the extent that outstanding obligations are due and payable to entities other than agencies and organizations of the District of Columbia government, and payments to such agencies and organizations may be made only in reimbursement for amounts actually expended in furtherance of the design and construction of the prison.

The \$50,000,000 previously appropriated under "Criminal Justice Initiative" for the fiscal years ending September 30, 1986, September 30, 1987, and September 30, 1989, for the design and construction of a prison within the District of Columbia shall remain in the United States Treasury and shall be transferred to the District of Columbia government only to the extent that outstanding obligations are due and payable to entities other than agencies and organizations of the District of Columbia government, and payments to such agencies and organizations may be made only in reimbursement for amounts actually expended in furtherance of the design and construction of the prison: *Provided*, That construction may not commence unless access and parking for construction vehicles are provided solely at a location other than city streets: *Provided further*, That District officials meet monthly with neighborhood representatives to inform them of current plans and discuss problems: *Provided further*, That the District of Columbia shall operate and maintain a free, 24-hour telephone information service whereby residents of the area surrounding the new prison, can promptly obtain information from District officials on all disturbances at the prison, including escapes, fires, riots, and similar incidents: *Provided further*, That the District of Columbia shall also take steps to publicize the availability of that service among the residents of the area surrounding the new prison.

DRUG EMERGENCY

For a Federal contribution to the District of Columbia, \$31,772,000, to remain available until expended, to close open air drug markets, increase police visibility, and provide for speedier court processing of drug-related violent cases.

DIVISION OF EXPENSES

The following amounts are appropriated for the District of Columbia for the current fiscal year out of the general fund of the District of Columbia, except as otherwise specifically provided.

GOVERNMENTAL DIRECTION AND SUPPORT

Governmental direction and support, \$112,971,000: *Provided*, That not to exceed \$2,500 for the Mayor, \$2,500 for the Chairman of the Council of the District of Columbia, and \$2,500 for the City Administrator shall be available from this appropriation

for expenditures for official purposes: *Provided further*, That any program fees collected from the issuance of debt shall be available for the payment of expenses of the debt management program of the District of Columbia: *Provided further*, That notwithstanding any other provision of law, there is hereby appropriated \$6,726,000 to pay legal, management, investment, and other fees and administrative expenses of the District of Columbia Retirement Board, of which \$818,000 shall be derived from the general fund and not to exceed \$5,908,000 shall be derived from the earnings of the applicable retirement funds: *Provided further*, That the District of Columbia Retirement Board shall provide to the Congress and to the Council of the District of Columbia a quarterly report of the allocations of charges by fund and of expenditures of all funds: *Provided further*, That the District of Columbia Retirement Board shall provide the Mayor, for transmittal to the Council of the District of Columbia, an item accounting of the planned use of appropriated funds in time for each annual budget submission and the actual use of such funds in time for each annual audited financial report: *Provided further*, That an additional \$150,000 out of local funds shall remain available until expended, to close open air drug markets, increase police visibility, and provide for speedier court processing of drug-related violent cases: *Provided further*, That no part of these funds shall be used for lobbying to support or defeat legislation pending before Congress or any State legislature.

ECONOMIC DEVELOPMENT AND REGULATION

Economic development and regulation, \$137,913,000: *Provided*, That the District of Columbia Housing Finance Agency, established by section 201 of the District of Columbia Housing Finance Agency Act, effective March 3, 1979 (D.C. Law 2-135; D.C. Code, sec. 45-2111), based upon its capability of repayments as determined each year by the Council of the District of Columbia from the Agency's annual audited financial statements to the Council of the District of Columbia, shall repay to the general fund an amount equal to the appropriated administrative costs plus interest at a rate of four percent per annum for a term of 15 years, with a deferral of payments for the first three years: *Provided further*, That notwithstanding the foregoing provision, the obligation to repay all or part of the amounts due shall be subject to the rights of the owners of any bonds or notes issued by the Agency and shall be repaid to the District of Columbia government only from available operating revenues of the Agency that are in excess of the amounts required for debt service, reserve funds, and operating expenses: *Provided further*, That upon commencement of the debt service payments, such payments shall be deposited into the general fund of the District of Columbia: *Provided further*, That up to \$275,000 within the 15 percent set-aside for special programs within the Tenant Assistance Program shall be targeted for the single-room occupancy initiative.

PUBLIC SAFETY AND JUSTICE

Public safety and justice, including purchase of 130 passenger-carrying vehicles for replacement only for police-type use and 29 additional passenger-carrying vehicles for fire-type use without regard to the general purchase price limitation for the current fiscal year, \$861,341,000, of which \$150,000 shall be derived by transfer from "Govern-

mental Direction and Support": *Provided*, That the Metropolitan Police Department is authorized to replace not to exceed 25 passenger-carrying vehicles and the Fire Department of the District of Columbia is authorized to replace not to exceed five passenger-carrying vehicles annually whenever the cost of repair to any damaged vehicle exceeds three-fourths of the cost of the replacement: *Provided further*, That not to exceed \$500,000 shall be available from this appropriation for the Chief of Police for the prevention and detection of crime: *Provided further*, That not to exceed \$26,000 shall be available solely for an accreditation study of the Metropolitan Police Department by a recognized law enforcement accreditation organization: *Provided further*, That funds appropriated for expenses under the District of Columbia Criminal Justice Act, approved September 3, 1974 (88 Stat. 1090; Public Law 93-412; D.C. Code, sec. 11-2601 et seq.), for the fiscal year ending September 30, 1990, shall be available for obligations incurred under that Act in each fiscal year since inception in fiscal year 1975: *Provided further*, That funds appropriated for expenses under the District of Columbia Neglect Representation Equity Act of 1984, effective March 13, 1985 (D.C. Law 5-129; D.C. Code, sec. 16-2304), for the fiscal year ending September 30, 1990, shall be available for obligations incurred under that Act in each fiscal year since inception in fiscal year 1985: *Provided further*, That \$50,000 of any appropriation available to the District of Columbia may be used to match financial contributions from the Department of Defense to the District of Columbia Office of Emergency Preparedness for the purchase of civil defense equipment and supplies approved by the Department of Defense, when authorized by the Mayor: *Provided further*, That not to exceed \$1,500 for the Chief Judge of the District of Columbia Court of Appeals, \$1,500 for the Chief Judge of the Superior Court of the District of Columbia, and \$1,500 for the Executive Officer of the District of Columbia Courts shall be available from this appropriation for official purposes: *Provided further*, That the District of Columbia shall operate and maintain a free, 24-hour telephone information service whereby residents of the area surrounding Lorton prison in Fairfax County, Virginia, can promptly obtain information from District of Columbia government officials on all disturbances at the prison, including escapes, fires, riots, and similar incidents: *Provided further*, That the District of Columbia government shall also take steps to publicize the availability of that service among the residents of the area surrounding the Lorton prison: *Provided further*, That not to exceed \$100,000 of this appropriation shall be used to reimburse Fairfax County, Virginia, and Prince William County, Virginia, for expenses incurred by the counties during fiscal year 1990 in relation to the Lorton prison complex. Such reimbursements shall be paid in all instances in which the District requests the counties to provide police, fire, rescue, and related services to help deal with escapes, riots, and similar disturbances involving the prison: *Provided further*, That none of the funds appropriated by this Act may be used to implement any plan that includes the closing of Engine Company 3, located at 439 New Jersey Avenue, Northwest: *Provided further*, That the staffing levels of each two-piece engine company within the Fire Department shall be maintained in accordance with the provisions of article III, section 18 of the Fire De-

partment Rules and Regulations as then in effect: *Provided further*, That none of the funds provided in this Act may be used to implement District of Columbia Board of Parole notice of emergency and proposed rulemaking as filed with the District of Columbia Register July 25, 1986: *Provided further*, That the Mayor shall reimburse the District of Columbia National Guard for expenses incurred in connection with services which are performed in emergencies by the National Guard in a militia status and which are requested by the Mayor, in amounts that shall be jointly determined and certified as due and payable for these services by the Mayor and the Commanding General of the District of Columbia National Guard: *Provided further*, That such sums as may be necessary for reimbursements to the District of Columbia National Guard under the preceding proviso shall be available from this appropriation, and their availability shall be deemed as constituting payment in advance for the emergency services involved: *Provided further*, That \$17,630,000 for the Metropolitan Police Department and \$2,600,000 for the District of Columbia Superior Court shall remain available until expended: *Provided further*, That of funds provided to the Department of Corrections \$36,311,000 shall be for the expense of housing D.C. Code violators in Federal Bureau of Prisons facilities, including \$5,064,000 of payments previously forgiven.

PUBLIC EDUCATION SYSTEM

Public education system, including the development of national defense education programs, \$691,120,000, to be allocated as follows: \$502,346,000 for the public schools of the District of Columbia; \$86,300,000 for the District of Columbia Teachers' Retirement Fund; \$76,088,000 for the University of the District of Columbia; \$18,849,000 for the Public Library; \$3,527,000 for the Commission on the Arts and Humanities; \$3,440,000 for the District of Columbia School of Law; and \$570,000 for the Education Licensure Commission: *Provided*, That the public schools of the District of Columbia are authorized to accept not to exceed 31 motor vehicles for exclusive use in the driver education program: *Provided further*, That not to exceed \$2,500 for the Superintendent of Schools; \$2,500 for the President of the University of the District of Columbia, and \$2,000 for the Public Librarian shall be available from this appropriation for expenditures for official purposes: *Provided further*, That this appropriation shall not be available to subsidize the education of nonresidents of the District of Columbia at the University of the District of Columbia, unless the Board of Trustees of the University of the District of Columbia adopts, for the fiscal year ending September 30, 1990, a tuition rate schedule that will establish the tuition rate for nonresident students at a level no lower than the nonresident tuition rate charged at comparable public institutions of higher education in the metropolitan area: *Provided further*, That funds provided under this head in Public Law 100-202 (101 Stat. 1329-94) to match private contributions to the District of Columbia Public Schools Foundation shall be available until September 30, 1990.

HUMAN SUPPORT SERVICES

Human support services, \$827,918,000: *Provided*, That \$18,611,000 of this appropriation, to remain available until expended, shall be available solely for District of Columbia employees' disability compensation: *Provided further*, That of the funds provid-

ed for the D.C. General Hospital subsidy, \$646,000 shall be used to provide health care to homeless persons.

PUBLIC WORKS

Public works, including rental of one passenger-carrying vehicle for use by the Mayor and three passenger-carrying vehicles for use by the Council of the District of Columbia and purchase of passenger-carrying vehicles for replacement only, \$223,898,000, of which not to exceed \$3,600,000 shall be available for the School Transit Subsidy: *Provided*, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business.

WASHINGTON CONVENTION CENTER FUND

For the Washington Convention Center Fund, \$7,874,000: *Provided*, That the Convention Center Board of Directors, established by section 3 of the Washington Convention Center Management Act of 1979, effective November 3, 1979 (D.C. Law 3-36; D.C. Code, sec. 9-602), shall reimburse the Auditor of the District of Columbia for all reasonable costs for performance of the annual Convention Center audit.

REPAYMENT OF LOANS AND INTEREST

For reimbursement to the United States of funds loaned in compliance with An Act to provide for the establishment of a modern, adequate, and efficient hospital center in the District of Columbia, approved August 7, 1946 (60 Stat. 896; Public Law 79-648); section 1 of An Act to authorize the Commissioners of the District of Columbia to borrow funds for capital improvement programs and to amend provisions of law relating to Federal Government participation in meeting costs of maintaining the Nation's Capital City, approved June 6, 1958 (72 Stat. 183; Public Law 85-451; D.C. Code, sec. 9-219); section 4 of An Act to authorize the Commissioners of the District of Columbia to plan, construct, operate, and maintain a sanitary sewer to connect the Dulles International Airport with the District of Columbia system, approved June 12, 1960 (74 Stat. 211; Public Law 86-515); section 723 of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 821; Public Law 93-198; D.C. Code, sec. 47-321, note); and section 743(f) of the District of Columbia Self-Government and Governmental Reorganization Act Amendments, approved October 13, 1977 (91 Stat. 1156; Public Law 95-131; D.C. Code, sec. 9-219, note), including interest as required thereby, \$251,474,000.

REPAYMENT OF GENERAL FUND DEFICIT

For the purpose of reducing the \$218,872,000 general fund accumulated deficit as of September 30, 1988, \$20,000,000, of which not less than \$442,000 shall be funded and apportioned by the Mayor from amounts otherwise available to the District of Columbia government (including amounts appropriated by this Act or revenues otherwise available, or both): *Provided*, That if the Federal payment to the District of Columbia for fiscal year 1990 is reduced pursuant to an order issued by the President under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177, approved December 12, 1985), as amended, the percentage (if any) by which the \$20,000,000 set aside for repayment of the general fund accumulated deficit under this appropriation title is reduced as a consequence shall not exceed the percentage by which the Federal

payment is reduced pursuant to such order: *Provided further*, That all net revenue the District of Columbia government may collect as a result of the District of Columbia government's pending appeal in the consolidated case of U.S. Sprint Communications, et al. v. District of Columbia et al., CA 10080-87 (court order filed November 14, 1988), shall be applied solely to the repayment of the general fund accumulated deficit.

SHORT-TERM BORROWINGS

For the purpose of funding interest related to borrowing funds for short-term cash needs, \$10,997,000.

OPTICAL AND DENTAL BENEFITS

For optical and dental costs for nonunion employees, \$2,569,000.

ENERGY ADJUSTMENT

The Mayor shall reduce authorized energy appropriations and expenditures within object class 30a (energy) in the amount of \$2,000,000, within one or several of the various appropriation headings in this Act.

EQUIPMENT ADJUSTMENT

The Mayor shall reduce authorized equipment appropriations and expenditures within object class 70 (equipment) in the amount of \$6,100,000, within one or several of the various appropriation headings in this Act.

PERSONAL SERVICES ADJUSTMENT

The Mayor shall reduce appropriations and expenditures for personal services within object classes 11, 12, 13, and 14 in the amount of \$31,550,000, within one or several of the various appropriation headings in this Act.

CAPITAL OUTLAY

For construction projects, \$134,650,000, as authorized by An Act authorizing the laying of water mains and service sewers in the District of Columbia, the levying of assessments therefor, and for other purposes, approved April 22, 1904 (33 Stat. 244; Public Law 58-140; D.C. Code, secs. 43-1512 to 43-1519); the District of Columbia Public Works Act of 1954, approved May 18, 1954 (68 Stat. 101; Public Law 83-364); An Act to authorize the Commissioners of the District of Columbia to borrow funds for capital improvement programs and to amend provisions of law relating to Federal Government participation in meeting costs of maintaining the Nation's Capital City, approved June 6, 1958 (72 Stat. 183; Public Law 85-451; D.C. Code, secs. 9-219 and 47-3402); section 3(g) of the District of Columbia Motor Vehicle Parking Facility Act of 1942, approved August 20, 1958 (72 Stat. 686; Public Law 85-692; D.C. Code, sec. 40-805(7)); and the National Capital Transportation Act of 1969, approved December 9, 1969 (83 Stat. 320; Public Law 91-143; D.C. Code, secs. 1-2451, 1-2452, 1-2454, 1-2456, and 1-2457); including acquisition of sites, preparation of plans and specifications, conducting preliminary surveys, erection of structures, including building improvement and alteration and treatment of grounds, to remain available until expended: *Provided*, That \$10,556,000 shall be available for project management and \$26,319,000 for design by the Director of the Department of Public Works or by contract for architectural engineering services, as may be determined by the Mayor: *Provided further*, That funds for use of each capital project implementing agency shall be managed and controlled in accordance with all procedures and limitations established under the Financial Man-

agement System: *Provided further*, That \$20,300,000 of the \$134,650,000 shall be available solely for the Correctional Treatment Facility to be constructed in the District of Columbia which is financed with Federal funds appropriated to the District of Columbia for fiscal year 1991: *Provided further*, That \$547,000 for the Department of Recreation and \$3,080,000 for the Department of Public Works for pay-as-you-go capital projects shall be financed from general fund operating revenues: *Provided further*, That all funds provided by this appropriation title shall be available only for the specific projects and purposes intended: *Provided further*, That notwithstanding the foregoing, all authorizations for capital outlay projects, except those projects covered by the first sentence of section 23(a) of the Federal-Aid Highway Act of 1968, approved August 23, 1968 (82 Stat. 827; Public Law 90-495; D.C. Code, sec. 7-134, note), for which funds are provided by this appropriation title, shall expire on September 30, 1991, except authorizations for projects as to which funds have been obligated in whole or in part prior to September 30, 1991: *Provided further*, That upon expiration of any such project authorization the funds provided herein for the project shall lapse.

WATER AND SEWER ENTERPRISE FUND

For the Water and Sewer Enterprise Fund, \$199,382,000, of which \$34,964,000 shall be apportioned and payable to the debt service fund for repayment of loans and interest incurred for capital improvement projects.

For construction projects, \$29,700,000, as authorized by an Act authorizing the laying of water mains and service sewers in the District of Columbia, the levying of assessments therefor, and for other purposes, approved April 22, 1904 (33 Stat. 244; Public Law 58-140; D.C. Code, sec. 43-1512 et seq.): *Provided*, That the requirements and restrictions which are applicable to general fund capital improvement projects and are set forth in this Act under the Capital Outlay appropriation title shall apply to projects approved under this appropriation title: *Provided further*, That of the \$27,085,000 in water and sewer enterprise fund operating revenues for pay-as-you-go capital projects, \$1,200,000 shall fund new authority in the fiscal year 1990 capital budget and \$25,885,000 shall fund prior year capital budget authority.

LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

For the Lottery and Charitable Games Enterprise Fund, established by the District of Columbia Appropriation Act for fiscal year 1982, approved December 4, 1981, (95 Stat. 1174, 1175; Public Law 97-91), as amended, for the purpose of implementing the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3-172; D.C. Code, secs. 2-2501 et seq. and 22-1516 et seq.), \$8,600,000, to be derived from non-Federal District of Columbia revenues: *Provided*, That the District of Columbia shall identify the sources of funding for this appropriation title from its own locally-generated revenues: *Provided further*, That no revenues from Federal sources shall be used to support the operations or activities of the Lottery and Charitable Games Control Board.

CABLE TELEVISION ENTERPRISE FUND

For the Cable Television Enterprise Fund, established by the Cable Television Commu-

nications Act of 1981, effective October 22, 1983 (D.C. Law 5-36; D.C. Code, sec. 43-1801 et seq.), \$1,600,000.

GENERAL PROVISIONS

Sec. 101. 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. 102. Except as otherwise provided in this Act, all vouchers covering expenditures of appropriations contained in this Act shall be audited before payment by the designated certifying official and the vouchers as approved shall be paid by checks issued by the designated disbursing official.

Sec. 103. Whenever in this Act an amount is specified within an appropriation for particular purposes or objects of expenditure, such amount, unless otherwise specified, shall be considered as the maximum amount that may be expended for said purpose or object rather than an amount set apart exclusively therefor, except for those funds and programs for the Metropolitan Police Department under the heading "Public Safety and Justice" which shall be considered as the amounts set apart exclusively for and shall be expended solely by that Department; and the appropriation under the heading "Repayment of General Fund Deficit" which shall be considered as the amount set apart exclusively for and shall be expended solely for that purpose.

Sec. 104. Appropriations in this Act shall be available, when authorized by the Mayor, for allowances for privately owned automobiles and motorcycles used for the performance of official duties at rates established by the Mayor: *Provided*, That such rates shall not exceed the maximum prevailing rates for such vehicles as prescribed in the Federal Property Management Regulations 101-7 (Federal Travel Regulations).

Sec. 105. Appropriations in this Act shall be available for expenses of travel and for the payment of dues of organizations concerned with the work of the District of Columbia government, when authorized by the Mayor: *Provided*, That the Council of the District of Columbia and the District of Columbia Courts may expend such funds without authorization by the Mayor.

Sec. 106. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of judgments that have been entered against the District of Columbia government: *Provided*, That nothing contained in this section shall be construed as modifying or affecting the provisions of section 11(c)(3) of title XII of the District of Columbia Income and Franchise Tax Act of 1947, approved March 31, 1956 (70 Stat. 78; Public Law 84-460; D.C. Code, sec. 47-1812.11(c)(3)).

Sec. 107. Appropriations in this Act shall be available for the payment of public assistance without reference to the requirement of section 544 of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Code, sec. 3-205.44), and for the non-Federal share of funds necessary to qualify for Federal assistance under the Juvenile Delinquency Prevention and Control Act of 1968, approved July 31, 1968 (82 Stat. 462; Public Law 90-445; 42 U.S.C. 3801 et seq.).

Sec. 108. 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. 109. Not to exceed 4½ per centum of the total of all funds appropriated by this Act for personnel compensation may be used to pay the cost of overtime or temporary positions.

Sec. 110. Appropriations in this Act shall not be available, during the fiscal year ending September 30, 1990, for the compensation of any person appointed to a permanent position in the District of Columbia government during any month in which the number of employees exceeds 39,262.

Sec. 110A. (a) No funds appropriated by this Act may be expended for the compensation of any person appointed to fill any vacant position in any agency under the personnel control of the Mayor unless:

(1) The position is to be filled by a sworn officer of the Metropolitan Police Department; or

(2) The position is to be filled as follows:

(A) By a person who is currently employed by the District of Columbia government at a grade level that is equal to the grade level of the position to be filled; or

(B) By a person who is currently employed by the District of Columbia government at a grade level higher than the grade level of the position to be filled, and who is willing to assume a lower grade level in order to fill the position.

(b) Subsection (a) of this section shall not apply to any position for which the City Administrator certifies that:

(1) The position is necessary to the fulfillment of an identified essential governmental function; and

(2) The position cannot be filled from within the District of Columbia government:

(A) At a grade level that is equal to the grade level of the position to be filled; or

(B) By a person who is currently employed by the District of Columbia government at a grade level higher than the grade level of the position to be filled, and who is willing to assume a lower grade level in order to fill the position.

(c) The City Administrator shall submit the certification required by subsection (b) of this section to the Council on the 1st day of each month.

Sec. 110B. (a) APPLICATION FOR EMPLOYMENT, PROMOTIONS, AND REDUCTIONS IN FORCE.—

(1) IN GENERAL.—The rules issued pursuant to the amendments to the District of Columbia Government Comprehensive Merit Personnel Act of 1978 made by the Residency Preference Amendment Act of 1988 (D.C. Law 7-203) shall include the provisions described in paragraph (2).

(2) DESCRIPTION OF POLICIES.—

(A) POLICY REGARDING APPLICATION FOR EMPLOYMENT.—The Mayor of the District of Columbia may not give an applicant for District of Columbia government employment in the Career Service who claims a District residency preference more than a 5 point hiring preference over an applicant not claiming such a preference, and, in the case of equally qualified applicants, shall give an applicant claiming such a preference priority in hiring over an applicant not claiming such a preference.

(B) POLICY REGARDING PROMOTIONS AND REDUCTIONS IN FORCE FOR CAREER SERVICE EMPLOYEES.—In calculating years of service for the purpose of implementing a reduction-in-force, the Mayor may not credit an employ-

ee in the Career Service who claims a District residency preference with more than 1 year of additional service credit, and in the case of equally qualified employees, shall give an employee claiming such a preference priority in promotion over an employee not claiming such a preference.

(C) INDIVIDUALS SUBJECT TO PROVISIONS.—The amendments to the District of Columbia Government Comprehensive Merit Personnel Act of 1978 made by the Residency Preference Amendment Act of 1988 shall apply only with respect to individuals claiming a District residency preference or applying for employment with the District of Columbia on or after March 16, 1989.

(b) SCOPE OF 5-YEAR DISTRICT RESIDENCY REQUIREMENT FOR EMPLOYEES CLAIMING PREFERENCE.—

(1) CAREER SERVICE EMPLOYEES.—Section 801(e) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (section 1-608.1(e), D.C. Code), as amended by the Residency Preference Amendment Act of 1988 (D.C. Law 7-203), is amended by adding at the end the following new paragraph:

"(7)(A) Except as provided in subparagraph (B), the Mayor may not require an individual to reside in the District of Columbia as a condition of employment in the Career Service.

"(B) The Mayor shall provide notice to each employee in the Career Service of the provisions of this subsection that require an employee claiming a residency preference to maintain District residency for 5 consecutive years, and shall only apply such provisions with respect to employees claiming a residency preference on or after March 16, 1989."

(2) EDUCATIONAL SERVICE EMPLOYEES.—Section 801A(d) of such Act (section 1-609.1(d), D.C. Code), as amended by the Residency Preference Amendment Act of 1988 (D.C. Law 7-203), is amended by adding at the end the following new paragraph:

"(7)(A) Except as provided in subparagraph (B), the Boards may not require an individual to reside in the District of Columbia as a condition of employment in the Educational Services.

"(B) The Boards shall provide notice to each employee in the Educational Service of the provisions of this subsection that require an employee claiming a residency preference to maintain District residency for 5 consecutive years, and shall only apply such provisions with respect to employees claiming a residency preference on or after March 16, 1989."

SEC. 111. No funds appropriated in this Act for the District of Columbia government for the operation of educational institutions, the compensation of personnel, or for other educational purposes may be used to permit, encourage, facilitate, or further partisan political activities. Nothing herein is intended to prohibit the availability of school buildings for the use of any community or partisan political group during non-school hours.

SEC. 112. The annual budget for the District of Columbia government for the fiscal year ending September 30, 1991, shall be transmitted to the Congress no later than April 15, 1990.

SEC. 113. None of the funds appropriated in this Act shall be made available to pay the salary of any employee of the District of Columbia government whose name, title, grade, salary, past work experience, and salary history are not available for inspection by the House and Senate Committees

on Appropriations, the House Committee on the District of Columbia, the Subcommittee on Governmental Efficiency, Federalism and the District of Columbia of the Senate Committee on Governmental Affairs, and the Council of the District of Columbia, or their duly authorized representative.

SEC. 114. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making payments authorized by the District of Columbia Revenue Recovery Act of 1977, effective September 23, 1977 (D.C. Law 2-20; D.C. Code, sec. 47-421 et seq.).

SEC. 115. None of the funds contained in this Act shall be made available to pay the salary of any employee of the District of Columbia government whose name and salary are not available for public inspection.

SEC. 116. No part of this appropriation shall be used for publicity or propaganda purposes or implementation of any policy including boycott designed to support or defeat legislation pending before Congress or any State legislature.

SEC. 117. None of the Federal funds provided in this Act shall be used to perform abortions except where the life of the mother would be endangered if the fetus were carried to term.

SEC. 118. At the start of the fiscal year, the Mayor shall develop an annual plan, by quarter and by project, for capital outlay borrowings: *Provided*, That within a reasonable time after the close of each quarter, the Mayor shall report to the Council of the District of Columbia and the Congress the actual borrowing and spending progress compared with projections.

SEC. 119. The Mayor shall not borrow any funds for capital projects unless he has obtained prior approval from the Council of the District of Columbia, by resolution, identifying the projects and amounts to be financed with such borrowings.

SEC. 120. The Mayor shall not expend any moneys borrowed for capital projects for the operating expenses of the District of Columbia government.

SEC. 121. None of the funds appropriated in this Act may be used for the implementation of a personnel lottery with respect to the hiring of fire fighters or police officers.

SEC. 122. None of the funds appropriated by this Act may be obligated or expended by reprogramming except pursuant to advance approval of the reprogramming granted according to the procedure set forth in the Joint Explanatory Statement of the Committee of Conference (House Report No. 96-443) which accompanied the District of Columbia Appropriation Act, 1980, approved October 30, 1979 (93 Stat. 713; Public Law 96-93), as modified in House Report No. 98-265, and in accordance with the Reprogramming Policy Act of 1980, effective September 16, 1980 (D.C. Law 3-100; D.C. Code, sec. 47-361 et seq.).

SEC. 123. None of the Federal funds provided in this Act shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of the District of Columbia.

SEC. 124. None of the Federal funds provided in this Act shall be obligated or expended to procure passenger automobiles as defined in the Automobile Fuel Efficiency Act of 1980, approved October 10, 1980 (94 Stat. 1824; Public Law 96-425; 15 U.S.C. 2001(2)), with an Environmental Protection Agency estimated miles per gallon average of less than 22 miles per gallon: *Provided*, That this section shall not apply to security, emergency rescue, or armored vehicles.

SEC. 125. (a) Notwithstanding section 422(7) of the District of Columbia Self-Government and Governmental Reorganization Act of 1973, approved December 24, 1973 (87 Stat. 790; Public Law 93-198; D.C. Code, sec. 1-242(7)), the City Administrator shall be paid, during any fiscal year, a salary at a rate established by the Mayor, not to exceed the rate established for level IV of the Executive Schedule under 5 U.S.C. 5315.

(b) For purposes of applying any provision of law limiting the availability of funds for payment of salary or pay in any fiscal year, the highest rate of pay established by the Mayor under subsection (a) for any position for any period during the last quarter of calendar year 1989 shall be deemed to be the rate of pay payable for that position for September 30, 1989.

(c) Notwithstanding section 4(a) of the District of Columbia Redevelopment Act of 1945, approved August 2, 1946 (60 Stat. 793; Public Law 79-592; D.C. Code, sec. 5-803(a)), the Board of Directors of the District of Columbia Redevelopment Land Agency shall be paid, during any fiscal year, a per diem compensation at a rate established by the Mayor.

SEC. 126. Notwithstanding any other provisions of law, the provisions of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code, sec. 1-601.1 et seq.), enacted pursuant to section 422(3) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 790; Public Law 93-198; D.C. Code, sec. 1-242(3)), shall apply with respect to the compensation of District of Columbia employees: *Provided*, That for pay purposes, employees of the District of Columbia government shall not be subject to the provisions of title 5 of the United States Code.

SEC. 127. The Director of the Department of Administrative Services may pay rentals and repair, alter, and improve rented premises, without regard to the provisions of section 322 of the Economy Act of 1932 (Public Law 72-212; 40 U.S.C. 278a), upon a determination by the Director, that by reason of circumstances set forth in such determination, the payment of these rents and the execution of this work, without reference to the limitations of section 322, is advantageous to the District in terms of economy, efficiency and the District's best interest.

SEC. 128. No later than 30 days after the end of the first quarter of fiscal year 1990, the Mayor of the District of Columbia shall submit to the Council of the District of Columbia the new fiscal year 1990 revenue estimates as of the end of the first quarter of fiscal year 1990. These estimates shall be used in the fiscal year 1991 annual budget request. The officially revised estimates at midyear shall be used for the midyear report.

SEC. 129. Section 466(b) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 806; Public Law 93-198; D.C. Code, sec. 47-326), is amended by striking out "sold before October 1, 1989" and inserting in lieu thereof "sold before October 1, 1990".

SEC. 130. No sole source contract with the District of Columbia government or any agency thereof may be renewed or extended without opening that contract to the competitive bidding process as set forth in section 303 of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C.

Code, sec. 1-1183.3), except that the District of Columbia Public Schools may renew or extend sole source contracts for which competition is not feasible or practical, provided that the determination as to whether to invoke the competitive bidding process has been made in accordance with duly promulgated Board of Education rules and procedures.

Sec. 131. For purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (99 Stat. 1037; Public Law 99-177), as amended, the term "program, project, and activity" shall be synonymous with and refer specifically to each account appropriating Federal funds in this Act and any sequestration order shall be applied to each of the accounts rather than to the aggregate total of those accounts: *Provided*, That sequestration orders shall not be applied to any account that is specifically exempted from sequestration by the Balanced Budget and Emergency Deficit Control Act of 1985 (99 Stat. 1037; Public Law 99-177), as amended.

Sec. 132. In the event a sequestration order is issued pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 (99 Stat. 1037; Public Law 99-177), as amended, after the amounts appropriated to the District of Columbia for the fiscal year involved have been paid to the District of Columbia, the Mayor of the District of Columbia shall pay to the Secretary of the Treasury, within 15 days after receipt of a request therefor from the Secretary of the Treasury, such amounts as are sequestered by the order: *Provided*, That the sequestration percentage specified in the order shall be applied proportionately to each of the Federal appropriation accounts in this Act which are not specifically exempted from sequestration by the Balanced Budget and Emergency Deficit Control Act of 1985 (99 Stat. 1037; Public Law 99-177), as amended.

Sec. 133. (a) It is the purpose of this section to improve the means by which the District of Columbia is paid for water and sanitary sewer services furnished to the Government of the United States or any department, agency, or independent establishment thereof.

(b) Section 106 of title I of the District of Columbia Public Works Act of 1954 (68 Stat. 102; D.C. Code, sec. 43-1552) is amended by—

(1) striking in subsection (a) all that follows the sentence beginning with "Payment shall be made as provided in subsection (b)"; and

(2) amending subsection (b) to read as follows:

"(b)(1) Beginning in the second quarter of fiscal year 1990, the government of the District of Columbia shall receive payment for water services from funds appropriated or otherwise available to the Federal departments, independent establishments, or agencies. In accordance with the provisions of paragraphs (2) and (3) of this subsection, one-fourth (25 percent) of the annual estimate prepared by the District government shall be paid, not later than the second day of each fiscal quarter, to the District government by the Secretary of the Treasury from funds deposited by said departments, establishments, or agencies in a United States Treasury account entitled 'Federal Payment for Water and Sewer Services'. In the absence of sufficient funds in said account, payment shall be made by the Secretary of the Treasury from funds available to the United States Treasury and shall be reimbursed promptly to the United States

Treasury by the respective user agencies. Payments shall be made to the District government by the Secretary of the Treasury without further justification, and shall be equal to one-fourth (25 percent) of the annual estimate prepared by the District government pursuant to paragraph (2) of this subsection.

"(2) By April 15 of each calendar year the District shall provide the Office of Management and Budget, for inclusion in the President's budget of the respective Federal departments, independent establishments, or agencies, an estimate of the cost of service for the fiscal year commencing October 1st of the following calendar year. The estimate shall provide the total estimated annual cost of such service and an itemized estimate of such costs by Federal department, independent establishment, or agency. The District's estimates on a yearly basis shall reflect such adjustments as are necessary to (1) account for actual usage variances from the estimated amounts for the fiscal year ending on September 30th of the calendar year preceding April 15th, and (2) reflect changes in rates charged for water and sewer services resulting from public laws or rate covenants pursuant to water and sewer revenue bond sales.

"(3) Each Federal department, independent establishment, or agency receiving water services in buildings, establishments, or other places shall pay from funds specifically appropriated or otherwise available to it, quarterly and on the first day of each such fiscal quarter, to an account in the United States Treasury entitled 'Federal Payment for Water and Sewer Services' an amount equal to one-fourth (25 percent) of the annual estimate for said services as provided for in paragraph (2) of this subsection.

"(4) The amount or time period for late payment of water charges involving a building, establishment, or other place owned by the Government of the United States imposed by the District of Columbia shall not be different from those imposed by the District of Columbia on its most favored customer."

(c) Section 212 of the District of Columbia Public Works Act of 1954 (68 Stat. 108; D.C. Code, sec. 43-1612) is amended by—

(1) striking in subsection (a) all that follows "": *Provided, That*"; and

(2) amending subsection (b) to read as follows:

"(b)(1) Beginning in the second quarter of fiscal year 1990, the government of the District of Columbia shall receive payment for sanitary sewer services from funds appropriated or otherwise available to the Federal departments, independent establishments, or agencies. In accordance with the provisions of paragraphs (2) and (3) of this subsection, one-fourth (25 percent) of the annual estimate prepared by the District government shall be paid, not later than the second day of each fiscal quarter, to the District government by the Secretary of the Treasury from funds deposited by said departments, establishments, or agencies in a United States Treasury account entitled 'Federal Payment for Water and Sewer Services'. In the absence of sufficient funds in said account, payment shall be made by the Secretary of the Treasury from funds available to the United States Treasury and shall be reimbursed promptly to the United States Treasury by the respective user agencies. Payments shall be made to the District government by the Secretary of the Treasury without further justification, and shall be equal to one-fourth (25 percent) of the

annual estimate prepared by the District government pursuant to paragraph (2) of this subsection.

"(2) By April 15 of each calendar year the District shall provide the Office of Management and Budget, for inclusion in the President's budget of the respective Federal departments, independent establishments, or agencies, an estimate of the cost of service for the fiscal year commencing October 1st of the following calendar year. The estimate shall provide the total estimated annual cost of such service and an itemized estimate of such costs by Federal department, independent establishment, or agency. The District's estimates on a yearly basis shall reflect such adjustments as are necessary to (1) account for actual usage variances from the estimated amounts for the fiscal year ending on September 30th of the calendar year preceding April 15th, and (2) reflect changes in rates charged for water and sewer services resulting from public laws or rate covenants pursuant to water and sewer revenue bond sales.

"(3) Each Federal department, independent establishment, or agency receiving sanitary sewer services in buildings, establishments, or other places shall pay from funds specifically appropriated or otherwise available to it, quarterly and on the first day of each such fiscal quarter, to an account in the United States Treasury entitled 'Federal Payment for Water and Sewer Services' an amount equal to one-fourth (25 percent) of the annual estimate for said services as provided for in paragraph (2) of this subsection.

"(4) The amount or time period for late payment of charges for sanitary sewer services involving a building, establishment, or other place owned by the Government of the United States imposed by the District of Columbia shall not be different from those imposed by the District of Columbia on its most favored customer."

(d) The first sentence of subsection (d) of section 207 of the District of Columbia Public Works Act of 1954 (68 Stat. 106) is amended to read as follows: "Whenever a property upon which a sanitary sewer service charge is a public park, or uses water from the water supply system of the District for an industrial or commercial purpose in such a manner that the water so used is likewise not discharged into the sanitary sewage works of the District, the quantity of water so used and not discharged into the sanitary sewage works of the District may be excluded in determining the sanitary sewer service charge on such property, if such exclusion is previously requested in writing by the owner or occupant thereof and approved in writing by the District government in advance of the billing period involved."

(e) The amendments made by this section shall take effect January 1, 1990, and shall terminate December 31, 1990.

Sec. 134. (a) The paragraph under the heading "Lottery and Charitable Games Enterprise Fund" in the District of Columbia Appropriation Act, 1982, approved December 4, 1981 (95 Stat. 1174; Public Law 97-91), is amended—

(1) by striking the 10th proviso; and

(2) in the 11th proviso, by striking "1144, as well as in the Old Georgetown Historic District;" and inserting "1144:".

(b) The 11th proviso referred to in subsection (a)(2), as amended by such subsection, shall not apply with respect to any activity relating to a lottery, raffle, bingo, or other game of chance sponsored by, and conducted solely for the benefit of, an organization

which is described in section 501(c)(3), and exempt from tax under section 501(a), of the Internal Revenue Code of 1986.

Sec. 135. No funds appropriated in this Act for the operation of programs, projects, or activities of the government of the District of Columbia for which the Council of the District of Columbia has approved a specific budget increase shall be reprogrammed or reduced prior to 30 days written notice to the Council of the District of Columbia.

Sec. 136. Such sums as may be necessary for fiscal year 1990 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

Sec. 137. For the fiscal year ending September 30, 1990, the District of Columbia shall pay interest on its quarterly payments to the United States that are made more than 60 days from the date of receipt of an itemized statement from the Federal Bureau of Prisons of amounts due for housing District of Columbia convicts in Federal penitentiaries for the preceding quarter.

Sec. 138. Section 11-903, District of Columbia Code, is amended to read as follows: "§ 11-903. Composition.

"Subject to the enactment of authorizing legislation, the Superior Court of the District of Columbia shall consist of a chief judge and fifty-eight associate judges."

Sec. 139. Of the funds appropriated in Public Law 100-202 for carrying out part B of title VII of the Higher Education Act that remain available for obligation, \$6,700,000 shall be awarded without regard to section 701(B), section 721(B), and section 721(C) of said Act to the consortium of institutions of higher education in the Washington, DC metropolitan area for the purpose of constructing and equipping an academic research library to link the library and information resources of the universities participating in the consortium.

Sec. 140. TASK FORCE ON SUBSTANCE ABUSING PREGNANT WOMEN AND INFANTS EXPOSED TO MATERNAL SUBSTANCE ABUSE DURING PREGNANCY.—(a) IN GENERAL.—The Director of the Department of Human Services of the District of Columbia (referred to as the "Director") shall establish a task force, to be known as the District of Columbia Task Force for Coordinated Service to Drug-Exposed Infants (referred to as the "Task Force"), to develop a plan for the most efficient and effective delivery of services to substance abusing pregnant women and infants who were exposed to maternal substance abuse during pregnancy, including recommendations to ensure maximum cooperation between service providers.

(b) MEMBERS.—(1) The Director shall appoint no more than 15 persons to serve on the Task Force, including persons with experience in treating substance-exposed infants, representing the following organizations and disciplines:

- (A) Child protection and welfare.
- (B) Local hospitals.
- (C) Health care professionals, including drug treatment specialists, public health experts, primary care providers, and child development specialists.
- (D) Public safety and justice.
- (E) Public education.
- (F) Community-based organizations serving substance abusing pregnant and post partum women and their infants.
- (G) Public housing officials.
- (H) Other human support services.

(2) In addition to the members of the Task Force appointed pursuant to paragraph (1), the United States Attorney or a

designee of the United States Attorney shall be a member of the Task Force.

(3) The Director or the designee of the Director shall act as chairman of the Task Force and provide such clerical support as the Task Force requires.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act the Task Force shall submit a report to Congress making findings and recommendations for legislative or other action, and including a specific plan detailing how the District will provide for the care of abandoned or otherwise abused infants for whom foster homes have not been found within 6 months of birth; and a timetable for implementing its recommendations.

(d) TERMINATION.—The Task Force shall terminate on submission of its report in accordance with subsection (c).

Sec. 141. (a) This section may be cited as the "Nation's Capital Religious Liberty and Academic Freedom Act".

(b) Section 1-2520 of the District of Columbia Code (1981 edition) is amended by adding after subsection (2) the following new subsection:

"(3) Notwithstanding any other provision of the laws of the District of Columbia, it shall not be an unlawful discriminatory practice in the District of Columbia for any educational institution that is affiliated with a religious organization or closely associated with the tenets of a religious organization to deny, restrict, abridge, or condition—

"(A) the use of any fund, service, facility, or benefit; or

"(B) the granting of any endorsement, approval, or recognition,

to any person or persons that are organized for, or engaged in, promoting, encouraging, or condoning any homosexual act, lifestyle, orientation, or belief."

This Act may be cited as the "District of Columbia Appropriations Act, 1990".

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

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

There was no objection.

The CHAIRMAN pro tempore. Are there any points of order against the bill?

Are there any amendments?

AMENDMENT OFFERED BY MR. EMERSON

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

Mr. DIXON. Mr. Chairman, I reserve a point of order.

Mr. Chairman, I have not seen the amendment.

The CHAIRMAN pro tempore. The gentleman from California [Mr. Dixon] reserves a point of order.

The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. EMERSON: In section 117, strike "Federal".

The CHAIRMAN pro tempore. Does the gentleman from California [Mr. Dixon] wish to raise a point of order?

Mr. DIXON. Mr. Chairman, I would hope that we could expedite this. I will not make the point of order at this point. I will reserve it, but I do intend to make the point of order. The Chair has previously ruled on it, and I think the Chair will be consistent in that ruling however, if there is desire to have some further discussion on this, I will certainly reserve a point of order for at least 2 or 3 minutes.

The CHAIRMAN. The gentleman from California [Mr. Dixon] reserves his point of order, and the gentleman from Missouri [Mr. EMERSON] is recognized for 5 minutes in support of his amendment.

Mr. EMERSON. Mr. Chairman, the amendment I am offering will restore the current-law prohibition on the use of local funds for abortion, except where the life of the mother is at stake, in the District of Columbia.

This is not an issue of home rule. Article I of the Constitution mandates that Congress "exercise exclusive legislation in all cases" over the District of Columbia, and as a consequence, Congress must appropriate all funds, including local funds, to the District of Columbia.

This is an issue of human life. The former budget director of the District of Columbia was reported to have "confirmed that the District's Government has a policy of funding abortion on demand and does not attempt to determine the circumstances of the pregnancy." Not so much as a simple inquire.

Not surprisingly, figures from the Alan Guttmacher Institute reveal that the abortion rate in the District of Columbia is more than triple that of any of the 50 States. Almost half the women seeking abortions in the District of Columbia during 1986 acknowledged at least one previous abortion. Nineteen percent reported two or more previous abortions. And in 1986, the rate of abortions was the same as the rate of live births.

We are not talking about unusual and compelling circumstances here. The District of Columbia offers readily accessible abortion as a means of after-the-fact birth control, and from 1984 through 1987, it spent \$6.1 million to do it.

When the President vetoed the D.C. appropriations bill a few weeks ago, he did so not only because it allowed Federal funds to pay for abortion-on-demand in the District of Columbia, but because it would also have allowed local funds to pay for abortions. When the bill was returned to Congress, the current-law restriction on Federal funding was restored. But H.R. 3610, as it is before us now, continues to allow local funds—funds which must be appropriated by Congress—to be used for abortion on demand. This bill is still unacceptable to the President,

and my friends, unless current law is maintained and local funds are prohibited from funding abortion on demand, it will be vetoed again.

POINT OF ORDER

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

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

Mr. DIXON. Mr. Chairman, by striking the word "Federal" the amendment of the gentleman from Missouri [Mr. EMERSON] in effect adds legislation to legislation already in the bill. The amendment of the gentleman from Missouri constitutes legislation on an appropriations bill and, as such, violates clause 2, rule XXI, of the House. The rule states in part that no amendment shall be in order in changing existing law.

Mr. Chairman, I ask for the ruling of the Chair.

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

Mr. EMERSON. Mr. Chairman, I would only argue that this amendment does not in any way expand the bill, and I would rest my case.

The CHAIRMAN (Mr. COOPER). The Chair sustains the point of order made by the gentleman from California [Mr. DIXON].

The Chair has previously ruled on this question on several occasions, and I would cite for the gentleman from Missouri [Mr. EMERSON] the rulings of June 26, 1987 and June 28, 1988 for the same reasons stated therein the Chair sustains the point of order made by the gentleman from California [Mr. DIXON].

Mr. DORNAN of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I have always found it enjoyable to work with the gentleman from California [Mr. DIXON], the chairman of the Committee on the District of Columbia, as he knows. He is a man of honor, and he is up front, and that is much to be appreciated on this very delicate issue.

However, Mr. Chairman, I had an opportunity to visit with the President in the Oval Office on November 8. I was down at the White House for a totally different reason, to see some people about the tragedy of all the killing going on in Lebanon. It was the 1-year anniversary of President Bush's great election last year and he grabbed me and took me into the Oval Office, and we discussed two or three subjects, and this was one of them.

Mr. Chairman, the President told me, and I know the gentleman from California [Mr. DIXON] does not know this, but the President told me again he is not going to let this bill go through if it contains abortion on demand.

What we have done now is gone back really to square one. This is the battle we fought last year before the elections changed, about 10 votes on this issue, though this issue never came up in one of those elections. So this is differently constructed House than the 100th Congress, and we are right back to the same old routine of debating the word "Federal," and the points of order and back and forth. But what we are facing with the word "Federal" in the bill is language that should not please anyone. For those who want rape and incest language, they are not going to find it with regard to federal dollars. And for those in this House who have voted against the pro-life position because they feel that they want a rape and incest position and nothing more, they are now being asked to allow abortions to start up again in the District of Columbia for all 9 months for any reason whatsoever. This is clearly not the position of the majority of Members. All the things that Pennsylvania prevented in its legislature just a few days ago on husband notification, on parental notification and approval, no gender selection, all of those things that I think are going to pass in probably 48 out of the 50 States; none of that is here in this language. This legislation does not even deal with District funds, though we are the legislature of the District. And make no mistake about it, that is the way our forefathers constructed it. This bill means abortion on demand for any reason, all 9 months, unstoppable abortion in the District, so that the killing can go on of mostly black children in their mothers' wombs.

Mr. Chairman, in 1975 this was the first American city that registered more abortions than live births, and it was the same in 1976, and 1977, and 1978, and Jimmy Carter's last 2 years, 1979 and 1980, and all of Reagan's 8 years. It took a dip last year because of the Dornan amendment to the D.C. appropriations bill that passed last year. That is something this Chamber should be proud of.

□ 1520

And now we are being asked again to have more abortions in our beautiful District of Columbia than live births. It is a tragic situation.

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

Mr. DORNAN of California. I am glad to yield to the gentleman from Missouri.

Mr. EMERSON. Mr. Chairman, I would just like to ask the gentleman a question. Inasmuch as the Chair has ruled against the admission of my amendment to this bill, is it not then logical that the only way we can prevent legislatively a return to the syndrome of allowing abortion on demand in the District of Columbia, given the

fact that we have on other legislative opportunity here, is to vote against the passage of the bill?

Mr. DORNAN of California. Absolutely. I will, of course, with no problems of conscience, vote against this bill because it is abortion on demand, all 9 months, across the board, for any frivolous reason whatsoever.

I think that every person who wants to go home during this Thanksgiving, Hanukkah and Christmas break, and tell their voters that they are still pro-life, but that they just want to be reasonable about the horrible tragedies of rape, and incest, that they want to remain a proud prolifer, are going to have trouble if they do not reject this.

The sad part now is this thing is so utterly politicized that although there are reasonable people on this side, and 98 percent of the people are reasonable on the other side, there are some people like Molly Yard, standing down there where Martin Luther King stood in front of the Washington Memorial, threatening to break every law in this country if the Supreme Court does not do her bidding. There are some people in this Chamber, a handful, I can count them on one hand, who are so politically driven that they think they are going to win the White House, that they are going to remove every Republican on this side about 20 in the 1990 election because of this issue. They are obsessed with the political lust of using abortion on demand for all 9 months. They want to use it for gender selection, to kill people in the womb if an amniocentesis test shows that somebody is going to be a daughter or a son. Anything to drive abortion all 9 months, on demand, for any ridiculous reason. That is what they want, and they are going to tear this House up. They have threatened that they will keep us through Thanksgiving, and I say to the gentleman from Kentucky [Mr. NATCHER], they will keep us here until the eve of Jesus Christ's birthday. They love this issue because they think they are going to dominate American politics with it.

Mr. Chairman, I recommend a no vote, and if the bill is passed the President will veto it.

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

Mr. Chairman, I rise simply to point out to my colleagues that on seven separate occasions President Reagan signed this bill with the same home rule provision that we have in it today, so if President Bush indeed vetoes the bill on the grounds of this provision, he is going to be taking this case far beyond where President Reagan took it.

I would hope, Mr. Chairman, that the President will think long and hard before he does that.

Mr. SMITH of New Jersey. Mr. Chairman, I move to strike the requisite number of words.

I just want to point out so that everybody is clear, President Reagan in his last year in office vowed to veto this bill unless the word "Federal" was stricken from the bill, so that all appropriated funds, both the local D.C. funds and the Federal component, would not be used to pay for abortion on demand.

The President vetoed that bill, was perfectly prepared to do so, and the House backed him up. We were able to get what is now current law, and that is the Hyde amendment for both the local as well as Federal funds.

I also want to commend the gentleman from Missouri [Mr. EMERSON] for offering this amendment. Unfortunately, once again the rules have been used to short-circuit consideration of a very important amendment; so the consequence is that this bill will be vetoed.

So I would urge, as the gentleman from California [Mr. DORNAN] urged a moment ago, that Members vote this bill down. We will have an opportunity, I would hope, to vote for this kind of amendment and let the House work its will, but unfortunately we are not going to get it today.

Let me also point out to my colleagues that if the bill as crafted were to become law, we would see abortion on demand subsidized in the District of Columbia. That is not the case as of today. Current law provides for a life of the mother exception.

The bill that is presented is radically different and will provide for abortion on demand payments in the District of Columbia.

Let me also point out that in fiscal year 1988 when the old law was in effect, 3,139 children were aborted with taxpayer subsidies footing the bill.

Again, this is an issue of abortion on demand. We are not talking about rape and incest or more narrowly crafted language or anything of the kind. We are talking about abortion on demand.

Again, we were precluded from the opportunity to offer an amendment, which I think is most unfortunate. The membership has been deprived of the opportunity to work its will here on the floor because of the invoking of the rules, which I think are very unfair, but again I urge Members to vote no. This bill will allow payment for abortion on demand.

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

I simply want to appeal to my colleagues to be consistent here today. We have approved an HHS appropriation that provides for prohibition on the use of Federal funds.

The citizens of the District of Columbia are in all respects full citizens of this great Nation, we pay more per capita in Federal taxes than the residents of 49 of the 50 States; our young people died more per capita in the Vietnam war than died per capita in 47 of the 50 States, and they all died defending a democracy that we do not fully share.

I hope that you will take that into account in supporting the committee position here, and urging the President to sign it.

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

Mr. Chairman, to quote the gentleman from Arizona [Mr. UDALL], although the abortion issue is a very divisive issue in our society, just about everything that could be said on this issue has been said and probably has not been said by everyone, and I hope that does not occur today.

But the most important issue that is before us today is the Supreme Court decision in the case Webster versus Reproductive Health Services. Any fair reading of that case, decided by the Supreme Court on July 3, 1989, clearly indicates that local jurisdictions, States, and the District of Columbia, have a right to promulgate reasonable rules and regulations as they relate to State-funded, and in this case District-funded, abortions.

This is the law of the land. This is the law that the prolife advocates felt was a real victory.

I suggest to you that what is good for the goose is good for the gander—that in fact the people who live in this District of Columbia deserve the same right as those who live in every State, to make their own determination as to what they will do with their own revenues, as the gentleman from California cited with Pennsylvania.

The second issue I would like to address briefly is that I, too, have been reading and hearing utterances as to what the President's intentions are on this bill. I would hope that he would support the Supreme Court and allow, although it may be repulsive to him, the local jurisdiction, the people here who raise their own revenues and pay for their trash collection and street maintenance, to make their own decision in accordance with the decision of this Nation's Highest Court.

But as I read from the statement dated today, November 15, 1989, the Statement of Administration Policy, I have some hope that the President will revisit this issue, for the Statement of Administration Policy states in part that "The President vetoed H.R. 3026 on October 27, 1989, because it did not include the fiscal year 1989 language restrictions on both Federal and District funds. The administration urges the House to restore the fiscal year 1989 language on abortion so that

the President is finally presented with a bill that he can sign."

It goes on to say that "the absence in H.R. 3610," which is the bill before us, "of the restriction on D.C. funds, would result in the President's senior advisers recommending that he veto the bill."

What I am saying here is that it is not clear to this Member that the President will, in fact, veto this bill. I hope he will reject the advice of his senior advisers on this occasion and uphold the law of the land, the Webster Supreme Court decision.

Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the recommendation that the bill do pass.

□ 1530

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. WEISS] having assumed the chair, Mr. COOPER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3610) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1990, and for other purposes, had directed him to report the bill back to the House with the recommendation that the bill do pass.

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

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.

Mr. EMERSON. 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 229, nays 191, not voting 13, as follows:

[Roll No. 355]

YEAS—229

Ackerman	AuCoin	Boehlert
Akaka	Barnard	Bonior
Alexander	Bateman	Borski
Anderson	Bates	Bosco
Andrews	Beilenson	Boucher
Anthony	Bennett	Boxer
Aspin	Berman	Brennan
Atkins	Bilbray	Browder

Brown (CA)	Hatcher	Payne (VA)
Bustamante	Hawkins	Pease
Campbell (CO)	Hayes (IL)	Pelosi
Cardin	Hefner	Pickett
Carper	Hertel	Pickle
Carr	Hochbrueckner	Price
Chandler	Horton	Rahall
Chapman	Houghton	Rangel
Clarke	Hoyer	Ravenel
Clay	Hubbard	Regula
Clinger	Hughes	Richardson
Collins	Jacobs	Ridge
Condit	Jenkins	Rose
Conte	Johnson (CT)	Roukema
Conyers	Johnston	Rowland (CT)
Cooper	Jones (GA)	Rowland (GA)
Coughlin	Jones (NC)	Roybal
Courter	Jontz	Sabo
Coyne	Kastenmeier	Saiki
Crockett	Kennedy	Savage
Darden	Kennelly	Sawyer
de la Garza	Kiecicka	Scheuer
DeFazio	Kolbe	Schiff
DeLay	Kolter	Schneider
Dellums	Kostmayer	Schroeder
Derrick	Lancaster	Schumer
Dicks	Lantos	Sharp
Dingell	Lehman (CA)	Shays
Dixon	Lehman (FL)	Sikorski
Donnelly	Levin (MI)	Sisisky
Dorgan (ND)	Levine (CA)	Skaggs
Downey	Lewis (GA)	Slaughter (NY)
Durbin	Long	Smith (FL)
Dwyer	Lowe (NY)	Smith (IA)
Dymally	Machtley	Smith (TX)
Early	Markey	Smith (VT)
Eckart	Martin (IL)	Snowe
Edwards (CA)	Martinez	Solarz
Engel	Matsui	Spratt
Erdreich	Mavroules	Stark
Espy	McDermott	Stokes
Evans	McHugh	Studds
Fascell	McMillen (MD)	Swift
Fawell	McNulty	Synar
Fazio	Meyers	Tanner
Feighan	Mfume	Thomas (CA)
Flake	Michel	Thomas (GA)
Foglietta	Miller (CA)	Torres
Ford (MI)	Miller (WA)	Torricelli
Ford (TN)	Mineta	Towns
Frank	Moakley	Trafficant
Frenzel	Moody	Udall
Frost	Morrison (CT)	Unsoeld
Gallo	Morrison (WA)	Upton
Gaydos	Murtha	Valentine
Gejdenson	Nagle	Vento
Gephardt	Natcher	Visclosky
Geren	Neal (MA)	Walgren
Gibbons	Neal (NC)	Waxman
Gilman	Nelson	Weiss
Glickman	Obey	Wheat
Gonzalez	Olin	Whitten
Gordon	Ortiz	Williams
Gradison	Owens (NY)	Wise
Gray	Owens (UT)	Wolpe
Green	Pallone	Wyden
Guarini	Panetta	Yates
Hamilton	Pashayan	
Harris	Patterson	

NAYS—191

Annunzio	Coleman (MO)	Gingrich
Applegate	Combest	Goodling
Archer	Costello	Goss
Armey	Cox	Grandy
Baker	Craig	Grant
Ballenger	Crane	Gunderson
Bartlett	Dannemeyer	Hall (OH)
Barton	Davis	Hall (TX)
Bentley	DeWine	Hammerschmidt
Bereuter	Dickinson	Hancock
Bevill	Dorman (CA)	Hansen
Billirakis	Douglas	Hastert
Bliley	Dreier	Hayes (LA)
Boggs	Duncan	Hefley
Broomfield	Dyson	Henry
Brown (CO)	Edwards (OK)	Herger
Bruce	Emerson	Hillier
Buechner	English	Hoagland
Bunning	Fields	Holloway
Byron	Fish	Hopkins
Callahan	Flippo	Huckaby
Campbell (CA)	Galleghy	Hunter
Clement	Gekas	Hutto
Coble	Gillmor	Hyde

Inhofe	Murphy	Skelton
Ireland	Myers	Slattery
James	Nielsen	Slaughter (VA)
Johnson (SD)	Nowak	Smith (NE)
Kanjorski	Oberstar	Smith (NJ)
Kasich	Oxley	Smith, Denny
Kildee	Packard	(OR)
Kyl	Parker	Smith, Robert
LaFalce	Parris	(NH)
Lagomarsino	Paxon	Smith, Robert
Laughlin	Penny	(OR)
Leach (IA)	Perkins	Solomon
Leath (TX)	Petri	Spence
Lent	Porter	Staggers
Lewis (CA)	Poshard	Stallings
Lewis (FL)	Pursell	Stangeland
Lightfoot	Quillen	Stearns
Lipinski	Ray	Stenholm
Livingston	Rhodes	Stump
Lloyd	Rinaldo	Sundquist
Lowery (CA)	Ritter	Tallon
Lukens, Thomas	Roberts	Tauke
Lukens, Donald	Robinson	Tauzin
Madigan	Roe	Taylor
Manton	Rogers	Thomas (WY)
Marlenee	Rohrabacher	Traxler
Martin (NY)	Ros-Lehtinen	Vander Jagt
Mazzoli	Rostenkowski	Volkmer
McCandless	Roth	Vucanovich
McCloskey	Russo	Walker
McCollum	Sangmeister	Walsh
McCrery	Sarpallus	Watkins
McCurdy	Saxton	Weber
McDade	Schaefer	Weldon
McEwen	Schuetz	Whittaker
McGrath	Schulze	Wolf
McMillan (NC)	Sensenbrenner	Wylie
Miller (OH)	Shaw	Yatron
Mollohan	Shumway	Young (AK)
Montgomery	Shuster	Young (FL)
Moorhead	Skeen	

NOT VOTING—13

Brooks	Garcia	Oakar
Bryant	Kaptur	Payne (NJ)
Burton	Molinar	Wilson
Coleman (TX)	Morella	
Florio	Mrazek	

□ 1550

The Clerk announced the following pair:

On this vote:

Mr. Payne of New Jersey for, with Mr. Burton of Illinois against.

Messrs. GOODLING, SARPALLIUS, BEVILL, FLIPPO, and WHITTAKER changed their vote from "yea" to "nay."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. DELAY. Mr. Speaker, I was recorded in error as voting "aye" on rollcall 355, and I ask unanimous consent that my statement that I intended to vote "no" on rollcall 355 appear after the vote in the permanent RECORD.

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

There was no objection.

PERSONAL EXPLANATION

Mrs. MORELLA. Mr. Speaker, due to a death in the family, I missed rollcall votes 353, 354, and 355. Had I been present, I would have voted "no" on

rollcall 353, "yes" on rollcall 354, and "yes" on rollcall 355.

GENERAL LEAVE

Mr. DIXON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and to include extraneous matter, on H.R. 3610, the bill just passed.

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

There was no objection.

CONFERENCE REPORT ON H.R. 3072, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1990

Mr. MURTHA. Mr. Speaker, I call up the conference report on the bill (H.R. 3072) making appropriations for the Department of Defense for the fiscal year ending September 30, 1990, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to the order of the House of Monday, November 13, 1989, the conference report is considered as having been read.

(For conference report and statement see proceedings of the House of Monday, November 13, 1989 at page H 8353.)

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. MURTHA] will be recognized for 30 minutes, and the gentleman from Pennsylvania [Mr. McDADE] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. MURTHA].

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

Mr. Speaker, I bring before the House the conference report on the Department of Defense appropriations bill for fiscal year 1990.

The conference agreement provides a total of \$286 billion which is an increase of \$3.6 billion above the fiscal year 1989 level but \$2.2 billion below the budget request.

These figures do not include funds for military construction and the nuclear weapons related programs of the Department of Energy. Funds for those programs are included in other appropriations bills.

The conference agreement complies with the 302(b) allocations for the Defense appropriations bill in both budget authority and outlays. This conference agreement shows restraint while still providing funding for the important defense areas.

It was an arduous conference. The House and Senate had many issues to address within the 245 separate amendments before the conference

committee. The number of "open" issues in the conference was over 1,000. Obviously, with that number of outstanding issues, it is impossible to bring back a conference report which will be totally satisfactory to all Members of the House. I am very pleased to report to the Members that the House position prevailed on many items in conference. However, as you all know, it is simply impossible to return to the House with a conference report that does not include items which will be controversial to various Members of the House—including myself I might add—but which were insisted upon by the other body, and necessitated compromise.

PERSONNEL

Mr. Speaker, since I became chairman of the Defense Appropriations Committee, my highest priority has been to make certain that the Department of Defense is able to maintain high quality troops. We must never return to the "hollow" force structure of the post Vietnam era. To assure that high morale and quality of life are maintained, the conferees have taken the following steps: Fully funded the pay raise request; fully funded the increase requested for variable housing; added \$90 million to the request to help provide adequate medical care for our service families; and added \$400 million to the request for "real property maintenance" to keep barracks and base facilities in proper repair. The backlog in this area exceeds \$6 billion.

The conferees made a reduction of 21,400 troops in the end strength of the uniformed services, and reduced 10,500 civilian personnel.

READINESS

Mr. Speaker, in addition to the issue of the quality and well-being of our troops, my other highest priority for defense is readiness. The conference agreements to enhance readiness, include:

An add-on of \$200 million for ship repair and maintenance.

An add-on of \$150 million for readiness initiatives which will enable the Marine Corps to continue its training at the same level as fiscal year 1989.

An add-on of \$300 million for the procurement of ammunition to increase our stocks.

An add-on of \$600 million to help correct the critical shortage in sealift.

An add-on of \$200 million for depot maintenance to keep our weapons systems on line and operational. This improves safety for our troops and directly affects our readiness posture. Backlogs in this area exceed \$1.5 billion.

TRANSFER FROM OPERATIONS AND MAINTENANCE TO PROCUREMENT

Mr. Speaker, on the face of it, it would appear that the conferees made deep cuts in operations and maintenance and made a large increase in the

procurement account. It should be pointed out that these statistics are misleading.

The conferees agreed to transfer a substantial amount of dollars from revolving funds in the operations and maintenance accounts into various procurement accounts. These funds will be used for the same purpose in procurement as they were budgeted for in operation and maintenance.

However this transfer will enable both the Defense Department and the Congress to have better oversight regarding the modernization of presently operational weapons systems. This step was taken at the initiative of the Defense Department. Almost \$5 billion of the procurement increase is associated with this shift of modernization costs to the procurement accounts.

PROCUREMENT

Mr. Speaker, I have long been a strong advocate of buying weapons at an economic rate. The conference agreement was able to increase funding for a number of programs so they could be procured at economic rates. Some of the systems, which will be purchased at a more cost-effective rate as a result of this conference agreement, are: Apache helicopters; landing craft air cushion; Harm missile; numerous ammunition production lines; and numerous multiyear procurements;

We also provided an add-on of \$1.4 billion for a wide variety of equipment for the Guard and Reserve.

The conference agreement complied with the Defense authorization bill with regard to the major strategic weapons systems in procurement and R&D.

The conference report spells out the agreement on funding levels for all weapons systems which were in disagreement between the two Houses.

RESEARCH AND DEVELOPMENT

Mr. Speaker, the conference agreement provides \$37.1 billion for research, development, test and evaluation [RDT&E].

The conference agreement: Provided \$3.6 billion, a reduction of \$1 billion from the budget request, for SDI; provides \$194 million for the National Aerospace Plane [NASP]; provides \$255 million for the V-22 aircraft; provides \$549 million for and SSN-21 submarine and its associated combat system; and funds the advanced tactical fighter program at the authorized level of \$911 million.

The conference agreement for research and development is a decline of 6 percent from the budget request.

TERMINATED PROGRAMS

Mr. Speaker, Secretary Cheney's budget included an initiative to terminate seven major weapons systems, of which two were recommended for termination after fiscal year 1991.

The conferees agreed that the F-14D aircraft and the SSN-688 submarine should be terminated although funds were provided for the final production run of the F-14 and the SSN-688.

The conferees disagreed with the recommendation to terminate the Phoenix air-to-air missile and the V-22 Osprey. RDT&E funds for the V-22 Osprey aircraft were provided.

The conferees provided funds for the Army Helicopter Improvement Program and the Apache Helicopter Program and requested that the Secretary of Defense report back to the Committees on Appropriations as to whether any funds may be required for these programs in the future.

Future Congresses will decide on the issue of whether to continue production of the F-15E fighter aircraft.

DRUG INTERDICTION

The conference agreement provided \$450 million—the budgeted and authorized amount—for DOD's effort in drug interdiction.

In addition, in fiscal year 1990 the DOD will assist the war on drugs in the following way:

Funds reduced from DOD budget for use in the national war on drugs—\$1.2 billion.

Funds transferred from DOD to the State Department for the Andean initiative—\$125 million.

Resources made available from DOD to the Coast Guard for operation of the Coast Guard—\$300 million.

Funds for DOD flying and steaming hours devoted to drug interdiction—\$62 million.

Funds for drug-related testing and education—\$118 million.

Funds for 12 fast patrol boats—\$84 million.

In summary, over \$2.3 billion of the original DOD budget submission has been devoted to the war on drugs.

CONCLUSION

Mr. Speaker, this bill is by far the largest appropriation bill passed each year by the Congress. Now there are many who say that much larger reductions should be made in the Defense bill for various reasons. But the funding level for the Defense Department should be put in historical perspective.

This bill represents a smaller percentage of the gross national product than has been the case in 34 of the last 40 years.

This bill is the fifth year in a row of a decline in defense spending when measured in constant dollars.

Furthermore, we have reduced military and civilian personnel by over 30,000 and terminated various weapons systems.

Mr. Speaker, no one is more pleased than I am to see the erosion of the Communist bloc in Eastern Europe and the apparent willingness of the Soviet Union to negotiate seriously on

a potential agreement on strategic weapons and on conventional weapons.

However it should be noted that the commitment of the Congress to maintain a strong national security posture during the 44 years since the end of World War II, has led to the dramatic events which we witness today occurring throughout Eastern Europe. This same U.S. commitment has led to the Soviets sitting down at the bargaining table for arms agreement talks.

When, and if, those agreements are signed and ratified, I expect that we will see major force structure changes resulting in a substantial reduction in troop levels and the savings associated with those troop reductions. Until those agreements are signed and ratified, we must maintain an Armed Forces which has the capability to fulfill our current international commitments to our allies. This conference agreement will provide adequate funds to meet those commitments.

Mr. Speaker, I urge support for the fiscal year 1990 conference report for defense appropriations.

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

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

Mr. Speaker, I rise in support of the conference report and urge its adoption.

Mr. Speaker, this has been a long and difficult year for all of us, with many controversies and disputes, but without question the host of issues swirling around defense has made this a particularly challenging session.

Consider the extraordinary pressures we face with respect to the overall budget; for Defense specifically, the tough choices forced by yet another year of negative growth, the fifth straight year; and finally, hovering over all our deliberations, the spectacle of a rapidly changing world scene—changes perhaps best epitomized by the man who graced this Chamber this morning, Lech Welesa.

All these questions and more have come to bear on our consideration of this year's defense budget. It has not been easy, writing this bill. But we bring before the House today a conference report which in my view strikes a realistic and pragmatic balance considering all the competing pressures we've had to deal with this year.

Mr. Speaker, we had a conference surrounded with tough choices—and going in I had to wonder whether we could resolve the considerable differences between the House and Senate bills in any reasonable fashion.

Our conference sessions were not easy—a lot of difficult decisions brought to the table. But, Mr. Speaker, in my 25 years as a member of this committee I have not seen any conference handled with more fairness, more dispatch, and more skill than by the gentleman from Pennsylvania, in his

maiden voyage as chairman of the Defense Subcommittee.

Thank you, Mr. Chairman, for a job well done.

I'd like to also acknowledge the senior Senator from Hawaii, also in his first management of the Defense gavel as chair of the Senate Defense Subcommittee; my friend Senator STEVENS; and most especially all members of the conference for their long hours and contributions. And without reservation I want to salute the staff of the committee—each of them an expert, all consummate professionals. Mr. Speaker, nobody in Washington works harder, with less fanfare—the House and the Nation are indeed fortunate to have their services.

In viewing this conference report, Mr. Speaker, I'm constrained to note that like so many controversial and important measures there is much here to criticize. This is a compromise, consensus product and I am not about to lead the cheering section regarding all the decisions before you.

This is not the bill I would have written nor is it the product I think our subcommittee would have produced, had we free rein.

What this bill does do, however, is track, as faithfully as possible, those critical benchmarks set by this body and the executive branch throughout the session.

The bill complies with the budget resolution targets and our subcommittee's 302 allocation—an allocation amended, I might add, to reflect a reduction of over \$1.3 billion from the original budget summit level for defense in order to fund the war on drugs (—\$1.17 billion) as well as aid to Poland (—\$140 million).

Likewise, we conform with the core decisions reached in the Defense authorization conference, which the House passed last week, concerning both strategic programs and the so-called program terminations.

In the strategic area, especially, I'm gratified that both in the authorization and in this conference report we have essentially preserved those programs that the President has said are essential to bolster his position in the ongoing nuclear arms reduction talks with the Soviets.

With the summit next spring being focused on these arms reduction measures, it is incumbent upon us collectively to give the President a full range of options, and the decisions we've made regarding the strategic triad—such as retaining both rail-garrison MX and the small ICBM as options for a mobile land-based missile—accomplish this.

Beyond these decisions, I am pleased to note that despite the fiscal pressures we faced the conference was able to retain a series of recommendations intended to maintain our most perish-

able defense asset—a quality force, well trained and maintained.

For example, we fully fund the requested pay raise for both military and DOD civilians; we add \$90 million to the budget expressly to bolster military medical care; and we provided over \$800 million over the request for repair and maintenance of equipment and property.

We all realize, Mr. Speaker, that budget pressures next year will make this year's defense debate look like a cakewalk by comparison, and though all the headlines revolve around the big-ticket hardware programs, we cannot allow these pressures to force us into debilitating reductions directly impacting our men and women on the front lines.

As we grapple with less money and the prospect—the potential—of a reduced Soviet military threat, we cannot afford to take hasty and ill-advised steps. This conference report—while not perfect—does represent the best we can do to maintain a balanced approach to our defense needs, as we move forward into an extremely challenging period for our Nation and the world.

Mrs. SCHROEDER. Mr. Speaker, I rise to voice my disapproval of sections of the conference report which relate to base closure. There is a section of the report entitled "Army-Interior Study of the Presidio." In this section, the conferees purport to direct the Secretaries of the Army and Interior to develop a lease-back arrangement under which virtually all Army functions at the Presidio of San Francisco would continue. Ownership of the land would transfer but, through the device of a lease, nothing would change at the Presidio.

This scam is in direct violation of the base closure law. Under that law, the Base Closure Commission recommended 86 bases for closure. The Presidio of San Francisco is one of those. Unless Congress vetoed the Commission's recommendations, they go into effect. Within the last few months, both the House and the Senate have voted overwhelmingly not to veto these recommendations. The base closure law requires that the Army shut down and transfer out all its functions at the Presidio. Nothing in the conference report can change that fact.

My advice to the Department of Defense is to ignore this conference report language because it runs counter to law. I should also point out that the Subcommittee on Military Installations and Facilities, which I chair, must approve leases of the sort described in the conference report. If the current sentiment among subcommittee members is any indication, I can assure the Department of Defense that such a lease-back arrangement will never be approved.

The committee report also states in the section entitled "Environmental Restoration, Defense" that the base closure account, and not the environmental restoration account, should fund all environmental restoration activities at bases closed under the base closure law. Again, this is not the law. The law is that

the base closure account can be used for cleanup, but other funds, such as Defense environmental restoration account funds can be used as well. Perhaps this should be changed. But any change must come through statutory change, not dicta in a conference committee report.

Mr. LEVINE of California. Mr. Speaker, I am pleased to rise in support of this conference agreement, and I commend my distinguished colleague from California, Mr. DIXON, the chairman of the House Conference Committee Mr. MURTHA, and the conferees for their hard work on this legislation. I am particularly pleased that the conferees recognized the seriousness of the drug problem in Los Angeles and its deadly impact on the rest of the Nation, and have, based on legislation I introduced along with Mr. DIXON, Mr. BERMAN, Mr. MARTINEZ, and Mr. WAXMAN, directed the Secretary of Defense to allocate not less than \$10 million for National Guard antidrug programs in California.

Southern California is the national center of drug importation, distribution, and manufacture—three criteria for designation as a high-intensity drug trafficking area. More deadly illegal drugs come into this country or are manufactured in southern California than any other location in the Nation. Los Angeles-based drug gangs then move the drugs to every other region of the Nation, from Seattle, WA, to New York State, from Texas to Tennessee. This is truly a national problem with national consequences.

The funds earmarked for southern California will make an important contribution to my State's ability to wage the war against drugs and gangs. While not the final answer, it is an important step in the right direction. Once again, I thank the conferees for their help on this important issue.

Mr. VENTO. Mr. Speaker, I rise in opposition to the conference report to H.R. 3072, the Department of Defense appropriations conference report.

I voted against the earlier Defense authorization conference report, upon which this appropriation is modeled, because I do not support many of the concessions which were made to the Senate position on key defense programs, including SDI, the B-2 Stealth bomber program, calling on the President to initiate bilateral negotiations with the Soviet Union to halt the production of weapons-grade plutonium, and the further production of chemical weapons, among others.

One cannot help but note that on many of these key issues, the conference agreement does not split the difference but is instead much closer to the Senate position. The conference report provides nearly \$3.6 billion for the Strategic Defense Initiative [SDI] program for research and development. While this figure represents the first real reduction in funding for SDI research and development since the program's inception in 1983 under the Reagan administration, and while it is \$1 billion less than the Bush administration requested, nevertheless, the conference report still provides \$728 million more than the House bill.

The conference report also backs away from essential quality and cost control provisions which were passed by the House earlier

this year by approving funding now for the procurement of two new Stealth aircraft in fiscal year 1990 and approving advance procurement for five more B-2 aircraft in fiscal year 1991 along with spare parts. If we are ever going to get control of defense spending, we must insist upon strict accountability. That means aircraft, tanks, guns, and other weapons which perform according to their specifications. It also means ensuring that the Defense Department and the American taxpayer pay a fair price for what they receive, without kickbacks, bribery, sole source procurement, and irregularities in the bidding process. The American people deserve to have a Pentagon which is more interested in serving the national interest rather than the particular interests of individual defense contractors.

I regret that the conference report provides \$1.8 billion in funding for the development of both the MX missile and the Midgetman missiles. This House spoke clearly earlier this year in the debate on H.R. 2461, the Defense authorization bill, when we said "no" to the simultaneous development of both of these expensive new missile systems. I am also displeased to note that the conference report permits DOD to spend \$100 million in unobligated fiscal year 1989 funds for research and development of the Midgetman. We must insist that the Bush administration and this Congress make choices among strategic programs. In short, we can't have it all any more.

H.R. 3072 also provides \$911 million to continue the development of the joint Air Force-Navy advanced tactical fighter [ATF] aircraft even though the House struck all funding because of the high projected cost of the program and because of production problems. The report which accompanied the earlier House appropriations bill noted that the cost of the ATF program may well exceed that of the B-2 Stealth program, currently estimated at \$70 billion.

Mr. Speaker, in September, President Bush went to the United Nations and called for a multilateral ban on the manufacture of chemical weapons. Yet the Bush administration has contradicted itself on this issue by calling for funding to manufacture new chemical weapons. The conference report before us today would provide \$47 million for the production of 155mm binary chemical weapons. It is unfortunate that the administration is apparently willing to overlook this inconsistency in seeking most of this funding today for new chemical weapons.

Finally, Mr. Speaker, while the conference report provides \$601 million for DOD environmental restoration, nevertheless, this figure is \$300 million less than was provided for this account in the original House bill. I was pleased last year when the Army finally settled a lawsuit brought by the city of New Brighton, MN, for soil and ground water contamination near the Twin Cities Army Ammunition Plant [TCAAP]. Clearly, this settlement was made possible because Congress provided sufficient financial resources for the Army to make its settlement offer. Congress must continue to insist that the Department of Defense expedite the clean up of soil, air, and ground water pollution at and near DOD facilities.

The consideration of the Defense appropriations conference report occurs today against the backdrop of stunning and dramatic political, economic, and social change in the Soviet Union and throughout Eastern Europe. In Berlin, the wall is tumbling down. In Poland, the first non-Communist government since World War II assumes power. In Hungary, the Communist Party essentially votes itself out of existence to be replaced by a reform-minded Social Democratic Party.

These are welcome changes. I hope that the democratic reform movement in the Soviet Union and Eastern Europe continues. We live in a safer world today in part because the Soviet Union and its Warsaw Pact allies have turned inward to reform their political and economic systems. The fact is that neither the United States nor the Soviet Union can continue devoting such a large share of their financial resources to building military hardware, especially when there are so many other urgent domestic and international needs, from housing to homeless, to providing adequate health care, good education, and many other worthy goals. In my view, this conference report does not sufficiently take note of the new political climate which we live in today. For that and other reasons, I will vote against the adoption of the conference report.

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

Mr. MURTHA. Mr. Speaker, I have no further requests for time, and I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the conference report.

The conference report was agreed to.

AMENDMENT IN DISAGREEMENT

The SPEAKER pro tempore. The Clerk will designate the first amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 1: Page 2, line 14, strike out "\$24,610,000,000" and insert "\$24,558,217,000".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 1, and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert "\$24,510,960,000: *Provided*, That \$11,000,000 shall be available only for the activation of one addition battalion for the 6th Light Infantry Division not later than August 15, 1990: *Provided further*, That no reduction be made in any active component combat or corps headquarters unit in the United States to make personnel available for this unit".

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 4: Page 4, line 2, strike out "\$20,155,800,000" and insert "\$20,047,750,000".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA Moves that the House recede from its disagreement to the amendment of the Senate numbered 4, and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert "\$19,994,040,000: *Provided*, That none of the funds provided in this account and in "Operation and Maintenance, Air Force" may support the continuation of the B-52G Squadron of the 43d Bomb Wing after June 15, 1990".

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 10: Page 7, line 7, strike out "\$1,044,800,000" and insert "\$1,046,700,000".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 10, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "\$1,051,200,000".

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

The motion was agreed to.

□ 1600

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 11: Page 7, line 17, strike out "\$23,603,843,000" and insert "\$22,856,662,000".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 11, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "\$22,787,559,000".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 12: Page 7, line 17, strike out all after "\$23,603,843,000" down to and including "law" in line 19.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 12, and concur therein with an amendment, as follows: In lieu of the matter stricken by said amendment, insert "": *Provided*, That \$250,000 shall be available for the 1990 Memorial Day Celebration".

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 15: Page 8, line 2, after "Studies" insert "": *Provided*, That of the funds appropriated in this paragraph, \$40,000,000 shall be available only for procurement for the Extended Cold Weather Clothing System (ECWCS) unless \$40,000,000 of ECWCS is procured by the Army Stock Fund during fiscal year 1990".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 15, and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert "": *Provided further*, That of the funds appropriated in this paragraph, \$46,000,000 shall be available only for procurement for the Extended Cold Weather Clothing System (ECWCS) and intermediate cold-wet weather boots, unless \$46,000,000 of ECWCS and the intermediate cold-wet

weather boots are procured by the Army Stock Fund during fiscal year 1990".

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 16: Page 8, line 11, strike out "\$25,748,601,000" and insert "\$24,106,207,000, of which \$81,000,000 shall remain available until September 30, 1992".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 16, and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert "\$23,902,621,000, of which \$81,000,000 shall remain available until September 30, 1992".

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 21: Page 9, line 10, after "Antarctica" insert "": *Provided further*, That the Navy may provide notice in this fiscal year to exercise options under the LEASAT program for the next fiscal year, in accordance with the terms of the Aide Memoire, dated January 5, 1981".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 21, and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert "": *Provided further*, That the Navy may provide notice in this fiscal year to exercise options under the LEASAT program for the next fiscal year, in accordance with the terms of the Aide Memoire, dated January 5, 1981, as amended by the Aide Me-

moire dated April 30, 1986, and as implemented in the LEASAT contract: *Provided further*, That notwithstanding section 2805 of title 10, United States Code, of the funds appropriated herein, \$2,000,000 shall be available for a grant to the National Museum of Naval Aviation at Pensacola, Florida. These funds shall be available solely for project costs and none of the funds are for remuneration of any entity or individual associated with fund raising for the project."

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 25: Page 9, line 25, strike out "\$22,708,743,000" and insert "\$21,986,000".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 25, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "\$21,806,213,000".

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 27: Page 10, line 3, strike out all after "law" down to and including "Mission" in line 9.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 27, and concur therein with an amendment, as follows: In lieu of the matter stricken by said amendment, insert "Provided, That notwithstanding Section 502 of the National Security Act of 1947, Section 136 of the Department of Defense Authorization Act for fiscal years 1990

and 1991 (H.R. 2461) or any other provision of law heretofore or hereafter enacted, neither the SR-71 nor the classified program referred to in Section 136 of the Department of Defense Authorization Act for fiscal years 1990 and 1991 (H.R. 2461) shall be terminated and that both the SR-71 and the classified system are hereby authorized: *Provided further*, That notwithstanding any other provision of law, any appropriations included in this Act for personnel, operation and maintenance, procurement, or research and development for the SR-71, the classified system referred to in Section 136 of the Department of Defense Authorization Act for fiscal years 1990 and 1991 (H.R. 2461) or any other classified airborne reconnaissance system are hereby authorized: *Provided further*, That operation of the SR-71 aircraft shall be transferred to the Air National Guard no later than July 1, 1990: *Provided further*, That of the amount appropriated, \$175,000,000 shall be solely for expenses associated with the SR-71 program, of which \$100,000,000 shall be transferred to Operation and Maintenance, Air National Guard: *Provided further*, That \$130,000,000 is hereby authorized in addition to any other authorization for airborne reconnaissance programs and that of the amount appropriated, \$130,000,000 shall be transferred to Research, Development, Test and Evaluation, Defense Agencies 1990/1991 to be merged with and to be available for the same purposes and for the same time period as the appropriation to which transferred.

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

Mr. McDADE. Mr. Speaker, I reserve a point of order.

The SPEAKER pro tempore. (Mr. WEISS). The gentleman reserves a point of order?

Mr. McDADE. I do, Mr. Speaker.

Mr. BEILENSEN. Mr. Speaker, may I be recognized to make a point of order that the motion of the gentleman from Pennsylvania is not in order.

The SPEAKER pro tempore. Will the gentleman state his point of order?

Mr. McDADE. Mr. Speaker, if the gentleman will defer to me, I have a request from a colleague to speak on the amendment, so I have reserved the point of order to protect the gentleman's right to speak.

I am trying to determine if the gentleman is in the Chamber. I had a request from the gentleman from California [Mr. ROHRBACHER]. I do not see him.

The SPEAKER pro tempore. Does the gentleman from California insist on his point of order?

Mr. McDADE. Mr. Speaker, I have reserved the point of order, and with the permission of the Chair, it will just take a second or two for me to determine whether or not my colleague is here.

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. McDADE] will be recognized for 30 minutes, and the gentleman from Pennsylvania [Mr. MURTHA] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. McDADE].

Mr. YOUNG of Florida. Mr. Speaker, will the gentleman yield for a brief colloquy with the chairman?

Mr. McDADE. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida [Mr. YOUNG].

Mr. YOUNG of Florida. Mr. Speaker, I thank the gentleman for yielding. There is one thing about the conference report that I want to make sure there is no misunderstanding on. I appreciate the gentleman engaging in this brief colloquy.

In the fiscal 1990 defense appropriations conference, we receded to the Senate on language relating to the "Laser Hellfire System." That Senate language directed the Army to obligate previously unobligated funds appropriated in fiscal year 1988 for Hellfire procurement.

It is my understanding that these funds would then be combined with funds provided in this bill to execute the fiscal year 1990 Hellfire buy, and that the total amount would be \$138.3 million.

Is that the gentleman's understanding?

Mr. MURTHA. If the gentleman will yield, Mr. Speaker, that is my understanding. The understanding of the gentleman is correct.

Mr. YOUNG of Florida. Mr. Speaker, I thank the chairman of the subcommittee. If I may proceed further, let me take a minute out to say to the chairman and ranking member what a tremendous job they have done in presenting this conference to the House. It has taken a lot of long days and long nights, and the membership, following the leadership of the gentleman from Pennsylvania [Mr. MURTHA], the gentleman from Pennsylvania [Mr. McDADE], and the tremendous staff that we have, I think have done an outstanding job. The fact that we took care of the conference report in less than 5 minutes is a good indication that the rest of the House feels the same way about it.

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

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

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

Mr. DICKS. Mr. Speaker, I would like just to say to the gentleman from California [Mr. BEILENSEN], the chairman of the House Permanent Select Committee on Intelligence, I understand that the gentleman will make a point of order regarding section 27. I would just say to my friend and col-

league that I deeply regret the situation we find ourselves in regarding aerial reconnaissance. I hope in working with the chairman and with the authorizing committee and with the Committee on Appropriations, that something can be done next year on this very important subject.

Mr. Speaker, I would just ask the gentleman from California if he can tell me what the plans are of the Permanent Select Committee on Intelligence in this particular area and why they seem to be so adamantly opposed to doing something in this particular area?

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

Mr. McDADE. Mr. Speaker, I yield to the gentleman from California.

Mr. BEILENSEN. Mr. Speaker, I would say to my friend, the gentleman from Washington [Mr. Dicks], the gentleman knows we spent a lot of time on this. We on the Permanent Select Committee on Intelligence, as well as the members of the other authorizing committees of the House and Senate Committee on Armed Services, have spent a lot of time on this particular question for the past several years.

As the gentleman well knows, the President himself did not seek funding for the SR-71 this year. Secretary Cheney as a member of our committee for a number of years was very much opposed to it. When he became Secretary, he testified forcefully against continuation of that particular plane, and stated he will not request funds for it next year.

Both the House and the Senate Committee on Armed Services and the House Permanent Select Committee on Intelligence, which are the authorizing committees, as the gentleman well knows, for this particular matter, agreed to the President's request to terminate both programs.

We feel very strongly, because as the authorizing committees we made the decision overwhelmingly, in the case of our particular committee, I believe the vote was 18 to 1, that we should make this reservation and insist on the authorizing committee authorizing the appropriation committee not going ahead when this particular matter has not been authorized.

Mr. DICKS. Mr. Speaker, through I disagree with the conclusion of the gentleman from California [Mr. BEILENSEN], I understand the right of the committee to do what they are doing. I would just urge the gentleman from California, we are going to have to gap here in reconnaissance that is very serious. It seems to me that this is an important issue. Because some part of this is classified it is not easy to discuss here, I would just hope that we could somehow work together.

Mr. McDADE. Mr. Speaker, if I might reclaim any time, I would con-

cede the point of order to the gentleman from California [Mr. BEILENSEN].

The SPEAKER pro tempore. The gentleman from California has to state his point of order.

Mr. BEILENSEN. The gentleman cannot concede it until he has made it.

The SPEAKER pro tempore. The gentleman from California should state his point of order before the concession is made.

POINT OF ORDER

Mr. BEILENSEN. Mr. Speaker, I make the point of order that the motion from the gentleman from Pennsylvania [Mr. McDADE] is not in order because it violates clause 7 of rule XVI because it proposes a nongermane amendment to the proposed amendment.

The SPEAKER pro tempore. Does the gentleman from Pennsylvania want to be heard on the point of order?

Mr. MURTHA. Mr. Speaker, we concede the point of order.

The SPEAKER pro tempore (Mr. WEISS). The point of order is conceded and sustained.

Mr. HERGER. Mr. Speaker, without the SR-71, our Nation will be left virtually blinded in a crisis.

Airborne reconnaissance has proven invaluable to our Nation's top decisionmakers during the past decade. In the Middle East, in the North Atlantic, and in Asia, the SR-71 has provided data from hot spots around the globe—data which for one reason or another was not able to be collected by our satellite fleet.

In inclement weather, in a remote area of the world, or if our satellite force were ever inoperable, either from a Soviet antisatellite attack or another space launch crisis, strategic airborne reconnaissance is our only recourse.

For these reasons, the State Department and the Central Intelligence Agency, the two primary users of information gathered by the SR-71, are strong supporters of airborne reconnaissance.

In fact, former Secretary of State George Shultz pointed out last year that "The SR-71 complements, rather than duplicates, satellite coverage."

This amendment offers us the opportunity to reaffirm our commitment to sound intelligence gathering. The disaster of the *Challenger* shuttle should have taught us that it is a mistake to put all of our eggs in one basket.

While satellites are invaluable, airborne reconnaissance not only provides a backup, but also ensures that our leaders will not be forced to rely on second-rate information—or worse yet, no information at all.

The SR-71 and the other program in this package are extremely important. As a result, the Senate Armed Services Committee, as well as both Appropriations Committees also provided funding for them.

World War II general, Hap Arnold, said it best when he mentioned that: "reconnaissance doesn't win battles, it wins wars."

Whether in use against terrorist nations, assisting the Navy in intelligence collection, or

backing up our satellites in a crisis, airborne reconnaissance has proven invaluable to this Nation. At this time of rapid change in the world, let's not blind ourselves by eliminating all of our strategic airborne reconnaissance.

I urge your support for this vital amendment.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 27, and concur therein.

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. MURTHA] will be recognized for 30 minutes and the gentleman from Pennsylvania [Mr. McDADE] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. MURTHA].

Mr. MURTHA. Mr. Speaker, I yield such time as he may consume to the gentleman from Washington [Mr. Dicks].

Mr. DICKS. Mr. Speaker, unfortunately, the House has been denied an opportunity to fully debate and vote on the administration's decision to abandon airborne reconnaissance, particularly strategic systems, as a result of the point of order that was just sustained.

I have to confess my disappointment and frustration with the disarray in which this leaves our airborne reconnaissance program. I view the decision to terminate the SR-71 aircraft system and to forego future airborne reconnaissance systems as an action that has very serious implications for our intelligence capabilities. Does the Chairman agree with my concern on this issue?

Mr. MURTHA. If the gentleman will yield, Mr. Speaker, I certainly do, and find that describing such cuts as "budgetary" begs vital questions about the wisdom of administration planning on key elements of the Nation's intelligence capabilities.

Mr. DICKS. The Congress has been waiting for several years for a sensible road map for airborne reconnaissance from the administration. Have we received such a plan to date?

Mr. MURTHA. No we have not, and that was the reason we tried to retain the important capabilities embodied in the SR-71 and to fund associated research and development for the future.

Mr. DICKS. I am convinced that these systems provide valuable and timely intelligence in peacetime and are particularly important for contingency operations. They would provide a survivable capability in many wartime operational situations. Without them we are forced to rely on a very limited number of systems that are likely to become increasingly vulnerable in the future. Regardless of the

action here today, do you agree that the administration still must provide a coherent plan for providing needed airborne reconnaissance capabilities?

Mr. MURTHA. I do, and would hope that we can work with them in the context of the fiscal year 1991 budget, and hopefully even during the current fiscal year, to fashion such a program. In the absence of such an effort I remain committed to pursuing it as a congressional initiative.

Mr. DICKS. I thank the Chairman for his comments and stand ready to work with him toward this objective.

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Mr. McDADE. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio [Mr. MILLER].

Mr. MILLER of Ohio. Mr. Speaker, I rise today to commend my subcommittee chairman JOHN MURTHA and the other Pennsylvanian on our subcommittee, the ranking minority member JOE McDADE, for the fine leadership they provided in the conference on H.R. 3072, the Department of Defense Appropriations Act of 1990. Wrestling with this \$286 billion bear is never easy, but being the master of conciliation they provided moved the process along in a most efficient and effective manner. When all the smoke had cleared, all parties to the conference had a bill they were comfortable with; a bill that came in some \$2.4 billion under the administration's budget request. So again, I offer my colleagues from Pennsylvania, my congratulations for a job well done. High praise is also in order for the hard working staff of the Defense Appropriations Committee, that worked so diligently to make this one of the smoothest run conferences I've ever been privileged to be a part of.

Many critics point to these funds as wasteful and would like to drastically cut defense spending. With world events changing so rapidly someday they may be correct, but until then it would be unwise for Congress to take such actions, as we unfortunately don't live in a utopian society. These funds are necessary to protect the freedoms we all cherish as citizens of this great country. The defense budget has taken its fair share of cuts over the past 5 years, this being the fifth straight year of negative growth after inflation is taken into account. In closing, I would like to rise in strong support of the conference report and urge my colleagues to do likewise.

Mr. MURTHA. Mr. Speaker, I yield such time as he may consume to the gentleman from North Carolina [Mr. HEFNER].

Mr. HEFNER. Mr. Speaker, I rise in strong support of the conference agreement.

Mr. Speaker, the conference report on the Defense appropriations bill, which we will adopt today, addresses the possibility of main-

taining the Letterman Army Medical Center at the Presidio of San Francisco, CA. We are requesting the Department to study the feasibility of leasing the hospital from the Department of Interior after the closure of the installation, and to report back to us. The intent of this directive is to ensure that the medical requirements of the military personnel in the San Francisco area met at the lowest possible cost. As chairman of the Appropriations Subcommittee on Military Construction under which jurisdiction of base closure lies, I wish to clarify the section of the statement of the managers dealing with continued activities of the Letterman Army Medical Center. The statement suggests that the Secretary of the Army should work with the Secretary of the Interior to formulate a lease back arrangement to ensure contamination of activities at Letterman Army Medical Center. This directive for consideration of activities at Letterman in no way will prevent the planned construction of a replacement hospital at Fort Bragg, NC, which is currently programmed for fiscal year 1992. Furthermore, the concern for Letterman should not be viewed by the Department as an opportunity to reduce the commitment to operate the Fort Bragg facility as a medical center, and to accomplish a realignment of the Army's Graduate Medical Education Program. Therefore, any consideration of maintaining Army operations at Letterman should be limited to operations as a hospital, and not as a medical center.

Ms. PELOSI. Mr. Speaker, I want to thank the distinguished chairman of the Defense Appropriations Subcommittee for his wisdom and perseverance in seeking options for the Presidio that will save the taxpayers money.

House and Senate appropriators have taken the important step of agreeing that the Secretary of the Army and the Department of the Interior should take a second look at preserving some of the important facilities at the Presidio.

Congresswoman BOXER and I have continued to make the arguments supporting the value of these facilities and we are very pleased that the conferees were both receptive and responsible to the issues we have researched and documented.

The feasibility study for the Presidio, in its transition to control by the Department of Interior, would review the importance of retaining Letterman Hospital; the post commissary; the child care center; the 6th Army Reserve Units and housing facilities for possible lease back to the Department of Interior for income, among others. These facilities make up the major functions of the Presidio.

I believe the study will confirm the need to maintain Letterman Hospital for the many military retirees who depend on its health services. The Base Closure Commission agreed that Letterman Hospital is the primary mission of the Presidio and its continued operation will mean that quality health care will be available at less cost to taxpayers.

The study is in keeping with the base closure law and would assist the Department of Interior in its plans for a Park by identifying possible lease-back facilities to fund the park. Retaining these important facilities would minimize the economic burden to the Department

of Interior and provide more flexibility in creating a beautiful national park.

Chairman MURTHA, because of his position on the Interior Appropriations Subcommittee and his chairmanship of the Defense Appropriations Subcommittee, has had special insight into the unique problems associated with the purported savings from the Presidio closure. The chairman made the effort to visit the Presidio and to talk with National Park Service officials in his effort to understand the complexities of this issue. I think the study recommended by the Defense Appropriators will serve the important function of making certain that savings to the Government are realized wherever possible as the Presidio changes hands.

The Presidio is a source of jobs, history, beauty and recreation. I believe the study will confirm the economic importance of preserving functions of the Presidio that will save money and create sources of revenue to aid the National Park Service in its work to enhance the Golden Gate National Recreation Area [GGNRA]. The study could make it possible to realize the dream Phillip Burton had in the early 1970's—an urban park of incomparable history and natural beauty—and the funding to make the dream possible.

Mr. McDADE. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Texas [Mr. ARMEY].

Mr. ARMEY. Mr. Speaker, at the outset of my remarks let me confess my enormous respect for the gentleman from Pennsylvania [Mr. MURTHA], the chairman of the subcommittee, and the gentleman from Pennsylvania [Mr. McDADE], the ranking Republican on the subcommittee, and, for that matter for all Members of this body on the Committee on Appropriations and its subcommittees. To confess anything other than total respect would be the worst kind of folly, but I do mean it, in fact, in great sincerity. I do enjoy the gentlemen and enjoy working with them.

Mr. Speaker, I would like to call to the House's attention yet another attempt to defy the House's will and keep an obsolete military base open. Specifically it is an effort to save the Presidio in San Francisco.

In the dark of night someone inserted language not in the conference report itself, but in the statement of explanation accompanying it. If my information is correct, very few of the conferees were aware of this language. I understand it was inserted without their approval.

The language does this: First, it instructs the Department of the Interior and the Department of the Army to study the planned closure of the Presidio and to consider a way to maintain it as a military base. Second, it seeks to prevent the Defense Department from using any funds in its environmental restoration fund to perform any cleanup that may be necessary at the closed bases, a restriction which may complicate the base closures.

Mr. Speaker, this may sound innocuous or technical. It is not. This is an attempt by some Members of the Congress to use their influence to save the Presidio, and they are doing this against the clear wishes of the House.

My colleagues may remember that the House passed the all-or-nothing base closing bill on October 12, 1988, by a vote of 370 to 31. On April 18 of this year we voted 381 to 43 to defeat a resolution to stop the closures. Then, when the military construction appropriation bill came before the House, the gentlewoman from California [Mrs. Boxer] was given permission to offer an amendment to save the Presidio specifically. She was dissuaded from offering it in the face of overwhelming opposition. There is, thus, no question, absolutely none, that the House supports the base closing program and desires that it continue. A few words in explanation of a conference report does not change that.

Mr. Speaker, let me make a few points about the Presidio.

First, the districts of many Members are affected by the base closure process. Several of our colleagues have argued that their own bases should be spared. There is no reason that the case of the Presidio deserves special consideration.

Second, unlike other base closures, the closing of the Presidio will cause little economic hardship to the local community. It is on prime real estate in an urban area. Its closing will have minimal effect on local employment.

Third, current Federal law, authored by the late Phillip Burton of California, requires that the Presidio be given to the Park Service once the military leaves. If that is what the Members of the San Francisco delegation object to, I suggest they simply change the law. That way the Presidio, or parts of it, could be sold at market price producing an immense savings to the Government. Perhaps the city of San Francisco would like to buy it, in which case they could maintain it for the people of San Francisco rather than by the American taxpayers.

In any event, Mr. Speaker, I would simply like to remind all concerned that the base closure program has strong support in this body. I do not believe any exceptions to it will be tolerated. The base closing language in the explanation of this conference report can be and should be disregarded.

Mr. Speaker, I would like to read one small part of a letter from the Secretary of Defense after he had presented the empirical evidence to support what all of us know intuitively about the Presidio. He says, and I quote, that in short closing the Presidio is good for the defense and for the taxpayers. It will result in a significant annual savings and the payback is within the

6-year criteria established for the Commission's work.

Mr. Speaker, let me remind the Members of this body that I will personally remain diligent in watching the progress of this legislation through its scheduled implementation beginning in January of 1990, and to the best of my ability there will be no exceptions to the all-or-nothing deal that we accept overwhelmingly in this body and by which other Members equally and even more pained are happily and willingly abiding.

The SPEAKER pro tempore (Mr. Swift). The question is on the motion offered by the gentleman from Pennsylvania [Mr. MURTHA].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate Amendment No. 28: Page 10, line 9, after "Mission" insert "": *Provided*, That \$211,239,000 shall be used only for operating, maintaining, and basing the SR-71 survivable reconnaissance system at the same level of aircraft, depots and other support as was operated during September 1989: *Provided further*, That none of the funds appropriated in this Act may be used to disestablish or reduce the SR-71 survivable reconnaissance program: *Provided further*, That none of the funds made available in this Act may be used to disestablish or reduce the operation of the Air Force and Air Force Reserve WC-130 Weather Reconnaissance Squadrons".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 28, and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert "": *Provided further*, That none of the funds made available in this Act may be used to disestablish or reduce the operation of the Air Force and Air Force Reserve WC-130 Weather Reconnaissance Squadrons".

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

□ 1620

Mr. BEILENSEN. Mr. Speaker, I object to the motion not being read.

The SPEAKER pro tempore. Objection is heard. The Clerk will read the motion.

The Clerk completed the reading of the motion.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 30: Page 10, line 14, strike out "\$7,829,137,000" and insert "\$7,879,444,000".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 30, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "\$7,800,156,000".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 31: Page 11, line 2, strike out all after "cations;" down to and including "law" in line 4 and insert "\$861,900,000".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 31, and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert "\$861,800,000".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 32: Page 11, line 12, strike out all after "cations;" down to and including "law" in line 14 and insert "\$895,200,000".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 32, and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert "\$894,800,000".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 33: Page 12, line 8, strike out all after "cations;" down to and including "law" in line 10 and insert "\$981,900,000".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 33, and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert "\$978,500,000".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 35: Page 13, line 21, strike out all after "Bureau;" down to and including "law" in line 23 and insert "\$1,988,400,000".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 35, and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert "\$1,981,900,000".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 42: Page 17, line 18, strike out "\$3,081,798,000" and insert "\$2,672,700,000".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 42, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "\$3,789,937,000".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 43: Page 17, line 19, strike out all after "1992" down to and including "aircraft" in line 22.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 43, and concur therein with an amendment, as follows: In lieu of the matter stricken by said amendment, insert "": *Provided*, That the Secretary of Defense shall review the requirements for Apache Helicopters and the Army Helicopter Improvement Program (AHIP) and report to the Committees on Appropriations by April 1, 1990: *Provided further*, That if the report finds that additional Apache or AHIP Helicopters are needed to fulfill the requirements for the U.S. Army, including National Guard and reserve forces, the Secretary of Defense may propose to obligate funds provided herein for advance procurement on additional Apache and/or AHIP Helicopters".

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 47: Page 19, line 6, strike out "\$2,692,438,000" and insert "\$2,607,994,000".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 47, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "\$2,707,611,000".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 48: Page 19, line 7, strike out all after "1992" down to and including "Vehicle" in line 9.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 48, and concur therein with an amendment, as follows: Restore the matter stricken by said amendment, amended to read as follows "": *Provided*, That the

Secretary of the Army shall complete the technical and operational testing and acquire the technical data package for the Improved Recovery Vehicle, M88A2".

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 49: Page 19, line 9, strike out all after "Vehicle" down to and including "vehicles" in line 13.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 49, and concur therein with an amendment, as follows: In lieu of the matter stricken by said amendment, insert "": *Provided further*, That the Department of the Army shall expeditiously procure an improved vehicle intercommunication system with a goal of an initial procurement contract not later than September 30, 1990".

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

Mr. MURTHA. Mr. Speaker, I ask for recognition on this motion.

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. MURTHA] will be recognized for 30 minutes and the gentleman from Pennsylvania [Mr. McDADE] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. MURTHA].

Mr. MURTHA. Mr. Speaker, I yield such time as he may consume to the gentleman from Mississippi [Mr. WHITTEN].

Mr. WHITTEN. Mr. Speaker, I rise in support of the conference report and to compliment the chairman of the subcommittee, as well as the other members of the subcommittee, for a job well done.

LONG ASSOCIATION WITH DEFENSE

Mr. Speaker, I am a longtime member of this subcommittee. I served first on the Naval Appropriations Subcommittee, and then on the Air Force and Defense, including Military Construction Subcommittees with the ex-

ception of about 2 years after World War II when Chairman Cannon asked me to serve on a Subcommittee on Government Corporations. After about 2 years Chairman Cannon asked me to go back on the Defense Subcommittee.

I have been a regular visitor with our President on military matters from President Roosevelt to President Bush—10 Presidents in all.

During World War II, as a member of the Naval Subcommittee, I visited virtually all areas of the war—Europe, China, and the Philippines. I was in Frankfurt, Germany, when our troops were to have gone into Berlin, and we let Russia talk us into letting them go in first.

HIGHLY QUALIFIED SUBCOMMITTEE CHAIRMAN

All this, Mr. Speaker, leads up to the fact that I believe today we have a fine subcommittee and well informed chairman in JACK MURTHA, of Pennsylvania.

In recent years he and I with several other members of the subcommittee have inspected our Pacific operations, our Atlantic operations, and our Central American operations where we have been briefed by our top generals and admirals on the problems as they see them. He has a special concern for the service families and the matters that are important to their welfare and morale.

He is supported by a fine ranking Republican member, JOE McDADE, and all the other members of the subcommittee.

NEED FOR PRODUCTIVE JOBS

Now when we face a period of pulling in our military commitments, giving due regard to the shock to many, many people in the services and out of cutbacks, I do not believe we could find a better qualified person to guide, as well as to protect our domestic economy, find ways to keep our economy going and to maintain a strong national defense than JACK MURTHA—who understands that you must have a strong domestic economy and the support of the people if you are to have a strong military defense.

To prepare for this change, I introduced H.R. 3029, along with Chairman MURTHA, to restore the jobs bill which worked so well in 1983 to be ready to meet the changed conditions at home and around the world. We should realize that we must have productive jobs to absorb those who will need jobs. When I say "jobs," I mean "productive" jobs. We must be prepared.

Some time ago we introduced H.R. 2540 which would restore revenue sharing which had a great record, for 14 years, assisting in the growth and well-being of over 39,000 communities, counties, and cities of the Nation.

The need for restoration of these programs, for the benefit of our Nation's wealth exists now and could well be required for those displaced by

reason of limits placed on our military commitment, and the reduction in military contracts.

If so, we have the bills introduced and ready.

I would like to point out here that we do look after our country. As chairman of the Committee on Appropriations, having served since 1943, on the Appropriations Committee, I am very proud of what we have done in developing and protecting the physical assets of our Nation. Now that we have serious financial problems today, I fear we are neglecting necessary upkeep of our national assets. I call your attention to the fact that since 1934, when we started meeting local problems with national programs, our wealth has increased 41 times, and since 1941, when I came here, our physical wealth has increased 36 times.

I say to my colleagues, whatever your age may be, if you look around and remember how conditions were that you first remember and see the progress that we've made, you can realize just how sound a job we have done.

Unfortunately, may I say, we have with time incurred a national debt which is a serious problem today. But whatever the debt is, we need to look after the protection and development of the physical property, our rivers and harbors, our roads and highways, our forests, and our soil, with productive jobs, where we have something of value to show for our effort. It is evident that we face some change as we scale back our military commitment and spending.

Mr. Speaker, the conference agreement includes a grant of \$3,000,000 to the National Center for Physical Acoustics for research and development centering on ocean acoustics as it applies to advanced anti-submarine warfare acoustics issues with focus on ocean bottom acoustics—seismic coupling, sea-surface and bottom scattering, oceanic ambient noise, underwater sound propagation and other such projects as may be agreed upon, including up to \$500,000 to provide such special equipment as required.

Mr. Speaker, I truly believe we will have to turn more and more to the National Guard and Reserve, where the members contribute to the economy during the week and train on the weekend.

To this end, we have provided funds for three armories, at Ackerman, Amory, and Iuka. The bill also includes funds for land acquisition at Camp McCain which will provide training opportunities for guardsmen and reservists in northern Mississippi.

May I add that I am glad we have worked out a transfer of 1989 funds for joint operation of the airfield at

Grenada, MS, by the National Guard and the city of Grenada.

Again, Mr. Speaker, this subcommittee has again done a great job.

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

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

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 53: Page 21, line 11, strike out "\$9,164,718,000" and insert "\$8,499,363,000".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 53, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "\$9,389,266,000".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 55: Page 21, line 25, strike out all after "layaway" over to and including "\$5,816,879,000" in line 13 on page 22 and insert "\$3,864,154,000".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 55, and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert the following:

"as follows:

Ballistic Missile Programs, \$1,443,165,000;
Other Missile Programs, 2,831,852,000;
Mark-48 ADCAP Torpedo, 438,642,000;
Mark-50 Torpedo, 271,130,000;
Sea Lance, 1,799,000;
ASW Targets, 12,983,000;
ASROC, 9,282,000;
Modification of Torpedoes, 9,653,000;
Torpedo Support Programs, 39,002,000;
ASW Range Support, 24,205,000;
Other Weapons, 168,838,000;
Spares and Repair Parts, 111,341,000;
Installation of Modernization Equipment, 30,420,000;
In all: \$5,392,312,000".

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 58: Page 23, line 6, strike out "\$1,277,800,000" and insert "\$1,137,800,000, and in addition, \$70,000,000 shall be derived by transfer from "Trident ballistic missile submarine program, 1987/1991", \$10,000,000 shall be derived by transfer from "Trident ballistic missile submarine program 1988/92" and \$20,000,000 shall be derived by transfer from "Trident ballistic missile submarine program 1989/93". *Provided*, That the amounts transferred shall be available only for the time period of the appropriation from which transferred: *Provided further*, That none of the funds may be obligated for advance procurement for the nineteenth Trident ballistic missile submarine until the Secretary of Defense has certified to the Committees on Armed Services and Appropriations, either that the procurement of Trident ballistic missile submarines at a rate of one per year is consistent with the United States negotiating goals and United States policy on strategic arms reductions and that such production would not necessitate the retirement of ballistic missile submarines prior to the end of their thirty-year service life, or that the President will request an adjusted production profile for Trident ballistic missile submarines in the fiscal year 1991 budget request which is consistent with the United States strategic arms reduction negotiating position and prevents the retirement of ballistic missile submarines prior to the end of their thirty-year service life".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 58, and concur therein with an amendment, as follows: In lieu of the first sum named in said amendment insert "\$1,132,800,000".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 66: Page 24, lines 11 and 12, strike out "and post delivery, \$320,200,000" and insert "post delivery, and ship special support equipment, \$406,400,000".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 66, and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert:

"post delivery, and ship special support equipment, \$368,900,000;

Coast Guard icebreaker ship program, \$329,000,000;

Coast Guard patrol boat program, \$84,000,000".

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 69: Page 25, line 19, strike out "\$4,636,485,000" and insert "\$6,150,432,000".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 69, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "\$7,970,764,000".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 75: Page 28, line 8, strike out "\$8,087,219,000" and insert "\$8,273,799,000".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 75, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "\$8,524,110,000".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 76: Page 28, line 14, strike out "\$1,481,400,000" and insert "\$1,304,961,000".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 76, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "\$973,720,000".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 88: Page 31, line 8, strike out "\$9,765,454,000" and insert "\$9,823,627,000".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 88, and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert "\$9,733,174,000: *Provided*, That of funds appropriated in Research, Development, Test and Evaluation, Navy for fiscal year 1989, \$22,000,000 shall be transferred to Research, Development, Test and Evaluation, Defense Agencies for fiscal year 1990 for the Tactical Airborne Laser Communications program, to be merged with, and to be available for, the same purposes and the same time period as the appropriation to which transferred".

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 91: Page 32, line 1, strike out "\$12,438,021,000" and insert "\$13,915,171,000".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 91, and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said

amendment, insert: "\$13,635,570,000: *Provided*, That the Secretary of the Air Force shall obligate \$100,000,000 of amounts appropriated for research, development, test and evaluation for the Air Force for fiscal year 1989 that remain available for obligation to carry out research, development, test, and evaluation in connection with the Small ICBM program: *Provided further*, That the Secretary of the Air Force shall obligate \$50,000,000 of amounts appropriated for research, development, test, and evaluation for the Air Force for fiscal year 1989 from the B-1B program that remain available for obligation only to carry out research, development, test, and evaluation to provide cruise missile capability on the B-1B aircraft: *Provided further*, That the \$13,635,570,000 provided under this heading is".

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 93: Page 32, line 13, strike out "up to".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 93, and concur therein.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 94: Page 32, line 17, strike out all after "diseases" down to and including "program" in line 20.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 94, and concur therein with an amendment, as follows: In lieu of the matter stricken by said amendment, insert: "*Provided further*, That of the amount herein provided for the Strategic Defense Initiative, \$52,000,000 shall be available only for the Arrow missile program: *Provided further*, That of funds appropriated in Research, Development, Test and Evaluation, Defense Agencies in fiscal

year 1989, \$46,000,000 shall be available only for grants as follows:

(1) \$15,000,000 for the National Center for Industrial Innovation at Lehigh University;

(2) \$6,000,000 for the Center for Technology Management at Auburn University;

(3) \$12,000,000 for the acquisition, design, testing, integration, and advancement of a prototype supercomputer system at the Minnesota Supercomputer Center; and

(4) \$13,000,000 for the University of Scranton Technology center:

Provided further, That of the total amount appropriated in this appropriations account for fiscal year 1990, \$15,200,000 shall be available only for grants, as follows:

(1) \$5,200,000 for the proposed Center for Environmental Medicine at the Medical College of Ohio;

(2) \$8,000,000 for the proposed Center for commerce and Industrial Expansion at Loyola University of Chicago; and

(3) \$2,000,000 for the Pilot Program for Combat Casualty Care Management and Research at the Martin Luther King, Jr. General Hospital-Charles R. Drew University of Medicine and Science;

Provided further, That the seven aforementioned grants are to be made within sixty days after enactment of this Act: *Provided further*, That the grants provided for in the preceding provisions shall be made without regard to, and (to the extent necessary) in

contravention of, subsection (a) of section 2361 of title 10, United States Code (which is hereby superseded to the extent necessary to make such grants), and shall be made without regard to subsection (b)(2) of such section, and shall be made without regard to the requirements of section 2304 of title 10, United States Code: *Provided further*, That references to section 2361 of title 10, United States Code in the preceding provisions refer to that section as it existed on November 10, 1989 and as it is amended by section 252 of the National Defense Authorization Act for Fiscal Years 1990 and 1991, to the extent that provision is enacted into law".

□ 1630

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

Mr. McDADE. Mr. Speaker, I reserve all points of order on the motion.

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. McDADE] will be recognized for 30 minutes, and the gentleman from Pennsylvania [Mr. MURTHA] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. McDADE].

Mr. McDADE. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. RITTER].

Mr. RITTER. Mr. Speaker, I thank the gentleman from Pennsylvania for yielding time to me.

Mr. Speaker, I would like to call attention to the merits of this point of

order and try to alert my colleagues that there are some projects here which are extremely meritorious. The fact is that some of these projects, one in particular at Lehigh University in my congressional district, is a project that funds research facilities to support our defense industrial base.

The DOD is not providing funding for research facilities. This is the responsibility of Congress. It is appropriate for Congress to seek to put funds into this most important area—especially Lehigh University's National Center for Industrial Innovation. At Lehigh University, we are talking about a proven track record: research in the fields of computer integrated manufacturing, ceramics, polymers, and composites to name a few. All of these scientific fields are crucial to the carrying out of our long-range research and development mission in the Department of Defense * * * and all of these areas are crucial to a competitive America.

Lehigh University has the proven track record, tradition, and most promising site for a National Center for Industrial Innovation that can serve as a focus for our nation's efforts to regain its competitive manufacturing edge.

Mr. Speaker, Congress is not making the kinds of strategic investments into our nation's university research facilities that we should. We are not investing in the research infrastructure of our nation's universities. It is not at all inappropriate in a bill such as this, \$300 billion strong, to take some resources and devote them to a national center for industrial innovation. America's defense industrial base is being eroded. We know that. But, tragically, we continue to ignore the deterioration of university research facilities. We continue to ignore them in the competitions within the Defense Department or within other Federal agencies. It just seems to me, Mr. Speaker, that we have an opportunity here to provide a very tiny, tiny percentage of this DOD appropriation bill to support the kind of essential research and development infrastructure at our universities that will ensure our nation's economic and national security into the next century. We simply have not had the opportunity to support this critical area otherwise, given the nature of the existing programs.

Mr. Speaker, I urge my colleagues, I urge Members to oppose this point of order, decide in favor of the language as structured, and make a decision, and a good investment for the future of this country, its industrial base, and its national security. Again, I thank the gentleman from Pennsylvania for yielding.

Mr. McDADE. Mr. Speaker, I withdraw my reservation of a point of order.

POINT OF ORDER

Mr. BARTLETT. Mr. Speaker, I make a point of order on the amendment.

Mr. Speaker, I make the point of order that the amendment offered by the gentleman from Pennsylvania [Mr. MURTHA] violates clause 7 of rule XVI in that it is not germane to the subject matter under consideration, and I would seek to speak to my point of order.

Mr. MURTHA. Mr. Speaker, we concede the point of order.

The SPEAKER pro tempore (Mr. SWIFT). The point of order is conceded and sustained.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a substitute motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 97, and concur therein with an amendment, as follows: In lieu of the matter stricken by said amendment, insert "": *Provided further*, That of the amount herein provided for the Strategic Defense Initiative, \$52,000,000 shall be available only for the Arrow missile program".

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

Mr. BARTLETT. Mr. Speaker, reserving the right to object, could I have a copy of the amendment that is being offered?

Mr. McDADE. Mr. Speaker, I withdraw my unanimous-consent request and suggest that the Clerk read the motion.

The SPEAKER pro tempore. The Clerk will read the motion.

The Clerk completed the reading of the motion.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 96: Page 33, line 3, strike out "\$224,505,000" and insert "\$222,311,000".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 96, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "\$180,550,000".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 101: Page 33, line 24, strike out "\$104,100,000" and insert: "\$78,100,000".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 101, and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert "\$78,100,000".

EMERGENCY RESPONSE FUND

For the "Emergency Response Fund, Defense"; \$100,000,000 to remain available until expended. The Fund shall be available for providing reimbursement to currently applicable appropriations of the Department of Defense for supplies and services provided in anticipation of requests from other Federal Departments and agencies and from state and local governments for assistance on a reimbursable basis to respond to natural or man-made disasters. The Fund may be used upon a determination by the Secretary of Defense and immediate action is necessary before a formal request for assistance on a reimbursable basis is received. There shall be deposited to the Fund: (a) reimbursements received by the Department of Defense for the supplies and services provided by the Department in its response efforts and (b) appropriations made to the Department of Defense for the Fund. Reimbursements and appropriations deposited to the Fund shall remain available until expended".

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 103: Page 34, line 9, strike out "\$113,500,000" and insert: "\$82,400,000".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 103, and concur therein with an amendment, as follows: In lieu of

the sum proposed by said amendment, insert "\$73,000,000".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 104: Page 34, line 10, strike out "\$7,200,000" and insert "\$1,900,000".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 104, and concur therein with an amendment, as follows: In lieu of the sum stricken and inserted by said amendment, insert "\$8,000,000, of which not less than \$6,100,000 shall be available only for cryofracture: *Provided*, That of the funds appropriated for Chemical Agents and Munitions Destruction, Defense for research, development, test and evaluation for fiscal year 1989, not less than \$16,300,000 must be obligated for cryofracture not later than January 15, 1990. *Provided further*, That the Secretary of Defense may only delegate responsibility for the program planning, policy, budget, management, execution and general oversight of the destruction of chemical agents and munitions and the retrograde movement of chemical agents and munitions to the Secretary of the Army".

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 105: Page 34, line 10, after "\$7,200,000;" "for retrograde, \$26,655,000;".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 105, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "\$27,610,000".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 106: Page 34, line 11, strike out "\$269,800,000" and insert "\$259,355,000".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 106, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "\$257,010,000".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 107: Page 34, line 15, after "1991" insert "and the amount provided for Retrograde shall remain available until September 30, 1992: *Provided further*, That of the funds appropriated for Retrograde, not more than \$10,000,000 may be obligated or expended until the Secretary of Defense certifies to the Congress that the Johnston Atoll Chemical Agent Disposal System has destroyed live agent chemical munitions: *Provided further*, That none of the funds appropriated in this or any other Act may be obligated to construct additional chemical munition storage facilities on Johnston Atoll".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 107, and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert "and the amount provided for retrograde shall remain available until September 30, 1992: *Provided further*, That of the funds appropriated for retrograde, not more than \$10,000,000 may be obligated or expended, nor may any chemical munitions be moved from existing storage sites, until the Secretary of Defense certifies to the Congress that the Johnston Atoll Chemical Agent Disposal System has destroyed live agent chemical munitions and that adequate storage capacity exists on Johnston Atoll to safely accommodate any chemical munitions or hazardous materials transported to that site: *Provided further*, That none of the funds appropriated in this or any other Act may be obligated to construct additional chemical munition storage facilities on Johnston Atoll".

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 108: Page 34, after line 16, insert:

DRUG INTERDICTION DEFENSE

(TRANSFER OF FUNDS)

For drug interdiction and enforcement activities of the Department of Defense, not provided for elsewhere in this Act, \$575,000,000; for transfer to appropriations available to the Department of Defense to remain available and for the same purpose as the appropriation to which transferred and that such transfers shall be in addition to any transfer authority contained elsewhere in this Act, as follows: for Army and Air National Guard drug interdiction and enforcement operation and maintenance and personnel expenses, \$70,000,000; for Army and Air National Guard equipment necessary for drug interdiction and enforcement, \$40,000,000; for Operation and Maintenance costs including the Civil Air Patrol, \$165,000,000; for Research, Development, Test and Evaluation, \$28,000,000; for Construction requirements, \$5,000,000; and for Procurement, \$267,000,000, of which \$125,000,000 may be transferred to or obligated by the Department of State for counter-narcotics programs.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 108, and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert:

OTHER DEPARTMENT OF DEFENSE APPROPRIATIONS

DRUG INTERDICTION, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and enforcement activities of the Department of Defense, not provided for elsewhere in this Act, \$450,000,000; for transfer as follows: Army National Guard and Air National Guard operation and maintenance, personnel expenses, and associated administrative costs, \$70,000,000; for Army National Guard and Air National Guard equipment, \$40,000,000; for Operation and Maintenance, including the Civil Air Patrol, \$88,200,000; for Research, Development, Test and Evaluation, \$10,400,000; for Military Construction, \$3,700,000; and, for Procurement, \$237,700,000: *Provided*, That the funds appropriated by this paragraph shall be available for obligation for the same period and for the same purpose as the appropriation to which transferred and the transfer authority provided in this paragraph is in addition to any transfer authority contained elsewhere in this Act: *Provided further*, That of the amount appropriated, \$2,500,000 shall be transferred to the Department of the Treasury solely for the expenses associated with a classified project."

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 112: Page 37, line 17, after "Defense" insert ": *Provided*, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 112, and concur therein.

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

The motion was agreed to.

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The SPEAKER pro tempore (Mr. SWIFT). The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 117: Page 44, line 1, strike out "none" and insert "Except as provided in section 2690, 10 United States Code, none".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 117, and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert "Except as provided in 10 USC 2690 and thirty days after the Secretary of Defense has notified the Committees on Appropriations of the Senate and House of Representatives, none".

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 118: Page 44, line 7, strike out "none" and insert: "Except as provided in section 2690, 10 United States Code, none".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 118, and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert "Except (1) as provided in 10 USC 2690 and thirty days after the Secretary of Defense has notified the Committees on Appropriations of the Senate and House of Representatives; and (2) that all conversions at the Wiesbaden and Kaiserslautern Military Communities shall be held in abeyance until August 15, 1990, in order for the Secretary of the Air Force to thoroughly evaluate the requirement for and cost-effectiveness of the proposal to convert these systems to third-party cogeneration systems using American coal and until the General Accounting Office has reviewed the findings of the Defense Department, after which date the Wiesbaden and Kaiserslautern Military Communities may be converted under (1) above, none".

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 119: Page 46, line 11, after "Defense" insert "shall be available".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 119, and concur therein.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 120: Page 48, strike out line 7 and insert: Maverick Missile (AGM-65D); F/A-18 Aircraft; E-2C Aircraft; and

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 120, and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert:

Maverick Missile (AGM-65D); SH-60B/F Helicopter; and

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 121: Page 48, strike out all after line 18 over to and including line 13 on page 49.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 121, and concur therein with an amendment, as follows: In lieu of the matter stricken by said amendment, insert:

SEC. 9023. None of the funds appropriated by this Act shall be available to convert a position in support of the Army Reserve, Air Force Reserve, Army National Guard, and Air National Guard occupied by, or programmed to be occupied by, a (civilian) military technician to a position to be held by a person in an active Guard or Reserve status if that conversion would reduce the total number of positions occupied by, or programmed to be occupied by, (civilian) military technicians of the component concerned, below 71,449: *Provided*, That none of the funds appropriated by this Act shall be available to support more than 48,576 positions in support of the Army Reserve, Army National Guard, or Air National Guard occupied by, or programmed to be occupied by, persons in an active Guard or Reserve status: *Provided further*, That none of the funds appropriated by this Act may be used to include (civilian) military technicians in computing civilian personnel ceilings, including statutory or administratively imposed ceilings, on activities in support of the Army Reserve, Air Force Reserve, Army National Guard or Air National Guard.

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 130: Page 52, line 18, after "99-239" insert "*Provided further*, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for not more than 250 civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau and Guam".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 130, and concur therein.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 134: Page 53, line 25, after "skills" insert "or to members who enlist in the armed services on or after July 1, 1989, under a fifteen-month program established by the Secretary of Defense to test the cost-effective use of special recruiting incentives involving not more than nineteen noncombat arms skills approved in advance by the Secretary of Defense: *Provided further*, That no contribution to the Fund pursuant to section 2006(g) shall be made during the current fiscal year that represents liabilities arising from the Department of the Army".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 134, and concur therein with an amendment, as follows: After the word "Army", insert "*Provided further*, That this subsection applies to active components of the Army".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 138: Page 55, line 11, after "Act" insert "; or (3) is planned to be converted to performance by a qualified firm under 51 percent Native American ownership".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 138, and concur therein.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 147: Page 57, line 21, after "growth" insert: "Provided, That any and all funds derived from contracts or subcontracts issued for the CHAMPUS Reform Initiative shall not be subject to any Hawaii State or local sales, general excise, or similar taxes imposed upon gross sales, gross income, or gross receipts, except to the extent that such taxes are uniformly imposed upon physicians, hospitals, and all similar direct providers of health care services".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 147, and concur therein.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 159: Page 62 line 14, after "pay" insert: "and Department of Defense medical personnel and programs (including CHAMPUS)".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 159, and concur therein.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 161: Page 63, line 10, strike out all after "provisions" down to and including "period" in line 11.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 161, and concur therein with an amendment, as follows: In lieu of the matter stricken by said amendment, insert "Provided further, That amounts transferred under this provision for Department of Defense medical personnel and programs (including CHAMPUS), shall come from prior year unobligated appropriations and shall be offset within the appropriations to which transferred".

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 172: Page 65, line 13, strike out all after "transferred" over to and including "Force" in line 5 on page 66 and insert: "Provided, That such transfers shall not exceed \$77,000,000 for Operation and Maintenance, Army; \$427,650,000 for Operation and Maintenance, Navy; \$2,600,000 for Operation and Maintenance, Marine Corps; \$112,200,000 for Operation and Maintenance, Air Force; and \$60,000,000 for Operation and Maintenance, Defense Agencies".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 172, and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert ", as follows:

(a) from the Navy Stock Fund, not less than \$156,000,000 shall be transferred to Operation and Maintenance, Marine Corps; from the Defense Stock Fund, not less than \$195,000,000, of which \$20,000,000 shall be transferred to Operation and Maintenance, Army Reserve; \$30,000,000 shall be transferred to Operation and Maintenance, Navy Reserve; \$30,000,000 shall be transferred to Operation and Maintenance, Air Force Reserve; \$20,000,000 shall be transferred to Operation and Maintenance, Army National Guard; \$35,000,000 shall be transferred to Operation and Maintenance, Air National Guard; and \$60,000,000 shall be transferred

to Operation and Maintenance, Defense Agencies for the Defense Logistics Agency.

(b) from the Army Stock Fund, \$114,000,000 and from the Army Industrial Fund, \$73,400,000 may be transferred to Operation and Maintenance, Army; from the Navy Stock Fund, \$281,200,000 and from the Navy Industrial Fund, \$400,950,000 may be transferred to Operation and Maintenance, Navy; from the Marine Corps Industrial Fund, \$4,000,000 may be transferred to Operation and Maintenance, Marine Corps; from the Air Force Stock Fund, \$156,000,000 and from the Air Force Industrial Fund, \$111,750,000 may be transferred to Operation and Maintenance, Air Force; and, from the Defense Industrial Fund, \$29,900,000 may be transferred to the Defense Logistics Agency: *Provided*, That the Secretary of Defense may waive the transfers in subsection (b) upon notification to the House and Senate Committees on Appropriations".

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 175: Page 67, line 9, after "payment" insert: "Provided further, That funds appropriated in this Act may be used to reimburse United States military personnel for reasonable costs of subsistence, at rates to be determined by the Secretary of Defense, incurred while accompanying Soviet Inspection Team members engaged in activities related to the INF Treaty: *Provided further*, That this provision includes only the in-country period (referred to in the INF Treaty) and is effective whether such duty is performed at, near, or away from an individual's permanent duty station".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 175, and concur therein.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 179: Page 69, line 23, after "Agencies" insert: "Provided, That, (a) Not more than \$1,564,000,000 of the funds appropriated by this Act may be

obligated or expended for the procurement of advisory or assistance services by the Department of Defense.

(b)(1) Not later than 30 days after the end of each fiscal quarter, the Secretary of Defense shall (A) submit to Congress a report on the amounts obligated by the department during that quarter for the procurement of advisory and assistance services, and (B) transmit a copy of such report to the Comptroller General of the United States.

(2) Each report submitted under paragraph (1) shall include a list with the following information:

(A) All contracts awarded for the procurement of advisory and assistance services during the quarter and the amount of each contract.

(B) The purpose of each contract.

(c) The Comptroller General of the United States shall review the reports submitted under subsection (b) and transmit to Congress any comments and recommendations the Comptroller General considers appropriate regarding the matter contained in such reports."

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 179, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "\$1,539,000,000".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 184: Page 72, strike out lines 7 to 14.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 184, and concur therein with an amendment, as follows: Restore the matter stricken by said amendment, amended to read as follows:

Sec. 9068. None of the funds available to the Department of Defense or Navy shall be obligated or expended to (1) establish or operate Training and Administration of Reserves (TAR) enlisted detailing or any enlisted placement functions or billets at the Chief of Naval Personnel and the Naval Military Personnel Center headquarters, or (2) transfer any Naval TAR, seaman, fireman, and airman detailing functions and billets or reduce civilian and military personnel end strengths from the Naval Reserve Personnel Center and the Enlisted Personnel Management Center until sixty days after the Secretary of Defense submits a report, including complete review comments by the General Accounting Office, to the Committees on Appropriations of the House and Senate justifying any transfers, operations, or reductions in terms of (1) addressing the overall mission and operations staffing of all detailing and placement functions

for active and reserve personnel functions and commands; and (2) certifying that such realignments do not duplicate functions presently conducted; are cost-effective from a budgetary standpoint; will not adversely affect the mission, readiness and strategic considerations of the Navy and the Navy Reserve; and will not adversely impact on the quality of life and economic benefits of the individual serviceman.

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 186: Page 73, strike out lines 1 to 5, and insert:

Sec. 9062. (a) Congress makes the following findings—

(1) The United States Government relies on satellites for communications, early warning of attack, monitoring compliance with arms control agreements, and many other vital national security functions;

(2) Such satellites constitute vital integral parts of many United States weapons systems, command, control and communications systems, and other military systems;

(3) It is essential to the national security of the United States that United States Government satellites not be vulnerable to anti-satellite attacks;

(4) It is in the national security interests of the United States and its allies to deter the development and testing of anti-satellite weapons by the Soviet Union;

(5) It is in the national security interests of the United States to undertake a balanced response to Soviet anti-satellite capabilities, which includes a measured ASAT program;

(6) Key agencies of the Executive Branch are examining options for specific anti-satellite arms control measures; Therefore:

(b)(1) The Executive Branch should conclude its examination of specific anti-satellite arms control options and rules of the road for space activities without delay, and include its recommendations and conclusions from this examination in the report to Congress already required by the Conference Report on the Fiscal Year 1989 Dire Emergency Supplemental Appropriations Act;

(2) The President shall—with a view toward considering how to improve United States ASAT arms control monitoring capabilities—assess the national security implications for the United States of a mutual deployment of cooperative monitoring and verification technologies; the results of such assessment shall be included in the above mentioned report;

(3) As soon as practicable, the President should take advantage of the forum provided by the ongoing Defense and Space Talks with the Soviet Union to explore—consistent with the conclusions of the above-mentioned report—adequately verifiable limita-

tions on the development, testing, production, and deployment of weapons capable of directly threatening United States military satellites.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 186, and concur therein with an amendment, as follows: In lieu of section number "9062" named in said amendment, insert "9070".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 187: Page 73, strike out lines 6 to 12.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 187, and concur therein with an amendment, as follows: In lieu of the matter stricken by said amendment, insert:

Sec. 9071. None of the funds available to the Department of Defense, including expired appropriations and M account balances, may be used for the B-1B's ALQ-161A CORE program unless the Secretary of Defense has notified the Congress in advance of his intention to use funds for such purpose: *Provided*, That no funds available to the Department of Defense may be used for research, development, test, evaluation, installation, integration, or procurement of an advanced radar warning receiver for the B-1B.

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 196: Page 79, after line 4, insert:

Sec. 9067. All obligations incurred in anticipation of the appropriations and authority provided in this Act are hereby ratified and confirmed if otherwise in accordance with the provisions of this Act.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 196, and concur therein with an amendment, as follows: In lieu of the section number named in said amendment, insert "9077".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 197: Page 79, after line 4, insert:

SEC. 9068. None of the funds appropriated by this Act shall be available for a contract for studies, analyses, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines:

(a) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work, or

(b) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source, or

(c) where the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support:

Provided, That this limitation shall not apply to contracts in an amount of less than \$25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 197, and concur therein with an amendment, as follows: In lieu of the section number named in said amendment, insert "9078".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 198: Page 79, after line 4, insert:

SEC. 9069. None of the funds appropriated by this Act or hereafter shall be obligated for the second career training program authorized by Public Law 96-347.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 198, and concur therein with an amendment, as follows: In lieu of the section number named in said amendment, insert "9079".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 199: Page 79, after line 4, insert:

SEC. 9070. None of the funds appropriated or otherwise made available in this Act shall be obligated or expended for salaries or expenses during the current fiscal year for the purposes of demilitarization of surplus non-automatic firearms less than .50 caliber.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 199, and concur therein with an amendment, as follows: In lieu of the section number named in said amendment, insert "9080".

The SPEAKER pro tempore. Does the gentleman from Pennsylvania [Mr. MURTHA] seek time?

Mr. MURTHA. Yes, Mr. Speaker, I do.

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. MURTHA] will be recognized for 30 minutes and the gentleman from Pennsylvania [Mr. McDADE] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. MURTHA].

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

Mr. OWENS of Utah. Mr. Speaker, will the gentleman yield?

Mr. MURTHA. I yield to the gentleman from Utah.

Mr. OWENS of Utah. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I would like to clarify one matter that pertains to the production of the upgraded Titan solid rocket motors. The conference report expresses agreement with the Air Force's most recent plan, which requires that 7 of the next 10 motors be steel-case solid rocket motors. I understand that these will be purchased by options as specified in the Air Force procurement plan. Is that correct?

Mr. MURTHA. That is correct.

Mr. OWENS of Utah. Then all seven motor sets will not be purchased in 1 year—is that correct?

Mr. MURTHA. The gentleman is correct.

Mr. OWENS of Utah. Can I also conclude that if the Air Force does not need all seven steel-case motor sets, it could determine not to exercise follow-on options with some consideration of the issue by the Committee on Appropriations? Am I correct on this understanding?

Mr. MURTHA. Since the Air Force is awarding contracts this fiscal year for long-lead materials for seven steel-case motors, we would hope that their plans would not change, in order to avoid wasteful expenditures. However, as always the Defense Subcommittee would be willing to review the matter next year should the Air Force change their plans.

Mr. OWENS of Utah. Mr. Speaker, I thank the subcommittee chairman.

The SPEAKER pro tempore. Are there further requests for time?

The question is on the motion offered by the gentleman from Pennsylvania [Mr. MURTHA].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 200: Page 79, after line 4, insert:

SEC. 9071. No funds available to the Department of Defense during the current fiscal year may be used to enter into any contract with a term of eighteen months or more or to extend or renew any contract for a term of eighteen months or more, for any vessel, aircraft or vehicles, through a lease, charter, or similar agreement without previously having been submitted to the Committees on Appropriations of the House of Representatives and the Senate in the budgetary process: *Provided*, That any contractual agreement which imposes an estimated termination liability (excluding the estimated value of the leased item at the time of termination) on the Government exceeding 50 per centum of the original purchase value of the vessel, aircraft, or vehicle must have specific authority in an appropriation Act for the obligation of 10 per centum of such termination liability.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 200, and concur therein with an amendment, as follows: In lieu of the section number named in said amendment, insert "9081" and after the word "year" insert the following "and hereafter".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 201: Page 79, after line 4, insert:

Sec. 9072. Of the funds made available to the Department of the Air Force in this Act, not less than \$5,700,000 shall be available for the Civil Air Patrol.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 201, and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert:

Sec. 9082. Of the funds made available to the Department of the Air Force in this Act, not less than \$6,700,000 shall be available for the Civil Air Patrol.

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 202: Page 79, after line 4, insert:

Sec. 9073. Notwithstanding any other provision of law, none of the funds appropriated by this Act shall be available to pay more than 50 percent of an amount paid to any person under section 308 of title 37, United States Code, in a lump sum.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 202, and concur therein with an amendment, as follows: In lieu of the section number "9073" named in said amendment, insert "9083".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 203: Page 79, after line 4, insert:

Sec. 9074. Notwithstanding any other provision of law, funds available in this Act shall be available to the Department of Defense to grant civilian employees participating in productivity-based incentive award programs paid administrative time off in lieu of cash payment as compensation for increased productivity.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 203, and concur therein with an amendment, as follows: In lieu of the section number "9074" named in said amendment, insert "9084".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 205: Page 79, after line 4, insert:

Sec. 9076. None of the funds appropriated by this Act may be used by the Department of Defense to assign a supervisor's title or grade when the number of people he or she supervises is considered as a basis for this determination: *Provided*, That savings that result from this provision are represented as such in future budget proposals.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 205, and concur therein with an amendment, as follows: In lieu of the section number named in said amendment, insert "9085".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 206: Page 79, after line 4, insert:

Sec. 9077. From the amounts appropriated in this Act, funds shall be available for Naval Aviation Depots to perform manufacturing in order to compete for production contracts of Defense articles: *Provided*, That the Navy shall certify that successful bids between Naval Aviation Depots and private companies for such production contracts include comparable estimates of all direct and indirect costs: *Provided further*, That competitions conducted under this authority shall not be subject to section 2461 or 2464 of title 10, United States Code, or to Office of Management and Budget Circular A-76.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 206, and concur therein with an amendment, as follows: In lieu of section number "9077" named in said amendment, insert "9086".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 207: Page 79, after line 4, insert:

"Sec. 9078. (a) PROHIBITION.—During the period beginning on the date of the enactment of this Act and through December 28, 1991, no product manufactured or assembled by Toshiba America, Incorporation, or Toshiba Corporation (or any of its affiliates or subsidiaries) may be purchased by the Department of Defense for the purpose of resale of such product in a military exchange store or in any other morale, welfare, recreation, or resale activity operated by the Department of Defense (either directly or by concessionaire).

"(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to microwave ovens manufactured or assembled in the United States."

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 207, and concur therein with an amendment, as follows: In lieu of the section number named in said amendment, insert "9087".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 208: Page 79, after line 4, insert:

"Sec. 9079. Of the funds made available in this Act for military personnel appropriations, \$3,000,000 shall be available for the payment of bonuses to officers of the Army Nurse Corps, the Navy Nurse Corps and officers designate as Air Force nurses. A bonus, in an amount not to exceed \$6,000, may be paid, under such regulations and conditions as the Secretary of Defense deems appropriate, to such an officer: *Provided*, That the officer is on active duty under a call or order to active duty for a period of not less than one year: *Provided further*, That the officer is qualified and performing as an anesthetist: And provided further, That this provision shall not be effective unless specifically authorized".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 208, and concur therein with an amendment, as follows: In lieu of the section number named in said amendment, insert "9088".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 209: Page 79, after line 4, insert:

"SEC. 9080. Notwithstanding any other provision of law, none of the funds made available by this Act shall be used by the Department of Defense to exceed, outside the fifty United States and the District of Columbia, 180,994 civilian workyears: *Provided*, That workyears shall be applied as defined in the Federal Personnel Manual Supplement 298-2, Book IV: *Provided further*, That workyears expended in dependent student hiring programs for disadvantaged youth shall not be included in this workyear limitation."

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 209, and concur therein with an amendment, as follows: In lieu of the section number named in said amendment, insert "9089" and in lieu of "180,994" named in said amendment, insert "182,011".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 210: Page 79, after line 4, insert:

"SEC. 9081. None of the funds appropriated by this or any other Act with respect to any fiscal year for the Navy may be used to carry out an electromagnetic pulse program in the Chesapeake Bay area in connection with the Electromagnetic Pulse Radiation Environment Simulator for Ships (EMPRESS) program unless or until the Secretary of Defense certifies to the Congress that conduct of the EMPRESS program is essential to the national security of the United States and to achieving requisite military capability for United States naval vessels, and that the economic, environmental, and social costs to the United States of conducting the EMPRESS program in the Chesapeake Bay area are far less than the economic, environmental, and social costs caused by conducting the EMPRESS program elsewhere."

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 210, and concur therein with an amendment, as follows: In lieu of the section number named in said amendment, insert "9090" and in lieu of the word "EMPRESS" in each of the four places where it appears, insert "EMPRESS II".

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from Pennsylvania [Mr. MURTHA].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 211: Page 79, after line 4, insert:

"SEC. 9082. Notwithstanding any other provision of law, each contract awarded by the Department of Defense in fiscal year 1990 for construction or service performed in whole or in part in a State which is not contiguous with another State and has an unemployment rate in excess of the national average rate of unemployment as determined by the Secretary of Labor shall include a provision requiring the contractor to employ, for the purpose of performing that portion of the contract in such State that is not contiguous with another State, individuals who are residents of such State and who, in the case of any craft or trade, possess or would be able to acquire promptly the necessary skills: *Provided*, That the Secretary of Defense may waive the requirements of this section in the interest of national security."

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 211, and concur therein with an amendment, as follows: In lieu of the section number named in said amendment, insert "9091".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 212: Page 79, after line 4, insert:

SEC. 9083. No more than \$178,419,000 of the funds appropriated by this Act shall be available for the payment of unemployment compensation benefits.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 212, and concur therein with an amendment, as follows: In lieu of the section number named in said amendment, insert "9092".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 213: Page 79, after line 4, insert:

SEC. 9084. None of the funds appropriated by this Act shall be used for the support of any nonappropriated fund activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such alcoholic beverages sold by the drink) on a military installation located in the United States, unless such malt beverages and wine are procured in that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: *Provided*, That in a case in which the military installation is located in more than one State, purchases may be made in any State in which the installation is located: *Provided further*, That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages for military installations in States which are not contiguous with another State: *Provided further*, That alcoholic beverages other than wine and malt beverages in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 213, and concur therein with an amendment, as follows: In lieu of the section number named in said amendment, insert "9093".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 214: Page 79, after line 4, insert:

(TRANSFER OF FUNDS)

SEC. 9085. Upon enactment of this Act, the Secretary of Defense shall make the following transfer of funds: *Provided*, That the amounts transferred shall be available for the same purposes as the appropriations to which transferred, but shall be available only for the time period of the appropriation from which transferred: *Provided further*, That funds shall be transferred between the following appropriations in the amounts specified:

From:

Under the heading, "Shipbuilding and Conversion, Navy, 1987/91": CG-47 cruiser program, \$147,100,000;

To:

Under the heading, "Shipbuilding and Conversion, Navy, 1985/89": T-AO fleet oiler program, \$72,000,000;

Under the heading, "Shipbuilding and Conversion, Navy, 1986/90": MCM mine countermeasures ship program, \$5,800,000;

T-AO fleet oiler program, \$11,100,000; and

Under the heading, "Shipbuilding and Conversion, Navy, 1987/91": AOE fast combat support ship program, \$51,900,000;

T-AO fleet oiler program, \$6,300,000.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 214, and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert:

(TRANSFER OF FUNDS)

Sec. 9094. Upon enactment of this Act, the Secretary of Defense shall make the following transfer of funds: *Provided*, That the amounts transferred shall be available for the same purposes as the appropriations to which transferred but shall be available only for the time period of the appropriation from which transferred: *Provided further*, That funds shall be transferred between the following appropriations in the amounts specified:

From

Under the heading, "Shipbuilding and Conversion, Navy, 1986/90": T-AGOS SURTASS ship program, \$3,600,000;

Under the heading, "Shipbuilding and Conversion, Navy, 1987/91": CG-47 cruiser program, \$147,100,000; T-AGOS SURTASS ship program, \$8,500,000; Outfitting program, \$14,900,000;

To:

Under the heading, "Shipbuilding and Conversion, Navy, 1985/89": T-AO fleet oiler program, \$72,000,000;

Under the heading, "Shipbuilding and Conversion, Navy, 1986/90": MCM mine countermeasures ship program, \$5,800,000;

T-AO fleet oiler program, \$11,100,000;

Under the heading, "Shipbuilding and Conversion, Navy, 1987/91": AOE fast combat support ship program, \$51,900,000;

T-AO fleet oiler program, \$6,300,000; and

Under the heading, "Shipbuilding and Conversion, Navy, 1989/93": T-AGOS SURTASS ship program, \$27,000,000.

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 215: Page 79, after line 4, insert:

Sec. 9086. The total amount appropriated to or for the use of the Department of Defense by this Act is reduced by \$37,000,000. The Secretary of Defense shall allocate the amount of the reduction made by the preceding sentence in the procurement and research, development, test and evaluation accounts of the Army, Navy, Air Force, Marine Corps, and Defense Agencies as the Secretary determines appropriate to reflect savings resulting from increased use of dis-

count air fares that (1) are granted by commercial air carriers for travel of Federal Government employees on official Government business under agreements entered into between the Administrator of General Services and such carriers, and (2) are available to contractor personnel traveling in connection with the performance of cost-reimbursable contracts awarded by the Department of Defense.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 215, and concur therein with an amendment, as follows: In lieu of the section number named in said amendment, insert "9095".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 216: Page 79, after line 4, insert:

Sec. 9087. (a) Of the amounts available to the Department of Defense for fiscal year 1990, not less than \$10,500,000 shall be available for National Defense Science and Engineering Graduate Fellowships to be awarded on a competitive basis by the Secretary of Defense to United States citizens or nationals pursuing advanced degrees in fields of primary concern and interest to the Department.

(b) Fellowships awarded pursuant to subsection (a) above shall not be restricted on the basis of the geographical locations in the United States of the institutions at which the recipients are pursuing the aforementioned advanced degrees.

(c) Not less than 50 per centum of the funds necessary to carry out this section shall be derived from the amounts available for the University Research Initiatives Program in "Research, Development, Test and Evaluation, Defense Agencies", and the balance necessary shall be derived from amounts available for Defense Research Sciences under title IV of this Act.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 216, and concur therein with an amendment, as follows: In lieu of the section number named in said amendment, insert "9096".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 217: Page 79, after line 4, insert:

Sec. 9088. Section 30 of chapter 2B of the Arms Export Control Act, Public Law 97-392, is amended by striking "on a direct" and inserting in lieu thereof "using" and striking "basis" and inserting in lieu thereof "practices which restrict actual delivery directly".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 217, and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert:

Sec. 9097. Section 30(a) of chapter 2B of the Arms Export Control Act, Public Law 97-392, is amended by inserting "either (i)" immediately after the phrase "such a company" in the first sentence thereof and by adding immediately before the period at the end of that sentence "or (ii) in the case of ammunition parts subject to subsection (b) of this section, using commercial practices which restrict actual delivery directly to a friendly foreign country or international organization pursuant to approval under section 38 of this Act".

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

Mr. McDADE Mr. Speaker, I seek recognition on the motion.

The SPEAKER pro tempore (Mr. SWIFT). The gentleman from Pennsylvania [Mr. McDADE] will be recognized for 30 minutes and the gentleman from Pennsylvania [Mr. MURTHA] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. McDADE].

Mr. McDADE. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Louisiana [Mr. LIVINGSTON].

Mr. LIVINGSTON. Mr. Speaker, I want to take this opportunity first to express my great appreciation to the chairman of the subcommittee, the gentleman from Pennsylvania [Mr. MURTHA], and its ranking member, the gentleman from Pennsylvania [Mr. McDADE], who have done an outstanding job, together with all the members of this subcommittee, and to the extraordinarily capable staff that we have on this subcommittee.

We have a budget of some \$286 billion. Every year there are just tremendous problems accompanying the allocation of those funds, and I just have not seen the process ever work as smoothly as it did this time. The staff did one heck of a job, and all the membership worked together in harmony, in a bipartisan fashion, and I want to commend them all for their very, very hard and difficult work.

Mr. Speaker, if I now may get the attention of the chairman of the subcommittee, I would like to propound a couple of questions to him.

Mr. Speaker, I will say to the subcommittee chairman that it is my understanding that in section 9097 of this conference report regarding the overseas sales of ammunition the conferees intended the term, "ammunition," to include all those items listed in the military services ammunition procurement accounts, that is, small arms, artillery ammunition, tank ammunition, fuses, mines, including the MICLIC rocket motor and line charge, as well as signals, flares, and demolitions; is that correct?

Mr. MURTHA. Mr. Speaker, if the gentleman will yield, let me state that the gentleman is correct. That is the conferees' intention.

Mr. LIVINGSTON. Mr. Speaker, I thank the chairman of the subcommittee, and once again I would like to compliment him and the ranking member, the gentleman from Pennsylvania [Mr. McDADE], as well as all the members and the staff of this subcommittee, for an extraordinary achievement.

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

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 218: Page 79, after line 4, insert:

SEC. 9089. Notwithstanding any other provision of law, during the current fiscal year, the Secretary of Defense may acquire the depot maintenance and repair of aircraft, vehicles, vessels and components, through competition between Department of Defense depot maintenance activities and private firms: *Provided*, That the Secretary shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 218, and concur therein with an amendment, as follows: In lieu of the section number named in said amendment, insert "9098".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 220: Page 79, after line 4, insert:

SEC. 9091. Of the funds appropriated by this Act, not more than \$1,000,000 shall be available for the health care demonstration project regarding chiropractic care required by section 632(b) of the Department of Defense Authorization Act, 1985, Public Law 98-525.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 220, and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert:

SEC. 9099. Of the funds appropriated by this Act, no more than \$2,500,000 shall be available for the health care demonstration project regarding chiropractic care required by section 632(b) of the Department of Defense Authorization Act, 1985, Public Law 98-525.

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 221: Page 79, after line 4, insert:

SEC. 9092. None of the funds appropriated by this Act may be used to pay health care providers under the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) for services determined under the CHAMPUS Peer Review Organization (PRO) Program to be not medically or psychologically necessary. The Secretary of Defense may by regulation adopt any quality and utilization review requirements and procedures in effect for the Peer Review Organization Program under title XVIII of the Social Security Act (Medicare) that the Secretary determines necessary, and may adapt the Medicare requirements and procedures to the circumstances of the CHAMPUS PRO Program as the Secretary determines appropriate.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 221, and concur therein with an amendment, as follows: In lieu of the section number named in said amendment, insert "9100".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 223: Page 79, after line 4, insert:

SEC. 9094. For the purpose of conducting a demonstration project, to be implemented at not more than fourteen military hospitals, to test methods of increasing collections from third-party payers of reasonable inpatient hospital care costs incurred on behalf of retirees and dependents pursuant to section 1095 of title 10, United States Code, the Secretary of Defense is authorized to modify existing Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) regional fiscal intermediary contracts to assist in the administration of activities in connection with such collections. *Provided*, That amounts collected under this section from a third-party payer for the costs of inpatient hospital care provided at a facility of the uniformed services shall be credited to the appropriations supporting the maintenance and operation of the facility.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 223, and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert:

SEC. 9101. For the purpose of conducting a demonstration project, to test methods of increasing collections from third-party payers of reasonable inpatient hospital care costs incurred on behalf of retirees and dependents pursuant to section 1095 of title 10, United States Code, the Secretary of Defense is authorized to modify existing Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) regional fiscal intermediary contracts to assist in the administration of activities in connection with such collections: *Provided*, That amounts collected under this section from a third-party payer for the costs of inpatient hospital care provided at a facility of the uniformed services shall be credited to the appropriation supporting the maintenance and operation of the facility.

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 224: Page 79, line 4 insert:

SEC. 9095. USE OF ACCOUNTS FOR SALES OF PROPERTIES BY AGENCIES.—(a) AVAILABILITY OF AMOUNTS IN ACCOUNTS.—

(1) **IN GENERAL**—Notwithstanding any other law, in addition to the purposes for which they are now available, amounts in the accounts described in paragraph (2) shall, after December 22, 1987, be available for use in any fiscal year for all purposes (including use for purchase) involving any public sale of property by an agency of the United States. In conducting any such sale, such an agency shall accept, in the same manner as cash, any amount tendered from such an account, and the balance of the account shall be adjusted by the Secretary of the Treasury or the Administrator of General Services, as applicable, to reflect that transaction.

(2) **ACCOUNTS DESCRIBED**—The accounts referred to in subparagraph (B) are—

(A) the account in the Treasury established by the Secretary of the Treasury pursuant to section 12(b) of Public Law 94-204 (43 U.S.C. 1611 note), referred to in that section as the "Cook Inlet Region, Incorporated property account"; and

(B) the surplus property account established by the Administrator of General Services pursuant to section 317 of Public Law 98-146 (16 U.S.C. 396f).

(b) **TREATMENT OF AMOUNT RECEIVED BY AGENCIES FROM ACCOUNTS**—In any case in which an agency of the United States that conducts a public sale of property is authorized by law to use the proceeds of such sale for a specific purpose, the Secretary of the Treasury shall, without restriction, treat as cash receipts any amount which is—

(1) tendered from an account described in subsection (b)(2);

(2) received by the agency as proceeds of such a sale; and

(3) used by the agency for that specific purpose.

(c) **AVAILABILITY OF FUNDS**—The Secretary of the Treasury shall hereafter use funds in the Treasury not otherwise appropriated to make any cash transfer that is necessary under subsection (b) to allow an agency to use the proceeds of a public sale of property.

(d) **AGENCY DEFINED**. In this section the term "agency" includes—

(1) any instrumentality of the United States; and

(2) any element of an agency.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 224, and concur therein with an amendment, as follows: In lieu of section number "9095" named in said amendment, insert "9101".

The **SPEAKER** pro tempore. The question is on the motion offered by the gentleman from Pennsylvania [Mr. MURTHA].

The motion was agreed to.

The **SPEAKER** pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 225: Page 79, after line 4, insert:

Sec. 9096. Of the funds made available by this Act in title III, Procurement, \$8,000,000, drawn pro rata from each appro-

priations account in title III, shall be available for incentive payments authorized by section 504 of the Indian Financing Act of 1974, 25 U.S.C. § 1544. These payments shall be available only to contractors which have submitted subcontracting plans pursuant to 15 U.S.C. § 637(d)(4)(B), and according to regulations which shall be promulgated by the Secretary of Defense within 90 days of the passage of this Act.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 225, and concur therein with an amendment, as follows: In lieu of section number "9096" named in said amendment, insert "9103".

The **SPEAKER** pro tempore. The question is on the motion offered by the gentleman from Pennsylvania [Mr. MURTHA].

The motion was agreed to.

□ 1700

The **SPEAKER** pro tempore (Mr. SWIFT). The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 226: Page 79, after line 4, insert:

Sec. 9097. (a) Section 515(d) of the Foreign Assistance Act of 1961 is amended by striking out "October 1, 1982" and inserting in lieu thereof "October 1, 1989" and by striking out "including" and inserting in lieu thereof "excluding".

(b)(1) Section 43(b) of the Arms Control Act is amended by striking out "and" at the end of paragraph (1), by striking out the period at the end of paragraph (2) and inserting "; and" in lieu thereof, and by adding the following paragraph at the end of subsection:

"(3) such expenses are neither salaries of the Armed Forces of the United States nor represent unfunded estimated costs of civilian retirement and other benefits."

(2) Section 632(d) of the Foreign Assistance Act of 1961 is amended by adding at the end of the second sentence thereof "(other than salaries of the Armed Forces of the United States and unfunded estimated costs of civilian retirement and other benefits)".

(c) Section 21(e) of the Armed Export Control Act is amended—

(1) by inserting immediately before the semicolon at the end of paragraph (1)(A) "as specified in section 43(b) and section 43(c) of this Act";

(2) by inserting immediately before the semicolon at the end of paragraph (1)(C) "(except for equipment wholly paid for either from funds transferred under section 503(a)(3) of the Foreign Assistance Act of 1961 or from funds made available on a non-repayable basis under section 23 of this Act)";

(3) by repealing paragraph (1)(B) and relettering paragraphs (1)(C) and (1)(D) as paragraphs (1)(B) and (1)(C), respectively; and

(4) by striking out "paragraphs (1)(B) and (1)(C)" in subsection (e)(2) and inserting in lieu thereof "paragraph (1)(B)".

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 226, and concur therein with an amendment, as follows: In lieu of section number "9097" named in said amendment, insert "9104" and at the end of said amendment after "'paragraph (1)(B)'" insert:

(d) Section 1606 of the National Defense Authorization Act for Fiscal Years 1990 and 1991 is amended—

(1) by striking out "One-Year" in the heading of the Section and inserting in lieu thereof "Three-Month";

(2) by striking out "One-Year" in subsection (a) and inserting in lieu thereof "Three-Month";

(3) by striking out "October 1, 1990" in subsection (a) and inserting in lieu thereof "January 1, 1990"; and

(4) by striking out "fiscal year 1990" in subsection (a) and inserting in lieu thereof "the first quarter of fiscal year 1990".

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The **SPEAKER** pro tempore. The question is on the motion offered by the gentleman from Pennsylvania [Mr. MURTHA].

The motion was agreed to.

The **SPEAKER** pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 228: Page 79, after line 4, insert:

Sec. 9099. The Secretary of the Air Force shall transfer not less than \$5,000,000 from funds available to the Air Force for research, development, test and evaluation for fiscal year 1990 to the Army for the sole purpose of funding highest priority security improvements at the Kwajalein Test Range. The Secretary of the Army shall provide \$2,500,000 for the same purpose from funds available to the Army for research, development, test and evaluation for fiscal year 1990. Funds made available by the Secretary of the Army for such purpose may not be made available from funds otherwise available for the United States Army Kwajalein Atoll Command.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 228, and concur therein with an amendment, as follows: In lieu of the section number named in said amendment, insert "9105".

The **SPEAKER** pro tempore. The question is on the motion offered by the gentleman from Pennsylvania [Mr. MURTHA].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 229: Page 79, after line 4, insert:

SEC. 9100. (a) Of the amounts appropriated for research, development, test and evaluation under title IV of this Act, not more than \$26,552,000 may be made available through the National Defense Stockpile Transaction Fund for grants to support ongoing projects for strategic materials research, facilities, equipment, and related activities at institutions of higher education;

(b) The Secretary of Defense may make the grant awards pursuant to subsection (a) without regard to the requirements of sections 2361 and 2304 of title 10, U.S.C., which are superseded specifically by this section for the purposes of making the above mentioned grants: *Provided*, That the Secretary of Defense shall transmit a report, within sixty days of enactment of this Act, to the Committees on Appropriations and Armed Services of the Senate and House of Representatives which contains an evaluation on whether such grant supports the objectives established by the Strategic and Critical Materials Stock Piling Act, as amended: *Provided further*, That no funds shall be obligated for grant awards pursuant to subsection (a) until thirty days after receipt of such report by the above-named Committees: *Provided further*, That, notwithstanding any other provision of law, no funds provided in any other appropriate Act for fiscal year 1990 may be obligated for strategic material research facilities centers.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 229, and concur therein with an amendment, as follows: In lieu of the matter stricken by said amendment, insert:

SEC. 9106. (a) Of the amounts appropriated for research, development, test and evaluation under Title IV of this Act, not more than \$26,552,000 may be made available for grants to support ongoing projects for strategic materials research, through the National Defense Stockpile Transaction Fund, for facilities, equipment, and related activities at institutions of higher education;

(b) The Secretary of Defense may make grant awards to institutions of higher education, as follows: University of Utah, \$8,900,000, University of Hawaii at Manoa, \$6,000,000, University of Texas at El Paso, \$4,152,000, University of Idaho, \$4,000,000, Loyola College of Maryland, \$3,500,000;

(c) The grants specified in subsection (b) may be made without regard to, and (to the extent necessary) in contravention of, subsection (a) of section 2361 of title 10, United States Code (which is hereby superseded to the extent necessary to make such grants), and shall be made without regard to subsection (b)(2) of such section, and may be made without regard to the requirements of section 2304 of title 10, United States Code;

(d) The Secretary of Defense shall transmit a report, within 60 days of enactment of this Act, to the Committee on Appropriations and Armed Services of the Senate and House of Representatives which contains an evaluation on whether each grant supports the objectives established by the Strategic

and Critical Materials Stock Piling Act, as amended: *Provided*, That no funds shall be obligated for grant awards pursuant to subsection (a) until thirty days after receipt of such report by the above-named Committees;

(e) References to section 2361 of title 10, United States Code in this section refer to that section as it existed on November 10, 1989 and as it is amended by section 252 of the National Defense Authorization Act for Fiscal Years 1990 and 1991, to the extent that provision is enacted into law.

PARLIAMENTARY INQUIRY

Mr. KOLBE. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. KOLBE. Mr. Speaker, did I understand that the gentleman from Pennsylvania moved that the House insist on its disagreement in his motion?

Mr. MURTHA. No, Mr. Speaker, I withdraw my motion so the gentleman from Arizona [Mr. KOLBE] can make a motion.

The SPEAKER pro tempore. The motion of the gentleman from Pennsylvania [Mr. MURTHA] is withdrawn.

MOTION OFFERED BY MR. KOLBE

Mr. KOLBE. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. KOLBE moves that the House insist on its disagreement to the amendment of the Senate numbered 229.

Mr. KOLBE. Mr. Speaker, I wish to have time.

Mr. McDADE. Mr. Speaker, I yield 5 minutes to the gentleman from Arizona [Mr. KOLBE].

Mr. KOLBE. Mr. Speaker, this goes back to the earlier amendment that we had, amendment No. 94, in which on a point of order, the projects that had previously been approved and added by the House were struck. The Senate was a bit more clever on its part. They protected theirs by adding language which does not permit us to make a point of order against the particular projects that have been offered here.

Mr. Speaker, it is my view that what is good for the goose is good for the gander, that we ought to simply insist that both sides be treated the same, and that is that the House, having on its own here taken out the projects that have been added by its conferees, ought to do the same here with regard to the Senate projects.

We are talking here about five particular projects earmarked at five particular universities.

Mr. Speaker, it goes beyond that. This amendment, as it was offered by the Senate in the conference committee, actually strikes all of the competition requirements for the \$26 million that these five projects amount to.

Mr. Speaker, I would hope that this body would agree with this motion. They did not have a chance to vote or debate on the question of the House

projects because it was on a point of order, and I certainly would think that the Members of this body, particularly in order to give ourselves as much maneuvering room with the other body as possible, that we would say that we are doing only what is fair here, and we are striking the particular provisions here as it relates to these five university projects that were added by conferees of the other body.

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

Mr. Speaker, I rise briefly to speak in opposition to the motion of the gentleman from Arizona [Mr. KOLBE].

Mr. Speaker, this is an ill-advised action in my judgment, and I hope the House will vote it down resoundingly. It merits very little discussion. What we have seen here is an effort to interrupt the comity between the two bodies that resulted in a conference agreement. I believe that, as a signatory to that conference agreement, and may I say a unanimous signatory agreement, we reached an accommodation with the other body. Now unfortunately for reasons known best to them it is being unravelled.

Mr. Speaker, I hope that the House will not accede to that request, and, Mr. Speaker, I hope we will vote this motion down.

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

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

Mr. McDADE. I yield 2 minutes to the gentleman from Texas [Mr. BARTLETT].

Mr. BARTLETT. Mr. Speaker, I want to say a couple of words in support of the amendment of the gentleman from Arizona [Mr. KOLBE].

First, on a previous amendment or a previous point of order we struck out these specially earmarked research projects that have been placed into the bill by the House conferees. So, what the amendment of the gentleman from Arizona [Mr. KOLBE] does is to provide the same treatment for the Senate-offered packages so that those projects that were offered after they have been offered by the House conferees will be treated exactly the same for those projects that are offered by Senate conferees. This is the Senate conferee amendment which ought to be accorded the same treatment, No. 1.

No. 2, Mr. Speaker, I am in favor of research in these areas. I think every Member of the House is. The research ought to be first, authorized; second, appropriated and then completed in the normal course of business, not earmarked with a special item for a particular university, as is done here. The House earlier knocked out the amendment that would have earmarked six items for House conferees. This provides the same and equal treatment for conferees for projects that were

placed in there by conferees from the other body.

Mr. Speaker, I think that the House should accept this and accept it quickly so we can move on with the Nation's defense.

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

The SPEAKER pro tempore. The question is, Will the House insist on its disagreement to the amendment of the Senate numbered 229?

The House insisted on its disagreement to the amendment of the Senate numbered 229.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 230: Page 79, after line 4, insert:

SEC. 9101. From any appropriations in this Act, \$1,000,000 shall be made available for maintenance and repair of equipment and facilities and for tooling at the government owned William Langer Jewel Bearing Plant.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 230, and concur therein with an amendment, as follows: In lieu of the section number named in said amendment, insert: "9107".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 232: Page 79, after line 4, insert:

SEC. 9103. Funds available to the Department of Defense during the current fiscal year may be transferred to applicable appropriations or otherwise made available for obligation by the Secretary of Defense to repair or replace real property, facilities, equipment, and other Department of Defense assets damaged by hurricane Hugo in September 1989: *Provided*, That funds transferred shall be available for the same purpose and the same time period as the appropriations to which transferred: *Provided further*, That the Secretary shall notify the Congress promptly of all transfers made pursuant to this authority and that such transfer authority shall be in addition to that provided elsewhere in this Act.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 232, and concur therein with an amendment, as follows: In lieu of the section number named in said amendment, insert "9108" and immediately preceding "Sec.", insert the following center head:

(TRANSFER OF FUNDS)

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 233: Page 79, after line 4, insert:

SEC. 9104. Up to \$20,000,000 of funds available to the Department of Defense in fiscal year 1990 may be transferred to, and consolidated with, funds made available to carry out the provisions of section 23 of the Arms Export Control Act and may be used for any of the purposes for which such funds may be used, notwithstanding section 10 of Public Law 91-672 or any other provision of law: *Provided*, That funds transferred pursuant to this section shall be made available only for Jordan to maintain previously purchased United States-origin defense articles: *Provided further*, That funds transferred pursuant to this section shall be available to Jordan on a grant basis notwithstanding any requirement for repayment: *Provided further*, That for purposes of section 10 of Public Law 91-672, funds so transferred shall be deemed to be authorized to be appropriated for the account into which they are transferred: *Provided further*, That the Speaker of the House of Representatives and the President of the Senate and the Committee on Foreign Affairs of the House of Representatives, the Committee on Foreign Affairs of the House of Representatives, the Committee on Foreign Relations of the Senate, and the Committees on Appropriations and Armed Services of the Senate and House of Representatives shall be notified through regular reprogramming procedures prior to the transfer of funds pursuant to the authority granted in this section.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 233, and concur therein with an amendment, as follows: In lieu of section number "9104" named in said amendment, insert "9109" and immediately preceding "Sec.", insert the following center head:

(TRANSFER OF FUNDS)

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from Pennsylvania [Mr. MURTHA].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 234: Page 79, after line 4, insert:

SEC. 9105. During the current fiscal year, the Secretary of Defense may transfer not more than \$135,000,000 of funds available to the Department of Defense to the appropriation "Atomic Energy Defense Activities", to be merged with and to be available for the same purposes and for the same time period as the appropriation to which transferred: *Provided*, That none of the funds to be transferred shall be from procurement or military construction appropriation accounts.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 234, and concur therein with an amendment, as follows: In lieu of the section number named in said amendment, insert "9110" and immediately preceding "Sec.", insert the following center head:

(TRANSFER OF FUNDS)

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 235: Page 79, after line 4, insert:

SEC. 9106. (a) Congress makes the following findings:

(1) The United States, as executive agent for the United Nations Command, plays a key role in preserving the armistice which has maintained peace on the Korean peninsula for 36 years.

(2) Partly because of the significant contribution that the United States has made toward preserving the peace, the Republic of Korea has been able to focus national efforts on economic and political development.

(3) The United States remains committed to the security and territorial integrity of the Republic of Korea under the terms of the Mutual Defense Treaty of 1954.

(b) It is the sense of Congress that—

(1) until North Korea abandons its desire to reunite the Korean peninsula by force and ceases to seek modern weapon systems from foreign powers, the threat to the Republic of Korea will remain clear and

present and the United States military presence in the Republic of Korea will continue to be vital to the deterrence of North Korean aggression toward the Republic of Korea;

(2) although a United States military presence is essential unit the Republic of Korea has achieved a balance of military with the Democratic Peoples Republic of Korea, the United States should reassess the force structure required for the security of the Republic of Korea and the protection of the United States interests in northeast Asia;

(3) the United States should not remove any armed forces from the Korean peninsula until a thorough study has been made of the present and projected roles, missions, and force levels of the United States forces in the Republic of Korea; and

(4) before April 1, 1990, the President should submit to Congress a report that contains a detailed assessment of the need for a United States military presence in the Republic of Korea, including—

(A) an assessment of (i) the current imbalance between the armed forces of the Republic of Korea and the armed forces of the Democratic Peoples Republic of Korea, and (ii) the efforts by the Republic of Korea to eliminate the current adverse imbalance;

(B) the means by which the Republic of Korea can increase its contributions to its own defense and permit the United States to assume a supporting role in the defense of the Republic of Korea;

(C) the ways in which the roles and missions of the United States in Korea are likely to be revised in order to reflect the anticipated increase in the national defense contributions of the Republic of Korea and to effectuate an equal partnership between the United States and the Republic of Korea in the common defense of the Republic of Korea;

(D) an assessment of the actions taken by the Republic of Korea in conjunction with the United States to reduce the cost of stationing United States military forces in the Republic of Korea;

(E) an assessment of the willingness of the South Korean people to sustain and support a continued United States military presence on the Korean peninsula; and

(F) a discussion of the plans for a long-term United States military presence throughout the Pacific region, the anticipated national security threats in that region, the roles and missions of the Armed Forces of the United States for the protection of the national security interests of the United States in that region, the force structure necessary for the Armed Forces to perform those roles and missions, any force restructuring that could result in a reduction in the cost of performing such roles and missions effectively.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 235, and concur therein with an amendment, as follows: In lieu of the section number named in said amendment, insert "9111".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 237: Page 79, after line 4, insert:

Sec. 9108. PARTNERSHIPS WITH SCHOOLS.—(a) DEFINITIONS.—For the purposes of this part—

(1) The term "school volunteer" means a person, beyond the age of compulsory schooling, working without financial remuneration under the direction of professional staff within a school or school district.

(2) The term "partnership program" means a cooperative effort between the military and an educational institution to enhance the education of students.

(3) The term "elementary school" has the same meaning given that term in section 1471(8) of the Elementary and Secondary Education Act of 1965 and does not exclude military schools.

(4) The term "secondary school" has the same meaning given that term in section 1471(21) of the Elementary and Secondary Education Act of 1965 and does not exclude military schools.

(5) The term "Secretary" means the Secretary of Defense.

(b) The Secretary shall design a comprehensive strategy to involve civilian and military employees of the Department of Defense in partnership programs with elementary schools and secondary schools civilian and military. This strategy shall include:

(1) A review of existing programs to identify and expand opportunities for such employees to be school volunteers.

(2) The designation of a senior official in each branch of the Armed Services who will be responsible for establishing school volunteer and partnership programs in each branch of the Armed Services and for developing school volunteer and partnership programs.

(3) The encouragement of civilian and military employees of the Department of Defense to participate in school volunteer and partnership programs.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 237, and concur therein with an amendment, as follows: In lieu of section number "9108" named in said amendment, insert "9112".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. MURTHA).

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 238: Page 79, after line 4, insert:

SEC. 9109. The Secretary of the Army shall execute such documents and take such other action as may be necessary to release to the New Jersey Turnpike Authority, a corporate body organized under the laws of the State of New Jersey, the reversionary right, described in subsection (b), reserved to the United States in and to that parcel of

land conveyed by the United States to the New Jersey Turnpike Authority pursuant to the Act entitled "An Act to authorize the conveyance of certain lands within Caven Point Terminal and Ammunition Loading Pier, New Jersey, to the New Jersey Turnpike Authority", approved February 18, 1956 (70 Stat. 19). The release provided for in this section shall be made without consideration by the New Jersey Turnpike Authority.

(b) The reversionary right referred to in subsection (a) is the right reserved to the United States by section 6 of the Act referred to in subsection (a) which provides that in the event the property conveyed by the United States pursuant to such Act ceases to be used for street or road purposes and other purposes connected therewith or related thereto for a period of two consecutive years, the title to such land, including all improvements made by the New Jersey Turnpike Authority, shall immediately revert to the United States without any payment by the United States.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Murtha moves that the House recede from its disagreement to the amendment of the Senate numbered 238, and concur therein with an amendment, as follows:

In lieu of the section number named in said amendment, insert: "9113".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. MURTHA).

The motion was agreed to.

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The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 239: Page 79, after line 4, insert:

Sec. 9110. (a) The Senate of the United States finds that—

(1) Public Law 99-606 requires that a report (Special Nevada Report), evaluating the impact on Nevada of the cumulative effect of continued or renewed land and airspace withdrawals by the military, be submitted to Congress no later than November 1991;

(2) Public Law 99-606 also requires that appropriate mitigation measures be developed to offset any negative impacts caused by the military land and airspace withdrawal; and

(3) the military has continued to propose additional land and airspace withdrawals prior to submitting the Special Nevada Report required under Public Law 99-606 to Congress;

(b) Therefore, it is the sense of the Senate that, absent critical national security requirements, the further withdrawal of public lands or airspace in Nevada be halted until the Special Nevada Report is submitted to Congress as required under Public Law 99-606.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 239, and concur therein with an amendment, as follows: In lieu of the section number named in said amendment, insert "9114" and, in the two instances where "Senate" is named in said amendment, insert in lieu thereof "Congress".

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 240: Page 79, after line 4, insert:

SEC. 9111. (a) Congress makes the following findings:

(1) As of July 18, 1989, the Federal prison population reached an all-time high of 49,418 inmates.

(2) The design capacity of Federal prisons is only 31,091 beds.

(3) The overcrowding rate at Federal prisons is 159 percent of capacity.

(4) The Bureau of Prisons projects that the Federal prison population will exceed 83,500 by 1995.

(5) The President declared a war on drugs and has endorsed the idea of using old military facilities as prisons.

(6) The Federal Bureau of Prisons states in its 1988 report that using old military bases is the most cost efficient method to obtain more space to house minimum security offenders.

(b) It is the sense of Congress that—

(1) in selecting an agency or instrumentality for receipt of property or a facility scheduled for closure under the Base Closure and Realignment Act (Public Law 100-526; 102 Stat. 2629; 10 U.S.C. 2687), the Secretary of Defense should give priority to the Bureau of Prisons; and

(2) the Commission on Alternative Utilization of Military Facilities should give priority consideration to utilizing the military facilities that are scheduled for closure as minimum security prisons; and

(3) before making any decision about transferring any real property or facility pursuant to the Base Closure and Realignment Act, the Secretary of Defense should consult with the Governor of the State and the heads of the local governments in which the real property or facility is located and should consider any plan by the local government concerned for the use of such property.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 240, and concur therein with an amendment, as follows: In lieu of

the matter inserted by said amendment, insert:

SEC. 9115. (a) Such sums as may be necessary for fiscal year 1990 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

(b) Sums appropriated in title I of this Act, Military Personnel, are reduced by \$63,000,000, which will be realized by reducing active duty personnel by 5,000: *Provided*, That this subsection does not apply to the reserve components.

(c) Sums appropriated in title II of this Act, Operation and Maintenance, are reduced by \$75,000,000, which will be realized by reducing civilian personnel by 2,500: *Provided*, That this subsection does not apply to the reserve components.

SEC. 9116. Of the funds made available in this Act and in the Military Construction Appropriations Act, 1990 for fiscal year 1990 for research, development, test, and evaluation of the Rail Garrison MX and Small ICBM systems, procurement of Mark 21 re-entry systems, advance procurement of Rail Garrison MX components or materials, and construction of facilities to support the Rail Garrison MX system, \$150,000,000 is hereby reduced as determined by the Secretary of Defense.

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 241: Page 79, after line 4, insert:

SEC. 9112. (a)(1) Except as provided in paragraph (2) none of funds appropriated by this Act may be obligated for the procurement of the Airborne Self-Protection Jammer (ASPJ) until further operational testing of the ASPJ is conducted and completed and the reports required by subsection (b) have been submitted in accordance with that subsection.

(2) Paragraph (1) does not limit the obligation of funds for the production, maintenance, and operation of 18 Airborne Self-Protection Jammer (ASPJ) production verification units for the purpose of conducting further operational and developmental testing.

(b) Upon the completion of the operational testing conducted in connection with the Airborne Self-Protection Jammer (ASPJ) program, the Under Secretary of Defense for Acquisition, the Director of Operational Test and Evaluation, and the Comptroller General of the United States shall each submit to the Committees on Appropriations and Armed Services of the Senate and the House of Representatives a report on the conduct and results of such testing.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 241, and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

SEC. 9117. None of the funds appropriated by this Act shall be available for payments under the Department of Defense contract with the Louisiana State University Medical Center involving the use of cats for Brain Missile Wound Research, and the Department of Defense shall not make payments under such contract from funds obligated prior to the date of the enactment of this Act, except as necessary for costs incurred by the contractor prior to the enactment of this Act, and until thirty legislative days after the final General Accounting Office report on the aforesaid contract is submitted for review to the Committees on Appropriations in the House and Senate.

SEC. 9118. None of the funds appropriated by this Act shall be available for bone trauma research at Letterman Army Institute of Research until the Secretary of the Army has certified to the Committees on Appropriations of the House and Senate that this research has a military application, it is being conducted in accordance with the standards set by an animal care and use committee, and the research is not duplicative of research already conducted by a manufacturer or any other research organization.

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

Mr. MURTHA. Mr. Speaker, we have worked out the situation with the Air Force so that we do not need to insist on this language. The Air Force has been very forthcoming, and has indicated an airplane could be designated. We certainly feel very strongly about it because of the Speaker's high responsibility and the fact that increased terrorist activity is present and so forth, we feel it is very important to ensure security for the Speaker and everybody agrees to that. It is just a matter that we could not agree to the language, but I think we have it worked out with the Air Force, so we withdraw that provision.

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

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

Mr. DICKS. Mr. Speaker, I just want to commend my colleague, the chairman of the committee, for working this out, and I want to thank the other members who worked with the Secretary of Defense and the Air Force on this important matter.

I think this is a good solution. We have received very significant assurances here that the Speaker's requirements will be taken care of, and I appreciate the gentleman yielding to me on this point.

Mr. BARTLETT. Mr. Speaker, will the gentleman yield to me?

Mr. MURTHA. I yield to the gentleman from Texas.

Mr. BARTLETT. Mr. Speaker, I want to thank the gentleman for yielding to me, and I want to recommend both gentleman from Pennsylvania for their leadership in this matter in deleting section 119, but to handle the situation directly with the Air Force. I think the entire House appreciates it.

Mr. WALKER. Mr. Speaker, will the gentleman yield to me?

Mr. MURTHA. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Speaker, I thank the gentleman for yielding to me, too.

I am glad we were able to work this out in this manner.

As I understand, what we are now assured is that an aircraft that will be made available to the Speaker as he needs it for official business, but that we will not have an airplane sitting on the runway all the time just awaiting the Speaker's use. Is that essentially what we have here?

Mr. MURTHA. That is exactly right, although we never intended to have an airplane set aside, as we discussed. This will certainly clarify the situation and we think we have it all worked out.

Mr. WALKER. Mr. Speaker, I thank the gentleman, and I appreciate the gentleman's cooperation.

The SPEAKER pro tempore. The question is on the substitute motion offered by the gentleman from Pennsylvania [Mr. MURTHA].

The substitute motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 242: Page 79, after line 4, insert:

SEC. 9113. (a) It is the sense of the Senate that United States participation in a multilateral anti-narcotics strike force, as called for in sections 4101 and 4103 of the Anti-Drug Abuse Act of 1988 (Public Law 100-690), should include the full range of appropriate law enforcement and anti-drug abuse agencies, and that consideration be given to aiding such a strike force by funding from appropriate sources for multilateral intelligence-sharing, multilateral training of law enforcement personnel, and multilateral support for crop substitution, drug treatment, drug research and drug education programs.

(b) Funds made available under this Act for Department of Defense drug interdiction activities may be expended to fund the participation of United States armed forces in conjunction with appropriate United States law enforcement and anti-drug abuse agencies, in accordance with other applicable laws, in such a strike force.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 242, and concur therein with an amendment, as follows: In lieu of section number "9113" named in said amendment, insert "9120" and, in the one instance where "Senate" is named in said amendment, insert in lieu thereof: "Congress".

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 243: Page 79, after line 4, insert:

SEC. 9114. FEASIBILITY STUDY OF LAND TRANSFER FOR USE AS A CORRECTIONAL FACILITY.—(a)(1) The Secretary of Defense, in consultation with the United States Attorney General, shall conduct a study of the feasibility of selling or otherwise transferring to the Commonwealth of Virginia, subdivisions thereof, or any combination of subdivisions thereof, a parcel of land approximately 100 acres not more than 100 miles from the southern boundary of Arlington County, from the military installations within Virginia which encompass land that may be suitable for use by the Commonwealth of Virginia, subdivisions thereof, or any combination of subdivisions thereof, as a site for medium security correctional facility for persons sentenced in the courts of Virginia or in the United States District Court in Virginia.

(2) The study required by paragraph (1) shall address, at a minimum, the following issues:

(A) Whether there are parcels of land within those installations of the size described which could be released from Federal control without severely affecting the present missions of such installations.

(B) A description of the parcels of land described in subparagraph (A).

(C) A description of the effects, if any, transfer of such parcels of land from Federal control would have on the ability of the Secretary of Defense to effectively carry out the mission of the Department of Defense.

(D) An analysis of the risk, if any, that might be posed to military personnel and their dependents housed on such installations by the operation of such a correctional facility on the parcels of land described in subparagraph (A).

(E) An estimate of the date on which the parcels of land described in subparagraph (A) would be available for transfer from Federal control.

(b) The report of the study described under subsection (a) shall be delivered to the Committees on Armed Services of the Senate and House of Representatives not later than 60 days after enactment of this Act.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 243, and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert:

SEC. 9121. Notwithstanding the provisions of sections 1301 and 1341 of title 31 of the United States Code, or section 3732 of the Revised Statutes, or Section 119 of the Super Fund Amendments and Reauthorization Act of 1986, the Secretary of the Army may have the authority to hold harmless and indemnify the Coolbaugh Township and/or its duly created and authorized authority or authorities or other properly designated body or bodies, located in Monroe County, Pennsylvania (hereinafter "Township") for certain liabilities to third persons not compensated by insurance or otherwise for loss of or damage to property, death, or bodily injury, including the expenses of litigation or settlement arising out of the Township's performance of remedial activities for the Army: *Provided, That*—

(1) such liabilities were caused solely by hazardous substances, as that term is defined at section 9601(14) of title 42 of the United States Code, that were released by the Army, or its authorized agents and employees;

(2) such liabilities were not the result of grossly negligent conduct or intentional misconduct on the part of the Township, its officers, agents, contractors or employees;

(3) the Township demonstrates that insurance for such liabilities is not reasonably available;

(4) the Township gives timely notice to the Army of any claim, action, or loss which may be covered by the indemnification provision between the Township and the Army;

(5) the United States shall, at its election, control or assist in the settlement or defense of any claim, action or loss which may be covered by an indemnification provision between the Township and the Army;

(6) the source of funds available to indemnify the Township shall be limited to 80 percent of the Army's allocation of the Defense Environmental Restoration Account for the year in which the damages are payable, but in no event shall liabilities payable pursuant to this authority exceed \$50,000,000;

(7) an indemnification provision pursuant to this authority shall include a deductible amount mutually agreed upon of not more than \$10,000;

(8) the Township and the Army shall use the guidance provided by the Federal Acquisition Regulations and other applicable federal guidance in negotiating an indemnification provision pursuant to this authority.

Mr. McDADE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

Mr. McDADE. Mr. Speaker, I reserve a point of order on the motion.

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. McDADE] and the gentleman from

Pennsylvania [Mr. KANJORSKI] will each be recognized for 30 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. McDADE].

Mr. McDADE. Mr. Speaker, I yield myself such time as I may consume, and I yield to my colleague, the gentleman from Pennsylvania [Mr. KANJORSKI].

Mr. KANJORSKI. Mr. Speaker, first, I want to thank two individuals who have done a herculean job here, and I will explain what they did. Both the ranking member, the gentleman from Pennsylvania [Mr. McDADE], and the chairman of the subcommittee, the gentleman from Pennsylvania [Mr. MURTHA] responded to an urgent need of American citizens.

What this is all about is that way back in 1975 the U.S. Army discovered that they had polluted the water system around the Tobyhanna Army Depot in Monroe County, PA. They had allowed TCE to drift into the water and it was contaminating the regular drinking water. In the meantime, they had attempted to remedy this on a need basis by providing filters and providing bottled water, but were trying to work this out over a period of 14 years.

Finally, the solution appeared that they needed a good Samaritan. In the election of their good Samaritan, they went to a small township of less than 5,000 people that is the home of the Tobyhanna Army Depot. That township was willing enough to step in as the contractor or good Samaritan, construct a system that was necessary for the Army to abate this contamination nuisance and provide water, and by doing so to reduce the future liability of the U.S. Government.

Meetings took place from July of 1989 of this year between myself, the Deputy Assistant Secretary of the Army, Mr. Walker, the Army's counsel, the commissioners of Monroe County, the supervisors of Coolbaugh Township, and all these individuals finally resolved themselves down to a system that a supplemental water system would be constructed, but the township would take on the obligation of running that system and tax the users, and as a result thereof would become liable for any future contamination from this original cause.

Because the township is less than 5,000 people and certainly does not have the wherewithal and cannot possibly insure itself against this type of hazard, it asked the Army to enter into an agreement to indemnify the township if further causes resulted from the pollution the Army caused.

The Army, working together with myself, drafted language that was acceptable and that they thought would solve this problem. All parties have agreed. It is not a matter of money. All the money was in place. The only question was the issue of indemnifica-

tion, which the present statutes of the United States, in the opinion of the attorneys for the Army, do not authorize them to give the type of indemnification necessary.

We drafted this language. The chairman, the gentleman from Pennsylvania [Mr. MURTHA] and the ranking member, the gentleman from Pennsylvania [Mr. McDADE] recognized the emergency of this situation.

The only vehicle to carry this through would have been now, because this township has to start a system of sewers in order to connect the high school, and they cannot delay the project. It is about a \$15 million project.

As the result of an objection that will be taken on the floor today, rather than having no further cost to the Army, no further liability to the U.S. Government, we will probably rather than solving this problem cause a problem that may result in exposure for the United States and for the Army of somewhere in the nature of \$30 million or \$40 million.

I think that it is irrational to object to the solution of a problem here in the Congress, when for 14 years the bureaucracy, the Army, and everyone else could not solve this problem.

But I recognize that indeed we are legislating in an appropriation bill. I have no doubt that the Chair will sustain the point of order.

I just want to make the point that as long as we in Congress cannot solve the problems of the American citizens by switch action, and if we cannot intercede to solve these problems, I do not know where the American people can next turn.

I know I have had the offer by the gentleman from Georgia [Mr. RAY] to attempt to solve this. I hope he can do everything he can.

I have entered into this problem only in the last 4 months. The gentleman from Pennsylvania [Mr. McDADE] entered into it probably in the last 3 months when he saw the problem and the vehicle we needed.

I am frustrated as a Member of Congress, I am frustrated as an American citizen that after 14 years of trying to take poison out of the water used by American citizens that we cannot solve the problem, and it seems to resolve itself into a problem where we cannot straighten out jurisdictions here in the Congress.

When Congress starts becoming as blockading as the bureaucracy of the United States, it is time that we look at reframing and reforming Congress.

I invite my friend, the gentleman from Georgia [Mr. RAY] if he can solve this problem before January while this good Samaritan is still available, I welcome him. If we are incapable of doing that, we will have lost our good Samaritan. The U.S. Army, the Defense Department, the taxpayers of

America will have to carry out the obligation and they will have suits against them undoubtedly in the tens of millions of dollars. It is an unfortunate expenditure of a great deal of taxpayers' money for the failure of Congress to recognize that sometimes the procedure of this House should be waived to succeed and solve a problem that is contaminating the water supply of the American people.

POINT OF ORDER

Mr. RAY. Mr. Speaker, pursuant to clause 7 of rule XVI, I insist on the point of order.

The SPEAKER pro tempore (Mr. SWIFT). The gentleman will state his point of order.

Mr. RAY. Mr. Speaker, I make a point of order against the manager's motion, pursuant to clause 7 of rule 16. That clause requires that in the consideration of Senate amendments to a House bill, an amendment must be germane to the particular amendment to which it is offered.

In this case, Mr. Speaker, the proposed House amendment to Senate amendment 243 is not germane because it relates to a different subject than the Senate amendment and indirectly amends existing law by waiving the application of certain statutes to the authority of the Secretary of the Army in a particular case. On these bases, Mr. Speaker, the House amendment is not germane.

□ 1720

The SPEAKER pro tempore (Mr. SWIFT). Does the gentleman from Pennsylvania wish to be heard on the point of order?

Mr. MURTHA. Mr. Speaker, we concede the point of order.

The SPEAKER pro tempore. The point of order is conceded and sustained.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House insist on its disagreement to the amendment of the Senate numbered 243.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the last amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 244: Page 79, after line 4, insert:

SEC. 9115. STEWART B. MCKINNEY HOMELESS ASSISTANCE ACT TECHNICAL AMENDMENT.—(a) IN GENERAL.—Section 739 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11449) is amended—

(1) by striking subsection (b);

(2) by striking “; Availability of Funds” in the section heading;

(3) in subsection (a) by striking "(a) AUTHORIZATION OF APPROPRIATIONS.—";

(4) by striking "(1)" and inserting "(a) AUTHORIZATION OF APPROPRIATIONS.—";

(5) by striking "(2)" and inserting "(b) RATABLE REDUCTION.—"; and

(6) by striking "(3)" and inserting "(c) SPECIAL RULE.—".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to funds obligated during fiscal year 1988 and each fiscal year thereafter.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURTHA moves that the House recede from its disagreement to the amendment of the Senate numbered 244, and concur therein with an amendment, as follows: In lieu of section number "9115" named in said amendment, insert "9122".

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

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the conference report and the several motions was laid on the table.

MAKING IN ORDER ON TOMORROW OR ANY DAY THEREAFTER CONSIDERATION OF CONFERENCE REPORT ON H.R. 2883, RURAL DEVELOPMENT, AGRICULTURE, AND RELATED AGENCIES APPROPRIATIONS ACT, 1990

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that it may be in order at any time on Thursday, November 16, 1989, or any day thereafter, to consider a conference report and any amendments in disagreement on the bill (H.R. 2883) making appropriations for Rural Development, Agriculture, and Related Agencies programs for the fiscal year ending September 30, 1990, and for other purposes, provided that copies of the report and accompanying statement have been available to Members for at least 2 hours before the beginning of such consideration, and that such conference report and amendments in disagreement be considered as having been read when called up for consideration.

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

There was no objection.

FURTHER CONTINUING APPROPRIATIONS, 1990

Mr. WHITTEN. Mr. Speaker, pursuant to the order of the House of Tuesday, November 14, 1989, I call up the joint resolution (H.J. Res. 435) making further continuing appropriations for the fiscal year 1990, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Pursuant to the order of the House of Tuesday, November 14, 1989, the gentleman from Mississippi [Mr. WHITTEN] will be recognized for 30 minutes and the gentleman from Massachusetts [Mr. CONTE] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Mississippi [Mr. WHITTEN].

GENERAL LEAVE

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the consideration of House Joint Resolution 435, making further continuing appropriations for the fiscal year 1990, and for other purposes, and that I may include extraneous and tabular material.

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

There was no objection.

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

Mr. Speaker, it was my hope that a further continuing resolution would not be necessary. The existing resolution expires at midnight tonight.

House Joint Resolution 435 extends the present resolution, under the same terms and conditions that have been in effect since October 1, until midnight November 29—next Monday—for the eight bills that have not been signed into law.

This is the status of fiscal year 1990 appropriations bills:

There have been five signed into law.

Congressional action has been completed on three others.

The Foreign Operations conference report is pending in the Senate.

The Defense conference report was just adopted.

The Agriculture conference will be filed tonight and will be on the floor tomorrow.

Two bills, Labor-HHS-Education and the District of Columbia, have again passed the House and are pending in the Senate.

As soon as a bill is signed into law, it will come out of the continuing resolution.

Mr. Speaker, I urge adoption of the resolution.

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

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

Mr. Speaker, I join the chairman in support of a short-term continuing resolution through November 20, as much as I dislike CR's. This is required by the fact that all 13 bills are not yet at the White House in signable form. We are working hard at finishing the bills, but at times it seems like we've been assigned the task of rolling

rocks up hill, only to have them roll back down.

The chairman has given the status of the bills. Five signed, three more at the White House waiting to be signed. Five to go. And those five are on the way.

We passed the Foreign Operations conference report yesterday and Defense today. The Agriculture conference report may make it today or tomorrow. And we passed Labor/HHS and D.C. today in the House, the two bills that were vetoed. So right now, the House decks are almost clear, and with this CR we can wait for the dust to settle on these five bills without putting a good portion of the Government out of business.

I feel that if the tradewinds are with us, we can sail through the hazardous waters ahead of us. We just need a few more days to do it. The 20th is probably not too long or too short. We still have time, if not everything is not done by Monday, to crack the whip and try to finish in time for Thanksgiving.

So I hope it will not be the Appropriations Committee that creates any possibility that the Congress will adjourn after its time. Now if only the Budget Committee would do its job and get all of the committees under its command to get a reconciliation bill done. And please, I appeal to the budgeteers—get rid of sequester. We work so hard to get our bills through. We keep under our targets, by and large. So, find your own \$14 billion in savings, elsewhere. Don't cut maternal and child health and family planning and education and health research and all the other important programs because you can't meet your targets: Not even a Coast Guard user fee, and yet we have to cut maternal and child health. Do us proud. Please get rid of sequester.

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

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

The text of House Joint Resolution 435 is as follows:

H.J. RES. 435

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 102(c) of Public Law 101-100, as amended by Public Law 101-130, is further amended by striking out "November 15, 1989" and inserting in lieu thereof "November 20, 1989".

The SPEAKER pro tempore. Under the previous order of the House, the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution 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 joint resolution.

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

Mr. DANNEMEYER. 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 296, nays 123, not voting 14, as follows:

[Roll No. 356]

YEAS—296

Ackerman	Durbin	Kaptur
Akaka	Dwyer	Kasich
Alexander	Dymally	Kastenmeier
Anderson	Edwards (CA)	Kennedy
Andrews	Edwards (OK)	Kildee
Annunzio	Emerson	Klecza
Anthony	Engel	Kolbe
Applegate	English	Kolter
Atkins	Espy	Kostmayer
AuCoin	Evans	Kyl
Barnard	Fascell	Lancaster
Bartlett	Fazio	Lantos
Bateman	Feighan	Leath (TX)
Beilenson	Fish	Lehman (CA)
Bennett	Flake	Lehman (FL)
Berman	Flippo	Lent
Bevill	Florio	Levin (MI)
Bilbray	Foglietta	Levine (CA)
Billey	Ford (MI)	Lewis (GA)
Boehlert	Ford (TN)	Lipinski
Boggs	Frank	Livingston
Bonior	Frost	Lloyd
Borski	Gallo	Long
Bosco	Gaydos	Lowery (CA)
Boucher	Gedjenson	Lowey (NY)
Boxer	Gephardt	Lukens, Thomas
Brennan	Geren	Lukens, Donald
Broomfield	Gibbons	Madigan
Browder	Gillmor	Manton
Brown (CA)	Gingrich	Markey
Bustamante	Glickman	Martin (NY)
Campbell (CO)	Gonzalez	Martinez
Cardin	Goodling	Matsui
Carper	Gordon	Mavroules
Carr	Gradison	Mazzoli
Chapman	Grant	McCloskey
Clarke	Gray	McCollum
Clay	Green	McCrery
Clement	Guarini	McCurdy
Clinger	Hall (OH)	McDade
Coble	Hamilton	McDermott
Coleman (MO)	Hansen	McGrath
Coleman (TX)	Harris	McHugh
Collins	Hatcher	McMillan (NC)
Combest	Hawkins	McMillen (MD)
Condit	Hayes (IL)	McNulty
Conte	Hefner	Meyers
Conyers	Hertel	Mfume
Cooper	Hoagland	Michel
Coughlin	Hochbrueckner	Miller (CA)
Coyne	Horton	Miller (OH)
Crockett	Houghton	Mineta
Darden	Hoyer	Moakley
Davis	Huckaby	Mollohan
de la Garza	Hughes	Montgomery
DeFazio	Hutto	Morella
DeLay	Hyde	Morrison (WA)
Dellums	Jenkins	Murphy
Derrick	Johnson (CT)	Murtha
Dickinson	Johnson (SD)	Myers
Dicks	Johnston	Nagle
Dingell	Jones (GA)	Natcher
Dixon	Jones (NC)	Neal (MA)
Donnelly	Jontz	Neal (NC)
Downey	Kanjorski	Nelson

Nowak	Sarpalius	Swift
Oberstar	Savage	Synar
Obey	Sawyer	Tallon
Olin	Saxton	Tanner
Ortiz	Scheuer	Tauzin
Owens (NY)	Schneider	Taylor
Owens (UT)	Schumer	Thomas (GA)
Pallone	Sharp	Torres
Price	Shaw	Torricelli
Panetta	Sikorski	Towns
Parker	Sisisky	Traxler
Pashayan	Skaggs	Unsoeld
Payne (VA)	Skeen	Valentine
Pelosi	Skelton	Vander Jagt
Perkins	Slattery	Vento
Pickle	Slaughter (NY)	Visclosky
Quillen	Smith (FL)	Volkmer
Rangel	Smith (IA)	Walgren
Ravenel	Smith (NE)	Watkins
Ray	Smith (NJ)	Waxman
Regula	Smith (TX)	Weiss
Rhodes	Smith (VT)	Weldon
Richardson	Smith, Robert	Wheat
Rinaldo	(OR)	Whitten
Roe	Solarz	Williams
Rogers	Spence	Wise
Rose	Spratt	Wolf
Rostenkowski	Staggers	Wolpe
Roukema	Stallings	Wyden
Rowland (CT)	Stark	Wyllie
Rowland (GA)	Stenholm	Yates
Roybal	Stokes	Yatron
Sabo	Studds	Young (AK)
Saiki	Sundquist	Young (FL)

NAYS—123

Archer	Hall (TX)	Poshard
Armey	Hammerschmidt	Pursell
Baker	Hancock	Rahall
Ballenger	Hastert	Ridge
Barton	Hayes (LA)	Ritter
Bates	Hefley	Roberts
Bentley	Henry	Robinson
Bereuter	Herger	Rohrabacher
Bilirakis	Hiler	Ros-Lehtinen
Brown (CO)	Holloway	Roth
Bruce	Hopkins	Russo
Buechner	Hubbard	Sangmeister
Bunning	Hunter	Schaefer
Byron	Inhofe	Schiff
Callahan	Ireland	Schroeder
Campbell (CA)	Jacobs	Schuette
Chandler	James	Schulze
Costello	LaFalce	Sensenbrenner
Courter	Lagomarsino	Shays
Cox	Laughlin	Shumway
Craig	Leach (IA)	Shuster
Crane	Lewis (CA)	Slaughter (VA)
Dannemeyer	Lewis (FL)	Smith, Denny
DeWine	Lightfoot	(OR)
Dorgan (ND)	Machtley	Smith, Robert
Dornan (CA)	Marlenee	(NH)
Douglas	Martin (IL)	Snowe
Dreier	McCandless	Solomon
Duncan	Miller (WA)	Stangeland
Dyson	Moody	Stearns
Early	Moorhead	Stump
Eckart	Nielson	Tauke
Erdreich	Oxley	Thomas (CA)
Fawell	Packard	Thomas (WY)
Fields	Parris	Trafigant
Frenzel	Patterson	Upton
Galleghy	Paxon	Vucanovich
Gekas	Pease	Walker
Gilman	Penny	Walsh
Goss	Petri	Weber
Grandy	Pickett	Whittaker
Gunderson	Porter	

NOT VOTING—14

Aspin	Kennedy	Oakar
Brooks	McEwen	Payne (NJ)
Bryant	Molinari	Udall
Burton	Morrison (CT)	Wilson
Garcia	Mrazek	

□ 1748

Mr. TAYLOR changed his vote from "nay" to "yea."

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. MORRISON of Connecticut. Mr. Speaker, I was unavoidably absent for rollcall No. 356, to approve the short-term continuing resolution—House Joint Resolution 435. Had I been here, I would have cast the following vote: "aye."

AUTHORIZING MEMBER TO ADD NAMES OF MEMBERS TO LIST OF COSPONSORS OF H.R. 2273

Mr. HOYER. Mr. Speaker, I ask unanimous consent that I may be authorized to sign and submit requests to add the names of the following Members to the list of cosponsors on H.R. 2273:

CHARLES SCHUMER, MARTY RUSSO, ELIZABETH J. PATTERSON, JACK BUECHNER, BEN GARRIDO BLAZ, MATTHEW J. RINALDO, STEVE BARTLETT, NEWT GINGRICH, AND CURT WELDON.

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

There was no objection.

□ 1750

HOUR OF MEETING ON TOMORROW

Mr. FASCELL. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 11 a.m. tomorrow.

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

There was no objection.

CONFERENCE REPORT ON H.R. 1487, FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 1990 AND 1991

Mr. FASCELL. Mr. Speaker, I call up the conference report on the bill (H.R. 1487) to authorize appropriations for fiscal years 1990 and 1991 for the Department of State, and for other purposes.

The Clerk read the title of the bill.

(For conference report and statement, see proceedings of the House of Thursday, November 9, 1989, at page H8310.)

The SPEAKER pro tempore. Pursuant to the rule, the conference report is considered as having been read.

The gentleman from Florida [Mr. FASCELL] will be recognized for 30 minutes, and the gentleman from Michigan [Mr. BROOMFIELD] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Florida [Mr. FASCELL].

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

Mr. Speaker, I rise in support of the conference report on H.R. 1487, the Foreign Relations Authorization Act, fiscal years 1990 and 1991.

Mr. Speaker, the House overwhelmingly passed this measure on April 12 of this year by a vote of 338 to 87. The bill that was adopted by the House was a very clean management and budget authorization for the Department of State, the U.S. Information Agency, the Board for International Broadcasting, and other related agencies. The Senate version, unfortunately, contained over 60 amendments dealing with such issues as foreign policy, immigration policy, environmental concerns, public housing, and other non-State Department issues. This led, as many of you are aware, to 11 other standing committees of the House being represented on this conference. I am pleased to report that after weeks of negotiating, the conference report which we bring back to the House is essentially a management and budget bill once again. The only exceptions to this rule are two provisions which the House dealt with in the context of the House-passed foreign aid authorization: China sanctions and the so-called Moynir amendment dealing with the solicitation or diversion of assistance for purposes which are prohibited by U.S. law.

Mr. Speaker, this bill authorizes a total of \$4.7 billion and \$5 billion for the Department of State and related agencies for fiscal years 1990 and 1991, approximately \$200 million below the executive branch request for fiscal year 1990. In addition, the conference report leaves sufficient authorization room for supplemental appropriations for migration and refugee assistance for increased admissions primarily for Soviet refugees coming to the United States and for peacekeeping commitments which are expected to be coming up early in the next session.

The conference report also:

Increases rewards for information on terrorist incidents and narcotics trafficking; authorizes continued funding for Radio Free Europe/Radio Liberty operations in Eastern Europe and the Soviet Union, continues the Radio Free Afghanistan program; authorizes increased assistance for Bulgarian refugees in Turkey; and allows for the denial of visas for individuals previously believed to have been involved in criminal activities in the United States but were immune from prosecution due to their diplomatic status.

Mr. Speaker, it is important that the House adopt this conference report today. As Members may know, the conference report on the Commerce, Justice, State, Judiciary, and related agencies appropriations limits the expenditure of funds for the Department of State to the continuing resolution rate or the Senate-passed ap-

propriation, whichever is lower, pending the enactment of this authorization legislation.

Mr. Speaker, I would like to commend all of the Members and staff who worked so long and so hard to bring this conference report back to the House, including the ranking member of the Committee on Foreign Affairs, Mr. BROOMFIELD, the chairman and ranking member of the Subcommittee on International Operations, Mr. DYMALLY and Ms. SNOWE, and the conferees from the 11 other standing committees of the House who worked so diligently with the Foreign Affairs Committee to successfully resolve the extraneous issues contained in the Senate amendment. It is my belief that with the assistance of all the individuals involved in this process, we have produced a good conference report that deserves the support of the House.

SUMMARY OF CONFERENCE REPORT ON H.R.

1487

TITLE I

For the Department of State, the conference report provides \$3,331,111,000 in fiscal year 1990 and \$3,685,322,000 for fiscal year 1991. In 1990, the authorization is \$66 million below the House-passed bill.

In addition to the authorization contained in Title I, the conference report provides various administrative authorities requested by the executive branch pertaining to: (a) authorities and activities regarding foreign missions; (b) personnel matters; (c) diplomatic immunity, reciprocity, and security; and (d) foreign language competence of the Foreign Service. The conference report also addresses issues relating to the United Nations High Commissioner for Refugees, Tibetan and Burmese refugees, as well as the treatment of Turkish minorities in Bulgaria, and provides for the establishment of an interim unclassified consular mission in Kiev.

TITLE II

With respect to the United States Information Agency, the conference report authorizes the appropriation of \$960 million for fiscal year 1990 and \$1,050,313,000 for fiscal year 1991. The conference report also provides for (a) the enhancement of dissemination of information regarding U.S. policies and programs to combat drug trafficking; (b) necessary authorities for USIA television satellite system; (c) increased support for educational and cultural exchanges and other citizens exchanges; (d) the establishment of Television Marti; and (e) proper funding of VOA/Europe.

These funding levels are adequate to do a very important job overseas. Over the last decade this agency has developed into a very resourceful formulator of U.S. public diplomacy. While the conference report specifically authorizes funds for Academic programs, International Visitors and Humphrey exchanges, and the Arts America program, it provides authorization for a number of equally important exchange programs, the funds for which were included in the salaries and expenses account of the Bureau for Educational and Cultural Affairs. In addition, USIA has been expanding its capabilities in such areas television with USIA/TV and radio with VOA/Europe. These are examples of creative approaches to increasingly difficult challenges created

by the sophistication of an increasingly information-rich audience with whom we must communicate clearly and quickly as well as over the longer haul. This is especially true in Europe where events are moving rapidly and so many U.S. interests are at stake, both private and government. The situation in Central Europe further dramatizes the need for VOA/Europe programs and its expression of U.S. views in this fluid environment.

TITLE III

Title III authorizes \$379,675,000 for fiscal year 1990 and \$223,043,000 for fiscal year 1991 for the Board for International Broadcasting. These funds will ensure that Radio Free Europe/Radio Liberty will maintain its current level of operations which has been so effective and responsive to the needs of the peoples of Eastern Europe and the Soviet Union in these difficult and challenging times. In addition, in fiscal year 1990, the conference report provides \$183,500,000 for the construction of a new transmitter in Israel for Radio Free Europe/Radio Liberty and the Voice of America.

TITLE IV

The conference report contains a number of provisions dealing with U.S. participation in international organizations, including provisions: (a) relating to reforms in the budget decisionmaking process of the United Nations and its affiliated agencies; (b) prohibiting funding of U.N. agencies if the PLO has been granted member state status (c) requiring reports on voting practices at the United Nations and provides for funding of the Commission on Improving the Effectiveness of the United Nations; and (d) authorizing U.S. membership in new environmental and wildlife organizations.

MISCELLANEOUS PROVISIONS

Title V and VI provide \$13,900,000 for fiscal year 1990 and \$18,000,000 for fiscal year 1991 for the Asia Foundation; and \$16,932,000 for fiscal year 1990 and \$25,000,000 for fiscal year 1991 for the Inter-American Foundation.

Title VIII adopts the PLO Commitments Compliance Act of 1989.

Title IX contains provisions dealing with sanctions against the People's Republic of China.

Title X contains miscellaneous provisions dealing with: (a) increased rewards for information regarding acts of international terrorism and narcotics trafficking; (b) assignment of commercial officers to the U.S. Mission to the European Community; (c) Buy-American requirements; (d) the establishment of an Association of Democratic Nations; (e) human rights abuses in Cuba; (f) U.S.-Soviet boundary agreements; and (g) establishment of a Latin American and Caribbean database.

Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from California [Mr. DYMALLY].

Mr. DYMALLY. Mr. Speaker, this conference report represents the best this House has to offer in the area of compromise and bipartisanship. I want to take this opportunity to express my thanks to the gentleman from Florida [Mr. FASCELL], the chairman of the full committee, for his leadership, his determination, and his patience; to the gentlewoman from Maine [Ms. SNOWE] for her cooperation during the

last 9 months; and to the gentleman from Michigan [Mr. BROOMFIELD] for his support in the passage of the original H.R. 1487, and subsequently the conference report.

Mr. Speaker, I am very pleased that I have this opportunity to work with such outstanding Members of the House.

Mr. Speaker, I cannot tell you how pleased I am to stand in support of H.R. 1487, the State Department authorization bill. As chairman of the Subcommittee on International Operations, I share the sense of accomplishment which I am sure is felt by every member of the subcommittee and the Foreign Affairs Committee who labored long and hard on this legislation. We began this process in early March and, with your help, it was passed by the House in mid-April. This bill has survived very intense conference activity, and is before us today in a manner that is very much what the House with your overwhelming support wanted.

I am very grateful for the efforts, leadership, and cooperation of Chairman FASCELL, the full committee, Congresswoman SNOWE, and all of the Members on both sides of the aisle in the U.S. House of Representatives who labored so arduously and supported this bill.

I am in complete support of the conference agreement. I wish to call to your attention a few sections that are in keeping with our democratic strides toward equality and broad based representative involvement and participation of all in American institutions.

This conference agreement includes: \$7.3 million for the 1992 Seville Expo. A pilot program designed to increase participation by economically and socially disadvantaged enterprises in foreign relations activities. The establishment of a Foreign Service internship program for groups that are currently underrepresented in the ranks of the Foreign Service. Sense of Congress that the Humphrey Fellowship Program should be reviewed with an eye toward broadening the placement of fellows in Washington, DC. A provision enabling the participation of minority contractors in the construction of a transmitter facility in Israel.

This is a good conference report. It will enable the Department of State to continue to act in the interest of the United States in its conduct of foreign relations, and will greatly facilitate the achievement of our foreign policy objectives.

Mr. FASCELL. Mr. Speaker, I yield such time as he may consume to the gentleman from Hawaii [Mr. AKAKA].

Mr. AKAKA. Mr. Speaker, I rise in support of the conference report on H.R. 1487, the Foreign Relations Authorization Act for fiscal years 1990-91. I am particularly gratified by the increased authorization granted the Center for Cultural and Technical Interchange Between East and West in Honolulu. I thank the committee for its continued support of the East-West Center, especially the chairman of the committee, Mr. FASCELL, and the chairman of the Subcommittee on International Operations, Mr. DYMALLY.

For 29 years, the center has distinguished itself as an educational institution uniquely qualified to conduct research, offer training,

facilitate intercultural exchange, and monitor social, economic, and cultural developments in the region. Our Nation's success in penetrating both legal and cultural barriers is dependent upon our ability to comprehend the economic and cultural diversity which characterizes the Asian-Pacific region. Impressive research achievements, internationally recognized professional abilities, and a network of over 25,000 alumni and participants have earned the center the trust and confidence of government officials and academics necessary to address the major issues arising in the region.

I am confident that the East-West Center is poised to play a leading role in our national effort to focus and prosper during the coming Pacific century. The rapid economic expansion and opportunity in the Asian-Pacific region, and America's current limited capacity to respond to these developments, emphasize the need for a deeper knowledge and understanding of Asia and the Pacific. Likewise, an identical need exists in Asia and the Pacific for a multidimensional understanding of the United States.

The center, a nonprofit educational corporation, receives its primary funding from an annual congressional appropriation. This amount has remained constant for the past 4 years. Although the center has been successful in absorbing additional costs, a retrenchment of current programs would have occurred without the program enhancements authorized in H.R. 1487. This renewed support allows the center to implement its strategic plan for the 1990's and is essential to our commitment to secure close relations of mutual benefit between the United States and the nations of Asia and the Pacific.

I thank the chairman for this time, and urge my colleagues to support the conference report.

Mr. FASCELL. Mr. Speaker, I yield such time as he may consume to the distinguished acting chairman of the Committee on the Judiciary, the gentleman from Wisconsin [Mr. KASTENMEIER].

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

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

Mr. BERMAN. Mr. Speaker, I would like to engage in a colloquy with the acting chairman of the Committee on the Judiciary with respect to an amendment within the jurisdiction of the Committee on the Judiciary that is in this bill.

It is my understanding that the conference substitute repeals the sunset provision in section 901 of the Foreign Relations Authorization Act, fiscal years 1988 and 1989, thus making the prohibition of ideologically motivated visa denials a permanent feature of the law. Is that your understanding?

Mr. KASTENMEIER. Yes, it is.

Mr. BERMAN. When originally enacted, the conference report explained the need for the new provision, noting that under the prior law, visa applicants were "forced to undergo the indignity of answering embarrassing

questions about their political or personal activities, or since the enactment of the 'McGovern amendment' in 1977, required to submit to a lengthy bureaucratic process in order to obtain a waiver to enter the United States." The conference committee added that, "as a result of this history of visa denial, the citizens of the United States have been denied the opportunity to have access to the full spectrum of international opinion, and the reputation of the United States as an open society, tolerant of divergent ideas, has suffered." Is it your understanding that the purpose of this amendment is to reaffirm the intent of Congress when the law was originally enacted?

Mr. KASTENMEIER. Yes, that is my understanding.

Mr. BERMAN. Then, is it also your understanding that section 901, as amended, is not a waiver provision, but is a permanent substantive limitation on the executive's authority to exclude nonimmigrant aliens?

Mr. KASTENMEIER. That is correct. This limitation supersedes the relevant portions of the Immigration and Nationality Act of 1952, therefore, there is no longer any justification for asking intrusive questions of prospective foreign visitors regarding "any past, current, or expected beliefs, statements or associations, which, if engaged in by a United States citizen in the United States, would be protected under the Constitution of the United States."

Mr. BERMAN. Does this mean that people should no longer be required to go through the burdensome waiver process established under the McGovern amendment?

Mr. KASTENMEIER. That is correct. Section 901, as amended, renders the waiver process superfluous.

Mr. BERMAN. Mr. Speaker, I would like to ask the chairman of the committee, the gentleman from Florida [Mr. FASCELL] if that it is his understanding of the effect of this amendment.

Mr. FASCELL. That is my understanding.

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

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

Mr. Speaker, I wish to commend the chairman of the Foreign Affairs Committee, Mr. FASCELL, for his hard work and determination in getting this conference report to the floor. Credit also goes to Congresswoman SNOWE and Chairman DYMALLY of the Subcommittee on International Operations for their efforts.

This bill does an excellent job of authorizing the State Department's operations. The House minority conferees from the Foreign Affairs Commit-

tee were unable to sign the conference report. The single issue which prevented our agreeing to the report several days ago was White House opposition to inclusion of a provision based on the Moynihan amendment. This issue, which could very well lead to a veto by the President, was unfortunately not fully resolved in the conference.

This is a very good bill. It would provide necessary authorization for the operations of the State Department during fiscal years 1990 and 1991. Numerous improvements have also been made in the management authorities of the Department.

Adoption of this bill is essential to ensure that the operations of the State Department can continue on a sound fiscal basis and without any disruption in funding. This is because action by the House and Senate will prevent the Department and the other agencies whose activities are authorized through this bill from receiving full fiscal year 1990 funding unless an authorization is enacted. If no authorization is enacted, the Department would lose \$362 million in appropriated funds.

Unnecessary and troubling provisions affecting U.S. foreign policy and its conduct by the President have been kept to a minimum in this bill. The policy provisions that have been retained are generally acceptable and some are both useful and important. In particular, the conferees—with the cooperation of the administration—were able to agree on a comprehensive set of sanctions against the People's Republic of China in response to the suppression of human rights in China that has unfolded since last June.

It is indeed unfortunate that members of the conference were unable to work out the Moynihan amendment to the satisfaction of the administration. The President himself indicated to me and also at a press conference how strongly he feels that this provision would affect his congressional prerogatives.

The arguments advanced by the administration on the Moynihan amendment in its current form deserve serious consideration. Hopefully this provision can still be revised prior to passage of the bill.

I understand the administration and the other body are close to an agreement and we would expect that language to be added to this bill before it is sent to the President.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from Maine [Ms. SNOWE].

Ms. SNOWE. Mr. Speaker, I rise in support of the conference report on the State Department authorization.

I understand that the one remaining controversial issue in this conference report, the so-called Moynihan amendment, is in the process of being resolved. This will allow all Members, as

well as the administration, to support strongly this legislation.

Before describing the major provisions of this conference report, I would like to express my gratitude to the chairman and ranking Republican of the full committee, Mr. FASCELL and Mr. BROOMFIELD, as well as the chairman of the Subcommittee on International Operations, Mr. DYMALLY.

While the Democrats and Republicans have not always agreed on every issue relating to this legislation, instances of disagreement have been rare and we have tried to work them out in a spirit of cooperation. This is the third time I have served as Republican manager of the State Department authorization bill, and Republicans and Democrats have consistently worked together in bipartisan cooperation.

First and foremost, this conference report is fiscally responsible. This was a major priority of mine throughout the entire authorization process. This conference report holds the budget of the foreign affairs agencies at or below current services.

There are only two notable exceptions where authorizations exceed current services. The first is full funding for the United Nations, which was requested by both former President Reagan and President Bush. In past years the Congress has restricted funding for the United Nations until the United Nations adopted substantive reforms in its budget process.

Now that the United Nations has adopted and implemented those reforms, the United States has no obligations to provide our full contribution in accordance with our treaty obligations.

The second area is in the one time increase to construct the joint Voice of America/Board for International Broadcasting transmitter in Israel. This will allow the radios to broadcast for the first time into the fast-growing areas of Soviet Central Asia.

Overall, the conference report authorizes \$4.7 billion for the budgets of the State Department, USIA, the United Nations, and Radio Free Europe and Radio Liberty. This level, only \$45 million above the fiscal year 1990 appropriation, conforms to the bipartisan budget agreement, and holds to the levels contained in the Senate and House bills.

This bill contains important legislative initiatives as well. It prohibits United States negotiation with PLO members who have been involved in past terrorist acts against Americans, and imposes economic sanctions on China. The two bodies passed nearly identical China sanctions provisions, and the conference adopted the Senate version to ensure presidential support.

It also establishes the TV Marti Program to broadcast uncensored news to

Cuba. Last year, during the 30th anniversary of the Communist revolution in Cuba, Castro announced, "Glasnost has no place in Cuba." To emphasize the point, Castro recently banned Soviet newspapers from Cuba, accusing them of advocating Western capitalism.

TV Marti will bring the visual impact of such events as the opening of the Berlin Wall and free elections in Hungary to the people of Cuba. It will make it more difficult for Castro to continue to swim against the tide of dramatic changes elsewhere in the Communist world.

In another important action, House conferees for the first time succeeded in eliminating virtually all of the Senate's extraneous, nongermane amendments. We took this action while defending virtually all of the provisions contained in the House bill.

In recent years, the Senate had begun weighting down this bill to such an extent as to turn it into an alternate foreign aid bill because of their unwillingness for the past 5 years to bring up their foreign aid bill for consideration. In one motion, the conference removed more than 60 extraneous Senate provisions while defending virtually all House provisions.

For all these reasons, I urge my colleagues support passage of the conference report.

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In addition, Mr. Speaker, all but two of the House amendments were retained in this conference report as well, and I think, given the fact that the Senate had more than 60 unrelated, nongermane issues to this legislation, we were able to extract those amendments in the conference report.

So, I am pleased that we are able to reach this point with this legislation because I think it represents the will of this House and all of the Members.

Mr. BROOMFIELD. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. GILMAN], a member of the committee.

Mr. GILMAN. Mr. Speaker, I rise to express support for the Department of State conference report, and I commend our distinguished chairman, the gentlemen from Florida [Mr. FASCELL] and our ranking minority member, the gentleman from Michigan [Mr. BROOMFIELD] also all of our good colleagues on the Foreign Affairs Committee for their outstanding efforts.

The State Department authorization bill for the next 2 fiscal years is, in general, a sound measure. It does, however, have several troubling provisions which can have a profoundly negative impact on the conduct of U.S. foreign policy. I am referring to the Moynihan amendment which not only restricts the first amendment rights of certain executive branch officials, but

fails to adequately define the activities that they are prescribed from participating in.

Despite the problems we have with the Moynihan amendment, this bill is necessary to ensure that the operations of the State Department continue with appropriate funding. In addition, we are pleased that the conferees were able to agree on a serious of sanctions against the People's Republic of China in response to the Tiananmen Square debacle.

Mr. Speaker, it is unfortunate that we could not have taken just a little more time to resolve the more controversial aspects of the bill, nevertheless I join my colleagues in urging its adoption.

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

Mr. BROOMFIELD. Mr. Speaker, I yield 1 minute to the gentleman from Ohio [Mr. KASICH].

Mr. KASICH. Mr. Speaker, I just want to take a moment to thank the gentleman from Michigan [Mr. BROOMFIELD] along with the gentleman from Florida [Mr. FASCELL] and the rest of the staff for allowing me to have those two amendments that I have been pursuing for a long time included in the bill.

Mr. Speaker, one is debt collection for people who travel overseas and have big vouchers and do not file them, and I thank the gentleman for hanging in there for me on that, and second is the representational housing issue which will save at least \$7,000 a unit, and I am just very, very pleased about it.

Again I want to thank the gentleman from Michigan [Mr. BROOMFIELD], the chairman, and the staff for being of great assistance.

Mr. BROOMFIELD. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Mr. Speaker, and my colleagues, at the appropriate time I was going to offer a motion to recommit this report to the conference committee with instructions to strike the so-called Moynihan language because that language, even in the modified form, really strips the President of the United States of his constituted authority to conduct foreign policy in the White House. I am not going to do that today to save the time of the House, but I would, and the gentleman from Michigan [Mr. BROOMFIELD], the good ranking member, has already alluded to the fact that we are on the verge of working out a compromise language under the bill.

Mr. Speaker, I just wonder if the gentleman from Florida [Mr. FASCELL], the chairman of the committee, could just tell me where we stand on the Moynihan language. In other words, are we close to a compromise?

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

Mr. SOLOMON. I yield to the gentleman from Florida.

Mr. FASCELL. Mr. Speaker, the last report I got is that we are very, very close, and hopefully they can reach that agreement. They are working on it on the other side, and, if they do that, it will be very easy for them to add it to the conference, bring it back, and we will agree on it and send it on its way.

Mr. SOLOMON. So, Mr. Speaker, the gentleman from Florida [Mr. FASCELL] and the gentleman from Michigan [Mr. BROOMFIELD], the ranking member, would both be in agreement to supporting that language?

Mr. FASCELL. Mr. Speaker, if the gentleman will yield, if the agreement is reached, absolutely.

Mr. SOLOMON. Mr. Speaker, I want to praise the two gentlemen, and I would not offer the motion to recommit.

Mr. Speaker, at the appropriate time I was going to offer a motion to recommit the report to the conference committee with instructions to strike the Moynihan provision.

The Moynihan amendment, even in the modified form contained in the conference report, goes far beyond the legitimate interests of Congress. It not only affects situations in which U.S. foreign assistance is used to influence foreign countries, it also seeks to intrude on the ability of the President to conduct foreign policy on behalf of the United States.

I fully agree that Congress has an interest in the use of the funds that it authorizes and appropriates for foreign assistance. These funds should be used for the purpose appropriated, and not be diverted to prohibited purposes or used as a quid pro quo to get a foreign government to perform some action.

Congress has adopted valid limitations on the use of appropriated funds for this reason. In 1985, for example, Congress enacted the so-called Pell amendment which prohibits—

*** any arrangement conditioning, expressly or impliedly, the provision of assistance *** upon the provision of assistance by a recipient to persons or groups engaging in an insurgency *** against the Government of Nicaragua.

This provision remains in effect. Earlier this year the administration agreed to a further provision in the foreign assistance bill passed by the House which would further clarify its provisions.

When Congress enacted the Pell language, it was recognized, however, that the powers of Congress did not extend to pure diplomacy which does not involve the use of U.S. assistance. The explanatory statement of the conferees which I helped write as a conferee specifically stated:

This section does not prohibit U.S. Government officials from discussing U.S. policy in Central America with recipients of U.S. assistance or purchasers of U.S. military equipment. Nor does it prohibit recipients of U.S. assistance from furnishing assistance to any third party on their own volition and from their own resources.

Unfortunately, with the Moynihan provision—even in the modified form adopted by the Conferees—we have gone far beyond

these principles. Not only would the provision prohibit executive branch officials from using U.S. assistance to influence foreign governments to undertake prohibited activities. It would also attempt to prohibit them from performing certain activities to influence foreign governments even without using U.S. assistance as leverage.

The Moynihan amendment would also impede the conduct of foreign policy by creating criminal penalties. And it would require the President to notify Congress whenever an executive branch official "advocates, promotes or encourages" a foreign government to provide prohibited assistance—one again even when U.S. assistance is not used as a quid pro quo.

Not only do these provisions intrude on the ability of the President and his representatives to conduct foreign policy. They would also have a chilling effect on diplomacy through the creation of criminal penalties. And they could also infringe on the first amendment rights of executive branch officials in discussions with third parties.

Mr. Speaker, this conference report will be vetoed unless the Moynihan language is changed. I hope that can be done before this bill goes to the President for his signature.

Mr. MARKEY. Mr. Speaker, I rise in support of the conference report on the State Department authorization bill.

With the passage of the China sanctions contained in this conference report we take a major step toward restoring some credibility to our Nation's nuclear nonproliferation policy.

We know that the same Chinese officials who signed the 1985 United States-China Nuclear Cooperation Agreement were behind the brutal crackdown in Tiananmen Square. Leaders who do this kind of thing to their own people can't be trusted to safeguard sensitive nuclear technologies, and this legislation puts China on notice that it will have to clean up its act on nuclear nonproliferation if it wants access to United States nuclear energy technologies.

Mr. Speaker, earlier this year I joined with my distinguished Republican colleague, Mr. SOLOMON, in pressing for the inclusion of nuclear cooperation sanctions in the China package. I am pleased that the conference report contains the same nuclear energy cooperation sanctions language we worked out with the chairman of the Asia Subcommittee, and the chairman of the full committee. These nuclear cooperation sanctions will affect:

Direct exports of nuclear powerplant components and nuclear materials. This would halt approval of at least four pending applications for export licenses with a report value of more than \$50 million, including applications by the Westinghouse Corp. and the Washington State Public Power System to ship nuclear powerplant components to China and an application by the Safety Light Corp. to ship 100 grams of tritium to China for use in airport runway lighting.

These exports were already held up prior to passage of the China sanctions bill because the President had not made the nonproliferation certifications required under the 1985 congressional resolution approving United States-China nuclear cooperation. The legisla-

tion Congress adopted today adds additional legal hurdles which must be crossed before these exports could go forward.

Exports of other nuclear technologies or services. This would affect two pending applications for export licenses, one which would allow transfers of control room system manufacturing technology to China and one which would allow some Chinese nuclear powerplant operators to come to the United States for training. Such exports were not restricted under the terms of the 1985 nuclear cooperation approval resolution, and as a result, the U.S. Department of Energy has authorized 38 similar exports in the last 4 years. The most recent transfer, approved in May, authorized the sale of a nuclear powerplant control room simulator for China's Guangdong Nuclear Power Station. The newly imposed sanctions legislation closes the legal loopholes that have allowed such exports to take place.

Exports of so-called dual use technologies, such as certain types of electronics equipment, chemical compounds, or metal alloys, which the Government has determined can be used in the fabrication of nuclear explosives materials or components. This would affect a wide variety of exports on the Commerce Department's nuclear referral list. Such exports also were not restricted under the 1985 resolution, and DOE has approved 1,325 exports of dual use technologies to China since that time, with a total estimated value of approximately \$1.7 billion. Passage of the sanctions legislation closes the legal loopholes that have allowed such dual use technologies to be exported to China.

Just last week the press reported that China is continuing its reckless proliferation policies, selling advanced ballistic missiles technology to the highest bidder and assisting Pakistan's efforts to acquire nuclear explosives. Until that situation changes, we shouldn't be giving the Chinese access to our most sensitive nuclear technologies.

I want to commend the gentleman from New York [Mr. SOLARZ] and the gentleman from Florida [Mr. FASCELL] for the leadership they have demonstrated in pressing for passage of this sanctions legislation, and I urge my colleagues to vote in favor of the conference report.

Mr. DINGELL. Mr. Speaker, I rise to express my support for the conference report for the State Department authorization bill. While there are problems in Yugoslavia today, the United States must be careful in addressing them. Congress must act in a way that will in no way jeopardize the progress that has been made in Yugoslavia, keeping in mind the vital importance of that Nation's stability for maintaining peace in all of Europe. I commend the conferees for wisely not adding the Senate wording on the recent events in Kosovo to the report.

In August of this year, I had the opportunity to visit Yugoslavia and witness firsthand the changes taking place there. I saw a nation with an intricate balance of minorities, trying to retain control of a decentralized government and reconcile ethnic differences. Yugoslavia is a nation trying to preserve its national unity against strong ancient and equally strong national and ethnic pressures. The language in the bill, which criticized the Yugoslavian Gov-

ernment for discrimination against ethnic Albanians, is viewed by the Yugoslavs as strongly anti-Serbian. That language could have done considerable harm to United States-Yugoslavian relations. The Yugoslavian Government believes strongly that the measures introduced in the province of Kosovo were aimed at maintaining national unity, and securing peace, personal safety, and equality for all citizens. Given the extraordinary ethnic conflicts and pressures now present for separatism, it is hard to prove otherwise. For those who have not been there, it would be a mistake to pass judgment. The language of the Senate bill could have polarized factions in Yugoslavia, something which would have been counterproductive to United States efforts in trying to promote the political and economic reform. Instead, this objective can be best achieved in a climate of friendship, where the Yugoslavs feel a sense of American respect for the sovereignty and integrity of Yugoslavia. Fortunately, the House and Senate conferees had the wisdom to drop that language from the conference report.

I do not deny that Yugoslavia does have its share of problems, but the Yugoslavs, of all nationalities and ethnic backgrounds are working on them. The coming trial of Albanian leader Azem Vllasi will be a good indication of the willingness of the Government to deal with the demands of the Albanians in a fair manner. Officials of the Yugoslav Government told me that this matter will be dealt with in the fairest and proper manner. The Yugoslavs face a most tense and amazingly complex political, social, and economic situation. The Yugoslavian Government is dealing with six republics, two autonomous provinces, and at least seven important ethnic groups. The racial and ethnic difficulties there have to be taken into consideration. The Yugoslavs are trying to hold together a nation whose very unity is important to world peace. Remember, the Balkans, the cockpit of Europe, are where countless wars began.

The Kosovo issue is an especially sensitive issue for the Serbs in Yugoslavia as they look upon the region as the cradle of Serbian culture. It is no less a matter of concern to Albanians of Yugoslav nationality and there is much to their demand for justice. One of the greatest difficulties for the Yugoslav Government is reconciling the legitimate demands of ethnic minorities for fair representation in the Government, with the its need for retaining central control of its many diverse provinces and regions. Yugoslavs feel that a condemnation of Yugoslavia for its alleged human rights violations of Albanians would be a challenge to the sovereignty of the Yugoslavians and would be counterproductive to their honest effort to resolve serious internal differences. With ethnic tensions at an all time high, due to the trial of Azem Vllasi, adverse congressional language could have been counterproductive to the good faith efforts of the many Yugoslavs of all racial and ethnic backgrounds to resolve their problems with justice and respect for all.

As Yugoslavia attempts to resolve the current crises, Congress should continue to monitor the situation to ensure that the rights of all minorities are protected. This we should do with real sensitivity to potential deterioration of

the delicate balance between the many ethnic minorities of the Yugoslavian nation and the possible jeopardy to the stability of the nation. The language in the Senate version of the State Department authorization bill would have sent a wrong signal at the wrong time to a nation struggling with massive economic problems and political unrest. As it seeks to move to a freely elected multiparty democracy, Congress must take the utmost care to do all it can to move Yugoslavia, one of the most pro-American countries in Eastern Europe, forward in that country's effort to achieve a freely elected multiparty government and a market-oriented economy.

Yugoslavia, with all its problems and challenges, is working diligently to resolve its problems, including those of Kosovo and its Albanian citizens. Our informed and sympathetic understanding and support can be of immense help to that country in achieving a goal which America and Yugoslavia share, freedom, self-determination and democracy for all.

Mr. WEISS. Mr. Speaker, I rise in support of H.R. 1487, the conference report on the State Department authorization bill. This legislation contains many important provisions and is the result of months of tireless effort by the leadership of the Foreign Affairs Committee, who are to be commended for their success in bringing this important bill forward. I am especially pleased that this legislation contains a comprehensive package of economic sanctions against the Chinese Government, whose brutal suppression of the prodemocracy movement has shocked us all.

The Beijing government is still trying to convince the international community that the Tiananmen Square massacre was a purely domestic matter. They claim that the slaughter of hundreds of unarmed demonstrators does not concern the rest of the world, and that the United States should stop interfering in the internal affairs of China.

Mr. Speaker, with this legislation, the Congress of the United States will deliver a resounding "no" to those who believe that such indiscriminate slaughter should be ignored or quietly forgotten. The massacre of hundreds of prodemocracy demonstrators in Tiananmen Square should be everyone's concern, and the United States cannot ignore such gross abuses of human rights just because they occur within the borders of a powerful and strategically important nation.

On June 6, 2 days after the Tiananmen Square massacre, I offered an amendment to send a strong signal to the Chinese Government. My amendment suspended the activities of the Overseas Private Investment Corporation in China. I believed in June—and I continue to believe today—that the brutal suppression of the prodemocracy movement makes the Beijing government ineligible for the benefits associated with OPIC coverage.

This amendment, along with a broad range of other economic sanctions against China, is included in the legislation we are considering today. These sanctions will prohibit "business as usual" between the United States and China as long as the crackdown continues.

I would especially like to commend our distinguished colleague, Mr. SOLARZ, for his lead-

ership on this issue. His efforts have helped to produce a strong package of economic sanctions which enjoy broad, bipartisan support in both Houses of Congress. With the passage of these sanctions, the U.S. response to the crackdown will finally be brought into line with the views of the American people.

Mr. FRENZEL. Mr. Speaker, according to the terms of the bipartisan budget agreement, the foreign operations budget was both a floor and ceiling. The managers for the House have done a skillful job in preserving the spending target of the BBA.

Normally, I vote for this appropriation. Our country must exercise a leadership role in the world, and to do so it must support its allies and friends, particularly those under pressure. It should also support those in emergency distress, provide bilateral aid to developing countries, and support multilateral agencies which assist developing countries in various ways.

This bill meets both spending and outlay targets, but it has a critical deficiency: It is nearly \$2 billion over its loan guarantee limit.

A Senate amendment allowed recipients of foreign military sales credits to refinance their loans, thereby saving a potential 2-percent interest cost, with loans 90 percent guaranteed by the U.S. Government. That amendment brought to the House separately is subject to a budget point of order and could be eliminated from the bill if the point of order was raised.

I considered raising the point of order as I have raised others in an attempt to maintain some modest discipline over this profligate Congress. I finally determined not to do so, but instead to vote against the bill because it violated the Budget Act.

In the future it is my intention to raise all points of order that are available against Budget Act violations.

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

Mr. FASCELL. Mr. Speaker, I yield back the balance of my time and I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore (Mr. McDERMOTT). The question is on the conference report.

The conference report was agreed to. A motion to reconsider was laid on the table.

ARKANSAS STATE UNIVERSITY CONFERENCE ON ALTERNATIVE TRANSPORTATION FUELS AND THE ENVIRONMENT

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

Mr. ALEXANDER. Mr. Speaker, the money we paid for foreign oil in the 10 years following the OPEC oil embargo constitutes the largest transfer of wealth since the Spanish looting of the new world.

During that time, the United States paid more than one-half trillion for

imported oil. The free world as a whole spent an incredible \$1.6 trillion.

A greater reliance on home grown energy sources, such as ethanol, will help us stop this monetary hemorrhage which threatens the very security and stability of our Nation.

On Monday I cohosted a conference on alternative energy and the environment at Arkansas State University in Jonesboro.

During that conference former Energy Secretary James Schlesinger said that the American society vacillates between two moods—panic and complacency—when it comes to our energy supply.

Dr. Schlesinger said that for many years it was anticipated when we reached 50 percent of our oil needs through imports alarm bells would go off, but that did not happen. U.S. oil imports have hovered around 50 percent for several years; even topping that figure on some occasions.

He warned that the energy problem is coming back and that this Nation must develop a national energy policy which includes the greatly expanded use of alternate energy sources—including ethanol made from farm products.

It is difficult to build public support for a new direction in energy policy when fuel is abundant, when the tank is full. But we cannot wait for another crisis, another embargo. We also cannot continue to transfer the wealth of this Nation to oil producing nations at the current rate.

There are hopeful signs on the horizon, however. Public demand for cleaner air—for air that can be breathed without being hazardous to the health—is enhancing public awareness of alternate fuels, for example.

As the conference at Arkansas State proved clearly—the use of alternate fuels is not only an economic issue but an environmental and Nation security issue as well.

We would all benefit from the use of alternate fuels—the farmers I represent would have expanded markets for their products and the residents of Los Angeles would have cleaner air to breathe.

Mr. Speaker, we cannot afford to wait much longer to develop and implement an energy policy which addresses these issues.

Our economy, our security, our future is at stake.

Mr. Speaker, I also attach an editorial from the Jonesboro Sun commenting on the conference as follows:

[From the Jonesboro Sun, Nov. 15, 1989]

HEATING UP?

The nation's energy crisis has been on the back burner for several years now—since the long lines disappeared at gas stations and prices came down. Finally, the issue may be heating up, and that could be good news for the nation and for the farmers of Eastern Arkansas.

James Schlesinger, former Secretary of Energy, noted at a conference here this week that "the American society varies between two moods—panic and complacency. The tendency of this country is to ignore the problem of energy," but "we must worry about energy. For many years it was anticipated when we reached 50 percent" of our oil needs through imports "alarm bells would go off." But that did not happen. U.S. oil imports have hovered around 50 percent for several years, topping that figure on some occasions.

"The energy problem is coming back," Schlesinger said. "While it has been out of mind and out of sight, it has been growing." People do not believe there is a crisis until they see gasoline prices go up, and the OPEC nations have realized this. They know," he said, "the way to deal with America is to raise prices gradually."

However, clean air issues are coming into play, and leaders are realizing that America's foreign policy options are affected by this nation depending on foreign oil.

Schlesinger says there are no easy answers to the energy crisis, but alternate fuels must play a role, and that's where Northeast Arkansas comes in. Rep. Bill Alexander has been waging a somewhat lonely crusade for years for increased use of ethanol, a totally renewable energy source that is derived from grain. Extensive use of ethanol would not only be a boon to farmers of Eastern Arkansas, but its use would also do much to solve the problems of polluted air.

Coping with the nation's energy problems may be the major initiative of the 1990s, and farmers of this area could play a major role in finding solutions.

THE PLIGHT OF THE DYNKIN FAMILY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. LENT] is recognized for 5 minutes.

Mr. LENT. Mr. Speaker, in conjunction with the Congressional Call to Conscience Vigil for Soviet Jews, I rise to voice concern for a Jewish family living in the Soviet Union that has been separated from their loved ones for over 2 years because of the intransigence of the Soviet Government. It is my fervent hope that prompt action will be taken to ensure that the injustice that has caused the Dynkin family to be apart will be corrected.

Efim Dynkin of Leningrad has been denied permission to leave the Soviet Union because of alleged contact with "state secrets" while working at the Granit Institute of Shipbuilding. However, he has not worked at the Granit facility for 14 years and I have learned that other individuals employed there, in capacities similar to that of Mr. Dynkin, have received permission to emigrate in recent years. In light of this fact and President Gorbachev's own assessment that an individual is not considered to have knowledge of state secrets after 5, or at most, 10 years, I find it difficult to accept that Efim Dynkin should continue to be refused.

Recently, I had the opportunity to meet with Mr. Dynkin's wife, Olga, who was in the United States on a visitors visa. I was very moved by her story and her eloquent pleas on behalf of her husband. Mrs. Dynkin has since returned to Leningrad, but I will never forget her cour-

age and optimism as she spoke of the day when she, Efim, and their young son, Anton, are permitted to be reunited with their other son, Boris, and Efim's parents and sister in the United States.

Mr. Speaker, I have been privileged to have the opportunity to speak out many times in this Chamber on behalf of families and individuals who have maintained their desire to be free despite hardship, humiliation, frustration, and religiously inspired persecution. While there has been progress toward realizing the goal of free emigration, I stand here today to remind the Soviet Government that the plight of those, like Efim, Olga, and Anton Dynkin, being forced to endure an unjust separation from their loved ones will continue to be of deep concern to this institution and to the American people.

THE DATA PROTECTION ACT OF 1989

The **SPEAKER pro tempore**. Under a previous order of the House, the gentleman from West Virginia [Mr. WISE] is recognized for 5 minutes.

Mr. WISE. Mr. Speaker, one of the most enduring American values is the right to privacy. From colonial times to the present, Americans have been concerned about the right to be left alone and about intrusions into their personal lives, private papers, and homes. As a direct result of the early American experience, the fourth amendment to the Constitution protects against unreasonable searches and seizures by the government. Other constitutional provisions contain protections for other privacy interests.

Today, these traditional concerns about privacy are still vital. Individuals still want to be left alone. Individuals want to be able to exercise some control over how information about ourselves is used. In the computer age, threats to privacy come not only from the Federal Government, but also from the many public and private institutions that maintain records about individuals.

Using the power of modern computers and telecommunications, many third party record keepers have developed the capacity to store detailed information about people's transactions, habits, movements, purchases, and activities. Personal information is routinely maintained by banks, insurance companies, hospitals, schools, credit bureaus, cable television operators, telephone companies, credit card issuers, department stores, catalog merchants and marketers of all types, supermarkets, and others.

In our complex modern world, privacy has evolved as a concept encompassing many disparate elements. It includes a wide range of concerns about intrusive behavior, including wiretapping, surreptitious physical surveillance, and mail interception. The concept of privacy has also been cited in connection with other concerns such as contraception and confidentiality of bank records.

As the need to protect privacy has become more pressing, some aspects of its protection have become more focused. One concept that has emerged since 1970 is data protection, which applies to the control of the collec-

tion, use, and dissemination of personal information.

Data protection is the focus of my statement and of a bill that I introduced today. The Data Protection Act of 1989 would establish a Data Protection Board as an independent, three-member, nonregulatory Federal agency. The Board would be an institutional representative for privacy concerns that relate to the use and misuse of personal information. The Board would be a resource, a consultant, a watchdog, and a facilitator.

We need a Data Protection Board principally because there is no voice in Government that represents and articulates data protection concerns on an ongoing basis. In the balancing of interests that shape Government policies and actions, data protection needs are frequently ignored because there is no institutional spokesman to represent them. There is no existing organization that accumulates knowledge and experience in the complicated balancing of privacy interests.

We need a Data Protection Board because information privacy issues arise frequently. This year, there has been controversy over the disclosure of Social Security information by the Social Security Administration to banks and insurance companies. Recent legislation has affected the privacy protections for bank records. During the last Congress, a data protection issue arose during the confirmation hearings for Robert Bork. As a result of the disclosure of the records of Judge Bork's video rentals, the Video Privacy Protection Act was introduced and passed.

A Data Protection Board could have been helpful during discussion of all of these issues. A Data Protection Board could help Government and industry do a better job of protecting personal information. A Data Protection Board could, with the cooperation of business, support voluntary data protection codes. A Data Protection Board could help Congress shape legislation.

The need for an independent entity with responsibility for data protection policies has long been recognized. Such an organization was originally proposed during congressional consideration of the Privacy Act of 1974. The Privacy Protection Study Commission recommended in 1977 that such an entity be established to monitor and evaluate privacy laws; to continue research; to issue interpretative rules for the Privacy Act of 1974; and to provide advice to the President, the Congress, and the States. My proposal is a direct descendent of the Privacy Commission's recommendation.

Most other Western industrialized nations have already established national and state data protection agencies. Canada established a privacy commissioner in 1978. Great Britain established a data protection registrar in 1984. The Federal Republic of Germany (1977), Austria (1978), France (1978), Sweden (1973), Norway (1978), The Netherlands (1988), Australia (1988), and Ireland (1988) also have permanent data protection agencies. I have even read recently that data protection is under consideration in Eastern Europe as well. It appears that Hungary is considering establishing a data protection office. Many other countries have passed data protection legislation in recent years.

Data protection agencies have been established elsewhere in the world because people everywhere are concerned about how their personal information is being used. These concerns have affected the way that American companies doing business abroad conduct their operations. The lack of a central data protection authority here has left American industry unrepresented when decisions are made about how multinational companies can use data for transborder purposes.

At the very least, we need an American Federal agency to represent American interests in ongoing consultations with other national data protection agencies. For example, there is no official American representative at the annual meetings of Data Protection Commissioners.

While privacy protection has been an issue of continuing concern to the American people, the Federal response has been erratic. Interest was high after passage of the Privacy Act of 1974 and following the report of the Privacy Protection Study Commission in 1977. Interest in the executive branch disappeared during the Reagan administration, but some legislation emerged from the Congress, including the Cable Communications Policy Act of 1984, the Electronic Communications Privacy Act of 1986, the Computer Matching and Privacy Protection Act of 1988, and the Video Privacy Protection Act of 1988.

I believe that the time has come to take a step beyond the responsive legislation of the last few years. We need to look to the future. We need to learn how to identify problems presented by new technology and new business methods before it is too late to react. We need to work together with recordkeepers and with record subjects to find ways to protect legitimate data protection concerns while allowing Government and industry to function.

The passage of the Data Protection Act of 1989 would serve all of these purposes. I expect to schedule hearings on the legislation later this year or at the beginning of the second session. I welcome comments from all interested persons.

VACATE OF SPECIAL ORDER

Mr. DORNAN of California. Mr. Speaker, I ask unanimous consent to vacate my special order of 60 minutes tonight.

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

There was no objection.

WELCOME TO A POLISH HERO

The **SPEAKER pro tempore**. Under a previous order of the House, the gentleman from California [Mr. DORNAN] is recognized for 5 minutes.

Mr. DORNAN of California. Mr. Speaker, since I was first sworn in as a Member of this august body on January 4 of 1977, I have had the distinct privilege of standing or sitting in this Chamber while many of the heads of states around the world have addressed us. The stirring remarks of

Margaret Thatcher made a great impression upon me because of the quality of her leadership. We have had some people come before us, like the leader of the state of Egypt, Anwar Sadat, and because of the quality of his leadership, the change in direction he took to sign that historic Camp David treaty with the State of Israel, it cost him his life in a brutal assassination attempt.

□ 1710

Several of the leaders have gone on to their eternal reward who spoke to us. No words were more stirring than the words of Cory Aquino, the lady President of the Philippines, a housewife who has gone on to become a great world leader. Her remarks will be memorable.

I think as a young man watching through the magic of television the stirring remarks of Gen. Douglas MacArthur at that podium, Winston Churchill in his goodbye performance here, he is the only human being as the head of state who has ever addressed a joint session of the Senate and the House of Representatives three times.

We have only had three people who were not heads of state. One of them was Lafayette, one of only two portraits in this Chamber, the other the father of our country, our first President, George Washington; but the third nonhead of state was this morning at 11 o'clock, Lech Walesa, the founder of Solidarity, the great unelected but truly a national leader of the country of Poland.

His words today were simple, beautiful, and stirring in their simplicity. He thanked the President of the United States twice for his trips to Poland to give the people there hope and to embolden their spirits.

He spoke of his fellow Pole, another world leader, Pope John Paul II, and talked about how John Paul said that freedom is something that is an inalienable right, that you cannot take it away from men forever.

There was one other head of state that I think Mr. Walesa should have mentioned. I know he feels this way in his heart, and that is the former President of the United States, the most recent President, Ronald Reagan. It was Ronald Reagan who had the recently defected Ambassador to Poland, Ambassador Romuald Spasowski, light the Christmas tree in the President's first year in the White House, the Christmas of 1981. It was Ronald Reagan who sent his great Vice President, George Bush, to speak at the shipyards at Gdansk at that memorial outside the shipyards for the fallen workers. It was President Reagan who sent his Vice President, George Bush, back to Poland again to meet with Lech Walesa during that critical period 2 years ago, to kneel with his

beautiful wife, Barbara, at the tomb of the open grave site of the martyred, the tortured to death by Polish Communist secret police, the priest, Father Jerzy Popieluszko.

I think President Reagan for all of his years kept up that vigil that this Congress by narrowing and narrowing votes because of liberal pressure kept alive Captive Nation Week for all these years.

Mr. Speaker, a year ago in August I drove with my youngest son all around Poland for 3 days, 1,300 miles in a rental car, visiting all six, six of six of the Nazi extermination camps, from Treblinka to Sobibor, to Majdanek, to Belzec, to the horror of horrors, Auschwitz and its massive companion camp, Birkenau, and then up to a mass at Wschowa, an outside mass with 15,000 people, then at midnight to the final extermination camps in this clockwise swing through Poland to Chelmo.

That state, as Lech Walesa told us so emotionally today, has suffered more than any of our allied nations in the struggle against fascism, only to be crushed by the equally evil force of communism.

Mr. Speaker, this was a stirring moment today. I will never forget it. I think it was worth a year in school to not only our young pages, but to the oldest of our Members who sit in this Chamber. It was a lesson for the Joint Chiefs, to the Supreme Court, to all our distinguished Ambassadors who visit with us at these joint sessions to hear from these world leaders.

Mr. Speaker, I hope that this country someday will consider making Lech Walesa an honorary citizen of the United States, as we have done with Raoul Wallenberg, who the Russians still claim that they have killed, and with Mr. Winston Churchill.

PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED REPORT ON H.R. 3660, THE GOVERNMENT ETHICS REFORM ACT OF 1989

Ms. SLAUGHTER of New York. Mr. Speaker, I ask unanimous consent that the Committee on Rules have until midnight, tonight, to file a privileged report on H.R. 3660, the Government Ethics Reform Act of 1989.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

A NEW BEGINNING FOR POLAND

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, I am proud today to welcome Lech Walesa to the United States. It is indeed a stirring moment in the history of the Congress to receive in this

Chamber, the chairman of Solidarnosc, Lech Walesa, for he is the first private citizen in 165 years to address the Congress in a joint session.

To mark this special day, the Architect of the Capitol, on my request, is flying an American flag over our Capitol Building which will be presented by me to Mr. Walesa as a remembrance of a truly great day in Poland's long and distinguished history.

We have witnessed remarkable changes in Poland since the birth of Solidarity when Mr. Walesa bravely led a walkout at the Lenin Shipyard in Gdansk in August 1980. By his actions and leadership, Lech Walesa has proven that peaceful, nonviolent means can work in achieving noble humanitarian goals. He has rekindled and revitalized Polish nationalism in the hearts of millions, and he remains an inspiring symbol for all individuals striving to free themselves from the yoke of tyranny and oppression. Today the events taking place throughout Eastern Europe are a testimonial to the strength of Lech Walesa's vision and to the justness of Poland's cause.

We in Congress remain committed to assist Poland as she embarks on her journey to restructure her political and economic system. As chairman of the House Administration Committee I expedited speedy congressional passage of legislation to provide for a team from the House and Senate with expertise in legislative systems management and parliamentary procedure to assess Poland's equipment and training needs in creating a new Parliament. Furthermore, as chairman of the Subcommittee on Financial Institutions of the House Banking Committee, I have supported legislation to encourage multilateral development banks to offer financial and technical assistance to the people of Poland who want to establish institutions, like credit unions, thrifts, and commercial banks. In addition, the aid package crafted by Congress will provide millions of dollars in assistance as Poles continue in their struggle to achieve democratic reforms.

It is fitting that Mr. Walesa is visiting the United States this week, since 71 years ago, on November 11, 1918, with the signing of the Treaty of Versailles at the conclusion of World War I, the Polish people proudly proclaimed their independence, and today we are witnessing the rebirth of this declaration of self-determination.

One of the first democratic constitutions known to the world was the Polish Constitution written in the 18th century. Unfortunately, shortly after the creation of this historic document, the Polish people saw their beloved country invaded by three more powerful and hostile neighbors. These nations subjugated and brutalized Poland until 1918. With the end of World War I, however, the major European powers recognized the national sovereignty of Poland, and the Polish people were once again able to assert their national destiny without the fear of persecution. Then in 1939, at the beginning of World War II, Poland again faced persecution and oppression, this time at the hands of the Nazis and the Communists, but her determination to prevail never wavered.

Despite the heartaches and disappointments of the past, today, 71 years after the declaration of Polish independence and 50 years after the invasion of Poland by the Nazis and the Communists, Poland stands on the threshold of a new beginning. An effective parliamentary system is in place, with the Solidarity Union joining two smaller political parties to form a majority in the Parliament, and with the election of a non-Communist, Tadeusz Mazowiecki, as Prime Minister.

Mr. Speaker, Lech Walesa's visit to Congress today has helped define the enormous challenges his country now faces to achieve institutional reforms and revitalize the Polish economy. We are honored with the presence of Lech Walesa in the Congress and we stand ready to provide the economic and technical assistance necessary to enable Poland to join the community of free nations and to enjoy the fruits of freedom.

On the occasion of Lech Walesa's historic visit to America, which coincides with the 71st anniversary of Polish Independence Day, I am honored to join with Polish-Americans in the 11th Congressional District of Illinois which I am privileged to represent, and Americans of Polish descent throughout the United States, in hopes and prayers for the successful dawn of a new age for a free and democratic Poland.

DEPARTMENT OF VETERANS AFFAIRS HAS INTEGRAL ROLE IN AIDS RESEARCH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Mississippi [Mr. MONTGOMERY] is recognized for 5 minutes.

Mr. MONTGOMERY. Mr. Speaker, I dare say that the average American has little idea of the role the Department of Veterans Affairs [DVA] plays in improving the quality of life for all mankind—veterans and nonveterans alike.

Consider for instance, the medical breakthroughs and advancement of medical knowledge that can, in whole or part, be attributed to DVA scientists and researchers—the cure for tuberculosis; the development of the CAT scan, the pacemaker, kidney and home dialysis techniques, and prosthetic appliances; and the discovery of aspirin's effectiveness in combating heart disease. These are just a few of the achievements of a world-renowned medical research program which has claimed two Nobel Prizes.

DVA has also developed a reputation as a leader in AIDS research, probably the world's most pressing medical concern. The Department is second only to the National Institutes of Health in the magnitude of AIDS-related research it conducts. In fact, the Department's health care delivery system now treats almost 10 percent of the Nation's AIDS patients.

Working in tandem with 103 medical schools across the country, the Department monitors its AIDS-related activities through its central office here in Washington, which serves as a clearinghouse for information on the disease.

Six AIDS research centers initiate and coordinate individual AIDS research projects. The centers are located at DVA medical centers in Baltimore, Durham, Houston, Manhattan, San Diego, and San Francisco. Some 20 individual projects and several cooperative studies are underway in the Department. They range from basic science studies of the mechanism of AIDS virus infection through clinical trials in the treatment of AIDS patients.

On another front in the Department's battle against AIDS, four AIDS clinical units for veterans being treated for the disease are operating at DVA medical centers in Manhattan, Miami, Los Angeles, and San Francisco. These special clinical units are located at hospitals with high concentrations of cases and are designed to help refine treatment techniques which can then be shared with the medical community in general.

Mr. Speaker, the cure for AIDS could very possibly come from the Department of Veterans Affairs medical research program.

I would like to share with my colleagues a recent letter to the Atlanta Constitution from Dr. Robert J. Pollet, Chief of Research and Development at the Atlanta DVA Medical Center. His letter summarizes the magnificent DVA-funded research being conducted at just one hospital in the 172-hospital network operated by the Department of Veterans Affairs. Dr. Pollet also points out a problem experienced by DVA researchers nationwide—when there is media coverage of a research triumph, DVA involvement is often overlooked or ignored.

[From the Atlanta Constitution, Nov. 4, 1989]

VA MEDICAL CENTER DOES IMPORTANT RESEARCH WORK

Once again The Constitution's staff has come to the Atlanta Veterans Affairs (VA) Medical Center, interviewed a VA research investigator, published photographs of his VA laboratory and reported on clinically important VA research work supported by VA funds—all without appropriate acknowledgement.

These errors were made in the recent Science/Medicine article reporting the studies of Dr. Raymond Schinazi of the VA Medical Center concerning the discovery of the antiviral properties of AZDU toward the AIDS virus, in collaboration with Dr. David Chu of the University of Georgia.

It is disappointing that you would fail to acknowledge that Dr. Schinazi made this discovery as a full-time VA scientist, largely supported by VA research funds in work performed at the Atlanta VA Medical Center.

The newspaper also failed to acknowledge that the VA, in an act of exceptional generosity and compassion for AIDS patients, voluntarily donated its ownership of the drug rights to AZDU in order to ensure that the drug would be most rapidly developed as a promising treatment for AIDS.

The Atlanta VA Medical Center has a very active research program in broad areas of medical and rehabilitation research, with VA funding of more than \$3 million per year.

The Atlanta VA research program cooperatively interacts with that of its affiliated

medical institution, the Emory University School of Medicine, leading to excellence in biomedical research and clinical care, to the ultimate benefit of both patients and the community.

Dr. ROBERT J. POLLET,
Chief, Research and Development,
Atlanta VA Medical Center, Decatur.

U.S.-U.S.S.R. TRADE POTENTIALS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. STARK] is recognized for 5 minutes.

Mr. STARK. Mr. Speaker, with the Soviet Union now providing more freedom of emigration than the West actually seems willing to accept, and with the possible Soviet codification of rules of departure, the Congress may soon be asked to consider the normalization of trade relations with the Soviet Union. Normalization would mean a waiver of the Jackson-Vanik amendment so as to provide most-favored-nation tariff status, as well as amendment to various limits on export credits.

If trade with the Soviets were normalized, what would it mean in terms of economic change?

A look at past trade data shows that U.S.-U.S.S.R. trade has been a very minor part of our trade picture, but that it has also been one of the few areas where the United States has usually run a strong, job-creating trade surplus.

The potential for increased U.S.-U.S.S.R. trade can be seen by looking at some of the data on total U.S.S.R.-Western trade. Since our peak trade turnover with the U.S.S.R. in 1979 of \$4.5 billion—which still only amounted to 1 percent of total U.S. trade and consisted of mostly agricultural commodities—and a trade surplus of \$2.7 billion, U.S.-U.S.S.R. trade has declined and been erratic. Since 1987, however, bilateral trade has substantially increased. United States exports to the Soviet Union of grain as well as fertilizers, tractors and engineering equipment grew and imports of gold and nonferrous scrap metal have increased.

These recent trade increases have helped reduce the United States trade deficit with non-market economies [NME's] by 23.2 percent, from \$2.46 billion in 1987 to \$1.89 billion in 1988. This deficit decline can be largely attributed to an increase in our surplus with the Soviet Union, from \$1.06 billion in 1987 to \$2.2 billion in 1988. 1989 half-year export comparisons tell another positive story. The value of United States shipments to each of the three major NME trading countries or blocs—Soviet Union, China, and Eastern Europe—increased from January-June 1988 to January-June 1989. The result was a \$1.6 billion expansion in total U.S. exports to the NME's over this period, from \$4.5 billion to \$6.1 billion. Setting the pace was \$1.1 billion rise in U.S. exports to the U.S.S.R. from January-June 1988 to January-June 1989, caused largely by an increase of \$951.4 million in Soviet purchases of U.S. corn.

TRADE WITH THE U.S.S.R.

[In millions of dollars]

	1979	1980-83	1984	1985	1986	1987	1988	198*
United States:								
Export	3,604	10,246.0	3,284	2,423	1,248	1,480	2,768	2,764.0
Import	872	1,422.2	554	409	558	425	578	374.5
Turnover	4,476	11,668.2	3,838	2,832	1,806	1,905	3,346	3,138.5
U.S. Trade balance (+)	2,732	7,313.8	2,730	2,014	690	1,055	2,190	2,389.5

a January-June totals from USITC.

U.S.-U.S.S.R. trade is relatively small, compared with West Germany's or Japan's trade

with the Soviets. A look at the following trade

data shows some of the potential of the Soviet market;

[In millions of dollars]

	1979	1980-83	1984	1985	1986	1987	1988
West Germany:							
Export	3,619	16,055	3,800	3,603	4,320	4,379	5,367
Import	4,061	17,469	5,031	4,690	4,278	4,045	3,914
Turnover	7,680	33,524	8,831	8,293	8,598	8,424	9,381
Japan:							
Export	2,443	12,764	2,515	2,772	3,178	2,587	3,131
Import	1,895	7,019	1,388	1,438	1,988	2,368	2,772
Turnover	4,338	19,783	3,903	4,210	5,166	4,955	5,903

The potential for trade between our two huge nations is significant. One way that trade is likely to increase is through the increase in joint ventures and the development of the ruble as a convertible, international currency.

Of all East-West trade in 1987, according to the Wharton School of Economics, U.S. exports equaled only 7 percent of all Western developed countries trade to the Soviet Union and only 6 percent of total imports by Western developed countries from the U.S.S.R. The Europeans and Japanese view trade with the East as economically beneficial and will most likely continue too. This stand has allowed them to dominate economic trading with the Soviets, as the Soviets look to them first when trading. In the period from 1986-90, total trade between the U.S.S.R. and nonsocialist nations is estimated to expand, with Western exports increasing from \$37 to \$52 billion, while imports are expected to increase from \$33 to \$43 billion.

U.S. exports are expected to grow moderately in 1989 to around \$3 billion. Most of the growth will be in increased Soviet grain purchases, while nonagricultural exports may slightly increase from last year's \$600 million. U.S. machinery exports can be expected to grow in 1989; they increased in 1988 to \$250 million from \$100 million the year before. The best prospects for sale by U.S. companies include the following industrial sectors: Food processing and packaging equipment, agricultural machinery, construction equipment, oil and gas equipment, chemicals, and analytical, scientific, and medical instruments. Consumer goods to the Soviet Union are likely to remain limited in 1989.

One change that is helping open up the Soviet economy was a government decree on joint ventures that greatly expanded the realm of cooperation between Western firms and Soviet ministries and enterprises. United States companies are behind their European and Japanese counterparts in setting up ventures with the Soviets. Of the nearly 800 joint ventures registered to date, less than 50 in-

volve U.S. companies. By the end of 1988 in the absence of normal trade relations, only 13 United States-Soviet joint ventures were actually established and they involve only \$23 million of the \$441 million in total joint venture investments.

Mr. Speaker, this is a time of tremendous and exciting superpower change. Improved economic relations between our two nations can contribute to that change and to the overall improvement of relations. It is past time that we moved forward.

□ 1820

THE WILLIAMSBURG CHARTER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas [Mr. SLATTERY] is recognized for 5 minutes.

Mr. SLATTERY. Mr. Speaker, I rise today to share with my colleagues an important affirmation of the religious liberty clauses of the first amendment to our Constitution. The Williamsburg Charter addresses the manner in which, in our pluralistic society, we live with our deepest religious differences.

The Williamsburg Charter is an officially recognized project of the Commission of the Bicentennial of the Constitution. Beginning in 1986, it was drafted over 18 months by representatives of America's leading faith communities in conjunction with nearly 200 scholars, church-state relations experts, political activists and leaders of religious communities. On June 25, 1988, the 200th anniversary of Virginia's call for the Bill of Rights, the Charter was presented to the Nation. It has now been signed by nearly 200 national leaders, including former Presidents Ford and Carter, former Chief Justice Burger and Chief Justice

Rehnquist. I am proud to have my signature on this document.

The Williamsburg Charter reflects three fundamental aims:

To celebrate the genius and uniqueness of the religious liberty clauses; to reaffirm religious liberty, or freedom of conscience, for people of all faiths and for the unchurched; to set out the place of religious liberty in American public life and the principles by which people with deep differences can contend with each other robustly, but civilly.

The Williamsburg Charter recognizes that religious differences are deep and important, but asserts that we can still maintain a limited, but vital, consensus, which is in the interests of all Americans, regardless of creed.

This vital consensus can be summarized in the three R's of religious liberty: rights, responsibilities, and respect.

Religious liberty, or freedom of conscience, is a precious, fundamental, and inalienable right; religious liberty is a universal right matched by a universal duty to respect that right for others; and living with our deepest differences requires a principled respect for persons, truth, and the guidelines by which we can conduct arguments robustly but civilly whenever those differences are in question.

We who have endorsed the Williamsburg Charter hope that reaffirmation of these first principles will bring practical benefits to our pluralistic society. The Williamsburg Charter Foundation's recently developed school curriculum on religious liberty in a pluralistic society, for example, has the support of all major educational groups and faith communities, and is being tested in schools this fall and will be introduced in schools in 1990.

We are a free and diverse people who must remain free and sustain our diversity as a source of national richness and strength. As legislators, we in Congress are custodians of the American experiment who know the depth of feeling these issues raise among our constituents.

The Williamsburg Charter calls upon us to reaffirm that religious liberty is a fundamental and inalienable right. According to the Charter:

A society is only as just and free as it is respectful of this right for its smallest minorities and least popular communities. Religious liberty is our Nation's first liberty, which undergirds all other rights and freedoms secured by the Bill of Rights. Religious liberty is founded on the inviolable dignity of the person. It is not based on science or social usefulness and it is not dependent on the shifting moves of majorities and governments.

The Charter also reminds us that:

Far from being a matter of exemption, exception, or even toleration, religious liberty is an inalienable right. Far from being a subcategory of free speech or a constitutional redundancy, religious liberty is distinct and foundational.

Far from being simply an individual right, religious liberty is a positive social good.

Far from denigrating religion as a social or political problem, the separation of church and state is both the saving of religion from the temptation of political power and an achievement inspired in large part by religion itself.

Far from weakening religion, disestablishment has, as an historical fact, enabled it to flourish.

Many of the most dynamic social movements in American history, including the struggle to bring civil rights to all of our citizens, were legitimately inspired and shaped by religious motivation. Freedom of conscience and the right to attempt to influence public policy on the basis of religiously informed ideas are inseparably linked. Politics is an extension of ethics which therefore can engage religious principles. This does not condone, however, those who bring to the public arena a misplaced absoluteness that idolizes politics, demonizes their opponents and politicizes their own faith.

The Williamsburg Charter's call for a revitalization of the American understanding concerning the role of religion in a free society, in the words of the charter, should:

Result in neither a naked public square where all religion is excluded, nor a sacred public square with any religion established or semi-established. The result, rather is a civil public square in which citizens of all religious faiths, or none, engage one another in the continuing democratic discourse.

Mr. Speaker, let me close with one more point from the Williamsburg Charter. We who have signed the Charter did so because we believe the renewal of religious liberty is crucial to sustain a free people that would remain free. We have committed ourselves to speak, write and act accord-

ing to this vision and these principles. I urge my colleagues to join in this public debate.

As the Charter notes:

Pluralism must not be confused with, and is in fact endangered by, philosophical and ethical indifference. Commitment to strong, clear philosophical and ethical ideas need not imply either intolerance or opposition to democratic pluralism. On the contrary, democratic pluralism requires an agreement to be locked in public argument over disagreements of consequence within the bounds of civility.

Mr. Speaker, I am placing the text of the Williamsburg Charter in the RECORD at this point.

THE WILLIAMSBURG CHARTER—A NATIONAL CELEBRATION AND REAFFIRMATION OF THE FIRST AMENDMENT RELIGIOUS LIBERTY CLAUSES

Keenly aware of the high national purpose of commemorating the bicentennial of the United States Constitution, we who sign this Charter seek to celebrate the Constitution's greatness, and to call for a bold reaffirmation and reappraisal of its vision and guiding principles. In particular, we call for a fresh consideration of religious liberty in our time, and of the place of the First Amendment Religious Liberty clauses in our national life.

We gratefully acknowledge that the Constitution has been hailed as America's "chief export" and the "most wonderful work ever struck off at a given time by the brain and purpose of man." Today, two hundred years after its signing, the Constitution is not only the world's oldest, still-effective written constitution, but the admired pattern of ordered liberty for countless people in many lands.

In spite of its enduring and universal qualities, however, some provisions of the Constitution are now the subject of widespread controversy in the United States. One area of intense controversy concerns the First Amendment Religious Liberty clauses, whose mutually reinforcing provisions act as a double guarantee of religious liberty, one part barring the making of any law "respecting an establishment of religion" and the other barring any law "prohibiting the free exercise thereof."

The First Amendment Religious Liberty provisions epitomize the Constitution's visionary realism. They were, as James Madison said, the "true remedy" to the predicament of religious conflict they originally addressed, and they well express the responsibilities and limits of the state with respect to liberty and justice.

Our commemoration of the Constitution's bicentennial must therefore go beyond celebration to rededication. Unless this is done, an irreplaceable part of national life will be endangered, and a remarkable opportunity for the expansion of liberty will be lost.

For we judge that the present controversies over religion in public life pose both a danger and an opportunity. There is evident danger in the fact that certain forms of politically reassertive religion in parts of the world are, in principle, enemies of democratic freedom and a source of deep social antagonism. There is also evident opportunity in the growing philosophical and cultural awareness that all people live by commitments and ideals, that value-neutrality is impossible in the ordering of society, and that we are on the edge of a promising moment for a fresh assessment of pluralism and liberty. It is with an eye to both the

promise and the peril that we publish this Charter and pledge ourselves to its principles.

We readily acknowledge our continuing differences. Signing this Charter implies no pretense that we believe the same things or that our differences over policy proposals, legal interpretations and philosophical groundings do not ultimately matter. The truth is not even that what unites us is deeper than what divides us, for differences over belief are the deepest and least easily negotiated of all.

The Charter sets forth a renewed national compact, in the sense of a solemn mutual agreement between parties, on how we view the place of religion in American life and how we should contend with each other's deepest differences in the public sphere. It is a call to a vision of public life that will allow conflict to lead to consensus, religious commitment to reinforce political civility. In this way, diversity is not a point of weakness but a source of strength.

I. A TIME FOR REAFFIRMATION

We believe, in the first place, that the nature of the Religious Liberty clauses must be understood before the problems surrounding them can be resolved. We therefore affirm both their cardinal assumptions and the reasons for their crucial national importance.

With regard to the assumptions of the First Amendment Religious Liberty clauses, we hold three to be chief:

1. The Inalienable Right

Nothing is more characteristic of human-kind than the natural and inescapable drive toward meaning and belonging, toward making sense of life and finding community in the world. As fundamental and precious as life itself, this "will to meaning" finds expression in ultimate beliefs, whether theistic or non-theistic, transcendent or naturalistic, and these beliefs are most our own when a matter of conviction rather than coercion. They are most our own when, in the words of George Mason, the principal author of the Virginia Declaration of Rights, they are "directed only by reason and conviction, not by force or violence."

As James Madison expressed it in his Memorial and Remonstrance, "The Religion then of every man must be left to the conviction and conscience of every man; and it is the right of every man to exercise it as these may dictate. This right is in its nature an unalienable right."

Two hundred years later, despite dramatic changes in life and a marked increase of naturalistic philosophies in some parts of the world and in certain sectors of our society, this right to religious liberty based upon freedom of conscience remains fundamental and inalienable. While particular beliefs may be true or false, better or worse, the right to reach, hold, exercise them freely, or change them, is basic and non-negotiable.

Religious liberty finally depends on neither the favors of the state and its officials nor the vagaries of tyrants or majorities. Religious liberty in a democracy is a right that may not be submitted to vote and depends on the outcome of no election. A society is only as just and free as it is respectful of this right, especially toward the beliefs of its smallest minorities and least popular communities.

The right to freedom of conscience is premised not upon science, nor upon social utility, nor upon pride of species. Rather, it is premised upon the inviolable dignity of the human person. It is the foundation of, and

is integrally related to, all other rights and freedoms secured by the Constitution. This basic civil liberty is clearly acknowledged in the Declaration of Independence and is ineradicable from the long tradition of rights and liberties from which the Revolution sprang.

2. The Ever Present Danger

No threat to freedom of conscience and religious liberty has historically been greater than the coercions of both Church and State. These two institutions—the one religious, the other political—have through the centuries succumbed to the temptation of coercion in their claims over minds and souls. When these institutions and their claims have been combined, it has too often resulted in terrible violations of human liberty and dignity. They are so combined when the sword and purse of the State are in the hands of the Church, or when the State usurps the mantle of the Church so as to coerce the conscience and compel belief. These and other such confusions of religion and state authority represent the misordering of religion and government which it is the purpose of the Religious Liberty provisions to prevent.

Authorities and orthodoxies have changed, kingdoms and empires have come and gone, yet as John Milton once warned, "new Presbyter is but old priest writ large." Similarly, the modern persecutor of religion is but ancient tyrant with more refined instruments of control. Moreover, many of the greatest crimes against conscience of this century have been committed, not by religious authorities, but by ideologues virulently opposed to traditional religion.

Yet whether ancient or modern, issuing from religion or ideology, the result is the same: religious and ideological orthodoxies, when politically established, lead only too naturally toward what Roger Williams called a "spiritual rape" that coerces the conscience and produces "rivers of civil blood" that stain the record of human history.

Less dramatic but also lethal to freedom, and the chief menace to religious liberty today, is the expanding power of government control over personal behavior and the institutions of society, when the government acts not so much in deliberate hostility to, but in reckless disregard of, communal belief and personal conscience.

Thanks principally to the wisdom of the First Amendment, the American experience is different. But even in America where state-established orthodoxies are unlawful and the state is constitutionally limited, religious liberty can never be taken for granted. It is a rare achievement that requires constant protection.

3. The Most Nearly Perfect Solution

Knowing well that "nothing human can be perfect" (James Madison) and that the Constitution was not "a faultless work" (Gouverneur Morris), the Framers nevertheless saw the First Amendment as a "true remedy" and the most nearly perfect solution yet devised for properly ordering the relationship of religion and the state in a free society.

There have been occasions when the protections of the First Amendment have been overridden or imperfectly applied. Nonetheless, the First Amendment is a momentous decision for religious liberty, the most important political decision for religious liberty and public justice in the history of humankind. Limitation upon religious liberty is allowable only where the State has borne a heavy burden of proof that the limitation

is justified—not by any ordinary public interest, but by a supreme public necessity—and that no less restrictive alternative to limitation exists.

The Religious Liberty clauses are a brilliant construct in which both No establishment and Free exercise serve the ends of religious liberty and freedom of conscience. No longer can sword, purse and sacred mantle be equated. Now, the government is barred from using religion's mantle to become a confessional State, and from allowing religion to use the government's sword and purse to become a coercing Church. In this new order, the freedom of the government from religious control and the freedom of religion from government control are a double guarantee of the protection of rights. No faith is preferred or prohibited; for where there is no state-definable orthodoxy, there can be no state-punishable heresy.

With regard to the reasons why the First Amendment Religious Liberty clauses are important for the nation today, we hold five to be preeminent:

1. The First Amendment Religious Liberty provision have both a logical and historical priority in the Bill of Rights.—They have logical priority because the security of all rights rests upon the recognition that they are neither given by the state, nor can they be taken away by the state. Such rights are inherent in the inviolability of the human person. History demonstrates that unless these rights are protected our society's slow, painful progress toward freedom would not have been possible.

2. The First Amendment Religious Liberty provisions lie close to the heart of the distinctiveness of the American experiment.—The uniqueness of the American way of disestablishment and its consequences have often been more obvious to foreign observers such as Alexis de Tocqueville and Lord James Bryce, who wrote that "Of all the differences between the Old world and the New, this is perhaps the most salient." In particular, the Religious Liberty clauses are vital to harnessing otherwise centrifugal forces such as personal liberty and social diversity, thus sustaining republican vitality while making possible a necessary measure of national concord.

3. The First Amendment Religious Liberty provisions are the democratic world's most salient alternative to the totalitarian repression of human rights and provide a corrective to unbridled nationalism and religious warfare around the world.

4. The First Amendment Religious Liberty provisions provide the United States' most distinctive answer to one of the world's most pressing questions in the late-twentieth century. They address the problem: How do we live with each other's deepest differences?—How do religious convictions and political freedom complement rather than threaten each other on a small planet in a pluralistic age? In a world in which bigotry, fanaticism, terrorism and the state control of religion are all to common responses to these questions, sustaining the justice and liberty of the American arrangement is an urgent moral task.

5. The First Amendment Religious Liberty provisions give American society a unique position in relation to both the First and Third worlds.—Highly modernized like the rest of the First World, yet not so secularized, this society—largely because of religious freedom—remains, like most of the Third World, deeply religious. This fact, which is critical for possibilities of better

human understanding, has not been sufficiently appreciated in the American self-understanding, or drawn upon in American diplomacy and communication throughout the world.

In sum, as much if not more than any other single provision in the entire Constitution, the Religious Liberty provisions held the key to American distinctiveness and American destiny. Far from being settled by the interpretations of judges and historians, the last word on the First Amendment likely rests in a chapter yet to be written, documenting the unfolding drama of America. If religious liberty is neglected, all civil liberties will suffer. If it is guarded and sustained, the American experiment will be the more secure.

II. A TIME FOR REAPPRAISAL

Much of the current controversy about religion and politics neither reflects the highest wisdom of the First Amendment nor serves the best interests of the disputants or the nation. We therefore call for a critical reappraisal of the course and consequences of such controversy. Four widespread errors have exacerbated the controversy needlessly.

1. The Issue Is Not Only What We Debate, But How

The debate about religion in public life is too often misconstrued as a clash of ideologies alone, pitting "secularists" against the "sectarians" or vice versa. Though competing and even contrary world views are involved, the controversy is not solely ideological. It also flows from a breakdown in understanding of how personal and communal beliefs should be related to public life.

The American republic depends upon the answers to two questions. By what ultimate truths ought we to live? And how should these be related to public life? The first question is personal, but has a public dimension because of the connection between beliefs and public virtue. The American answer to the first question is that the government is excluded from giving an answer. The second question, however, is thoroughly public in character, and a public answer is appropriate and necessary to the well-being of this society.

This second question was central to the idea of the First Amendment. The Religious Liberty provisions are not "articles of faith" concerned with the substance of particular doctrines or of policy issues. They are "articles of peace" concerned with the constitutional constraints and the shared prior understanding within which the American people can engage their differences in a civil manner and thus provide for both religious liberty and stable public government.

Conflicts over the relationship between deeply held beliefs and public policy will remain a continuing feature of democratic life. They do not discredit the First Amendment, but confirm its wisdom and point to the need to distinguish the Religious Liberty clauses from the particular controversies they address. The clauses can never be divorced from the controversies they address, but should always be held distinct. In the public discussion, an open commitment to the constraints and standards of the clauses should precede and accompany debate over the controversies.

2. The Issue Is Not Sectarian, But National

The role of religion in American public life is too often devalued or dismissed in public debate, as though the American people's historically vital religious traditions

were at best a purely private matter and at worst essentially sectarian and divisive.

Such a position betrays a failure of civil respect for the convictions of others. It also underestimates the degree to which the Framers relied on the American people's religious convictions to be what Tocqueville described as "the first of their political institutions." In America, this crucial public role has been played by diverse beliefs, not so much despite disestablishment as because of disestablishment.

The Founders knew well that the republic they established represented an audacious gamble against long historical odds. This form of government depends upon ultimate beliefs, for otherwise we have no right to the rights by which it thrives, yet rejects any official formulation of them. The republic will therefore always remain an "undecided experiment" that stands or falls by the dynamism of its non-established faiths.

3. The Issue Is Larger Than the Disputants

Recent controversies over religion and public life have too often become a form of warfare in which individuals, motives and reputations have been impugned. The intensity of the debate is commensurate with the importance of the issues debated, but to those engaged in this warfare we present two arguments for reappraisal and restraint.

The lesser argument is one of expediency and is based on the ironic fact that each side has become the best argument for the other. One side's excesses have become the other side's arguments; one side's extremists the other side's recruiters. The danger is that, as the ideological warfare becomes self-perpetuating, more serious issues and broader national interests will be forgotten and the bitterness deepened.

The more important argument is one of principle and is based on the fact that the several sides have pursued their objectives in ways which contradict their own best ideals. Too often, for example, religious believers have been uncharitable, liberals have been illiberal, conservatives have been insensitive to tradition, champions of tolerance have been intolerant, defenders of free speech have been censorious, and citizens of a republic based on democratic accommodation have succumbed to a habit of relentless confrontation.

4. The Issue Is Understandably Threatening

The First Amendment's meaning is too often debated in ways that ignore the genuine grievances or justifiable fears of opposing points of view. This happens when the logic of opposing arguments favors either an unwarranted intrusion of religion into public life or an unwarranted exclusion of religion from it. History plainly shows that with religious control over government, political freedom dies; with political control over religion, religious freedom dies.

The First Amendment has contributed to avoiding both these perils, but this happy experience is no cause for complacency. Though the United States has escaped the worst excesses experienced elsewhere in the world, the republic has shown two distinct tendencies of its own, one in the past and one today.

In earlier times, though lasting well into the twentieth century, there was a de facto semi-establishment of one religion in the United States: a generalized Protestantism given dominant status in national institutions, especially in the public schools. This development was largely approved by Protestants, but widely opposed by non-Protestants, including Catholics and Jews.

In more recent times, and partly in reaction, constitutional jurisprudence has tended, in the view of many, to move toward the de facto semi-establishment of a wholly secular understanding of the origin, nature and destiny of humankind and of the American nation. During this period, the exclusion of teaching about the role of religion in society, based partly upon a misunderstanding of First Amendment decisions, has ironically resulted in giving a dominant status to such wholly secular understandings in many national institutions. Many secularists appear as unconcerned over the consequences of this development as were Protestants unconcerned about their de facto establishment earlier.

Such de facto establishments, though seldom extreme, usually benign and often unwitting, are the source of grievances and fears among the several parties in current controversies. Together with the encroachments of the expanding modern state, such de facto establishments, as much as any official establishment, are likely to remain a threat to freedom and justice for all.

Justifiable fears are raised by those who advocate theocracy or the coercive power of law to establish a "Christian America." While this advocacy is and should be legally protected, such proposals contradict freedom of conscience and the genius of the Religious Liberty provisions.

At the same time there are others who raise justifiable fears of an unwarranted exclusion of religion from public life. The assertion of moral judgments as through they were morally neutral, and interpretations of the "wall of separation" that would exclude religious expression and argument from public life, also contradict freedom of conscience and the genius of the provisions.

Civility obliges citizens in a pluralistic society to take great care in using words and casting issues. The communications media have a primary role, and thus a special responsibility, in shaping public opinion and debate. Words such as public, secular and religious should be free from discriminatory bias. "Secular purpose," for example, should not mean "non-religious purpose" but "general public purpose." Otherwise, the impression is gained that "public is equivalent to secular; religion is equivalent to private." Such equations are neither accurate nor just. Similarly, it is false to equate "public" and "governmental." In a society that sets store by the necessary limits on government, there are many spheres of life that are public but non-governmental.

Two important conclusions follow from a reappraisal of the present controversies over religion in public life. First, the process of adjustment and readjustment to the constraints and standards of the Religious Liberty provisions is an ongoing requirement of American democracy. The Constitution is not a self-interpreting, self-executing document; and the prescriptions of the Religious Liberty provisions cannot by themselves resolve the myriad confusions and ambiguities surrounding the right ordering of the relationship between religion and government in a free society. The Framers clearly understood that the Religious Liberty provisions provide the legal construct for what must be an ongoing process of adjustment and mutual give-and-take in a democracy.

We are keenly aware that, especially over state-supported education, we as a people must continue to wrestle with the complex connections between religion and the transmission of moral values in a pluralistic society. Thus, we cannot have, and should not

seek, a definitive, once for all solution to the questions that will continue to surround the Religious Liberty provisions.

Second, the need for such a readjustment today can best be addressed by remembering that the two clauses are essentially one provision for preserving religious liberty. Both parts, No establishment and Free exercise, are to be comprehensively understood as being in the service of religious liberty as a positive good. At the heart of the Establishment clause is the prohibition of state sponsorship of religion and at the heart of Free Exercise clause is the prohibition of state interference with religious liberty.

No sponsorship means that the state must leave to the free citizenry the public expression of ultimate beliefs, religious or otherwise, providing only that no expression is excluded from, and none governmentally favored, in the continuing democratic discourse.

No interference means the assurance of voluntary religious expression free from governmental intervention. This includes placing religious expression on an equal footing with all other forms of expression in genuinely public forums.

No sponsorship and no interference together mean fair opportunity. That is to say, all faiths are free to enter vigorously into public life and to exercise such influence as their followers and ideas engender. Such democratic exercise of influence is in the best tradition of American voluntarism and is not an unwarranted "imposition" or "establishment."

III. A TIME FOR RECONSTITUTION

We believe, finally, that the time is ripe for a genuine expansion of democratic liberty, and that this goal may be attained through a new engagement of citizens in a debate that is reordered in accord with constitutional first principles and considerations of the common good. This amounts to no less than the reconstitution of a free republican people in our day. Careful consideration of three precepts would advance this possibility.

1. The Criteria Must Be Multiple

Reconstitution requires the recognition that the great dangers in interpreting the Constitution today are either to release interpretation from any demanding criteria or to narrow the criteria excessively. The first relaxes the necessary restraining force of the Constitution, while the second overlooks the insights that have arisen from the Constitution in two centuries of national experience.

Religious liberty is the only freedom in the First Amendment to be given two provisions. Together the clauses form a strong bulwark against suppression of religious liberty, yet they emerge from a series of dynamic tensions which cannot ultimately be relaxed. The Religious Liberty provisions grow out of an understanding not only of rights and a due recognition of faiths but of realism and a due recognition of factions. They themselves reflect both faith and skepticism. They raise questions of equality and liberty, majority rule and minority rights, individual convictions and communal tradition.

The Religious Liberty provisions must be understood both in terms of the Framers' intentions and history's sometimes surprising results. Interpreting and applying them today requires not only historical research but moral and political reflection.

The intention of the Framers is therefore a necessary but insufficient criterion for in-

interpreting and applying the Constitution. But applied by itself, without any consideration of immutable principles of justice, the intention can easily be wielded as a weapon for governmental or sectarian causes, some quoting Jefferson and brandishing. No establishment and others citing Madison and brandishing Free exercise. Rather, we must take the purpose and text of the Constitution seriously, sustain the principles behind the words and add an appreciation of the many-sided genius of the First Amendment and its complex development over time.

2. The Consensus Must Be Dynamic

Reconstitution requires a shared understanding of the relationship between the Constitution and the society it is to serve. The Framers understood that the Constitution is more than parchment and ink. The principles embodied in the document must be affirmed in practice by a free people since these principles reflect everything that constitutes the essential forms and substance of their society—the institutions, customs and ideals as well as the laws. Civic vitality and the effectiveness of law can be undermined when they overlook this broader cultural context of the Constitution.

Notable, in this connection is the striking absence today of any national consensus about religious liberty as a positive good. Yet religious liberty is indisputably what the Framers intended and what the First Amendment has preserved. Far from being a matter of exemption, exception or even toleration, religious liberty is an inalienable right. Far from being a sub-category of free speech or a constitutional redundancy, religious liberty is distinct and foundational. Far from being an individual right, religious liberty is a positive social good. Far from denigrating religion as a social or political "problem," the separation of Church and State is both the saving of religion from the temptation of political power and an achievement inspired in large part by religion itself. Far from weakening religion, disestablishment has, as an historical fact, enabled it to flourish.

In light of the First Amendment, the government should stand in relation to the churches, synagogues and other communities of faith as the guarantor of freedom. In light of the First Amendment, the churches, synagogues and other communities of faith stand in relation to the government as generators of faith, and therefore contribute to the spiritual and moral foundations of democracy. Thus, the government acts as a safeguard, but not the source, of freedom for faiths, whereas the churches and synagogues act as a source, but not the safeguard, of faiths for freedom.

The Religious Liberty provisions work for each other and for the federal idea as a whole. Neither established nor excluded, neither preferred nor proscribed, each faith (whether transcendent or naturalistic) is brought into a relationship with the government so that each is separated from the state in terms of its institutions, but democratically related to the state in terms of individuals and its ideas.

The result is neither a naked public square where all religion is excluded, nor a sacred public square with any religion established or semi-established. The result, rather is a civil public square in which the citizens of all religious faiths, or none, engage one another in the continuing democratic discourse.

3. The Compact Must Be Mutual

Reconstitution of a free republican people requires the recognition that religious liber-

ty is a universal right joined to a universal duty to respect that right.

In the turns and twists of history, victims of religious discrimination have often later become perpetrators. In the famous image of Roger Williams, those at the helm of the Ship of State forget they were once under the hatches. They have, he said, "One weight for themselves when they are under the hatches, and another for others when they come to the helm." They show themselves, said James Madison, "as ready to set up an establishment which is to take them in as they were to pull down that which shut them out." Thus, benignly or otherwise, Protestants have treated Catholics as they were once treated, and secularists have done likewise with both.

Such inconsistencies are the natural seedbed for the growth of a de facto establishment. Against such inconsistencies we affirm that a right for one is a right for another and a responsibility for all. A right for a Protestant is a right for an Orthodox is a right for a Catholic is a right for a Jew is a right for a Humanist is a right for a Mormon is a right for a Muslim is a right for a Buddhist—and for the followers of any other faith within the wide bounds of the republic.

That rights are universal and responsibilities mutual is both the premise and the promise of democratic pluralism. The First Amendment, in this sense, is the epitome of public justice and serves as the golden rule for civic life. Rights are best guarded and responsibilities best exercised when each person and group guards for all others those rights they wish guarded for themselves. Whereas the wearer of the English crown is officially the Defender of the Faith, all who uphold the American Constitution are defenders of the rights of all faiths.

From this axiom, that rights are universal and responsibilities mutual, derives guidelines for conducting public debates involving religion in a manner that is democratic and civil. These guidelines are not, and must not be, mandated by law. But they are, we believe, necessary to reconstitute and revitalize the American understanding of the role of religion in a free society.

First, those who claim the right to dissent should assume the responsibility to debate. Commitment to democratic pluralism assumes the coexistence within one political community of groups whose ultimate faith commitments may be compatible, yet whose common commitment to social unity and diversity does justice to both the requirements of individual conscience and the wider community. A general consent to the obligations of citizenship is therefore inherent in the American experiment, both as a founding principle ("We the people") and as a matter of daily practice.

There must always be room for those who do not wish to participate in the public ordering of our common life, who desire to pursue their own religious witness separately as conscience dictates. But at the same time, for those who wish to participate, it should be understood that those claiming the right to dissent should assume the responsibility to debate. As this responsibility is exercised, the characteristic American formula of individual liberty complemented by respect for the opinions of others permits differences to be asserted, yet a broad, active community of understanding to be sustained.

Second, those who claim the right to criticize should assume the responsibility to comprehend. One of the ironies of demo-

cratic life is that freedom of conscience is jeopardized by false tolerance as well as by outright intolerance. Genuine tolerance considers contrary views fairly and judges them on merit. Debased tolerance so refrains from making any judgment that it refuses to listen at all. Genuine tolerance honestly weighs differences and promotes both impartiality and pluralism. Debased tolerance results in indifference to the differences that vitalize a pluralistic democracy.

Central to the difference between genuine and debased tolerance is the recognition that peace and truth must be held in tension. Pluralism must not be confused with, and is in fact endangered by, philosophical and ethical indifference. Commitment to strong, clear philosophical and ethical ideas need not imply either intolerance or opposition to democratic pluralism. On the contrary, democratic pluralism requires an agreement to be locked in public argument over disagreements of consequence within the bonds of civility.

The right to argue for any public policy is a fundamental right for every citizen; respecting that right is a fundamental responsibility for all other citizens. When any view is expressed, all must uphold as constitutionally protected its advocate's right to express it. But others are free to challenge that view as politically pernicious, philosophically false, ethically evil, theologically idolatrous, or simply absurd, as the case may be seen to be.

Unless this tension between peace and truth is respected, civility cannot be sustained. In that event, tolerance degenerates into either apathetic relativism or a dogmatism as uncritical of itself as it is uncompromising of others. The result is a general corruption of principled public debate.

Third, those who claim the right to influence should accept the responsibility not to inflame. Too often in recent disputes over religion and public affairs, some have insisted that any evidence of religious influence on public policy represents an establishment of religion and is therefore precluded as an improper "imposition." Such exclusion of religion from public life is historically unwarranted, philosophically inconsistent and profoundly undemocratic. The Framers' intention is indisputably ignored when public policy debates can appeal to the thesis of Adam Smith and Karl Marx, or Charles Darwin and Sigmund Freud but not to the Western religious tradition in general and the Hebrew and Christian Scriptures in particular. Many of the most dynamic social movements in American history, including that of civil rights, were legitimately inspired and shaped by religious motivation.

Freedom of conscience and the right to influence public policy on the basis of religiously informed ideas are inseparably linked. In short, a key to democratic renewal is the fullest possible participation in the most open possible debate.

Religious liberty and democratic civility are also threatened, however, from another quarter. Overreacting to an improper veto on religion in public life, many have used religious language and images not for the legitimate influencing of policies but to inflame politics. Politics is indeed an extension of ethics and therefore engages religious principles; but some err by refusing to recognize that there is a distinction, though not a separation, between religion and politics. As a result, they bring to politics a misplaced absoluteness that idolizes politics, "Satanizes" their enemies and politicizes their own faith.

Even the most morally informed policy positions involve prudential judgments as well as pure principle. Therefore, to make an absolute equation of principles and policies inflates politics and does violence to reason, civil life and faith itself. Politics has recently been inflamed by a number of confusions: the confusion of personal religious affiliation with qualification or disqualification for public office; the confusion of claims to divine guidance with claims to divine endorsement; and the confusion of government neutrality among faiths with government indifference or hostility to religion.

Fourth, those who claim the right to participate should accept the responsibility to persuade. Central to the American experience is the power of political persuasion. Growing partly from principle and partly from the pressures of democratic pluralism, commitment to persuasion is the corollary of the belief that conscience is inviolable, coercion of conscience is evil, and the public interest is best served by consent hard won from vigorous debate. Those who believe themselves privy to the will of history brook no argument and need never tarry for consent. But to those who subscribe to the idea of government by the consent of the governed, compelled beliefs are a violation of first principles. The natural logic of the Religious Liberty provisions is to foster a political culture of persuasion which admits the challenge of opinions from all sources.

Arguments for public policy should be more than private convictions shouted out loud. For persuasion to be principled, private convictions should be translated into publicly accessible claims. Such public claims should be made publicly accessible for two reasons: first, because they must engage those who do not share the same private convictions, and second, because they should be directed toward the common good.

RENEWAL OF FIRST PRINCIPLES

We who live in the third century of the American republic can learn well from the past as we look to the future. Our Founders were both idealists and realists. Their confidence in human abilities was tempered by their skepticism about human nature. Aware of what was new in their times, they also knew the need for renewal in times after theirs. "No free government, or the blessings of liberty," wrote George Mason in 1776, "can be preserved to any people, but by a firm adherence to justice, moderation, temperance, frugality, and virtue, and by frequent recurrence to fundamental principles."

True to the ideals and realism of that vision, we who sign this Charter, people of many and various beliefs, pledge ourselves to the enduring precepts of the First Amendment as the cornerstone of the American experiment in liberty under law.

We address ourselves to our fellow citizens, daring to hope that the strongest desire of the greatest number is for the common good. We are firmly persuaded that the principles asserted here require a fresh consideration, and that the renewal of religious liberty is crucial to sustain a free people that would remain free. We therefore commit ourselves to speak, write and act according to this vision and these principles. We urge our fellow citizens to do the same.

To agree on such guiding principles and to achieve such a compact will not be easy. Whereas a law is a command directed to us, a compact is a promise that must proceed

freely from us. To achieve it demands a measure of the vision, sacrifice and perseverance shown by our Founders. Their task was to defy the past, seeing and securing religious liberty against the terrible precedents of history. Ours is to challenge the future, sustaining vigilance and broadening protections against every new menace, including that of our own complacency. Knowing the unquenchable desire for freedom, they lit a beacon. It is for us who know its blessings to keep it burning brightly.

INTRODUCTION OF LEGISLATION TO PROVIDE ADDITIONAL HOUSING ASSISTANCE TO THOSE AREAS AFFECTED BY THE LOMA PRIETA EARTHQUAKE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. PANETTA] is recognized for 5 minutes.

Mr. PANETTA. Mr. Speaker, I rise today to introduce legislation that will provide much needed housing assistance to those affected by the Loma Prieta earthquake. I am pleased that my colleague, ESTEBAN TORRES is joining me in introducing this bill.

While emergency housing assistance is available to the victims of natural disasters, there seems to be a shortfall of assistance available to rebuild affordable housing. The legislation that I have introduced would provide this much needed assistance.

Prior to the earthquake Santa Cruz, Monterey, and San Benito Counties were already suffering a severe housing problem. Many of my constituents traveled to Washington to participate in the "Housing Now March" to show their deep concern for the housing problems in their communities. In the aftermath of the earthquake the housing problems in this area have become even more desperate.

Reports from my district indicate that over 600 homes were destroyed and 1,800 were seriously damaged. Hundreds of people have been displaced. Many of those are still living in tents in Watsonville because there is no affordable housing available for relocation. Others, many of whom are senior citizens, will not be able to move back to their homes because the buildings that they lived in cannot be repaired. Clearly, the housing needs of these areas has reached a crisis level.

The Santa Cruz County Housing Authority has contacted me regarding their urgent need for additional section 8 vouchers or certificates and additional section 8 mod. rehab. funding. I am concerned that the affordable housing that was available before the earthquake will not be able to be rebuilt as affordable and that this will add to the already difficult housing situation. Without assistance to make the necessary repairs to buildings, landlords will be forced to raise rents. With assistance these landlords will be able to continue to provide affordable housing in an area with a severe housing problem. In conjunction with assistance for landlords, the county is in need of section 8 vouchers and certificates to help those displaced by the earthquake find alternative housing. Because of the high rents in the county section 8 assistance is vital.

In addition, a large amount of farmworker housing was destroyed. This housing is gener-

ally in poor repair and overcrowded. The problem is that the housing was not built for year-round use by families. However, that is exactly how the housing is used. Most of the families that live in this substandard housing cannot afford to make the needed repairs to make the housing livable. This legislation would make additional Farmers Home Administration funding available for the repair and construction of rural housing for the farmworker families displaced by the earthquake.

Finally, this legislation provides the Secretary of Housing and Urban Development with additional authority to redirect community development block grant [CDBG] funding to entitlement cities affected by natural disasters. One of the problems faced by the cities in my district in the aftermath of the earthquake is a lack of funding to carry out projects that were intended to be started shortly after the earthquake hit. Because of the need for many emergency measures these cities do not have the available funds to carry out these projects. In some cases these projects would provide long-term assistance to those affected by the earthquake. One example is a low-income housing project that is being built by a local nonprofit agency. Part of the planning for this project that will provide 130 units of low-income housing includes the building of storm drains by the city. However, the city does not now have enough money to pay for the repair work that needs to be done and for building the storm drains. Without the drains, the project cannot be built and 130 additional units of low-income housing will be lost.

The earthquake that hit California on October 17, 1989, has changed the lives of thousands of people. Many will not be able to resume a normal life for sometime to come. We, as a nation, have always shown compassion to those whose lives have been disrupted by a disaster. The people of California are grateful for the assistance that the American people have provided since the earthquake, but when the headlines end and the Nation's attention turns to another subject, the victims of the earthquake will be left with problems still unsolved. This legislation provides assistance for long-term permanent solutions to help these communities rebuild and revitalize. I urge you to support this measure.

H.R. —

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

SECTION 1. CERTIFICATES AND VOUCHERS.

The budget authority available under section 5(c) of the United States Housing Act of 1937 (42 U.S.C. 1437c(c)) for assistance under the certificate and voucher programs under sections 8 (b) and (o) of such Act is authorized to be increased in any fiscal year in which a major disaster is declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act in such amount as may be necessary to provide assistance under such programs for individuals and families whose housing has been damaged or destroyed as a result of such disaster.

SEC. 2. MODERATE REHABILITATION.

The budget authority available under section 5(c) of the United States Housing Act of 1937 (42 U.S.C. 1437c(c)) for assistance under the moderate rehabilitation program

under section 8(e)(2) of such act is authorized to be increased in any fiscal year in which a major disaster is declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act in such amounts as may be necessary to provide assistance under such programs for individuals and families whose housing has been damaged or destroyed as a result of such disaster.

SEC. 3. COMMUNITY DEVELOPMENT.

(a) **COMMUNITY DEVELOPMENT BLOCK GRANTS.**—Section 106(c) of the Housing and Community Development Act of 1974 (42 U.S.C. 5306) is amended—

(1) in paragraph (1), by striking "paragraph (2)," and inserting "paragraphs (2) and (4);" and

(2) by adding at the end the following new paragraph:

"(4)(A) Notwithstanding paragraph (1), in the event of a major disaster declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, the Secretary shall make available, to metropolitan cities and urban counties located or partially located in the areas affected by the disaster, any amounts that become available as a result of actions under section 104(e) or 111.

"(B) In using any amounts that become available as a result of actions under section 104(e) or 111, the Secretary shall give priority to providing emergency assistance under this paragraph.

"(C) The Secretary may provide assistance to any metropolitan city or urban county under this paragraph only to the extent necessary to meet emergency community development needs, as the Secretary shall determine (subject to subparagraph (D)), of the city or county resulting from the disaster that are not met with amounts otherwise provided under this title, the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and other sources of assistance.

"(D) Amounts provided to metropolitan cities and urban counties under this paragraph may be used only for eligible activities under section 105.

"(E) The Secretary shall provide for applications (or amended applications and statements under section 104) for assistance under this paragraph.

"(F) A metropolitan city or urban county eligible for assistance under this paragraph may receive such assistance only in each of the fiscal years ending during the 3-year period beginning on the date of the declaration of the disaster by the President.

"(G) This paragraph may not be construed to require the Secretary to reserve any amounts that become available as a result of actions under section 104(e) or 111 for assistance under this paragraph if, when such amounts are to be reallocated under paragraph (1), no metropolitan city or urban county qualifies for assistance under this paragraph."

(b) **URBAN DEVELOPMENT ACTION GRANTS.**—(1) **IN GENERAL.**—Section 119(g) of the Housing and Community Development Act of 1974 (42 U.S.C. 5318(g)) is amended—

(A) by inserting "(1)" after "(g)"; and

(B) by adding at the end the following new paragraph:

(2)(A) Notwithstanding subsection (d)(5)(B)(iii), in the event of a major disaster declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, the Secretary shall make available, to cities and urban counties eligible under subsection (b) for

grants under this section that are located or partially located in the areas affected by the disaster, any amounts that are recaptured from previous grants.

"(B) In using any recaptured amounts, the Secretary shall give priority to providing emergency assistance under this paragraph.

"(C) The Secretary may provide assistance to any city or urban county under this paragraph only to the extent necessary to meet emergency urban development needs, as the Secretary shall determine (subject to subparagraph (D)), of the city or county resulting from the disaster that are not met with amounts otherwise provided under this title, the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and other sources of assistance.

"(D) Amounts provided to cities and urban counties under this paragraph may be used only for eligible activities under this section.

"(E) The Secretary shall provide for applications (or amended applications under subsection (c)) for assistance under this paragraph.

"(F) A city or urban county eligible for assistance under this paragraph may receive such assistance only in each of the fiscal years ending during the 3-year period beginning on the date of the declaration of the disaster by the President.

"(G) This paragraph may not be construed to require the Secretary to reserve any recaptured amounts for assistance under this paragraph if, when such amounts are to be included in a competition pursuant to subsection (d)(5), no city or urban county qualifies for assistance under this paragraph."

(2) **CONFORMING AMENDMENT.**—Section 119(d)(5)(B)(iii) of the Housing and Community Development Act of 1974 (42 U.S.C. 5318(d)(5)(iii)) is amended by striking the period at the end and inserting the following: "and have not been awarded under subsection (g)(2)."

SEC. 4 RURAL HOUSING.

Title V of the Housing Act of 1949 (42 U.S.C. 1471 et seq.) is amended by adding the end the following new section:

"DISASTER ASSISTANCE

"SEC. 536. (a) **AUTHORITY.**—

"(1) **IN GENERAL.**—Notwithstanding any other provision of this title, in the event of a natural disaster, so declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, the Secretary shall allocate, for assistance under this section to the States affected for use in the counties designated as disaster areas and the counties contiguous to such counties, amounts available under this title. Allocations under this section shall be made for each of the fiscal years ending during the 3-year period beginning on the date of the declaration of the disaster by the President.

"(2) **AMOUNT.**—Subject to the availability of amounts pursuant to appropriations Acts, assistance under paragraph (1) shall be made in an amount equal to the product of—

"(A) the sum of the official State estimate of the number of dwelling units in the counties described in paragraph (1) within the eligible service area of the Farmers Home Administration (or otherwise if the Secretary provides for a waiver under subsection (d)) that are destroyed or seriously damaged; and

"(B) 20 percent of the average cost of all dwelling units assisted by the Secretary in the State during the previous 3 years.

"(b) **USE.**—The assistance made available under this section may be used for the hous-

ing purposes authorized under this title, and the Secretary shall issue such regulations as may be necessary to carry out this section to assure the prompt and expeditious use of such funds for the restoration of decent, safe, and sanitary housing within the area described in subsection (a)(1).

"(c) **ELIGIBILITY.**—Notwithstanding any other provision of this title, assistance allocated under this section shall be available to units of general local government and their agencies and to local nonprofit organizations, agencies, and corporations for the construction or rehabilitation of housing for agricultural employees and their families.

"(d) **WAIVER OF RURAL AREA REQUIREMENTS.**—The Secretary may waive the application of the provisions of section 520 with respect to assistance under this section, as the Secretary considers appropriate.

"(e) **RURAL HOUSING INSURANCE FUND.**—The Secretary is authorized to advance from the Rural Housing Insurance Fund such sums as may be necessary to meet the requirements of subsection (a)(1)."

HIGHER EDUCATION POLICY ITEMS IN THE BUDGET RECONCILIATION REPORT WILL MAKE BAD POLICY FOR STUDENTS, SCHOOLS, AND TAXPAYERS

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. GAYDOS] is recognized for 60 minutes.

Mr. GAYDOS. Mr. Speaker, later this week, the House will take up the conference report on budget reconciliation. While I cannot speak for or against the report as a whole, there is a portion of it that, in its current form, will destroy a vital and necessary segment of the higher education community.

Within the budget reconciliation conference report, there is a section that purports to save almost \$40 million in budget outlays for fiscal year 1990, but which really is a thinly veiled attempt to reduce access and choice for young people who want to attend career training schools rather than more traditional academic 2- and 4-year education programs by making it more difficult for them to get student aid.

The subcommittee committee dealing with that issue is on the verge of offering a laundry list of items that are less directed toward those savings as required by the Budget Committee than they are at radically changing current policies on student aid.

I have attached the full list of items with the potential savings of each, as calculated by the Congressional Budget Office. As you can see, overall, there is little to commend them as savings. Some do make sense as management tools to improve the flow of dollars to students and schools while providing better controls over those dollars, but three items are out-and-out threats to the futures of thousands of

young people hoping to break the chains of poverty.

Let me briefly cite those three that demonstrate what I mean and then go into greater detail.

The first item says that students who plan to attend career training schools having a student loan default rate of more than 30 percent would not be eligible to participate in the Supplemental Loan for Students Program [SLS].

The second item says that students must have either a high school diploma or a general equivalency diploma [GED] in order to be eligible to participate in the SLS Program.

And, the third item says the amount of SLS money available to students depends solely on the length of the training program.

While each of these items by itself will have tragic consequences, the combination will prove devastating to just those students who desperately need this kind of career training.

I am a member of the subconference committee on student aid, but cannot—and will not—put my name to any document which I believe is fundamentally flawed.

It is flawed for two reasons. First, and foremost, it will make it far more difficult for too many Americans who want and need specialized career training to get it. This, quite frankly, is just the opposite message we should be sending to those Americans who want to work, but don't have the skills; who want to learn a trade, but don't want to spend years combining academic and career work.

Second, but no less important, this agreement is a backdoor method of making a major policy change—without giving the parties involved an opportunity to speak on the issue.

If we were making significant budget savings by this package of adjustments to the higher education student aid formula, it might have some redeeming value. But it does not do that and, therefore, I must view this agreement as nothing more than the first attempt to eliminate the career training segment of higher education from eligibility in the entire student loan program.

By limiting access for students who are not interested in academic education to only academic programs, we will not only be selling them short, we will be affecting other Federal programs as well.

A 1989 report done by Shearson Lehman Hutton argues that any limitations on access to higher education programs, including, and especially, career training, will cost dramatically more in terms of other Federal programs such as welfare, food stamps, women and infant care, housing, and health care.

According to their report, taxpayers save \$17,938 per student per year for

every American who finishes a training program and gets a job earning \$15,000. This money is saved as follows: family welfare benefits—\$6,000; food stamps—\$1,908; women and infant care—\$480; housing—\$7,200; and Medicaid—\$500. In addition, the taxes generated by that \$15,000 job is equal to \$1,850.

These savings will quickly dwindle, become nonexistent and then turn into costs if students don't have access to those programs that will teach them the skills they need to get better jobs more quickly.

And, please keep in mind that I'm not talking about just a handful of students here.

Last year, for example, 1.2 million students earned certificates from career training schools as compared to 998,000 students who earned bachelor degrees at colleges and universities.

These 1.2 million students deliberately chose career training over academic programs because they wanted to learn a skill as quickly as possible so they could get into the job market with more practical hands-on training.

The students who choose a career training program are more likely to be older than traditional students—46 percent of them over the age of 25—and more likely to be financially independent of their parents—54 percent of them. Further, 71 percent of first-time career training school students have children and half of them are single parents.

Career training schools also educate a higher percentage of women than any post-secondary sector—78 percent—and minorities comprise 40 percent of the schools' enrollments.

For these students and many others, Federal student aid programs are the only opportunity they have, the single factor that enables them to change their circumstances.

The basic assistance programs are Pell grants, Stafford Guaranteed Student Loans [GSL], Supplemental Loans for Students [SLS], and parent loans [PLUS].

While original thinking behind these Federal assistance programs was to use grants for students coming from poorer backgrounds and loans for students whose families just needed some assistance, during the 1980's, Federal education policy has changed so that there has been considerably more dependence on loans overall.

There are many of us who believe we must change that system, that we must return to the original concept of grants for less economically secure students and loans for those somewhat better off.

I support those efforts, but I am also a realist. While our hope is to restructure the student aid system, it is unlikely to become reality in the immediate future.

So the question is: Where do we go from here? Do we make the commitment to keep the available loan programs open so that students will have access to the institution of higher education of their choice, or do we tell them that because too many previous students who attended a particular school didn't repay their loans, they either can't get the aid to go there, or they have to go somewhere else—assuming they can find the program they want, offered in the timeframe they desire.

Those students can rely on only two programs, both are loans—the GSL and the SLS.

The GSL is available to students on the basis on need. This takes into consideration how much the student and student's family earns, what they can be expected to pay for the student's education, and how much the program of study will cost.

The GSL also offers a low interest rate—8 percent—and doesn't become payable until 6 to 9 months after the student leaves school.

Independent students, roughly 54 percent of the career training enrollment, are eligible for SLS loans. It is not based on need, is offered at market rate—about 12 percent—but comes due 60 days after it is issued. Students who receive a GSL can also get an SLS to help defray additional costs of their education.

Right now, first and second year students are eligible for \$2,600 under a GSL and \$4,000 under an SLS in a given year.

If we accept the policy changes in the subconference report, this will change. We will continue to allow students eligibility for the SLS loan provided they go to the right school and have a high school diploma or a GED. Unfortunately, that means that too many students will lose whatever chance exists to escape from a life of poverty and despair.

How often have we heard or read about some person who dropped out of high school to help support his or her family or to raise a family only to decide later in life to return to school to get that piece of paper? Are we saying to them that they don't count, that a piece of paper is more important than their immediate need? Have we lost all of our compassion and concern for those Americans who want to work, but for a variety of reasons have dropped out of high school before completing the program?

We say we are concerned about the amount of indebtedness these students assume, so the subconference has determined that the amount of the loan will depend on the length of the program. Thus, a person choosing to attend a course of less than 600 hours, a truck driver training program, for

example, is eligible to receive an SLS loan of only \$1,500.

If the student is planning to attend a program of between 600 and 900 hours, he or she would be eligible for \$2,500 in SLS funds, and if the student is lucky and attends a course of more than 900 hours, a maximum amount of \$4,000 is available.

So here we go again, cutting off just those students who will benefit most. Dependent students who need more than the \$2,600 maximum under GSL, can go to their parents and ask them to help.

The parents have several options. They can take a PLUS loan, which is very similar to the SLS program in interest rates and payment structure, or they may have the option of going to an employer-funded system of student aid, or, if they own their own home and have a reasonable amount of equity in it, they can borrow against that equity—and even deduct the loan interest.

The independent student, however, does not have those options. Generally, the SLS loan is the loan of last resort. So whom are we hurting? Middle-class kids? No. We are hurting just those students who need the help—the older student, the single parent who either wants to get training for entry into the work force or wants to learn new skills for better paying jobs.

We already throw students who want to attend career training programs into another class by making them ineligible for the Pell grants when the course of study is less than 600 hours, so now we make it even more difficult since a number of career training programs are less than 600 hours.

The average income of students who qualify for a Pell grant was \$9,236 for 1987-88 while the average income of 47 percent of the students who attended career training schools was less than \$11,000.

By requiring students to have GED's before they are eligible for an SLS loan, we will be forcing these students, who have already dropped out of an academic environment once before, back into that same academic environment.

We will be telling those students who do not want an academic education that we don't believe they can benefit enough from career training, despite reports from most researchers who feel such programs are ideal for students who don't do well in an academic program.

They don't want to be teachers, accountants, or lawyers. They want to be truck drivers, electricians, secretaries, dental assistants on paralegals. They want to learn the exact skills they will need to do a job well and to become productive members of our society.

We will also be telling those students that we don't think they can benefit enough from career training to enable them to get off welfare, get a good paying job, and attempt to make a better life for themselves and their families. And many of the students I'm talking about have families they have to support while they go to school.

Tuition costs are increasing at career schools just as at all other post-secondary schools but the tuitions at career schools aren't rising at such an outrageous pace as some people insist. A survey by the Association of Independent Colleges and Schools reveals the average cost of tuition for career schools in 1988-89 is \$4,433. Their tuition increased 12.2 percent since 1984-85 in real terms. But that 12.2-percent increase should be compared to the 30-plus-percent increase for private, not-for-profit colleges and universities.

As I just noted, the average tuition at career schools is \$4,433 and the maximum GSL for first and second year students is \$2,625. If the SLS loan is not available to these students who just want to learn a skill, they won't be able to do it. They won't have the money needed to pay for the training that would lead to a better job.

Since 47 percent of students who attended career schools last year had an income of less than \$11,000, many of these students need the SLS loan to cover the living expenses for them and, often times, their families while they attend school. These are people who cannot afford to attend school without having some means to pay the bills for the length of the training program. These are also people who barely make enough money to cover their expenses from one month to the next, much less be able to save up enough money so they can pay their living expenses and the cost of their education while they study.

Without access to the SLS loan, they will be stuck doing whatever they can to get by, or, worse yet, stuck on welfare and other Federal programs.

If this isn't bad enough, we will be moving even farther in the wrong direction by accepting the policy changes in this package because it will limit access to career training programs themselves, even for those Americans who have a GED.

And that brings us to that part of the budget savings program that would eliminate schools with more than a 30 percent default rate from participation in the SLS Program.

First, let me explain how the default rate is calculated. If just one student in a given institution of higher learning gets a loan and fails to begin repayment within a certain term after the loan becomes due, that school is then charged with a 100-percent default rate.

It makes no difference whether that student has dropped out of the program before its completion or whether the program has been completed. The school, according to almost everyone, is in the wrong—especially if it is a career training school.

Now, if two students at an institution get loans, and one repays the loan while the other one does not, the default rate is 50 percent. It doesn't make any difference what the amount of the dollars in default are, only the number of loans that are not being repaid on schedule.

Second, the calculated default rate we are using includes defaulted Stafford GSL loans only or both GSL and SLS loans. The Department of Education says it cannot give us separate default rates for GSL and SLS.

That, to me, seems a little strange since I have heard from several schools that have been able to give me the separate default rate numbers—that they received from the Department of Education.

One such school, Dickinson Business College told me that its combined default rate was about 42 percent. Its SLS default rate, as calculated by the Department, was about 14 percent.

The people at Dickinson told me that because SLS loans go into repayment 60 days after being granted, they have a better chance to ensure that those loans are repaid, because the student is still in the program. The GSL loan doesn't become due for repayment until 6 to 9 months after the student leaves or completes the program.

This arbitrary cutoff for loan defaults combines GSL and SLS loans and is detrimental to many smaller schools, most of which are career training schools; 1983 figures supplied by the General Accounting Office illustrated just how detrimental this will be.

In 1983 there were 112 schools rated as having a 100-percent default rate with only one loan in default. There were 92 schools listed in the same GAO report that had only 1 loan in default, but were rated as having a 50 percent default rate. Now if three students at an institution got loans and only one did not repay it, the default rate would be 33 1/3 percent.

Thus the 30 percent cut off really doesn't make any sense.

The amount of money involved in these types of defaults varies from \$348 to \$5,000 at schools with the 100-percent default rate and from \$350 to \$15,000 at schools with the 50 percent default rate. These amounts are a drop in the bucket compared to bigger schools who have millions of dollars in default but may have a low default rate.

According to that same 1983 GAO report, for example, the University of

Maryland and Rutgers University each had default rates of less than 10 percent but the combined money in loan defaults from students who attended these two traditional institutions of higher education totaled over \$3 million.

There is no question that we need to reduce the student loan default rates, but the Department of Education has been moving in that direction. Last year, the Subcommittee on Postsecondary Education created a major student loan default management bill. Even though it did not make it through the process, much of the proposal has been utilized by the Secretary of Education in crafting his proposed default management regulations.

Still, if we are interested in where the \$2 billion in GSL defaults are, we need to look beyond the default rate. We must consider the amount of dollars in default.

I have just cited two examples. Many more exist. I will insert into the RECORD an entire page of that 1983 GAO report listing schools with one loan in default but having a 100-percent default rate. At the same time, I am going to include a listing on those institutions of higher learning with default rates under 10 percent, but which have more than \$1 million in defaulted loans according to the same 1983 report.

I would use more current figures but the Department of Education does not have a current comprehensive report that lists default rates and the amount of money in default by school. Apparently, the schools' default rate and the amount of money in default are treated as two separate types of information which are put into two or more separate reports.

My staff people have been told the information is available but it would be a very expensive and time-consuming task to put together a single report listing those two types of information by school. It's a shame. I think many of us, as well as the Department of Education, would find a single comprehensive report very helpful.

But ever by using 1983 numbers, I think you can understand how the 30-percent cutoff will have a disastrous affect on the career training segment of higher education.

Since career training schools provide about half of all of the vocational training in the United States, limiting access to this training will have a terrible effect on our country's labor pool.

Shearson Lehman Hutton predicts "denying certain students access to vocational education is ultimately far more costly to the U.S. taxpayer."

In their 1989 report, I cited earlier they estimate that even if a school stays open with a 50-percent default rate with 100 students who have loans of \$2,500 each, taxpayers save \$896,500

per year for just that one student population of 100.

Also, the three top fastest growing occupations percentwise according to the Department of Labor are jobs in which career training plays an important role: paralegal, medical assistant, and physical therapist.

In 1986, the Department estimated there were 61,000 paralegals and by 2000 we will need 125,000. That's a 103.7-percent increase. They also estimate increased needs of 90.4 percent for medical assistants and 87.5 percent for physical therapists.

Aside from causing shortages in certain skilled labor pools by forcing small training schools out of business and denying them a supply of students, if this package is accepted, we will also end up increasing labor shortages that already exist in such fields as the trucking industry.

There are now well over 2 million truck drivers but the driver shortage is expected to exceed 300,000 by 1991. According to a study by the Hudson Institute, it is estimated the trucking industry needs 450,000 new drivers every year.

Truck driving schools are the primary source for new drivers, especially since we passed the Commercial Motor Vehicle Act of 1986 which, among other things, requires better trained truckdrivers. Where do we expect to get the 450,000 new drivers per year if we make most of the students who want to drive trucks ineligible for aid and the schools that would educate them ineligible to participate in any of the financial assistance programs? And even more, do truck drivers really need the kinds of long-term programs that combine academic and skill training? The answer is a simple "No!"

Considering the amount of money the Department of Education appropriated for defaults in 1989—\$243.5 million for the SLS/PLUS loans and \$1.6 billion for the Stafford loans, the default issue must be addressed, but cutting off schools with a 30 percent or higher default rate is not necessarily the answer.

Having looked at the phenomenal growth of the SLS in the past 2 years, I can understand the concern, but both the Department of Education and the Congressional Budget Office have said that it is too early to tell what the real effects of this growth will be.

SLS loans in 1987 totaled \$711 million and in 1988 loans were nearly \$2 billion. The effects of the big surge in 1988 won't be seen until the Department's 1989 cohort default tapes can be analyzed, but CBO has based the cost figures in this report on the Department's 1987 cohort default tapes.

Many people are worried about the growth in the SLS program and are saying something has to be done now but these particular policy changes

will not address the potential, if any, problem. They will create new problems that will eventually have to be addressed.

I am opposed to these policy changes because they won't save any money in the long run and will end up costing far more than any pretence of savings now. Further, these changes will take us in the wrong direction.

I believe in higher education. I believe that every one who wants more education—whether the academic skills that will lead to certain kinds of careers or the specific career training for immediate employment—should be allowed to pursue that dream. It is in the best interest of the Nation.

Last month, the Washington Post editorialized about the problems of student aid loans and defaults.

I responded to that editorial with a letter detailing some of the history of changes in the higher education structure in the United States.

Since the Post has not yet decided whether it will print my letter, I will include it with this commentary.

I think it is important that we understand the need for all kinds of educational opportunities for Americans, regardless of age, program interest, or type of school.

Not every one has to be a rocket scientist, doctor, lawyer, or accountant. We definitely need truck drivers, plumbers, electricians, welders, secretaries, and medical and dental assistants.

I know that we will not be allowed to single out one element of this budget reconciliation report, but, if we could, this is the one I would urge all of you to vote against.

This portion of the report is bad because it makes policy in a budget bill, and it is worse because it makes bad policy.

Mr. Speaker, I would like to have the following material made a part of the RECORD.

STAFF PROPOSED AGREEMENT FOR BUDGET RECONCILIATION

	Savings	
	1990	1991
(1) Medical Student Loan Internship Deferrals, including mandatory forbearance provisions:		
Budget authority.....	-10	-15
Outlays.....	-10	-15
(2) Eliminate undergraduate borrowers attending schools with calculated cohort default rates of 30 percent or more from participating in the SLS program except allow current borrowers at those schools to participate in the SLS program until their program is completed. This provision also includes language that would limit the ability of an institution from evading this provision through change of ownership, branching or consolidation:		
Budget authority.....	-5	-60
Outlays.....	-3	-60
(3) Require that all loan disbursements (SLS and GSL) to be made 30 days after the beginning of the course of instruction for all first-time, first-year, undergraduate borrowers. This provision also includes language that would require that institutions certify that a student has been enrolled for 30 days:		
Budget authority.....	(1)	-3
Outlays.....	(1)	-3
(4) Establish a 6 month amnesty program:		
Budget authority.....	-20	15

STAFF PROPOSED AGREEMENT FOR BUDGET
RECONCILIATION—Continued

	Savings	
	1990	1991
Outlays.....	-20	15
(5) Require the GSL/SLS to be disbursed to be made half-way into the period of study and be one-half of the loan amount:		
Budget authority.....	(1)	-3
Outlays.....	(1)	-3
(6) Provides the Secretary with the authority to take emergency action for 30 days against lenders and provides the Secretary with the authority to limit, suspend or terminate a lender's agents for 60 days when there is reliable information that such entities are in violation of the law. Also permits guarantee agencies to exercise the same authority:		
Budget authority.....	(2)	(2)
Outlays.....	(2)	(2)
(7) Prohibit accreditation jumping by denying aid eligibility should accreditation be withdrawn or should the institution withdraw under suspicion of termination:		
Budget authority.....	(1)	(1)
Outlays.....	(1)	(1)
(8) Remove prohibition by the Secretary against the use of the National Student Loan Data system in verifying student eligibility or student information before a loan is certified or guaranteed:		
Budget authority.....	(2)	(2)
Outlays.....	(2)	(2)
(9) Provides the Secretary with the authority to take emergency action for 30 days against institutions and provides the Secretary with the authority to limit, suspend or terminate institutions' agents when there is reliable information that such entities are in violation of the law. Also permits guarantee agencies to exercise the same authority:		
Budget authority.....	(2)	(2)
Outlays.....	(2)	(2)
(10) Prohibit charging students or parents fees for the collection of additional information for use in financial aid administrator discretion. Also clarify the prohibition against using aid administrator discretion for whole groups of students:		
Budget authority.....	(2)	(2)
Outlays.....	(2)	(2)
(11) Require all schools with programs of less than 2 years to insure that a student is enrolled in a GED program and require that all students have received GED before they are eligible for an SLS:		
Budget authority.....	(1)	-10
Outlays.....	(1)	-10
(12) Pro Rate SLS Annual Loan Limits for programs of less than one academic year based on length of program such that students attending programs between 300-599 clock-hours (or the equivalent) would be eligible for \$1,500. Students attending programs between 600-799 clock-hours (or the equivalent) would be eligible \$2,500. Students attending programs of 1 academic year or greater would be eligible for \$4,000—except that no student is eligible to receive more than one SLS over a period of 9 consecutive months:		
Budget authority.....	(1)	-10
Outlays.....	(1)	-10
(13) Permit institutions to reduce the amount a student can borrow under the SLS program to more accurately reflect other resources available to the student such as part-time employment:		
Budget authority.....	(2)	(2)
Outlays.....	(2)	(2)
(14) Clarify the disclosure requirements for providing students with repayment information on an SLS loan:		
Budget authority.....	(2)	(2)
Outlays.....	(2)	(2)
(15) Permit lenders to operate lender referral programs:		
Budget authority.....	(2)	(2)
Outlays.....	(2)	(2)

¹ Less than \$500,000 savings.
² No Federal savings.

APPENDIX I.—SCHOOL DEFAULT RATES FOR 1983
BORROWERS

School name, city/State ¹	Borrower default rate	Total default dollars	Total number of defaulters
Essie Mae's Sch of Beauty Culture, Elizabeth, NJ.....	100.00	\$2,500	1
Everett Beauty School, Everett, WA.....	100.00	2,500	1
Federico College, Fresno, CA.....	100.00	2,500	1
Florida Parishes Voc School, Greensburg, LA.....	100.00	500	1
Fremont Beauty College, Fremont, CA.....	100.00	2,500	1
Gino Robair Beauty College, Riverside, CA.....	100.00	2,500	1
Grant Hosp Sch for Med Rec Libr, Chicago, IL.....	100.00	4,000	1
Haifa University, Israel, FC.....	100.00	1,500	1
Hairbenders School of Hairstyling, Lawrence, KS.....	100.00	2,500	1
Hairmasters University of Beauty, San Bernardino, CA.....	100.00	1,500	1

APPENDIX I.—SCHOOL DEFAULT RATES FOR 1983
BORROWERS—Continued

School name, city/State ¹	Borrower default rate	Total default dollars	Total number of defaulters
Hines Jr VA Hosp Sch of Nuclear Med, Hines, IL.....	100.00	5,000	1
Illinois Masonic Hosp Sch of Rad-Te, Chicago, IL.....	100.00	2,300	1
Jaffna College, Ceylon, FC.....	100.00	2,500	1
Jeffie Liles Academy of Hair Design, Oxford, MS.....	100.00	2,500	1
Jeromes Sch of Bty Culture, New Orleans, LA.....	100.00	5,000	1
Jett Col of Cosmetology Barbering, Memphis, TN.....	100.00	2,500	1
Kane Business Institute, Cherry Hill, NJ.....	100.00	2,500	1
Ky Doe Ballard City Area Voc Ed Ctr, Barlow, KY.....	100.00	348	1
Lon Morris College, Jacksonville, TX.....	100.00	2,400	1
Manna Bible Institute, Philadelphia, PA.....	100.00	2,500	1
Mansfield Beauty School, Springfield, MA.....	100.00	1,000	1
Marinello School of Beauty, Buena Park, CA.....	100.00	1,453	1
Marinello School of Beauty, Montclair, CA.....	100.00	2,500	1
Marshall County Area Voc Educ Ctr, Benton, KY.....	100.00	1,380	1
Mastbaum Area Voc-Tech Sch-Dent Lab, Philadelphia, PA.....	100.00	2,500	1
Medical Services Training Center, San Bernardino, CA.....	100.00	2,500	1
Merritt Davis Business College, Eugene, OR.....	100.00	2,500	1
Metropolitan Group/Hos Sch Res Ther, Chicago, IL.....	100.00	3,767	1
Modern Trend Beauty School, Cheyenne, WY.....	100.00	2,500	1
Moro Beauty College, Glendale, CA.....	100.00	2,500	1
Mountain View Beauty College, Mountain View, CA.....	100.00	2,500	1
Mr Glen's Beauty College, Indianapolis, IN.....	100.00	2,374	1
National Beauty School, Tampa, FL.....	100.00	1,050	1
National Business Academy, Encino, CA.....	100.00	2,500	1
National Institute of Cosmetology, Washington, DC.....	100.00	2,500	1
New Albany Beauty College, New Albany, IN.....	100.00	2,500	1
North Miami Beauty School, Hialeah, FL.....	100.00	1,500	1
Northeast Alabama State Junior Col, Rainsville, AL.....	100.00	2,500	1
Northern Ky Health Occupations Ctr, Edgewood, KY.....	100.00	2,500	1

¹ For foreign schools the country designates the city and FC designates the State.

SCHOOLS THAT HAVE MORE THAN \$1 MILLION IN DEFAULT
AND DEFAULT RATES LESS THAN 10 PERCENT ¹

(Dollar amounts in millions)

School	Amount	Default rate
University of Illinois Urbana campus.....	\$1,397	4.24
Indiana University main campus.....	1,045	5.65
University of Pennsylvania.....	1,178	5.96
University of Michigan main campus.....	1,279	6.61
University of Texas Austin.....	1,123	7.44
Pennsylvania State University main campus.....	2,939	7.70
Michigan State University main campus.....	1,369	8.18
University of Wisconsin main campus.....	2,107	8.19
University of Florida.....	1,827	8.37
Boston University.....	1,978	8.50
University of Iowa.....	1,439	8.69
West Virginia University main campus.....	1,113	8.97
Indiana University of Pennsylvania main campus.....	1,005	9.44
University of Missouri Columbia.....	1,095	9.47
Rutgers University central office.....	1,752	9.85
University of Maryland main campus.....	1,335	9.96

¹ 1983 figures found in GAO report No. GAO/HRD-89-638R.CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC.

EDITOR,

The Washington Post, Washington, DC.

DEAR EDITOR: As your editorial on October 15, ("Reforming Student Aid") implies, it is important that student aid programs undergo some reform. And, as you suggest, excluding those students most in need of such aid would certainly improve the default rates on those loans.

Unfortunately, penalizing those students and the private career schools they attend is a clear case of throwing the baby out with the bathwater. Aid to higher education

must assist needy students who want an academic education program as well as those trying to get a technical education that will lead to good and meaningful jobs.

The history of higher education in this country is marked by three milestones. The first was the creation of the land grant university. In the effort to provide greater access for young people who could not afford the existing private colleges and universities or who wanted a more technically driven education, federal and state dollars helped produce a new class of university whose aim was to instruct students in the practical arts of engineering and agriculture. These land grant colleges and state universities changed the mission of higher education and helped in the economic development of the country by enrolling a new type of student.

The next milestone was the establishment of the community college system. Beginning in the 1950's, these schools again broadened the mission of higher education and made postsecondary education a reality for everyone, especially the baby boom generation.

The community colleges provided academic, vocational, and community-based education. The admission policy was "open-door" and tuition, initially, was most reasonable. Today, more than five million students are enrolled in the nation's community colleges.

The third marker in the history of higher education is the growth of private career schools. While many of these schools have been teaching young people for 25, 50, and 100 years, it is only recently that the movement has been recognized as a significant factor in the higher education fabric, offering educational opportunity to a whole new class of students. And, as has happened at each previous milestone, the curriculum and format of postsecondary education has been altered.

These private career schools are run as businesses by men and women who more often than not, are not included in the state governing process or even in Federal education data collection. As a result of this neglect, they appear to be invisible, poorly understood by traditional educators and policy makers who have little, if any, direct experience with them.

I, on the other hand, have had a direct experience with this sector of postsecondary education. My daughter attended and graduated from Bradford School in Pittsburgh as a legal secretary and has had a very successful career because of that schooling. The decision to attend a career training school instead of a traditional academic postsecondary program was her choice, and it worked.

The impact of student aid on the enrollment of low income or minority students, the original goal of student aid, has been minimal at most traditional colleges and universities. However, the combination of student aid and private career schools is responsible for introducing a whole new type of student to postsecondary education. Minority students comprise 40 percent of enrollment in the private career school community. This compares to 25 percent of undergraduates in community colleges, 19 percent in public four-year colleges, and 18 percent in private, non-profit colleges.

In addition, private career schools are supplying a large share of the human capital for business and industry in this country. According to a 1984 Department of Labor study entitled, "Occupational Prospects and Training Data," private career school graduates who entered the job market in 1984 in-

cluded: Almost half of all respiratory therapists; 74 percent of all surgical technicians; 52 percent of all computer programmers; 49 percent of all electrical technicians; 33 percent of all secretaries; 25 percent of all aircraft mechanics; and 54 percent of all diesel mechanics, just to name a few.

The demographics in this country are changing and federal policy must reflect this change, especially if we are to remain competitive in a global economy. According to a Department of Labor study entitled "Workforce: 2000," by the year 2000 approximately 20 percent of all jobs created in this country will require a baccalaureate degree and the remaining 80 percent will require some level of technical education beyond high school.

This shift from traditional college education to postsecondary technical education can best be demonstrated by the number of graduates each sector produced last year. In 1988, there were approximately 998,000 baccalaureate degrees awarded. At the same time, private career schools awarded approximately 1.2 million degrees or certificates.

Each of the educational milestones has changed the character and style of higher education by defining a whole new curriculum and enrolling a new part of the population in postsecondary education. Each has made higher education more inclusive and democratic in nature. Each of the additions has been built on the existing system without significantly affecting the schools in existence prior to the addition.

Student aid must be reformed. However, it must not be reformed to restrict choice and competition. Rather, it must be reformed in such a manner that will continue to give any student the opportunity to attend any postsecondary institution that best suits his or her educational needs.

Sincerely,

JOSEPH M. GAYDOS
Member of Congress.

[From the Washington Post, Oct. 15, 1989]
REFORMING STUDENT AID

Federal aid to higher education is in serious trouble. Even the normally sympathetic House and Senate appropriations committees have joined the critics, saying that the costly major programs have been bent out of shape—the career and trade school industry now absorbs more than a fourth of the money—and are being ripped off. It used to be mainly the Reagan administration that criticized the programs in often hyperbolic terms, and defenders were able to dismiss the criticisms as ideological outbursts or assaults on the poor. That won't wash any more. These important forms of assistance badly need to be reformed for their own protection.

The student-aid programs were greatly expanded in little-remembered legislation in 1978, in part by making them available to the middle class. That legislation and other liberalizations, the related broadening of access to higher education and rising costs mean that about half of all post-secondary students receive some form of federal aid. The annual cost is nearly \$10 billion.

The Reagan administration came to office determined to roll back the 1978 expansion, which it saw as a major new federal entitlement that the Carter administration and Congress had sneaked into place without sufficient national debate. In the rather bitter, inconclusive fight that followed, both sides took extreme positions and rational policy was the loser. It still is.

But the appropriations panels are not so easily brushed aside. In the 99th Congress the protective authorizing committees approved extension of the major student grant program to so-called nontraditional students attending classes less than half-time. But conferees on this year's Labor/Health and Human Services appropriations bill have voted to suspend such aid for fear that, to pay for it, they would have to reduce aid proportionately to all students.

The appropriators nearly voted, for similar reasons, to suspend grants to students without the equivalent of high school diplomas. This is a step the authorizing panels have been reluctant to take in the past on grounds that it would restrict access to post-secondary education. Both House and Senate appropriations committees also charge in their reports that the aid programs have been allowed to drift away from their original purpose of producing college graduates, that too much money is now taken up by suspect proprietary schools and that too much—nearly \$2 billion a year—is required to cover defaults on student loans.

The government needs to maintain support for higher education. No federal investment is more important; none has a greater equalizing effect. At the same time there is a need, neglected in the past, to make sure that this large amount of money is being usefully spent. That is a difficult balance to achieve in the best of circumstances: the government can never sit comfortably in judgment on higher education. Surely this is not a set of issues that should be dropped on the appropriations committees as they struggle to meet budget targets each year.

A House subcommittee proposed last fall that the major student grant program, like the major loan program, be made a true entitlement not subject to the annual appropriations process. It would be well worth giving the program that protection if in return both programs could be tightened up. But that would require the higher education community and its congressional protectors to give as well as get. The shabbier schools and practices the current programs are supporting have to go.

CONFERENCE REPORT ON H.R. 2883, RURAL DEVELOPMENT, AGRICULTURE, AND RELATED AGENCIES APPROPRIATIONS ACT, 1990

Mr. MURTHA, on behalf of Mr. WHITEN, submitted the following conference report and statement on the bill (H.R. 2883) making appropriations for Rural Development, Agriculture, and Related Agencies programs for the fiscal year ending September 30, 1990, and for other purposes:

CONFERENCE REPORT (H. REPT. 101-361)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2883) making appropriations for the Rural Development, Agriculture, and Related Agencies programs for the fiscal year ending September 30, 1990, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 24, 25, 45, 48, 49, 52, 53, 60, 75, 77, 81, 82, 86, 92 and 93.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 13, 17, 19, 40, 41, 43, 64, 67, 68, 70, 72, 73, 90 and 97, and agree to the same.

Amendment numbered 1:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended as follows:

In lieu of the sum named, insert: \$400,000; and the Senate agree to the same.

Amendment numbered 2:

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended as follows:

In lieu of the sum named, insert: \$400,000; and the Senate agree to the same.

Amendment numbered 3:

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by amendment insert \$470,000; and the Senate agree to the same.

Amendment numbered 5:

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$542,000; and the Senate agree to the same.

Amendment numbered 6:

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$52,053,000; and the Senate agree to the same.

Amendment numbered 7:

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$21,828,000; and the Senate agree to the same.

Amendment numbered 8:

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$51,102,000; and the Senate agree to the same.

Amendment numbered 10:

That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$450,000; and the Senate agree to the same.

Amendment numbered 11:

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$10,675,000; and the Senate agree to the same.

Amendment numbered 12:

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$157,045,000; and the Senate agree to the same.

Amendment numbered 15:

That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$43,066,000; and the Senate agree to the same.

Amendment numbered 16:

That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$325,000; and the Senate agree to the same.

Amendment numbered 18:

That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$6,004,000; and the Senate agree to the same.

Amendment numbered 20:

That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$13,507,000; and the Senate agree to the same.

Amendment numbered 22:

That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$45,686,000; and the Senate agree to the same.

Amendment numbered 23:

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$244,094,000; and the Senate agree to the same.

Amendment numbered 26:

That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$5,250,000; and the Senate agree to the same.

Amendment numbered 27:

That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment insert: ; payments for carrying out the provisions of the Renewable Resource Extension Act of 1978 under 3(d) of the Act, \$2,765,000; and the Senate agree to the same.

Amendment numbered 29:

That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$8,811,000; and the Senate agree to the same.

Amendment numbered 30:

That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$14,883,000; and the Senate agree to the same.

Amendment numbered 31:

That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$385,000; and the Senate agree to the same.

Amendment numbered 32:

That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$352,182,000; and the Senate agree to the same.

Amendment numbered 33:

That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$13,422,000; and the Senate agree to the same.

Amendment numbered 34:

That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$33,171,000; and the Senate agree to the same.

Amendment numbered 35:

That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$1,250,000; and the Senate agree to the same.

Amendment numbered 36:

That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and the matter inserted by said amendment, insert the following:

For fiscal year 1990, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed (estimated to be \$4,800,000,000 in the President's fiscal year 1990 Budget Request (H. Doc. 101-4)), but not to exceed \$4,233,000,000, pursuant to section 2 of the Act of August 17, 1961, as amended (15 U.S.C. 713a-11).

Such funds are appropriated to reimburse the Corporation to restore losses incurred during fiscal years. Such losses for fiscal years 1988 and 1989 include \$1,969,000,000 in connection with carrying out the Export Enhancement Program (EEP), \$264,000,000 in connection with carrying out the Targeted Export Assistance Program (TEA), \$1,500,000,000 in connection with carrying out the Federal Crop Insurance Program, and \$31,831,000,000 in connection with carrying out the commodity programs.

And the Senate agree to the same.

Amendment numbered 37:

That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$1,932,490,000; and the Senate agree to the same.

Amendment numbered 38:

That the House recede from its disagreement to the amendment of the Senate num-

bered 38, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$1,881,920,000; and the Senate agree to the same.

Amendment numbered 42:

That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$3,500,000,000; and the Senate agree to the same.

Amendment numbered 44:

That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$3,500,000; and the Senate agree to the same.

Amendment numbered 47:

That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$430,190,000; and the Senate agree to the same.

Amendment numbered 50:

That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$19,500,000; and the Senate agree to the same.

Amendment numbered 51:

That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$17,500,000; and the Senate agree to the same.

Amendment numbered 54:

That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$11,000,000; and the Senate agree to the same.

Amendment numbered 55:

That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$8,750,000; and the Senate agree to the same.

Amendment numbered 56:

That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$16,500,000; and the Senate agree to the same.

Amendment numbered 58:

That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$3,234,000; and the Senate agree to the same.

Amendment numbered 63:

That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$445,000; and the Senate agree to the same.

Amendment numbered 65:

That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$12,292,000; and the Senate agree to the same.

Amendment numbered 66:

That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$8,824,000; and the Senate agree to the same.

Amendment numbered 69:

That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$4,000,000; and the Senate agree to the same.

Amendment numbered 71:

That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$20,884,000; and the Senate agree to the same.

Amendment numbered 78:

That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$102,529,000; and the Senate agree to the same.

Amendment numbered 79:

That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$860,955,000; and the Senate agree to the same.

Amendment numbered 80:

That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$309,900,000; and the Senate agree to the same.

Amendment numbered 83:

That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$6,118,000; and the Senate agree to the same.

Amendment numbered 84:

That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$875,000; and the Senate agree to the same.

Amendment numbered 85:

That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$560,271,000; and the Senate agree to the same.

Amendment numbered 87:

That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$8,350,000; and the Senate agree to the same.

Amendment numbered 88:

That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$90,000,000; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 9, 14, 21, 28, 39, 46, 57, 59, 61, 62, 74, 76, 89, 91, 94, 95 and 96.

JAMIE L. WHITTEN,
BOB TRAXLER,
MATTHEW F. MCHUGH,
WILLIAM H. NATCHER,
DANIEL K. AKAKA,
WES WATKINS,
RICHARD J. DURBIN,
NEAL SMITH,
VIRGINIA SMITH,
JOHN T. MYERS,
JOE SKEEN,
VIN WEBER,
SILVIO O. CONTE,

Managers on the Part of the House.

QUENTIN N. BURDICK,
DALE BUMPERS,
TOM HARKIN,
BROCK ADAMS,
WYCHE FOWLER,
J. ROBERT KERREY,
ROBERT C. BYRD,
THAD COCHRAN,
JAMES A. MCCLURE,
ROBERT W. KASTEN,
ARLEN SPECTER,
CHUCK GRASSLEY,
MARK O. HATFIELD,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2883) making appropriations for Rural Development, Agriculture, and Related Agencies programs for the fiscal year ending September 30, 1990, and for other purposes, submit the following joint statement to the House and Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

CONGRESSIONAL DIRECTIVES

The conferees agree that Executive Branch wishes cannot substitute for Congress' own statements as to the best evidence of congressional intentions—that is, the official reports of the Congress. The conferees further point out that funds in this Act must be used for the purposes for which appropriated as required by section 1301 of title 31 of the United States Code which provides: "Appropriations shall be applied only to the objections for which the appropriations were made except as otherwise provided by law."

Report language included by the House which is not changed by the report of the Senate, and Senate report language which is not changed by the conference are approved by the committee of conference. The statement of the managers, while repeating some

report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein.

TITLE I—AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING AND MARKETING

OFFICE OF THE SECRETARY

FARM AND EXPORT PROGRAMS

Amendment No. 1: Appropriates \$400,000 instead of \$500,000 as proposed by the House to enable the Secretary of Agriculture to develop a plan for returning the use of the Commodity Credit Corporation to its primary function which was to buy and sell competitively to enable the farmer to offset high American costs and to maintain his fair share of world markets; and to restore the use of section 32 (30 percent of customs receipts) as authorized by law, the use of which is presently suspended, to enable the farmer to secure his income from the user of his products rather than the U.S. Treasury and to enable the American farmer to regain and retain, by competitive sales, our normal share of world markets. The Senate amendment deleted the House language.

COMPILATION OF METHODS USED BY FOREIGN COUNTRIES TO PROTECT THEIR DOMESTIC AGRICULTURE

Amendment No. 2: Appropriates \$400,000 instead of \$500,000 as proposed by the House to enable the Secretary of Agriculture to investigate and compile a listing of the provisions of existing laws and practices used by foreign countries, by name, to protect their domestic agriculture from foreign competition and to expand their foreign markets in order to assist the Department in regaining and retaining our fair share of world markets, and report to the appropriate committees of Congress within 90 days of enactment of this Act. The Senate amendment deleted the House language.

FARM PROGRAM POLICIES

Information provided by the Library of Congress confirms that during periods of reasonable support levels and inventory positions, commodity markets tend to be stable. In the 1950's and 1960's the Department held excessive inventories of cotton, which eliminated the need to hedge and the need of the trade to hold inventories. At that time the New Orleans, New York and Liverpool cotton exchanges dried up. Doubtless the record would show similar situations for the other basic commodities.

Present policies appear to be moving to the other extreme from that of the 1950's and 1960's. Low commodity prices, low CCC inventories, and reduced acreage all have the potential for moving in the direction of wildly fluctuating commodity markets where profits are made by the speculators at the expense of the farmers.

The conferees agree that it is essential that farm programs be operated in such a way as to ensure adequate income to farmers and stability in the marketplace.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

Amendment No. 3: Appropriates \$470,000 for the Office of the Assistant Secretary for Administration instead of \$467,000 as proposed by the House and \$474,000 as proposed by the Senate.

WORKING CAPITAL FUND

Amendment No. 4: Deletes the appropriation for the Working Capital Fund as proposed by the Senate. The House proposed an appropriation of \$3,750,000.

CONGRESSIONAL RELATIONS

Amendment No. 5: Appropriates \$542,000 for congressional relations instead of \$497,000 as proposed by the House and \$588,000 as proposed by the Senate.

OFFICE OF THE INSPECTOR GENERAL

Amendment No. 6: Appropriates \$52,053,000 for the Office of the Inspector General instead of \$51,576,000 as proposed by the House and \$52,530,000 as proposed by the Senate.

OFFICE OF THE GENERAL COUNSEL

Amendment No. 7: Appropriates \$21,828,000 for the Office of the General Counsel instead of \$21,316,000 as proposed by the House and \$22,340,000 as proposed by the Senate.

ECONOMIC RESEARCH SERVICE

Amendment No. 8: Appropriates \$51,102,000 for the Economic Research Service instead of \$50,489,000 as proposed by the House and \$51,714,000 as proposed by the Senate.

The conference agreement provides \$1,500,000 for data collection and analysis of pesticide and chemical use instead of \$1,000,000 as proposed by the House and \$2,000,000 as proposed by the Senate.

For water quality impact analysis the conference agreement provides \$338,000 instead of \$225,000 as proposed by the House and \$450,000 as proposed by the Senate.

The Senate report earmarked funds for a joint project on regional farm models between ERS, Texas A&M University, and the University of Missouri. This project has been addressed as a Cooperative State Research Service special grant.

NATIONAL AGRICULTURAL STATISTICS SERVICE

The conferees expect the Department to reinstate its quarterly oats stocks estimates reports. Oats producers need this timely information to make informed planting decisions.

AGRICULTURAL RESEARCH SERVICE

Amendment No. 9: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum proposed by said amendment, insert: \$592,339,000

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates \$592,339,000 for the Agricultural Research Service instead of \$589,500,000 as proposed by the House and \$591,447,000 as proposed by the Senate. The conference agreement is based on the following changes to the budget request:

	House bill	Senate bill	Conference agreement
1. Aflatoxin research	\$750,000	\$750,000	\$750,000
2. Animal germplasm	-900,000	-900,000	-900,000
3. Appalachian Soil and Water Lab, Beckley (WV)		300,000	150,000
4. Aquaculture at South Central Research Center (OK)	150,000		150,000
5. Bacterial contamination in livestock	-700,000	-700,000	-700,000
6. Bacterial contamination and pesticide residues	-2,350,000	-2,350,000	-2,350,000
7. BARC modernization	7,250,000	7,250,000	7,250,000
8. BARC modernization—Powder Mill Road	300,000	300,000	300,000
9. Barley research (ID, ND)		100,000	100,000
10. Blueberry/Cranberry:			
a. New Jersey		70,000	
b. Poplarville, MS		50,000	50,000
11. Calicivirus (OR)		108,000	

	House bill	Senate bill	Conference agreement
12. Center for Applied Aquaculture Research and Training (HI)	463,000	463,000	463,000
13. Center for Food Safety and Post Harvest Technology (MS)		(500,000)	(250,000)
14. Cotton ginning:			
a. Texas		300,000	200,000
b. New Mexico		300,000	200,000
c. Mississippi		300,000	200,000
15. Crop Simulation Laboratory (MS)		500,000	250,000
16. Diagnostic methods	-1,500,000	-1,500,000	-1,500,000
17. Ethanol production (AR)	25,000		25,000
18. Food toxicology (MI)	60,000		60,000
19. Fruit Fly Research Eradication Program (HI)	475,000	475,000	475,000
20. Fruit research at Kearneysville (WV)		300,000	150,000
21. Human nutrition research:			
a. Baylor (TX)	1,500,000	1,500,000	1,500,000
b. Tufts (MA)	500,000		400,000
c. Letterman (CA)	250,000		300,000
d. Beltsville (MD)	500,000		400,000
e. Grand Forks (ND)		575,000	400,000
22. Kenaf (MS)	300,000	500,000	400,000
23. Low input agriculture (MN)	200,000		200,000
24. Meat Animal Research Center (NE)	400,000	400,000	400,000
25. Mycoplasma (MD)	100,000		100,000
26. National Animal Disease Center consortia grant (IA)		175,000	88,000
27. National Soil Tillage Center, Ames (IA)	500,000	325,000	500,000
28. Northern Great Plains Lab, Mandan (ND)		300,000	200,000
29. Oat research:			
a. Aberdeen, ID	200,000		100,000
b. ND State U	200,000		100,000
30. Peach research (GA)	125,000	125,000	125,000
31. Pear thrip (VT)		50,000	50,000
32. Poisonous Plants Lab, Logan (UT)		245,000	123,000
33. Potato research:			
a. Aphids	500,000	500,000	500,000
b. Beetles	(200,000)	(200,000)	(200,000)
c. Russian wheat aphid	(300,000)	(300,000)	(300,000)
34. Russian wheat aphid		975,000	750,000
35. Scrapie		500,000	500,000
36. Sheep Experiment Station, Dubois (ID)		450,000	200,000
37. Small Farm Research Center, Booneville (AR)		400,000	200,000
38. Soybean oil-based ink: General increase	142,000		70,000
Lehigh University (PA)		100,000	50,000
39. Space Remote Sensing Center (MS)		100,000	
40. Sugar beets (ND)		350,000	300,000
41. Sugarcane (HI)	218,000	218,000	218,000
42. Sweet potato white-fly (FL)	100,000	100,000	100,000
43. Systemic Entomology Lab (MD)	500,000	500,000	500,000
44. Table grapes (CA)	75,000	75,000	75,000
45. Urban pest control (FL)	150,000	150,000	150,000
46. Water quality		-4,000,000	-2,000,000
47. Wheat Quality labs:			
a. Wooster, OH		250,000	150,000
b. Manhattan, KS		250,000	150,000
c. Pullman, WA		250,000	150,000
d. Fargo, ND		250,000	150,000
48. Unspecified increase	99,000		99,000
49. All other	579,318,000	579,318,000	579,318,000
Total	589,500,000	591,447,000	592,339,000

Rangeland grasses.—The conferees are aware of the need for research to make determinations of ways to combat the effect of drought on rangeland grasses and related problems. The conferees will expect the Agricultural Research Service to give special attention to these problems and to allocate adequate levels of funding to the Ft. Keogh Livestock and Range Research Laboratory in Miles City, Montana, for such research.

Kimberly, Idaho.—The conference agreement includes funds to purchase up to 120 acres of land at the Kimberly Research Station in Idaho.

Kenaf.—The conference agreement includes an increase of \$400,000 for research on kenaf instead of \$300,000 as proposed by the House and \$500,000 as proposed by the Senate. The agreement provides for an increase of \$325,000 for the Mississippi program and an increase of \$75,000 for the Texas program.

Amendment No. 10: Places a limitation of \$450,000 each on 10 buildings to be constructed or improved by the Agricultural Research Service instead of \$400,000 as proposed by the House and \$500,000 as proposed by the Senate.

BUILDINGS AND FACILITIES

Amendment No. 11: Appropriates \$10,675,000 for buildings and facilities of the Agricultural Research Service instead of \$5,390,000 as proposed by the House and \$11,735,000 as proposed by the Senate. The following table reflects the conference agreement.

	House bill	Senate bill	Conference agreement
1. South Central Agriculture Research Center, Lane, OK (preliminary planning)	\$150,000		\$150,000
2. Salinity Lab at Riverside, CA (construction)	2,250,000		2,000,000
3. National Seed Storage Lab, CO (construction)	1,000,000	\$8,750,000	5,500,000
4. Vegetable Lab at Charleston, SC: (Planning)	600,000		
(Planning and construction)		1,935,000	1,135,000
5. Bee Lab at Weslaco, TX (planning)	340,000		340,000
6. Fruit and Vegetable Lab at Yakima, WA (construction)	1,000,000	1,000,000	1,000,000
7. Northwest Small Fruit Center (report)	50,000	50,000	50,000
8. Plant Stress Lab at Texas Tech, TX (construction)	(¹)	(¹)	500,000
Total	5,390,000	11,735,000	10,675,000

¹ House bill included \$500,000 and Senate bill included \$50,000 under CSRS, buildings and facilities.

COOPERATIVE STATE RESEARCH SERVICE

Amendment No. 12: Provides \$157,045,000 for research under the Hatch Act instead of \$158,545,000 as proposed by the House and \$155,545,000 as proposed by the Senate.

It has come to the attention of the conferees that some States may plan to decrease their monetary commitment to Hatch Act and Smith-Lever programs in an amount equal to any increased appropriations granted by the Congress. This is clearly not the intent of Congress regarding the use of such funds. When additional monies are appropriated for a program, such increases are not meant to relieve the States of their responsibility. The conferees will monitor this situation closely during the coming year.

Amendment No. 13: Provides \$17,500,000 for grants for cooperative forestry research as proposed by the Senate instead of \$12,975,000 as proposed by the House.

Amendment No. 14: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum proposed by said amendment, insert: \$56,543,000

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides \$56,543,000 for special research grants instead of \$47,835,000 as proposed by the House and \$45,838,000 as proposed by the Senate. The following table reflects the conference agreement:

	House bill	Senate bill	Conference agreement
(In thousands of dollars)			
Special research grants (Public Law 89-106):			
Acid precipitation	661	661	661
Aflatoxin (IL)	175		88

[In thousands of dollars]

	House bill	Senate bill	Conference agreement
Agricultural diversification (HI).....	156	156	156
Agricultural trade (ND).....	600	600	600
Agriculture utilization research (MN).....	300	500	400
Alternative cropping systems (South-east).....	285	285	285
Alternative crops (ND).....	500	500	500
Alternative pest control (AR).....	1,400	1,400	1,400
Alternative to dioxin (OR).....	150	300	225
Animal health.....	5,705	5,705	5,705
Animal science food safety consortium (AR, KS, IA).....	2,000	1,700	1,700
Apple quality research (MI).....	95	95	95
Aquaculture (general).....	520	620	570
Aquaculture (Stoneville).....	588	588	588
Asparagus yield decline (MI).....	95	95	95
Bean and beet (MI).....	190	190	190
Belgian endive (MA).....	60	60	60
Blueberry shoestring virus (MI).....	92	92	92
Broom snakeweed (NM).....	100	200	150
Celery fusarium (MI).....	40	40	40
Chesapeake Bay aquaculture.....	375	375	375
Cranberry/blueberry disease and breeding (NJ).....	260	260	260
Dairy and beef photoperiod (MI).....	33	33	33
Dairy goat research (TX).....	75	75	75
Dark end syndrome (ID, OR, WA).....	150	50	50
Delta rural revitalization (MS).....	175	175	175
Dried bean (ND).....	100	88	88
Expanded wheat pasture (OK).....	150	150	150
Export services (OR).....	500	250	250
Floriculture (HI).....	300	300	300
Food and Agriculture Policy Institute (IA and MO).....	695	750	723
Food marketing policy center (CT).....	420	335	378
Food processing research (MS).....	173	222	222
Food systems research group (WI).....	222	72	72
Grasshopper biocontrol (ND).....	69	75	75
Human nutrition research (NY).....	675	563	563
Integrated orchard management (VT).....	100	50	50
Integrated pest management.....	2,940	2,940	2,940
Integrated production systems (OK).....	188	188	188
International livestock program (KS).....	95	95	95
Iowa biotechnology consortium.....	2,000	1,613	1,613
Livestock and dairy policy (NY and TX).....	600	525	525
Lowbush blueberry research (ME).....	110	233	172
Low-input agriculture (MN).....	150	150	150
Maple research (VT).....	100	100	100
Michigan institute.....	2,625	2,188	2,188
Midwest biotechnology consortium.....	2,625	2,625	2,625
Milk consumption (PA).....	285	285	285
Milkweed research (NE).....	80	80	80
Minor crop pest control (HI).....	285	285	285
Minor use animal drugs (IR-4).....	229	229	229
Mosquito research (AR, CA, LA, MS, TX).....	456	456	456
Multicropping strategies for aquaculture (HI).....	152	152	152
National biological impact assessment.....	125	125	125
New uses for agricultural products (OH).....	133	133	133
Nonfood agricultural products (NE).....	220	110	110
Oil from jojoba (NM).....	150	150	150
Operation Small Farm (LA).....	200	100	100
Oregon-Mass. biotechnology.....	250	250	250
Peach tree short life (SC).....	192	192	192
Pesticide clearance (IR-4).....	2,000	2,000	2,000
Pesticide impact assessment.....	2,468	2,468	2,468
Pesticide research (WA).....	50	50	50
Plastic from cornstarch (NE).....	40	40	40
Potato research.....	1,377	1,277	1,327
Preservation and processing research (OK).....	267	267	267
Prime farm land reclamation (IL, KY).....	650	550	550
Regional barley gene mapping project.....	100	210	155
Regionalized implications of farm programs (MO, TX).....	200	350	350
Rural development center (PA, IA (ND), MS, OR).....	500	500	500
Rural economic development (GA).....	1,496	748	748
Russian wheat aphid (WA, OR, ID, CA).....	400	300	350
Safflower research (ND, MT).....	100	400	250
Sandhills grazing management practices (NE).....	100	100	100
Seafood and aquaculture harvesting, processing, and marketing (MS).....	400	373	373
Seedstocks enhancement (ND).....	200	200	200
Southwest consortium for plant genetics and water resources.....	385	385	385
Soybean cyst nematode (MO).....	285	285	285
STEEP—soil erosion in Northwest.....	591	591	591
Stone fruit decline (MI).....	285	285	285
Stored grain insects (KS).....	285	285	285
Subirrigation research (MI).....	125	63	63
Sunflower insects (ND, SD).....	190	190	190
TCK smut (wheat).....	193	250	250
Tropical and subtropical.....	3,341	3,341	3,341
Water management (AL).....	500	400	400
Water quality.....	6,700	6,700	6,700
Wheat genetic research (KS).....	100	100	100
Wood utilization research (OR, MS, MI).....	2,852	2,852	2,852
Wool research (TX).....	142	150	146

[In thousands of dollars]

	House bill	Senate bill	Conference agreement
World food systems (IN and OH).....	360	360	360
Youth Science Camp (WV).....	150	150	75
Total, special research grants.....	47,835	45,838	56,543

¹ Senate bill and conference agreement includes \$173,000 under Seafood and aquaculture harvesting, processing, and marketing.

² Senate bill includes \$50,000 under CSRS, B&F.

³ House bill provides \$200,000 for Maine. Senate bill provides \$100,000 for Idaho, Oregon, and Washington.

⁴ Senate bill provides up to \$500,000 under ERS.

⁵ Conference agreement includes \$100,000 for Washington, and \$250,000 to be divided equally between Oregon, Idaho, and California.

⁶ House bill includes \$173,000 under food processing research.

⁷ Senate bill includes \$10,000,000 under amendment No. 20 (Federal administration).

Potato Research.—The conference agreement provides \$1,327,000 for potato research, including an increase of \$100,000 for work in Maine and an increase of \$50,000 for work in Idaho, Oregon and Washington.

Amendment No. 15: Provides \$43,066,000 for competitive research grants instead of \$40,416,000 as proposed by the House and \$45,716,000 as proposed by the Senate. The following table reflects the conference agreement:

	House bill	Senate bill	Conference agreement
1. Plant science.....	\$4,000,000	\$8,000,000	\$7,850,000
a. Soybean research.....	(493,000)	(493,000)	(493,000)
b. Alcohol fuels.....	(514,000)	(514,000)	(514,000)
2. Plant Science Centers.....	1,700,000	6,000,000	5,000,000
3. Animal science.....	4,000,000	6,000,000	5,000,000
a. Brucellosis.....	(475,000)	(475,000)	(475,000)
4. Pest science.....	2,000,000	2,000,000	2,000,000
5. Human nutrition.....	1,000,000	2,000,000	1,500,000
6. Biotechnology.....	19,016,000	19,016,000	19,016,000
7. Stratospheric ozone.....	3,700,000	3,700,000	3,700,000
8. Forestry.....	5,000,000	5,000,000	4,000,000
Total.....	40,416,000	45,716,000	43,066,000

The conferees are concerned about the current geographical distribution of competitive research grants and request that the Department submit a report to the Committees on Appropriations by January 1, 1990, providing the following: (1) a geographical breakdown of the Department's competitive grant awards for the period 1984-89; (2) an estimate of the potential for increasing the diversity of this funding pattern; and (3) an analysis for the potential for such a coordinated effort to improve the research and science education base in the States.

Amendment No. 16: Provides \$325,000 for supplemental and alternative crops research instead of \$200,000 as proposed by the House and \$425,000 as proposed by the Senate.

Amendment No. 17: Provides \$5,368,000 for research under the Critical Agricultural Materials Act as proposed by the Senate instead of \$1,168,000 as proposed by the House.

The conference agreement provides \$668,000 for research on guayule as proposed by both the House and the Senate. For the National Center for Physical Acoustics the conference agreement provides \$2,000,000 as proposed by the Senate instead of \$500,000 as proposed by the House. The agreement includes \$500,000 which shall be available for contracting with the Center for research work needed by the Department. For additional funding for the Polymer Institute at the University of Southern Mississippi the conference agreement provides \$2,700,000 as proposed by the Senate. These funds will be used to com-

plete the construction and to equip the facility.

Amendment No. 18: Provides \$6,004,000 for higher education activities instead of \$5,754,000 as proposed by the House and \$6,254,000 as proposed by the Senate.

The conference agreement includes \$250,000 for a competitively awarded grant for the development of a program for infusing aquaculture education into the vocational agriculture curriculum instead of \$500,000 as proposed by the Senate.

The conferees agree that funds for institution challenge grants will be made available to institutions on a competitive basis and will require matching support. The Secretary shall require, as a condition of receipt of these grants, that the recipient match the Federal funds on at least a dollar-for-dollar basis from non-Federal sources.

Amendment No. 19: Provides \$3,152,000 for the operation of international trade development centers as proposed by the Senate instead of \$2,000,000 as proposed by the House. The conference agreement continues all six centers at the fiscal year 1989 funding level.

Amendment No. 20: Provides \$13,507,000 for Federal administration of the Cooperative State Research Service instead of \$11,248,000 as proposed by the House and \$22,348,000 as proposed by the Senate. The following table reflects the conference agreement:

[In thousands of dollars]

	House bill	Senate bill	Conference agreement
Federal Administration:			
Shrimp aquaculture (Hawaii and Mississippi).....	3,236	3,236	3,236
Mississippi Valley State University.....	625	625	625
Ag in classroom.....	87	187	137
Agriculture biotechnology.....	225	225	225
Peer panels.....	250	250	250
Office of grants and program systems.....	575	575	575
Center for Agricultural and Rural Development (Iowa).....	750	750	750
1890 capacity building.....	5,500	5,500	5,500
Water quality.....	10,000	1,709	1,709
Geographic information system.....	1,000	500	500
Total, Federal Administration.....	11,248	22,348	13,507

¹ Includes \$1,000,000 (University of ND), \$500,000 (IL), and \$209,000 (IA).

The conference agreement includes \$500,000 for the geographic information system project instead of \$1,000,000 as proposed by the Senate. The conferees will expect that these funds will be matched by State and local contributions, including in-kind. In addition, the conferees will expect the Department to report to the appropriate committees of Congress on how these funds are being used. The conferees agree that the funds are to be distributed equally among the Arkansas, Georgia and Chesapeake Bay projects.

Amendment No. 21: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum proposed by said amendment, insert: **\$341,994,000**

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates a total of \$341,994,000 for the Cooperative State Research Service instead of \$319,625,000 as proposed by the House and \$341,630,000 as proposed by the Senate.

BUILDINGS AND FACILITIES

Amendment No. 22: Appropriates \$45,686,000 for buildings and facilities of the Cooperative State Research Service instead of \$22,960,000 as proposed by the House and \$49,414,000 as proposed by the Senate.

Facilities funded by this appropriation shall be based on a matching formula of not to exceed 50 percent Federal and not less than 50 percent State funding, including funds received by the State from private sources and from local units of government. Construction of such facilities shall be based on a firm indication of local support, including a commitment for paying all operating costs of the facility. Further, the research program to be carried out at these facilities shall be complimentary to the overall programs of the Department of Agriculture.

The following table reflects the conference agreement:

	House bill	Senate bill	Conference agreement
1. Montana State University Bioscience Center: (Planning).....	\$500,000		\$250,000
2. Center for Tropical and Subtropical (HI): (Planning).....	1,135,000	\$1,135,000	1,135,000
3. Virginia and Maryland Regional College of Veterinary Medicine: (Construction).....	480,000		480,000
4. University of Nebraska Center for Advanced Technology: (Planning and construction).....	2,000,000	4,000,000	3,000,000
5. University of Wisconsin, Agriculture Biotechnology and Genetics Building: (Planning).....	600,000	600,000	600,000
6. Plant Science Center at Kansas State University: (Construction).....	500,000	4,500,000	3,000,000
7. Iowa State University Nutrition Research Center: (Planning and construction).....	1,250,000	2,755,000	2,300,000
8. Texas A&M (Houston) Institute of Bioscience and Technology: (Construction).....	500,000	5,600,000	3,000,000
9. Center for Molecular Biology, Rutgers University: (Preliminary planning).....	90,000		90,000
10. Agriculture Biotech Facility at Virginia Tech: (Preliminary planning).....	225,000		113,000
11. National Soybean Lab at University of Illinois: (Planning and construction).....	1,250,000	1,395,000	1,323,000
12. Food Toxicology Center at Michigan State: (Planning and construction).....	2,250,000		3,000,000
13. University of Georgia, Biocontainment Facility: (Construction).....	500,000	1,496,000	998,000
14. Washington State University Food and Human Nutrition Center: (Construction).....	2,135,000	2,000,000	2,135,000
15. Gonzaga University Center for Information and Technology Transfer (WA): (Construction).....	625,000	323,000	625,000
16. National Center for Food and Industrial Agriculture Products (IA): (Construction).....	1,700,000	2,962,000	1,944,000
17. University of Florida Biotech Institute: (Construction).....	1,300,000	1,300,000	1,300,000
18. South Dakota State University, Northern Plains Biostress Lab: (Planning).....	500,000	2,700,000	1,550,000
19. University of North Dakota, Earth Systems Science: (Construction).....	300,000		3,100,000
20. North Dakota State University Industrial Agriculture and Communications Center: (Planning and construction).....	500,000	4,200,000	4,200,000
21. Center for Nutrition at Wake Forest, North Carolina: (Planning and construction).....	500,000	2,408,000	2,333,333
22. Plant Stress Lab at Texas Tech: (Construction).....	2,890,000		2,890,000
23. Biotechnology Lab at Utah State University: (Report).....	500,000	50,000	(*)
24. College of Veterinary Medicine, Animal Disease Biotechnology Facility at Washington State University: (Report).....	50,000	50,000	(*)
25. Rice Germplasm Center at Stuttgart, Arkansas: (Report).....	50,000		(*)
26. Biotechnology Facility, North Carolina: (Report).....			
27. Building Consolidation, University of Rhode Island: (Report).....	50,000		(*)
28. Grape Importation Facility, University of California at Davis: (Planning).....	130,000		130,000
29. National Center for Equine and Bovine Biotechnology Research (OK): (Planning).....	300,000		300,000
30. University of Maine (new building to consolidate six separate buildings): (Report).....	50,000	50,000	(*)
31. Center for Alternative Pest Control Research (AR): (Construction).....	550,000		425,000
32. Hettinger Research Teaching Laboratory (ND): (Construction).....	150,000		150,000
33. Kimberly Research Station (ID): (Land purchase).....	360,000		(*)
34. Masardis Research Farm (ME): (Construction).....	230,000		115,000
35. National Laboratory for Environmentally Sound Production Agriculture (GA): (Report).....	50,000		(*)
36. Natural Products Laboratory (MS): (Planning and construction).....	3,800,000		3,800,000
37. Plant Science Greenhouse Complex (ND): (Report).....	250,000		125,000
38. Poultry Center for Excellence (AR): (Planning).....	50,000		(*)
39. Poultry Lab and Isolation Facility (AR): (Construction).....	100,000		(*)
40. Poultry Research Center (WV): (Construction).....	250,000		250,000
41. Tree Physiology and Maple Research Lab (VT): (Construction).....	1,500,000		1,500,000
42. Nursery Crop Research Station (TN): (Planning and construction).....	750,000		375,000
43. Idaho Biotechnology Facility: (Report).....	500,000		250,000
44. Washington State University Pesticide Research Laboratory: (Report).....	50,000		(*)
45. Molecular and Cellular Biotech Facility (IN).....			(*)
46. Fund for reports on footnote 2 items.....			300,000
Total.....	22,960,000	49,414,000	45,686,000

* Item funded under ARS, B&F.

* Fund for reports (No. 46).

* Item funded under ARS.

* Funded as a CSRS special grant.

The conference agreement includes \$300,000 for reports on 11 proposed facilities, rather than a specific amount for each facility.

The conference agreement completes the funding for the Washington State University Food and Human Nutrition Center (WA), Gonzaga University Center for Information and Technology Transfer (WA), University of North Dakota Earth Systems Science Center (ND), Hettinger Research Technology Laboratory (ND), Poultry Laboratory and Isolation Facility (AR), and Poultry Research Center (WV).

EXTENSION SERVICE

Amendment No. 23: Provides \$244,094,000 for payments under the Smith-Lever Act instead of \$246,594,000 as proposed by the House and \$241,594,000 as proposed by the Senate.

It has come to the attention of the conferees that some States may plan to decrease their monetary commitment to Hatch Act and Smith-Lever programs in an amount equal to any increased appropriations granted by the Congress. This is clearly not the intent of Congress regarding the use of such funds. When additional monies are appropriated for a program, such increases are not meant to relieve the States of their responsibility. The conferees will monitor this situation closely during the coming year.

Amendment No. 24: Restores House language providing \$3,500,000 for the urban gardening program.

Amendment No. 25: Restores House language providing \$970,000 for the farm safety program.

Amendment No. 26: Provides \$5,250,000 for payments for a water quality program instead of \$4,000,000 as proposed by the House and \$6,500,000 as proposed by the Senate.

Amendment No. 27: Provides \$2,765,000 for renewable resource extension work as proposed by the Senate, and makes a technical correction.

Amendment No. 28: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum proposed by said amendment, insert: \$363,146,000.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates \$363,146,000 for the Extension Service, excluding Federal administration, instead of \$361,631,000 as proposed by the House and \$357,426,000 as proposed by the Senate.

Amendment No. 29: Appropriates \$8,811,000 for Federal administration of the Extension Service instead of \$7,319,000 as proposed by the House and \$9,245,000 as proposed by the Senate. The following table reflects the conference agreement for Federal administration and recommends not to exceed the following amounts:

[In thousands of dollars]

	House bill	Senate bill	Conference agreement
Federal Administration and special grants:			
General administration.....	4,982	4,982	4,982
Pilot tech. transfer (OK, MS).....	333	333	333
Rural development (NE).....	190	190	190
Rural development (OK).....	433		433
ATTRA.....		1,100	
Crambe/rapeseed (NE).....	65	65	65
Ag. development Pacific (HI).....	650	650	650
New England vertebrate (MA).....	95		95
Project future (MN).....	138		138
Rural rehabilitation (GA).....	258	258	258
Agricultural film (NY).....	175	175	175
Rural education pilot (ND).....		852	852
Presque Isle (ME).....		140	140
Crop simulation.....		500	500
Total, Federal Administration.....	7,319	9,245	8,811

NATIONAL AGRICULTURAL LIBRARY

Amendment No. 30: Appropriates \$14,883,000 for the National Agricultural Library instead of \$14,448,000 as proposed by the House and \$14,947,000 as proposed by the Senate.

Amendment No. 31: Earmarks \$385,000 for the National Center for Agricultural Law Research and Information at the Leflar School of Law in Fayetteville, Arkansas, instead of \$400,000 as proposed by the Senate. The House had no similar provision.

The conferees direct that no more than 10 percent of these funds will be retained by the National Agricultural Library for administrative expenses.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

Amendment No. 32: Appropriates \$352,182,000 for salaries and expenses of the Animal and Plant Health Inspection Service instead of \$342,146,000 as proposed by the House and \$352,768,000 as proposed by the Senate.

The following table sets forth the conference agreement by program:

(In thousands of dollars)			
	House bill	Senate bill	Conference agreement
1. Plant disease and pest control:			
(a) Plant protection programs:			
(1) Africanized bee	1,950	1,950	1,950
(2) Bio control	5,509	5,950	5,950
(3) Boll weevil	9,600	13,135	13,135
(4) Golden nematode	800	800	800
(5) Grasshopper and Mormon cricket	5,950	3,850	3,850
Reserve fund	—	5,000	5,000
(6) Gypsy moth	5,442	5,442	5,442
(7) Honeybee pest	250	500	375
(8) Imported fire ant	5,000	5,000	5,000
(9) International programs	2,153	2,153	2,153
(10) Mediterranean fruit fly	10,256	9,856	10,256
(11) Mexican fruit fly	1,717	1,553	1,717
(12) Miscellaneous plant pests	1,124	1,124	1,124
(13) Noxious weeds	597	1,197	897
(14) Pest detection	3,928	3,928	3,928
(15) Pink bollworm	1,700	1,700	1,700
(16) Russian wheat aphid	—	1,588	1,000
(17) Witchweed	5,281	5,281	5,281
Total, plant protection	61,257	70,007	69,558
(b) Agricultural quarantine inspection			
	66,468	66,468	66,468
Total, plant disease and pest control	127,725	136,475	136,026
2. Animal disease and pest control:			
(a) Animal health programs:			
(1) Animal welfare	7,567	7,567	7,567
(2) Brucellosis eradication	61,841	63,729	62,786
(3) Cattle ticks	6,258	4,193	6,258
(4) Animal disease detection	5,394	5,394	5,394
(5) Foot-and-mouth disease (Darien Gap)	3,053	3,053	3,053
(6) Horse protection	161	161	161
(7) Import-export inspection	8,604	8,604	8,604
(8) International programs	2,151	2,151	2,151
(9) Animal health compliance and enforcement	14,694	14,694	14,694
(10) National poultry improvement plan	219	219	219
(11) Poultry diseases	643	643	643
(12) Pseudorabies	2,950	3,725	3,338
(13) Scrapie	—	1,500	1,100
(14) Screwworm	32,045	32,045	32,045
(15) Swine health protection	3,265	3,265	3,265
(16) Tuberculosis eradication	3,501	3,501	3,501
(17) Veterinary diagnostics	12,371	12,371	12,371
(18) Miscellaneous animal diseases	1,998	1,772	1,300
Total, animal health	166,715	168,587	168,450
(b) Veterinary biologics			
	8,641	8,641	8,641
(c) Animal damage control			
	29,815	29,815	29,815
Total, animal disease and pest control	205,171	207,043	206,906
3. Biotechnology			
	4,750	4,750	4,750
4. Contingencies:			
(a) Plant disease and pest control	2,250	2,250	2,250
(b) Animal disease and pest control	2,250	2,250	2,250
Total, contingencies	4,500	4,500	4,500
Total, salaries and expenses	342,146	352,768	352,182

The conference agreement provides \$29,815,000 for animal damage control activities. The conferees expect APHIS to give consideration to individual increases provided in the House and Senate reports and to review ongoing activities to assure their continued viability. Further, the conferees expect animal damage control activities to be cost-shared with non-Federal participants. The conferees also expect APHIS to work with universities where necessary to develop curricula in wildlife management that will further the science of animal damage control.

For the Mediterranean fruit fly program the conference agreement provides \$10,256,000. For test eradication of fruit fly infestations in Hawaii, the conferees have provided \$400,000 for the cost of releasing

sterile fruit flies on Kauai. In addition, the conferees expect APHIS to provide approximately 50 million sterile flies per week for this test eradication. Also included in the amount provided are funds to continue the Caribbean fruit fly protocol.

For the noxious weeds program the conferees have provided \$897,000. This level includes \$100,000 for hydrilla control in Imperial Valley, California, and \$450,000 for a common crupina eradication program.

The conferees expect APHIS to enter into cooperative agreements with universities and other appropriate entities where such agreements will aid in the control of the Russian wheat aphid.

For the boll weevil eradication program the conference agreement provides \$13,135,000. The conferees are aware of the escalating costs of the control efforts and expect APHIS to work with producers to find cost-efficient methods in the program. The conferees expect the program to continue as a cost-share program with the Federal share at no more than 30 percent.

Bunchy top banana virus, a serious disease that has nearly destroyed the banana industry in Guam and Australia, is posing a serious threat in Hawaii since its introduction in July 1989. Using funds available in fiscal year 1990, the conferees will expect APHIS to provide assistance to the State of Hawaii in its efforts to identify outbreaks and eradicate this disease as well as enforce necessary quarantines to prevent reintroduction of this disease.

The conferees agree to delete the earmark for calicivirus in miscellaneous animal diseases as proposed by the Senate.

BUILDINGS AND FACILITIES

Amendment No. 33: Appropriates \$13,422,000 for buildings and facilities of the Animal and Plant Health Inspection Service instead of \$15,172,000 as proposed by the House and \$11,672,000 as proposed by the Senate.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

Amendment No. 34: Appropriates \$33,171,000 for the Agricultural Marketing Service, Marketing Services, instead of \$33,187,000 as proposed by the House and \$33,155,000 as proposed by the Senate.

The conferees will expect the Department to initiate market development studies on the Chicago and Maine Terminal Markets and to continue work on the Columbia, South Carolina project. The conference agreement also provides \$100,000 for the Horticultural Producers Federation marketing program.

PAYMENTS TO STATES AND POSSESSIONS

Amendment No. 35: Appropriates \$1,250,000 for Payments to States and Possessions instead of \$942,000 as proposed by the House and \$1,500,000 as proposed by the Senate.

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

SALARIES AND EXPENSES

The House recedes from its position regarding the transfer of \$100,000 of funds budgeted for the Arkansas State Office of the ASCS to the State Office of the Soil Conservation Service for services.

COMMODITY CREDIT CORPORATION

REIMBURSEMENT FOR NET REALIZED LOSSES

Amendment No. 36: Appropriates \$4,233,000,000 for reimbursement of net realized losses of the Commodity Credit Cor-

poration as proposed by the House instead of \$4,800,000,000 as proposed by the Senate.

The agreement also modifies House language regarding examples of the types of losses incurred during fiscal years 1988 and 1989.

TITLE II—RURAL DEVELOPMENT PROGRAMS

RURAL DEVELOPMENT ASSISTANCE

FARMERS HOME ADMINISTRATION

RURAL HOUSING INSURANCE FUND

Amendment No. 37: Provides \$1,932,490,000 for loans from the Rural Housing Insurance Fund instead of \$1,944,990,000 as proposed by the House and \$1,919,990,000 as proposed by the Senate. The conference agreement includes the following loan levels:

Low-income housing (502)	\$1,329,210,000
Unsubsidized housing loans	(50,000,000)
Site development (524)	570,000
Rental housing (515)	579,900,000
Housing repair (504)	11,330,000
Farm labor (514)	11,480,000
Total	1,932,490,000

Amendment No. 38: Provides that \$1,881,920,000 of the loans from the Rural Housing Insurance Fund shall be for subsidized interest loans to low-income borrowers instead of \$1,894,420,000 as proposed by the House and \$1,869,420,000 as proposed by the Senate.

AGRICULTURAL CREDIT INSURANCE FUND

Amendment No. 39: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert: *\$13,500,000 shall not become available for obligation until October 1, 1990, (for the purposes of section 202 of the Balanced Budget and Emergency Deficit Control Reaffirmation Act of 1987 (Public Law 100-119, September 29, 1987), to the extent that this action has the effect of transferring an outlay of the United States from one fiscal year to an adjacent fiscal year, such transfer is a necessary (but secondary) result of a significant policy change) and \$475,500,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides that of the \$569,000,000 available for farm ownership loans, \$475,500,000 shall be for guaranteed loans instead of \$474,000,000 as proposed by the House and \$519,000,000 as proposed by the Senate.

The agreement also makes \$80,000,000 available for direct farm ownership loans in fiscal year 1990 instead of \$95,000,000 as proposed by the House and \$50,000,000 as proposed by the Senate. To effectuate this agreement, the conferees agree to defer \$13,500,000 in direct loans until fiscal year 1991.

Amendment No. 40: Provides a total of \$7,000,000 for water development, use, and conservation loans as proposed by the Senate instead of \$14,000,000 as proposed by the House.

Amendment No. 41: Provides that of the total available for water development, use, and conservation loans, \$1,500,000 shall be for guaranteed loans as proposed by the Senate instead of \$3,000,000 as proposed by the House.

Amendment No. 42: Provides a total of \$3,500,000,000 for operating loans instead of \$3,523,000,000 as proposed by the House and \$3,467,500,000 as proposed by the Senate. Both the House and Senate bills provide that of the total amount available for operating loans, \$2,600,000,000 shall be for guaranteed loans.

Amendment No. 43: Provides \$1,000,000 for Indian tribe land acquisition loans as proposed by the Senate instead of \$2,000,000 as proposed by the House.

Amendment No. 44: Provides \$3,500,000 for matching grants for State mediation programs instead of \$3,000,000 as proposed by the House and \$4,000,000 as proposed by the Senate.

Amendment No. 45: Deletes Senate language which required the Secretary, by October 15, 1989, to allocate to the States the full amount of farm operating loans authorized by this Act in a manner that would provide each State with the same percentage of the total as it used in fiscal year 1989.

The conferees are concerned about unused direct operating loan funds. Despite farmers' eligibility for these funds and their efforts to obtain them, FmHA maintains a substantial unobligated balance of direct operating loan funds. The Department's policy of holding back a reserve of funds in Washington serves to delay the obligation of these funds until after the season when the farmers most need them. The conferees direct the Department to obligate these funds in a timely manner so that all farmers who are eligible can obtain the funds when they are needed.

Furthermore, the conferees direct the Department to pool operating and ownership funds—both direct and guaranteed—which are unused by States, and distribute them to needy States early enough in the year to ensure that all the funds will be used.

Amendment No. 46: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum proposed by said amendment, insert: \$4,120,159,000

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates \$4,120,159,000 for reimbursement for net realized losses and interest subsidies of the Agricultural Credit Insurance Fund instead of \$4,259,000,000 as proposed by the House and \$4,462,159,000 as proposed by the Senate.

RURAL DEVELOPMENT INSURANCE FUND

Amendment No. 47: Provides \$430,190,000 for water and sewer facility loans instead of \$445,380,000 as proposed by the House and \$415,000,000 as proposed by the Senate. Both the House and Senate bills provided \$75,000,000 of the foregoing amount shall be for guaranteed loans.

Amendment No. 48: Provides a total of \$119,700,000 for community facility loans as proposed by the House instead of \$145,700,000 as proposed by the Senate.

Amendment No. 49: Provides that of the total amount available for community facility loans, \$24,000,000 shall be for guaranteed loans as proposed by the House instead of \$50,000,000 as proposed by the Senate.

RURAL DEVELOPMENT LOAN FUND

Amendment No. 50: Provides a total loan level of \$19,500,000 for the Rural Development Loan Fund instead of \$14,000,000 as proposed by the House and \$25,000,000 as proposed by the Senate.

Amendment No. 51: Appropriates \$17,500,000 for the Rural Development Loan Fund instead of \$12,000,000 as proposed by the House and \$23,000,000 as proposed by the Senate.

RURAL WATER AND WASTE DISPOSAL GRANTS

Amendments No. 52 and 53: Appropriate \$209,395,000 for rural water and waste disposal grants. The conference agreement deletes rewording of the appropriation language as proposed by the Senate, and restores House language.

The conferees are aware of the urgent need to upgrade the water and sewer services of the town of Clinton, Tennessee. The Department shall work with the town of Clinton to assure that as soon as each incremental stage of the project is available for initiation, the Department will make the necessary grant funds available.

The conferees agree that the Department may use unused rural water and sewer grant and loan funds returned from other States into the national pool to fund the high priority Kimzey Regional Water District proposal.

RURAL HOUSING FOR DOMESTIC FARM LABOR

Amendment No. 54: Appropriates \$11,000,000 for rural housing for domestic farm labor instead of \$12,500,000 as proposed by the House and \$9,513,000 as proposed by the Senate.

MUTUAL AND SELF-HELP HOUSING

Amendment No. 55: Appropriates \$8,750,000 for mutual and self-help housing instead of \$9,500,000 as proposed by the House and \$8,000,000 as proposed by the Senate.

RURAL DEVELOPMENT GRANTS

Amendment No. 56: Appropriates \$16,500,000 for rural development grants instead of \$6,500,000 as proposed by the House and \$28,500,000 as proposed by the Senate. The conferees concur in the funding levels for the projects earmarked in the House report. The conferees agree that the \$500,000 for Oklahoma shall be for Hughes County.

Amendment No. 57: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum named in said amendment, insert: \$1,250,000

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate. The conference agreement earmarks \$1,250,000 for grants to statewide private, nonprofit public television systems in predominantly rural States instead of \$2,000,000 as proposed by the Senate.

SALARIES AND EXPENSES

Amendment No. 58: Earmarks \$3,234,000 for the circuit rider program instead of \$3,068,000 as proposed by the House and \$3,400,000 as proposed by the Senate.

Amendment No. 59: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides \$1,000,000 to carry out the Lower Mississippi Delta Development Act and extends the date for submission of the Commission's interim report to October 16, 1989.

This Commission was activated in the fiscal year 1989 Appropriations Act and was slow in getting organized—it was six months before an executive director was selected and most of the staff were not selected until

last May. \$2,000,000 was appropriated in last year's Act and an additional \$1,000,000 was authorized.

The appropriation was justified to Congress as a means of restoring the economy of the Mississippi River Delta, which had gone from one of the richest and more prosperous areas to one of the poorest in nine years.

To date, only an interim report has been made without reference to efforts to correct apparent causes of problems.

To accomplish its purpose, the Commission must work to correct the known causes of the problems which have resulted in the area, with perhaps the richest and most fertile farmland in the Nation, becoming the poorest in nine years, largely as a result of the Nation's decisions on agriculture as shown by the House report on this year's Appropriations bill, H.R. 2883.

That report points out:

"Agriculture, our largest employer at home, our biggest market for industry and labor, our biggest dollar earner in world trade, has been permitted to go down the drain during the last decade.

"For 48 years, farm prices were maintained to offset costs and our surplus sold in world trade at competitive prices.

"Instead of using section 32 (30 percent of customs receipts) as intended to promote exports and to support the price with special attention to perishable commodities, they divide it among consumer programs.

"Instead of the farmer receiving a fair price from the buyer, as he did for 48 years, he must look to a check from the U.S. Treasury.

"After eight years of current policy, what is the result:

"The national debt of \$932 billion in 1981 has tripled to over \$2.8 trillion.

"Our trade deficit has gone from \$19.3 billion in 1980 to \$170.0 billion in the red in 1987 and \$119.8 billion in the red in 1988.

"For the first time since 1914, the United States is a debtor nation, the largest debt any nation ever had throughout history.

"Since 1981 some 811 banks and 586 savings and loan associations have gone bankrupt.

"This year, the farmer's production costs are being raised by an increase in minimum wages and increases in fuel, chemicals, seed and other items the farmer requires to produce and market his crop.

"AMERICA FOR SALE

"During the past five years nearly \$800 billion in foreign capital washed across the United States buying up companies, banks, luxury hotels, retail chains, building new factories, establishing bank accounts, and financing a major portion of the national debt. This has helped turn the United States from the world's largest creditor to the world's largest debtor.

"According to information from the Congressional Research Service, more than 300,000 farmers (12 percent) have been forced off their farms since 1981. Moving to town has added to the problems of the cities which are already heavily burdened with serious social problems.

"Further, the Farmers Home Administration adopted a policy of requiring the farm borrower to show that he could pay off the new loan, plus all past due loans, in a single crop year. Farmers are the only class of borrowers who are required to live with such stringent rules. Not even foreign borrowers from the United States are treated so harshly.

In addition, the Delta is also faced with an action of the Federal Government to let the EPA, in consultation with the Fish and Wildlife Service, determine wetlands, rather than a determination based on the historical use of the land.

A recovery will be dependent upon a return to a prosperous agriculture, which in turn requires a recapturing of domestic and foreign markets as well as a growing industrial development. This can only be accomplished by the government providing the same consideration as other nations give to their agriculture and industry.

The Commission must tackle the known problems—which again come from our government turning over a large share of our domestic market to foreign imports as well as a major share of our normal world markets.

The \$1,000,000, which is the second and last payment authorized, shall be made available only upon a resolution by the Commission to attack these known causes and a certificate of such fact made to the appropriate committees of the Congress.

RETAINAGE REQUIREMENTS

The conferees also concur in the House position regarding retainage requirements.

RURAL ELECTRIFICATION ADMINISTRATION

RURAL ELECTRIFICATION AND TELEPHONE REVOLVING FUND LOAN AUTHORIZATIONS

Amendment No. 60: Deletes Senate language which required the REA to use unobligated loan authorizations from prior years to reduce the backlog of applications. However, the conferees expect that full use be made of these previously authorized funds to reduce the backlog of loan applications.

RURAL ECONOMIC DEVELOPMENT SUBACCOUNT

Amendment No. 61: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert the following:

RURAL ECONOMIC DEVELOPMENT SUBACCOUNT

For grants and loans authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, \$5,000,000, to remain available until expended: Provided, That this amount will be in addition to any amounts generated by the interest differential on voluntary cushion of credit payments made by REA borrowers.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates \$5,000,000 for the rural economic development subaccount instead of \$11,357,000 as proposed by the Senate. The conferees expect that the local REA cooperatives will continue to participate financially.

SALARIES AND EXPENSES

Amendment No. 62: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum named in said amendment, insert: \$500,000

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement requires that not less than \$500,000 of the REA salaries and expenses funds shall be used to provide community and economic development technical assistance to rural electric and tele-

phone systems, and such assistance shall be made available within 90 days of enactment.

The conferees expect that compliance of loan fund and accounting reviews will continue to be provided by Rural Electrification Administration personnel and that the cost of such reviews will not be imposed on any borrower financed under the Rural Electrification Act. This function has always been performed by Rural Electrification field accountants because such reviews assure compliance with loan purposes and benefit the government in providing loan security on funds authorized for insured, guaranteed and rural telephone bank loans.

CONSERVATION

OFFICE OF THE ASSISTANT SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

Amendment No. 63: Appropriates \$445,000 for the Office of the Assistant Secretary for Natural Resources and Environment instead of \$422,000 as proposed by the House and \$467,000 as proposed by the Senate.

SOIL CONSERVATION SERVICE

CONSERVATION OPERATIONS

Amendment No. 64: Provides a limitation of not less than \$355,000,000 for personnel compensation and benefits of the Soil Conservation Service as proposed by the Senate instead of \$370,000,000 as proposed by the House.

Within the amount provided for conservation operations the conference agreement includes \$250,000 for the Michigan subirrigation study; \$490,000 for the North Dakota windbreak project; \$100,000 for work on the Red Rock Reservoir, Iowa, sedimentation project; \$75,000 for expanding work at the Louisiana State University Rice Research Station; \$375,000 for work on the Plum Bayou project in Arkansas; \$176,000 for Alcorn State, Mississippi; and \$150,000 for the Idaho abatement plan.

RIVER BASIN SURVEYS AND INVESTIGATIONS

Amendment No. 65: Appropriates \$12,292,000 for river basin surveys and investigations instead of \$12,533,000 as proposed by the House and \$12,051,000 as proposed by the Senate.

WATERSHED PLANNING

Amendment No. 66: Appropriates \$8,824,000 for watershed planning instead of \$8,997,000 as proposed by the House and \$8,651,000 as proposed by the Senate.

WATERSHED AND FLOOD PREVENTION OPERATIONS

Amendment No. 67: Appropriates \$26,271,000 for the Public Law 534 watershed program as proposed by the Senate instead of \$27,271,000 as proposed by the House.

Amendment No. 68: Appropriates \$20,000,000 for emergency watershed work as proposed by the Senate instead of \$15,000,000 as proposed by the House.

Amendment No. 69: Provides \$4,000,000 in loans for the watershed program instead of \$7,949,000 as proposed by the House and \$3,755,000 as proposed by the Senate.

The conferees agree to the urgent need for providing funding for the Wheeling Creek, Upper Buffalo Creek, Patterson Creek and Lost River, West Virginia, watershed and flood control projects. As soon as each incremental stage of the projects is available for initiation, the conferees will expect SCS to make the necessary funds available.

RESOURCES CONSERVATION AND DEVELOPMENT

Amendment No. 70: Provides \$600,000 in loans for the resource conservation and de-

velopment program as proposed by the Senate instead of \$1,207,000 as proposed by the House.

GREAT PLAINS CONSERVATION PROGRAM

Amendment No. 71: Appropriates \$20,884,000 for the Great Plains conservation program instead of \$20,474,000 as proposed by the House and \$21,293,000 as proposed by the Senate.

TITLE III—DOMESTIC FOOD PROGRAMS

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

Amendment No. 72: Provides a total of \$4,887,494,000 for the child nutrition programs, including transfer of funds from section 32, as proposed by the Senate instead of \$4,869,804,000 as proposed by the House.

The conference agreement provides for the child nutrition programs at the following annual rates:

Total obligational authority

Child nutrition programs:	Amount
School lunch program	\$3,115,074,000
School breakfast program	563,926,000
State administrative expenses	60,651,000
Summer food service program	170,883,000
Child care food program	757,288,000
Commodity procurement	207,837,000
Nutrition studies and surveys	3,185,000
Income verification of food service claims	3,600,000
Nutrition education and training	5,000,000
Homeless pilot	50,000

Total available

4,887,494,000

Amendment No. 73: Appropriates \$730,940,000 for the child nutrition programs as proposed by the Senate instead of \$713,250,000 as proposed by the House.

Amendment No. 74: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following: *Provided further, That \$500,000 shall be available to establish the Food Service Management Institute at the University of Mississippi.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides \$500,000 for activities related to the Food Service Management Institute to be established at the University of Mississippi. The University may contract with and work in conjunction with others to accomplish the goals and objectives of the Institute.

SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

Amendment No. 75: Provides that up to \$2,000,000 may be used to carry out the farmer's market coupon demonstration project as proposed by the House instead of \$2,800,000 as proposed by the Senate. The conferees expect the Food and Nutrition Service to submit a report to the appropriate committees of Congress on the effectiveness of the farmer's market coupon demonstration project.

FOOD STAMP PROGRAM

Amendment No. 76: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and

concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum proposed by said amendment, insert: \$15,707,096,000

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates a total of \$15,707,096,000 for the food stamp program instead of \$14,200,235,000 as proposed by the House and \$15,400,235,000 as proposed by the Senate. The conference agreement includes the Administration's mid-year estimates for the food stamp program and the Puerto Rico block grant.

Amendment No. 77: Provides a limitation of \$10,825,000 on the amount of funds available under the Puerto Rico Nutrition Assistance block grant for the Cattle Tick Eradication Project as proposed by the House instead of \$12,825,000 as proposed by the Senate.

TITLE IV—INTERNATIONAL PROGRAMS

FOREIGN AGRICULTURAL SERVICE

Amendment No. 78: Appropriates \$102,529,000 for the Foreign Agricultural Service instead of \$98,787,000 as proposed by the House and \$106,270,000 as proposed by the Senate.

The conferees agree that up to \$350,000 of this appropriation may be used to complete the trade missions and conduct the necessary follow-up visits in connection with such visits. Such funds shall be in addition to the \$200,000 specifically appropriated for trade missions.

The conferees note that the United States lags behind the competition as an exporter of value-added and high-value products. The conferees believe FAS, in conjunction with private industry, should increase value-added and high-value product promotion and exports. The conferees will expect FAS to analyze ways to accomplish this goal and provide the appropriate committees of Congress with a report within 120 days of enactment of this Act on the methods available and the actions that the Service is taking to implement them.

PUBLIC LAW 480

Amendment No. 79: Provides for a program level of \$860,955,000 for titles I and III of the Public Law 480 program instead of \$860,900,000 as proposed by the House and \$878,055,000 as proposed by the Senate.

Amendment No. 80: Appropriates \$309,900,000 for titles I and III instead of \$309,845,000 as proposed by the House and \$327,000,000 as proposed by the Senate.

Amendment No. 81: Provides for a program level of \$682,100,000 for Title II of the Public Law 480 program as proposed by the House instead of \$665,000,000 as proposed by the Senate.

Amendment No. 82: Appropriates \$682,100,000 for title II as proposed by the House instead of \$665,000,000 as proposed by the Senate.

OFFICE OF INTERNATIONAL COOPERATION AND DEVELOPMENT

Amendment No. 83: Appropriates \$6,118,000 for the Office of International Cooperation and Development instead of \$4,376,000 as proposed by the House and \$6,725,000 as proposed by the Senate.

The conference agreement provides \$1,492,000 for the middle-income countries training program as proposed by the Senate. The agreement also provides \$125,000 for the U.S./Ireland exchange instead of \$250,000 as proposed by the Senate. Funds for FODAG/Rome are included under FAS.

For Operation FAST the agreement provides \$500,000 instead of \$375,000 as proposed by the House and \$750,000 as proposed by the Senate. For development, planning and analysis the agreement provides \$470,000 as proposed by the House instead of \$535,000 as proposed by the Senate.

SCIENTIFIC ACTIVITIES OVERSEAS

(FOREIGN CURRENCY PROGRAM)

Amendment No. 84: Appropriates \$875,000 for scientific activities overseas instead of \$750,000 as proposed by the House and \$1,000,000 as proposed by the Senate.

TITLE V—RELATED AGENCIES

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

Amendment No. 85: Appropriates \$560,271,000 for salaries and expenses of the Food and Drug Administration instead of \$550,171,000 as proposed by the House and \$581,871,000 as proposed by the Senate.

Within the increase provided, the conferees expect the Food and Drug Administration to implement management improvement systems and automated data processing enhancements necessary for centralizing its planning, ongoing oversight, and allocation of limited resources to priority activities among its various centers and field offices. Management information and automated processing systems development should include effective controls for review of foods, human and animal drugs, biologics, and medical devices; optical storage and retrieval technology; and computer-assisted review and tracking of product applications.

To enable FDA to recruit and retain qualified medical and scientific personnel imperative to meet statutory responsibilities, the conferees expect FDA to expand regulatory training and fellowship programs to create a larger pool of qualified candidates to fill agency staff requirements.

The conferees expect FDA to increase substantially its assistance to small businesses in order to meet FDA's complex regulatory requirements.

The conferees also expect FDA to implement the Generic Animal Drug and Patent Term Restoration Act within funds available.

The conferees are very concerned with reports regarding the generic drug program. The public expects and should receive safe and effective products while the industry is treated in a fair and evenhanded manner. The conferees are aware of a pending budget amendment to address generic drug problems. Accordingly, the conference agreement includes up to \$4,000,000 for quality control, surveillance, review, and tracking of human generic drugs. Congress will consider other action upon receipt of an official budget request.

FDA will report details of its progress with these directives as part of its 1991 budget justifications.

The conferees are also concerned with the results of the survey by FDA on microbial contamination in cosmetic makeup testers. The results of the survey indicated that at least five percent of the shared cosmetics studied were inadequately preserved, resulting in a level of microbial contamination that raises questions of consumer safety. As a result of these findings, the conferees expect FDA to develop microbiological testing procedures and regulations to ensure adequate preservation of shared and unshared products. FDA should cooperate with the cosmetic industry in the develop-

ment of single cosmetic samples rather than shared samples. The conferees will expect FDA to submit a progress report by March 30, 1990.

RED DYE NO. 3

The managers on the part of the House expect the Food and Drug Administration to provide the technical expertise necessary for the development and design of protocols for a long-term study to determine if the secondary mechanism effect can be confirmed for FD&C Red No. 3. Such study shall be financed by the affected industries. The managers on the part of the House further expect the Food and Drug Administration to review the results of this study, in addition to any other scientifically based findings which may emerge, prior to making any decision relating to changes in the provisionally or permanently approved uses of this color.

The managers on the part of the Senate believe that the FDA should reach its final decision on Red Dye No. 3 solely under the standards of the Food, Drug, and Cosmetic Act (21 U.S.C. 376 and the transitional provisions thereto, 74 Stat. 397, 203), and section 10(e) of the Administrative Procedure Act, 5 U.S.C. 706.

Amendment No. 86: Deletes Senate language which authorized the hire of temporary employees without regard to title 5 U.S.C. The House had no similar provision.

BUILDINGS AND FACILITIES

Amendment No. 87: Appropriates \$8,350,000 for buildings and facilities of the Food and Drug Administration instead of \$6,950,000 as proposed by the House and \$12,250,000 as proposed by the Senate.

The conferees will expect FDA to provide requirements development for necessary renovation and consolidation of FDA facilities. The conferees direct the FDA Commissioner to report concurrently to the appropriate committees of Congress and the Office of Management and Budget on progress with its master site plans and requirements development for consolidation by December 31, 1989. The conference agreement does not provide funds for the biotechnology demonstration project at the National Center for Toxicological Research.

DEPARTMENT OF THE TREASURY

PAYMENTS TO THE FARM CREDIT SYSTEM FINANCIAL ASSISTANCE CORPORATION

Amendment No. 88: Appropriates \$90,000,000 for payments to the Farm Credit System Financial Assistance Corporation instead of \$88,000,000 as proposed by the House and \$93,000,000 as proposed by the Senate.

COMMODITY FUTURES TRADING COMMISSION

Adjunct oversight of the commodity futures industry should be accomplished in order to restore public confidence and provide stability to the commodity futures trading markets.

In view of the recent investigations and indictments facing the commodity futures industry, resulting from fraud and abuse within the industry, the Commodity Futures Trading Commission should issue rules and regulations to assume direct regulatory activities associated with any board of trade, exchange or market or any transaction involving contracts of sale of a commodity for future delivery, traded or executed on a contract market subject to regulation by the Commission. Included within the amount provided is \$50,000 to promulgate such rules and regulations. Such regu-

latory action should be in addition to and separate from the industry's ongoing self-regulatory process.

TITLE VI—GENERAL PROVISIONS

Amendment No. 89: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which has the effect of providing that \$5,000,000 in new obligational authority for the Grasshopper and Mormon Cricket Control Programs shall remain available until expended.

Amendment No. 90: Provides for a floor on employment for the Food and Drug Administration of 7,500 as proposed by the Senate instead of 7,400 as proposed by the House.

Amendment No. 91: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provide that loans offered for sale by the Rural Development Insurance Fund in fiscal year 1990 shall be first offered to borrowers for prepayment.

Amendment No. 92: Restores House language which limits the export enhancement program to \$770,000,000.

Amendment No. 93: Deletes Senate language which prohibited a State from receiving WIC funds if that State has not implemented cost containment activities.

Amendment No. 94: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following:

SEC. 636. In fiscal years 1990 and 1991, \$30,000,000 of section 32 fund shall be used to purchase sunflower and cottonseed oil, as authorized by law, such purchases to facilitate additional sales of such oils in world markets at competitive prices, so as to compete with other countries: Provided, That these funds shall be in addition to funds made available for this purpose by the Rural Development, Agriculture, and Related Agencies Appropriations Act, 1989 (Public Law 100-460).

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the House to the amendment of the Senate.

The conferees point out that section 32 was enacted by Congress to be used to "encourage the exportation of agricultural commodities." The conferees will expect the Secretary to reinstate the use of this authority as a means of promoting our exports.

The conference agreement provides that \$30,000,000 of section 32 funds shall be used in fiscal years 1990 and 1991 to purchase sunflower and cottonseed oil to facilitate additional sales of such oils in world markets at competitive prices. The House bill provide that sunflower and cottonseed oil be purchased in fiscal year 1990 without providing a specific amount and the Senate bill provided \$40,000,000 in fiscal years 1990 and 1991.

Amendment No. 95: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides for a sugar reexport program.

Amendment No. 96: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and

concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert the following:

SEC. 641. (a)(1) Not later than 20 days after the end of each fiscal year, the Secretary of Agriculture shall (A) submit to Congress a report on the amounts obligated and expended by the Department during that fiscal year for the procurement of advisory and assistance services, and (B) transmit a copy of such report to the Comptroller General of the United States.

(2) Each report submitted under paragraph (1) shall include a list with the following information:

(A) All contracts awarded for the procurement of advisory and assistance services during the fiscal year and the amount of each contract.

(B) the purpose of each contract.

(C) the justification for the award of each contract and the reason the work cannot be performed by civil servants.

(b) The Comptroller General of the United States shall review the reports submitted under subsection (a) and transmit to Congress any comments and recommendations the Comptroller General considers appropriate regarding the matter contained in such reports.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement adopts Senate language which establishes various reporting requirements with respect to the procurement of advisory or assistance services by the Department of Agriculture. The conference agreement deletes Senate language which would have placed a specific limitation on the amount of funds that could be obligated or expended for this purpose.

Amendment No. 97: Deletes the table of contents contained in the bill as proposed by the Senate.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1990 recommended by the Committee of Conference, with comparisons to the fiscal year 1989 amount, the 1990 budget estimates, and the House and Senate bills for 1990 follow:

New budget (obligational) authority, fiscal year 1989.....	\$42,675,463,000
Budget estimates of new (obligational) authority, fiscal year 1990.....	39,471,766,000
House bill, fiscal year 1990.....	37,964,873,000
Senate bill, fiscal year 1990.....	40,103,935,000
Conference agreement, fiscal year 1990.....	39,450,955,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1989.....	-3,224,508,000
Budget estimates of new (obligational) authority, fiscal year 1990.....	-20,811,000
House bill, fiscal year 1990.....	+1,486,082,000
Senate bill, fiscal year 1990.....	-652,980,000

JAMIE L. WHITTEN,
BOB TRAXLER,
MATTHEW F. MCHUGH,
WILLIAM H. NATCHER,
DANIEL K. AKAKA,
WES WATKINS,

RICHARD J. DURBIN,
NEAL SMITH,
VIRGINIA SMITH,
JOHN T. MYERS,
JOE SKEEN,
VIN WEBER,
SILVIO O. CONTE,

Managers on the Part of the House.

QUENTIN N. BURDICK,
DALE BUMPERS,
TOM HARKIN,
BROCK ADAMS,
WYCHE FOWLER,
J. ROBERT KERREY,
ROBERT C. BYRD,
THAD COCHRAN,
JAMES A. MCCLURE,
ROBERT W. KASTEN,
ARLEN SPECTER,
CHUCK GRASSLEY,
MARK O. HATFIELD,

Managers on the Part of the Senate.

□ 1850

UNITED STATES MUST REMAIN STRONG ELECTRONICALLY

THE SPEAKER pro tempore (Mr. HUTTO). Under a previous order of the House, the gentlewoman from Maryland [Mrs. BENTLEY] is recognized for 60 minutes.

Mrs. BENTLEY. Mr. Speaker, stories are circulating around Washington this week that the Defense Department will start negotiating with the Japanese to buy flat panel displays, part of the range of HDTV continuing technology. Up until this rumor hit the streets, 45 U. S. firms had been recognized by DARPA as having the capability of producing these screens, and the firms had application into DARPA for development funds.

However, there is another story being confirmed by some Defense insiders, which I understand will be carried in the New York Times tomorrow, that reports the Defense Department will cut all HDTV funding from DARPA. Maybe this fact makes the previous rumor about the purchase of screens true.

My sources at Defense also report that all Government contributions to Semitech will be cut, MANTECH will be cut, Defense Manufacturing Board will be cut out, Gallium Arsenide Research will be stopped. In essence, and very frighteningly so, every major industrial base initiative being run by the Defense Department will be dropped.

Now, while all of this is coming together, and, as we say, blowing one's mind, another story has surfaced in the publication called "New Technology Week." This reports that the staff economist to the White House Council of Economic Advisors, Gary Saxenhouse, is on the advisory board of the Research Institute at Japan's Ministry of Industry and Trade, better known as MITI.

For those of you who are not familiar with MITI, it is the Ministry of Industry and Trade, that guides all of Japanese manufacturing, and also guides them in the trade wars: It was MITI that was said to have its fingers in the sale of the milling machines, the silent milling machines by Toshiba to the Russians, et cetera.

Throughout the book, "The Japanese Conspiracy," it is MITI which helped organize the Japanese industries to focus in on American industries to destroy them one by one.

□ 1900

So, Mr. Speaker, I have to wonder is Mr. Saxenhouse, as a member of this advisory board, an agent of a foreign government, or, were he merely a lobbyist, he would have to register as such, and is he responsible for the idea that defense should stop funding programs for the future which would impact, not only on defense purchases, but also would have tremendous impact on restoring some of our micro-electronic base that was lost to the Japanese?

I understand, and, once again, it is only a rumor that we may have consultants to the Japanese scattered throughout our Government. I really hope not, Mr. Speaker.

Is Mr. Saxenhouse only a tip of the iceberg? Well, I must say, Mr. Speaker, that I do not know whether there is undue foreign influence involved here, but the possibilities are so great and recognized to be so by our foreign agents registration laws that I really find the situation absolutely outrageous.

Mr. Speaker, Mr. Saxenhouse should be fired immediately, and any other person who is a consultant employed by a foreign government also should be discharged. It is not enough that they merely drop their Japanese affiliation to continue collecting U.S. taxpayers' money because every bit of advice given to this Government by such people will forever be suspect.

As my colleagues know, it is very difficult for me to understand how this happened. Surely these people must have security clearances to work at such high level positions. No one in the employment of a foreign government or who has a close association to a foreign government should ever be at a policymaking level of this Government.

Now some comments about the wisdom of this action in light of what is best for the United States:

Mr. Speaker, it is true that the Defense Department faces some budget cuts. However, the reports coming out of Germany right now is that they want our troops out, some 35,000 of them. Fine. Let us take a cut there. Considering our precarious budget position, it is probably wise to stop spending money on other countries

which do not want us there in the first place.

Another thought: These kinds of cuts mandated out of this administration will create a political firestorm from people, such as myself, who see this as a threat to the future, especially in our beleaguered microelectronics industry, and from constituent congressional Members who represent these programs.

This is not only outrageous, Mr. Speaker, it is absolutely ludicrous. Everybody agrees that the future is in electronics, and I hope that perestroika and glasnost also are all legitimate to the core, but just in case the Russians change their mind, and Mr. Gorbachev has told the world this week that capitalism would not be an import to the Eastern bloc, I suggest that the loss of research and development funds for dual use technology in the Defense Department shall be regarded as one of the most horrendous displays of disarmament that this country has experienced without a gun ever being placed at our head.

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 Ms. SNOWE) to revise and extend their remarks and include extraneous material:)

Mr. LENT, for 5 minutes, today.

Mr. DORNAN of California, for 5 minutes, today.

(The following Members (at the request of Mr. HARRIS) to revise and extend their remarks and include extraneous material:)

Mr. STARK, for 5 minutes, today.

Mr. SLATTERY, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. MONTGOMERY, for 5 minutes, today.

Mr. PANETTA, for 5 minutes, today.

Mr. BUSTAMANTE, for 5 minutes, on November 16.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Ms. SNOWE) and to include extraneous matter:)

Mr. HEFLEY.

Mr. PAXON.

Mr. PETRI.

Mr. BURTON of Indiana.

Mr. LAGOMARSINO.

Mr. DONALD E. "BUZ" LUKENS.

Mr. SCHUETTE.

Mr. LEWIS of California in three instances.

Mr. LENT in two instances.

Mr. SKEEN.

Mr. MACHTLEY.

Mr. DANNEMEYER.

Mr. GINGRICH.

(The following Members (at the request of Mr. HARRIS) and to include extraneous matter:)

Ms. OAKAR.

Mr. ROE.

Mr. MATSUI in two instances.

Mr. HAMILTON.

Mr. MONTGOMERY.

Mr. RAY.

Mr. GRAY.

Mr. TORRES.

Mr. STARK in three instances.

Mr. MORRISON of Connecticut.

Mr. OWENS of New York.

Mr. CROCKETT.

Mr. ERDREICH.

Mr. MANTON.

Mr. HALL of Ohio.

Mr. TALLON.

Mr. OBEY.

Mr. LAUGHLIN.

Mr. ATKINS.

Mr. RICHARDSON in two instances.

Mr. RANGEL.

Mr. CLAY.

Mr. LEVINE of California in five instances.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. ANNUNZIO, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a Joint Resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 215. An act to amend title 5, United States Code, with respect to the method by which premium pay is determined for irregular unscheduled overtime duty by a Federal employee;

H.R. 2642. An act granting the consent of the Congress to amendments to the Southeast Interstate Low-Level Radioactive Waste Management Compact;

H.R. 3014. An act making appropriations for the legislative branch for the fiscal year ending September 30, 1990, and for other purposes;

H.R. 3544. An act to authorize the transfer of a specified naval landing ship dock to the Government of Brazil under the leasing authority of chapter 6 of the Arms Export Control Act; and

H.J. Res. 278. Joint resolution to designate the period commencing on November 20, 1989, and ending on November 26, 1989, as "National Adoption Week."

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 931. An act to protect a segment of the Genesee River in New York.

ADJOURNMENT

Mrs. BENTLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 15 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, November 16, 1989, 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:

2019. A letter from the Director, the Office of Management and Budget, transmitting the cumulative report on rescissions and deferrals of budget authority, as of November 1, 1989, pursuant to 2 U.S.C. 685(e) (H. Doc. No. 101-110); to the Committee on Appropriations and ordered to be printed.

2020. A letter from the Deputy Associate Director for Collection and Disbursements, Department of the Interior, transmitting notification of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

2021. A letter from the Deputy Associate Director for Collection and Disbursements, Department of the Interior, transmitting notification of proposed refunds of excess royalty payments in OCS area, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

2022. A letter from the Deputy Associate Director for Collection and Disbursements, Department of the Interior, transmitting notification of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

2023. A letter from the Chairman, Merit Systems Protection Board; transmitting a report titled, "Federal Personnel Management Since Civil Service Reform: A Survey of Federal Personnel Officials", pursuant to 5 U.S.C. 1205(a)(3); to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WHITTEN: Committee of Conference. Conference report on H.R. 2883 (Rept. 101-361). Ordered to be printed.

Mr. MOAKLEY: Committee on Rules. House Resolution 290. Resolution providing for consideration of H.R. 3660, a bill to amend the Rules of the House of Representatives and the Ethics in Government Act of 1978 to provide for Governmentwide ethics reform, and for other purposes. (Rept. 101-362). Referred to the House Calendar.

[Omitted from the Record of November 14, 1989]

DISCHARGE OF COMMITTEE ON H.R. 2567

The Committee on Merchant Marine and Fisheries discharged from further consideration of H.R. 2567; H.R. 2567 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. BATEMAN:

H.R. 3659. A bill to amend the Internal Revenue Code of 1986 to provide that certain real property listed on the National Register of Historic Property shall be exempt from the estate tax; to the Committee on Ways and Means.

By Mr. FOLEY (for himself, Mr. MICHEL, Mr. FAZIO, and Mrs. MARTIN of Illinois):

H.R. 3660. A bill to amend the Rules of the House of Representatives and the Ethics in Government Act of 1978 to provide for Governmentwide ethics reform, and for other purposes; jointly, to the Committees on Rules, Post Office and Civil Service, House Administration, Standards of Official Conduct, the Judiciary, Ways and Means, and Government Operations.

By Mr. CONTE (for himself, Mr. MINETA, and Mr. WHITTEN):

H.R. 3661. A bill to authorize the establishment of a Smithsonian Senior Service, and for other purposes; to the Committee on House Administration.

By Mr. ECKART:

H.R. 3662. A bill to amend the Securities Exchange Act of 1934, and for other purposes; jointly, to the Committees on Energy and Commerce and Agriculture.

By Mr. FLORIO (for himself, Mr. WAXMAN, Mr. SIKORSKI, Mr. GUARINI, Mr. PALLONE, Mr. ROE, Mr. TORRICELLI, Mr. HUGHES, Mr. FEIGHAN, Mr. PAYNE of New Jersey, and Mr. DWYER of New Jersey):

H.R. 3663. A bill to promote the recycling of valuable materials contained in municipal refuse, and for other purposes; jointly, to the Committees on Energy and Commerce; Ways and Means; and Science, Space, and Technology.

By Mr. HATCHER (for himself, Mr. EMERSON, Mr. PANETTA, Mr. FASCELL, Mr. LEWIS of Florida, Mr. STALLINGS, Mr. SCHULZE, and Mr. ESPY):

H.R. 3664. A bill entitled, "The Omnibus Agricultural Commodity Promotion and Research Act of 1989"; to the Committee on Agriculture.

By Mr. KOSTMAYER (for himself, Mr. KOLTER, Mr. WELDON, Mr. MAVROULES, Mr. LEWIS of Georgia, Mrs. COLLINS, Mr. OWENS of New York, Mrs. BOXER, Mr. DE LUGO, Mr. PENNY, Mr. FORD of Tennessee, Mr. CAMPBELL of Colorado, Mr. FAUNTROY, Mr. MILLER of Washington, Mr. DEFazio, Mr. MCCOLLUM, Mr. FROST, Mr. PARRIS, Mr. SPENCE, and Mr. GUNDERSON):

H.R. 3665. A bill to amend the International Revenue Code of 1986 to provide for the establishment of, and limited deduction of contributions to, education savings accounts; to the Committee on Ways and Means.

By Mr. PANETTA (for himself and Mr. TORRES):

H.R. 3666. A bill to provide assistance to disaster victims through programs under section 8 of the United States Housing Act of 1937 and the Community Development Block Grant Program and to provide for allocation of rural housing funds in the event of a disaster; to the Committee on Banking, Finance and Urban Affairs.

By Mr. ROTH:

H.R. 3667. A bill to establish a Department of Commerce and Trade, and for other purposes; to the Committee on Government Operations.

H.R. 3668. A bill to require an annual assessment and ranking of foreign countries with respect to the extent to which those countries engage in open international trade, and for other purposes; jointly, to the Committees on Ways and Means; Foreign Affairs; and Banking, Finance and Urban Affairs.

By Mr. WISE:

H.R. 3669. A bill to establish a Data Protection Board, and for other purposes; to the Committee on Government Operations.

By Ms. OAKAR:

H.J. Res. 436. Joint resolution to designate the week beginning March 5, 1990, as "Federal Employees Recognition Week"; to the Committee on Post Office and Civil Service.

By Mr. OWENS of New York (for himself, Mr. BARTLETT, and Mr. SMITH of Vermont):

H. Con. Res. 228. Concurrent resolution to express the sense of the Congress regarding the 25th anniversary of Volunteers In Service To America; to the Committee on Education and Labor.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 8: Mr. HANSEN, Mr. EMERSON, and Mr. YATES.

H.R. 509: Mr. GINGRICH, Mrs. KENNELLY, and Mr. SWIFT.

H.R. 655: Mr. BOSCO.

H.R. 1036: Mr. DUNCAN.

H.R. 1137: Mr. VENTO.

H.R. 1167: Mr. HAYES of Illinois, Mr. KILDEE, and Mr. COLEMAN of Texas.

H.R. 1292: Mr. ROBERTS and Mr. WHITTAKER.

H.R. 1470: Mr. COYNE.

H.R. 1515: Mr. McMILLEN of Maryland.

H.R. 1530: Mr. CONYERS, Mr. WHEAT, Mr. OWENS of Utah, Mr. FUSTER, and Mr. HERTEL.

H.R. 1676: Mr. DOWNEY.

H.R. 2005: Mr. JOHNSON of South Dakota.

H.R. 2006: Mr. MARLENEE and Mr. JOHNSON of South Dakota.

H.R. 2192: Mr. BLAZ, Mrs. UNSOELD, and Mr. REGULA.

H.R. 2255: Mr. MILLER of Washington, Mr. FIELDS, Mr. WELDON, Mr. BENNETT, Mr. LENT, and Mrs. SAIKI.

H.R. 2273: Mr. SCHUMER, Mr. RUSSO, Mrs. PATTERSON, Mr. BUECHNER, Mr. BLAZ, Mr. RINALDO, Mr. BARTLETT, Mr. GINGRICH, and Mr. WELDON.

H.R. 2584: Mr. WELDON.

H.R. 2754: Mr. ALEXANDER, Mr. ENGEL, Mr. FLORIO, Mr. HAYES of Illinois, Mr. HAYES of Louisiana, Mr. HUBBARD, Mrs. MARTIN of Illinois, Mr. PANETTA, Mr. PAYNE of New Jersey, Mr. POSHARD, Mr. ROGERS, Mr. ROWLAND of Georgia, Mr. SABO, Mr. SCHAEFER, Mr. SCHUETTE, Mr. SKEEN, Mr. SKELTON, Mr. SLATTERY, Mr. STALLINGS, Mrs. VUCANOVICH, and Mr. WEBER.

H.R. 2755: Mr. DURBIN.

H.R. 2761: Mr. PASHAYAN, Mr. THOMAS of Georgia, Mr. HUBBARD, Mr. SLAUGHTER of Virginia, Mr. SKAGGS, Mr. NOWAK, Mr. UPTON, Mr. RINALDO, Mr. SUNDQUIST, Mr. FAZIO, Mrs. SAIKI, Mr. TRAXLER, Mr. MARTINEZ, Mr. BILBRAY, Mr. MOORHEAD, Mr. GREEN, Mr. MINETA, Mr. ROSE, Mr. MOODY,

